

**DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF FIRE SAFETY
NEW JERSEY FIRE SAFETY COMMISSION
REGULAR MEETING**

Meeting of March 15, 2006

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The New Jersey Fire Safety Commission meeting was held on Wednesday, March 15, 2006, at the Middlesex County Fire Academy in Sayreville, New Jersey.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Senator Anthony R. Bucco
Mr. C. Kenneth Anderson
Mr. Daniel DeTrolio
Mr. Paul E. Hartstein
Mr. Arthur Londensky
Mr. Arthur Mercurio
Ms. Deborah C. Whitcraft
Mr. Charles W. Schilling
Mr. Lawrence D. Wood
Mr. Steve O’Gorman
Ms. Kathleen O’Leary
Mr. Richard C. Blohm
Mr. Gerard J. Naylis

DCA Staff Members Present: Lawrence Petrillo, State Fire Marshal
Paul Allen, Chief
Lou Kilmer, Bureau Chief
Charles Luxton, Juvenile Firesetters Committee
Charles Lavin, Commission Secretary
Jerry Grayce, Codes and Standards
Carmine Giangeruso, Codes and Standards
Heather Puskar, DFS
Craig Augustoni, DFS
Timothy Weiss, DFS
David Hughes, DFS

Guests: Chuck Aughenbaugh – NJ Deputy Fire Chief’s Association
Peter O’Rourke - NASFM
Pete Sparber - NASFM
Bernie Cohan – NJ State Fire Chiefs
John F. Lightbody – Dover Twp. Fire
Rich Heimbach – Morris Co. Fire

Robert Davidson – Davidson Code Concepts
Michael Cranwell – NJ Deputy Fire Chiefs
Mike Greene – BAE Systems
Pasquale Sarella – HFD
Scott Grilli – NJSP
John Quinlan - NJSP

A. Call to Order

Chairman John Wisniewski brought the meeting to order at 10:06 AM and pointed out the fire exits.

B. Approval of Minutes

With no corrections necessary, the minutes of the regular meeting of January 18, 2005, were approved.

C. Correspondence

Chairman Wisniewski noted that each commission member had received correspondence in their packets, but no discussion or questions were raised regarding them.

Chairman Wisniewski recommended that the re-organization of the Fire Safety Commission be moved up to the start of the meeting, as opposed to under New Business. Commissioner Daniel DeTrollo made a motion that Assemblyman Wisniewski be re-appointed to the position of Commission Chairman and Commissioner Pasquale Intindola for Vice-Chairman. This motion was seconded by Commissioner Gerard Naylis, and passed unanimously. Chairman Wisniewski thanked the entire Commission for their confidence in him.

D. Division of Fire Safety Activities

State Fire Marshal Lawrence Petrillo reported on some of the trouble spots that the Division has had to deal with in the recent past. He stressed that he would not be making excuses for the problems and challenges of the Division, but that it is his job to work on overcoming those obstacles. He urged that he gets just as frustrated as the Commission members, if not moreso, when these challenges are not met.

State Fire Marshal Petrillo spoke about the issuing of reports from incidents in several different towns. He stressed that it is inexcusable to let reports be stalled for two, sometimes three, years at a time. State Fire Marshal Petrillo said that with the return of DCA Commissioner Susan Bass-Levin, he is hopeful that the report issuing process will be sped up. Director Petrillo feels as though Commissioner Bass-Levin is aware of the need to have the reports issued in a timely manner, and is anticipating further cooperation

in getting that done. Director Petrillo reported that the Teaneck report should be released the day of this meeting [Mar. 15].

State Fire Marshal Petrillo thanked Commissioner C. Kenneth Anderson for his letter from the Training and Education Advisory Council, which outlined and spelled out some of the Council's frustrations with the Division's training and certification people. Director Petrillo commended Commissioner Anderson for bringing these problems to the forefront and looks forward to working together in solving them. Director Petrillo spoke about working together to coordinate training programs to make sure they are properly fulfilling certification requirements.

State Fire Marshal Petrillo also thanked the Codes Advisory Council for their help and cooperation in trying to settle some of their issues with the Division and its staff. Director Petrillo felt there was good dialogue taking place between the Division and the Codes Council and Commissioner Charles Schilling. Commissioner Schilling thanked Director Petrillo for the refreshments provided during the meetings.

State Fire Marshal Petrillo spoke about the new law requiring fire extinguishers in newly sold homes. Commissioner Bass-Levin asked the Director and his staff to re-examine this law, and Director Petrillo said that they had looked at it and always considered it detrimental. However, the point is that it is a law and the Division must now do what they can to provide education to the public regarding it. Director Petrillo suggested producing a DVD video, educating the public on how and when to use a fire extinguisher in their home. Commissioner Bass-Levin was on board with this idea.

State Fire Marshal Petrillo reported that there are now Juvenile Firesetter regulations, which require a fire official to report to the State when there is suspicious activity in fires regarding minors.

State Fire Marshal Petrillo spoke about the future of the Firefighter I training, workbooks, and the packets the Division has been issuing. He said that he's spoken to people from IFSTA and Jones & Bartlett, and has told them that they are not locked into Delmar and their program. State Marshal Petrillo feels it's important not to be complacent and to seek the best information available at all times.

Director Petrillo spoke about meeting with the owners of the Apartment Association to talk about their concerns about retro-fit in high rises. He felt that in-roads have been made and that this organization is not adverse to sprinklers and would like to have continuing dialogue on the matter.

Director Petrillo talked about an interesting incident that happened up in Newton, where a citizen was cited for open-burning and is fighting the citation in court. If the decision, regarding cooking outdoors, is overturned; the Division may need to revisit its regulations regarding outdoor barbecues, etc. Director Petrillo spoke briefly out the budget crisis in the State, which will affect the Division's, as well as all other parts of State government's, ability to do things.

State Fire Marshal Petrillo reported that for the year 2005, 88% of the State's fire departments are reporting with NFIRS. He spoke about how the Division has continued to work with the departments that are not reporting, and they're working on the issues that are preventing the reports from getting done.

Chief Paul Allen noted that a new phone list for the Division of Fire Safety was distributed in the Commission packets. He stated that many numbers have changed, particularly in the Bordentown office, and this is the most up-to-date list.

Commissioner Richard Blohm inquired about the status of the evacuation signal and whether the Division would wait for NIMS to establish a standardized evacuation signal. Upon further review, NIMS has still not come up with a standardized signal and Commissioner Blohm felt one should be established in the State. Director Petrillo answered that he believed a draft of the evacuation regulations was developed. If this is not the case, this issue would be followed up on.

Commissioner Blohm expressed his relief in hearing that the Division's reports are going to be issued in a more timely manner. He inquired again about the Franklin Township and Englewood reports, and wondered if they would be coming out. Commissioner Blohm noted that the Department of Labor is able to put their reports together, and asked why the Division can't do the same. Director Petrillo answered that the Department of Labor's reports have a different focus than the reports that the Division puts together. Many times, reports are held up because the Division has to wait for an analysis from NYOS (national testing lab), which often takes upwards of a year. Director Petrillo is confident that the reports will be done faster in the future with more cooperation from Commissioner Bass-Levin's office. Commissioner Blohm spoke about the importance of these reports, and the benefits that this information provides for New Jersey's fire service.

Commissioner Blohm commented on how Pennsylvania is getting their Firefighter I program funded by the federal government, and wondered if the Division was looking into a similar arrangement. State Fire Marshal Petrillo answered that the Division is looking into this, and this is an issue that has been discussed with Commissioner Anderson and the T&E Council.

Commissioner Deborah Whitcraft questioned the validity of the figures that Director Petrillo required regarding the percentage of reporting fire departments in the NFIRS program. Director Petrillo deferred to the Division's NFIRS Reporting Supervisor Heather Puskar, who reported that the percentages for the past five years are as follows: 2001 – 79%, 2002 – 81%, 2003 – 83%, 2004 – 86%, and 2005 – 88%. Heather Puskar also pointed out that each percentage-point that is gained represents about ten fire departments, which is why the process is a slow climb.

Commissioner DeTrolio inquired about the Teaneck report that is supposedly being released today and wondered who it was being released to. Director Petrillo answered

that it would be released to the Mayor and Fire Chief of Teaneck, and then it would be posted on the DFS web site.

Commissioner Paul Hartstein asked Director Petrillo about the possibility of switching from Delmar's Firefighter I training program. Director Petrillo said that he was only talking to the other organizations regarding getting the best possible program in the future. Commissioner Hartstein stressed that this issue should be brought to the Training and Education Advisory Council, because those are the guys that are out there teaching this material.

Commissioner Hartstein asked for a further explanation of the open-burning case up in Newton. State Fire Marshal Petrillo told the story, which consisted of a resident burning a large pile of logs in his backyard. This resident claims he was doing this to barbecue hamburgers and hot dogs, which would not be open-burning. The resident's fine was reduced from \$750 to \$250, which still didn't satisfy him – so the matter will be settled in Superior Court.

Commissioner Arthur Londensky asked if I-700 online was acceptable to the Division. Director Petrillo answered that it was acceptable. Commissioner Anderson commented that I-700 can be taken in several places, but the problem that has arisen is the entering of an individual's information into the database. Commissioner Londensky also inquired about the status of Local Assistance. Director Petrillo answered that the Division is currently looking at its entire Bureau of Code Enforcement and how it can function and service the needs of the State better. The Division may be looking at a re-organization in the very near future, which will hopefully affect Local Assistance positively. Currently there are two individuals in Local Assistance, but those individuals are performing multiple jobs right now and the Division is not satisfied with this.

Commissioner Naylis asked about the three facilities that would be set up across the State to train individuals to be NIMS compliant. Commissioner Naylis also made mention of a possible new academy at Picatinny, which has been discussed. He feels that creating any new facilities would be a waste of money since the State already has 18 academies. Director Petrillo agreed that creating these new facilities would be an unnecessary expense given the facilities that are already in place across the State.

Commissioner Blohm inquired about the issue of the coverage of employees at county fire academies while operating the UASI vehicles. Director Petrillo answered that there has been considerable dialogue on the issue with the Attorney General's office, but there is no definitive answer yet. Director Petrillo stated that this could be an issue that needs legislation, and would be willing to work with Assemblyman Wisniewski and Senator Bucco on this issue.

E. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported on the lengthy process of the revision of Sub-Chapter 3, and a memorandum from Robert Davidson was distributed to the Commission. This memo detailed the 2003 International Fire Code review process. Mr. Davidson spoke about the extensive review and the progress that has been made. He was confident that there could be a draft done by the May Commission meeting.

Commissioner Schilling reported that the Codes Council has been working with Codes and Standards to draft some new proposals for code changes. Commissioner Schilling deferred to Carmine Giangeruso from Codes and Standards to speak about these proposals. The first proposal was concerning Nursing Homes, and that they should all be equipped with sprinkler systems. The second proposal for a code change was regarding ladders on fire escapes. The proposal would limit the installation of fire escapes containing vertical drop-ladders, and would only allow fire escapes to be installed in buildings where there is insufficient room for an exterior stair. The third proposal was regarding fire suppression systems and the supervision of the smoke detection system. The proposal offered several options for supervising the smoke detector systems.

Commissioner Schilling asked that someone make a motion for the Commission to approve the three proposals that were spoken about by Carmine Giangeruso. This motion was made by Commissioner Londensky, seconded by Commissioner Naylis, and passed unanimously.

Commissioner Schilling spoke about the continuing development of the high-rise building survey. He said that this was a progressive document, and they are working on researching buildings throughout the State to make this report as accurate as possible. Commissioner Schilling also spoke about the issue of the licensing of seasonal stores (i.e. Halloween, Christmas stores). The temporary nature of these establishments creates a problem in them obtaining permits in the short amount of time.

2. Training and Education Advisory Council

Commissioner C. Kenneth Anderson gave the following report on the last meeting of the Training and Education Advisory Council:

The Training and Education Advisory Council met on February 21st at the Dempster Training Center at 10 am.

There is an on-line I-200 course acceptable to the NIMS Integration Center for meeting the NIMS training requirement. The New Jersey Domestic Security Preparedness Task Force has removed reference to that course from the New Jersey website, but has not specifically rejected the on-line course. T&E passed a motion in December that I-200, I-300, and I-400 classes to be used toward **Incident Management Certification** by the

Division must be completed in interactive classroom delivery. That is also the position of the Division. The Council has also recommended that a notice be put on the Division website that the training for Incident Management Certification must be in a classroom. It was suggested that a notice to this effect should be placed on the New Jersey Homeland Security First Responder Training Center.

The Committee working on uniform training for **Rapid Intervention Teams** met with Jim McCormack of the Fire Department Training Network to see if its programs for RIT Ops and Technician and RIT Officer can be adapted for New Jersey. The RIT Committee recommended this program to T&E. Time doesn't have to be spent to develop something new for New Jersey.

However, this is a sole source. McCormack would train New Jersey instructors. They have to recertify every two years. The cost for training the initial instructors class would be about \$10,000. Books for the students cost \$30 each. I have asked the Director to determine if the "sole source" program can be approved before devoting more Committee time to this initiative.

A proposal to revise the **Fire Instructor Certification** standard was distributed by e-mail, and copies are in the Commission packets, with a memo explaining the proposal.

The original standard was developed when Firefighter I was the only certification being offered. The classroom portion for Fire Instructor I is Instructional Techniques for Company Officers. This is a National Fire Academy course that is no longer supported by the Academy. The testing for New Jersey certification, however, is based on the IFSTA Instructor text and Firefighter I requirements.

Our Instructor Committee proposed amendments to the existing standards so a current text (IFSTA) will be used and the questions will be consistent with the text. There will be a "generic standard" for instructor certification. Additional instructor qualifications specific for each course will be set – such as Officer experience to teach the Officer certification courses. Additionally a special certification as "Drill Ground Instructor" will take the place of the "SCBA/Smokehouse" and "Live Burn" certifications that are in the current standard.

The Training and Education Advisory Council approved these revisions in December and recommend them to the Commission with a request that the Commission endorse them and recommend them to the DCA Commissioner for adoption.

The draft of proposed standards for Firefighter II certification had been distributed to the Council and the Eligible Organizations. The Committee met in January to compare the proposal with the latest information on I-200 and NIMS and EO-50. There doesn't appear to be any inconsistency.

The proposed standard was distributed via email, and copies are in the Commission packets, with a memo explaining the proposal.

The Training and Education Advisory Council approved these revisions in February and recommend them to the Commission with a request that the Commission endorse them and recommend them to the DCA Commissioner for adoption.

The last of the three pilot offerings of the **Fire Officer I** is being completed. The Committee will review the critiques to determine if changes are needed in the program or the regulations. The T-t-T sessions will be scheduled and the course released to the Eligible Organizations. Many Eligible Organizations are already using the approved text in their local programs. It is also recommended that the text be added to the DOP Examinations Reading List for Fire Officer Titles.

Pennsylvania submitted the Delmar Firefighter I text to the **Department of Homeland Security**. It has been approved by DHS. We are lead to understand that ODP funding can now be used in Pennsylvania to support firefighter training, pay backfill salaries, buy books, etc. T&E believes approval of the New Jersey program by ODP should be pursued. A motion to that effect was adopted at the February meeting.

Some T&E members believe that ProBoard certification was a prerequisite for Pennsylvania to obtain DHS certification. It is also possible that some of the possible constraints from national certification that we thought would lower the credibility of the New Jersey program may not be as serious as originally thought.

NIMS allows for a national credentialing system. No time frame has yet been established. However, Commissioner Anderson believes that **ProBoard or IFSAC Certification** of our system would facilitate a credible credentialing system for New Jersey. As requested by motion at the February meeting, I have asked the Training Section and the Director to reopen consideration of national Certification for New Jersey training programs.

T&E has a concern that we meet regularly and develop these training and certification programs but the fire service in general isn't aware of what is happening. Typically, we take drafts of the programs into the field for "advisory" meetings before proposing adoption. However, there is often a perception that nothing has been done since we were there several years ago. A **public relations** effort for training – and the Division in general – should be considered.

In a brief discussion at the T&E meeting, *Fire Focus* was mentioned. The website was listed, but people don't regularly log on just to see what's new. Information included in the Seminars Catalog was another suggestion. And the idea of a Division column in *1st Responder News* was put forward.

The Council has been more in a reactive mode than proactive in its workings. For the April meeting, we are asking the members to list the things they would like T&E to accomplish. We will develop a **Strategic Plan for the Council**. We will prepare an expanded agenda with specific things that were discussed but not completed. When

known, certain things will be listed as “action items.” The e-mail addresses have been updated so the staff can easily get more information to the Council members without excessive postage costs and time to prepare mailings.

The next meeting of the T&E Council will be on April 18th at 10 am at the Dempster Training Academy.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that on February 4, 2006, an extremely successful retreat regarding the NFIRS program. He took the opportunity to thank Heather Puskar and Fred Connin, who spear-headed the effort on the Division’s end.

Commissioner Naylis noted that, in addition to the continuous rise in the reporting numbers, the quality of the reports being submitted has greatly increased. Commissioner Naylis commended both the Statistics and Information Advisory Council members, and the Division’s NFIRS Unit, on a job well done throughout the past year. Commissioner Naylis stressed that the hard work would continue.

4. Master Planning and Research Advisory Council

Commissioner Deborah Whitcraft reported that the Master Planning and Research Advisory Council has made seven motions, six of which passed unanimously, that they would like the Commission to endorse. The seven motions are, as follows:

- That the National Fire Incident Reporting System (NFIRS) be mandatory filing in a timely manner for all New Jersey Fire Departments, both career and volunteer.
- That the National Fire Incident Reporting System be incorporated in the following curriculums: Firefighters levels 1 and 2, fire officers, and fire officials training.
- That continued educational units be mandatory training for NFIRS.
- That the Division of Fire Safety report at each NJ Fire Safety Commission meeting, those fire departments who fail to file.
- That no grants or equipment be issued to any fire department who fails to file.
- That the governing body and/or fire departments be assessed a monetary penalty for failing to file.
- That the local enforcing agency (LEA) be the administrator of the NFIRS program.

Commissioner Anderson questioned a couple of these motions, including saying that the Firefighter I and II curriculums were full enough without the inclusion of reporting. Commissioner Naylis suggested that the other Advisory Councils take these motions

back and take more time to examine them – then work together on how they can be fine-tuned and best adopted by the Commission. Chairman Wisniewski and Commissioner Whitcraft agreed that this was a good idea.

The next meeting of the Master Planning and Research Advisory Council will be April 12, 2006, at the Dover Township Municipal Building in Toms River.

5. Public Education Advisory Council

Commissioner Dan DeTrolio reported that the Public Education Advisory Council met on March 8th at the Middlesex County Fire Academy. One of the topics discussed at the meeting was the New Jersey FIRE Bowl, which is a fire safety education competition that is being piloted in the Bayonne School District this year. The program is also kicking off the distribution of Frank Field's educational DVD video "Fire Is..." Director Petrillo brought copies for all Commission members and distributed them at the meeting.

Commissioner DeTrolio talked about the new shipment of smoke detectors that had been received from Kidde, by way of the ABC-7 Save-a-Life program. Charles Luxton reported that the Division has received upwards of 17,000 smoke detectors for distribution throughout the State. Commissioner Arthur Mercurio spoke about the importance of having the batteries in the distributed smoke detectors up to date, because sometimes these detectors stay in storage too long and their batteries should be checked out.

Commissioner DeTrolio also submitted the résumés of two new potential Council members, William Margaretta and Vincent Corsaro. Commissioner Naylis made a motion to approve both appointments. The motion was seconded by Commissioner Hartstein and passed unanimously.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that he had three résumés to submit for three new potential members of the Council. Their names are Keith Kemery, Pasquale Sarnella, and Paul Kearns Jr. Commissioner Mercurio made a motion to approve all three appointments. The motion was seconded by Commissioner Schilling and passed unanimously.

F. Committee Reports

1. Juvenile Firesetter Prevention Committee

Commissioner Paul Hartstein reported that the Juvenile Firesetter Prevention Committee met on March 2, 2006. The Committee spoke about the proposed change to the Uniform Fire Code that would add to the 25 duties of the Fire Official. This change will require the Fire Official to contact a local or county-wide recognized Juvenile Firesetter

Intervention program if a juvenile was involved in a fire setting incident or exhibited inappropriate behavior involving the misuse of fire or fire safety equipment.

Commissioner Hartstein spoke about the upcoming New Jersey Weekend at the National Fire Academy. A Firesetter Specialist II course will be offered there, which Committee members should consider attending. Also, two members of the Committee (Andy Braig and Helge Nordtviet) had recently returned from teaching the NFA Juvenile Firesetting Program. State Fire Marshal Petrillo added that the details of New Jersey Weekend were on the Division's website.

Commissioner Hartstein inquired as to whether there had been any progress in the purchase of software for county programs. Director Petrillo said there had not because of budget tightening, but a written request from the Juvenile Firesetter Prevention Committee would help.

2. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that the Residential Sprinkler Committee had locked down two houses to use for a field test. Commissioner Naylis said he would need to speak to the Director about the particulars, but the test should take place sometime between now and June.

G. Public Comment

In the interest of time, Chairman Wisniewski moved directly from Committee Reports to Public Comment.

Chuck Aughenbaugh, NJ Deputy Fire Chief's Association, spoke about the report that came out from the Governor's Homeland Security and Public Safety Transition Policy Group. Mr. Aughenbaugh finds this to be extremely dangerous to the fire service, since not one representative of the fire service was asked to be on this transition group. Mr. Aughenbaugh requested that a copy of this report be sent to all Commission members, and that will be done.

Mr. Aughenbaugh also spoke about an air-truck that was given to Essex County. He was concerned that this vehicle would not be available for mutual aid throughout the county. State Fire Marshal Petrillo requested the details on this and Mr. Aughenbaugh agreed to provide them. Mr. Aughenbaugh also voiced his concern about how the budget crisis in the State would affect the Division of Fire Safety. Chairman Wisniewski stated that, at this point, no part of government, including the Division, is really immune to the budget situation and it needs to be dealt with.

Bernie Cohan, NJ State Fire Chiefs, suggested that the Division's web-page needed to be updated regarding its information on the Fire Safety Commission. Director Petrillo said that the site was recently updated and would be looked at again.

Senator Bucco introduced Pete Sparber from the National Association of State Fire Marshals. Mr. Sparber spoke at length about a new communications system that was available for emergency services. The system would provide voice interoperability with all branches of emergency services using the same communication system. Mr. Sparber spoke about how having the best communication system available would greatly increase the ability of all emergency services to do their job well, and save as many lives as possible. This particular system was installed in Maine and is both affordable to the State, as well as state-of-the-art. Mr. Sparber provided lunch for the Commission members after the meeting and a demonstration of the communication system would follow after that.

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting was adjourned at 12:16 PM.