The New Jersey Fire Safety Commission meeting was held on Wednesday, July 18, 2012, at the Toms River Fire Academy in Toms River, NJ.

**Commission Members Present:**
- Assemblyman John Wisniewski, Chairman
- Mr. Pasquale Intindola, Vice-Chairman
- Mr. Charles W. Schilling
- Mr. Roger Potts
- Mr. John Lightbody
- Mr. Paul Hartstein
- Mr. Kevin Bellew
- Mr. Arthur Mercurio
- Mr. Stanley Sickels
- Mr. Kevin Krushinski
- Mr. Arthur Londensky
- Mr. Lawrence D. Wood
- Mr. Armando Roman
- Mr. Daniel DeTrolio
- Mr. Gerard Naylis
- Ms. Kathleen O’Leary

**Commission Members Excused:**
- Senator Anthony Bucco
- Mr. Richard Blohm
- Mr. Frederick Collender

**DCA Staff Members Present:**
- William Kramer, Acting Director
- Lou Kilmer, NJDFS
- Josh Lazarus, NJDFS
- Jerry Clark, NJDFS
- Rick Farletta, NJDFS
- Charles Luxton, NJDFS
- Charles Lavin, NJDFS/NJFSC Secretary
- Michael Whalen, Codes and Standards

**Guests:**
- Lew Ostrander, Cape May County
- Ronald McGowan Jr., Wildwood Crest Fire Co.
- Joseph M. Lenarski, Hopewell Twp. Fire Dist. #1
- Keith Bobrowski, NJDOH
- Thomas Lispki, PEOSH
- Joshua J. Wilson, Hopewell Twp. Fire
A. Call to Order

Chairman John Wisniewski called the meeting to order at 10:00 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits. Chairman Wisniewski thanked Commissioner John Lightbody and the Toms River Fire Commissioners for hosting today’s meeting, as well as providing refreshments and lunch.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of May 16, 2012 were approved.

C. Correspondence

Chairman Wisniewski noted that all correspondence for today’s meeting is contained in the Fire Safety Commission packets. With no discussion requested on any of the correspondence at this time, the meeting was moved to Public Comment I.

D. Public Comment I

Chairman Wisniewski opened up the meeting to any members of the public wishing to address the Fire Safety Commission. With no members of the public wishing to comment at this time, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Acting Director William Kramer reported that DCA Commissioner Richard Constable has moved forward with many of the rule proposals that had been languishing at DCA for a long time. Out of about 20 items that had been submitted by the Codes Council and endorsed by the Fire Safety Commission, Commissioner Constable agreed to send about 16 or 17 to the Governor’s Office for adoption. This is extremely positive since many of these items are years old. One item that he decided to not move forward with was concerning “landscaping materials”; he requested more data on this item.

The Division of Fire Safety has submitted applications to Pro-Board and IFSAC for accreditation of about ten certifications. The process is ongoing, and the Division is
expecting a visit from Pro-Board in September, and then one from IFSAC. Chief Kramer is very confident that both accreditations will be obtained without a problem.

Chief Kramer reported on the Poster Contest Awards Luncheon that was recently held in Woodbridge. The Division of Fire Safety and NJ Fire Prevention & Protection Association teamed up once again on a successful program, and all seven winners were very happy to receive their laptop prizes. Chief Kramer thanked Commissioner Stanley Sickels for his work on putting together the luncheon, as well as the sponsors that includes National Restoration, the American Fire Sprinkler Association (NJ Chapter), Fire & Safety Systems, Inc., and a plaque from Joshua Marcus Group. The overall winning poster is in the process of being printed compliments of Atlantic City Electric. Once that is complete, the winner and all the sponsors will be invited to a photo op in Trenton with Commissioner Constable.

The Division of Fire Safety has been very successful of late in getting press releases put out through the Department. Fire safety messages have been going out on almost a weekly basis, most recently one concerning fireworks for the 4th of July holiday. Also, the Philadelphia affiliate of Fox did a story recently on re-manufactured mattresses and the fire hazards they present. They reached out to the NJDFS to conduct a mattress burn as part of the story. An unscientific burn was done at Mercer County Fire Academy, and it was clear that two of the three mattresses were not up to standard (the one that did pass was purchased in New Jersey). This story served as good exposure for the NJDFS as well. The Division is working on a Bulletin to be sent out to fire officials on this issue of re-manufactured mattresses.

Chief Kramer was happy to report that the Public Education Unit had been awarded a $5,000 grant from FM Global to go towards the FIRE Bowl program. Chief Kramer thanked Jerry Clark for all his work on getting the grant. Chairman Wisniewski asked how a school district would get involved in the FIRE Bowl. Chief Kramer answered that it was generally word of mouth, and anyone interested can contact Charles Lavin who coordinates the program. Chairman Wisniewski asked that all the FIRE Bowl information be sent to him so that he can explore the possibility in his area, as well as inform other legislators about the program.

Chief Lou Kilmer reported on the progress of the new RIMS computer system. The Division has been spending a lot of time and resources on this project and, fortunately, they are still on schedule and within budget. The system will start to be rolled out in phases beginning in late-November/early-December. The hardware has been delivered to the Division. The Division is extremely happy with the support DCA has given during this process. Chief Kramer added that many local fire officials have worked with the DFS staff to test out the new computer system. Chief Kramer commended his staff’s dedication throughout the summer on this project; as well as the help Codes & Standards has lent in the computer system’s development. Chief Kilmer also reported that the Division has handled about 40 fireworks events, all of which went off safely and successfully without incident.
Commissioner Gerard Naylis asked what type of technology the local officials would have to utilize to access the new RIMS computer system. Chief Kramer said they can use whatever computer they have since the system is web-based. Commissioner Naylis also asked where the Division of Fire Safety is in regards to outstanding, uncollected fees. Chief Kramer answered that the outstanding fees were moved to the Division of Revenue. It has been about 2 ½ years since that happened. The first full fiscal year, just over $2 million was collected. The second full fiscal year, just under $2 million was collected. This is another aspect where RIMS will be hugely helpful. The accepting of payments will now be paperless (on the Division’s end) and will be handled by the Division of Revenue. This will save a lot of time and resources, and will also allow people to make payments electronically.

Commissioner Lawrence Wood asked if the Division of Fire Safety could send out a list of all the items that were recently approved by DCA Commissioner Constable. Chief Kramer answered that he did have a synopsis of each item, but unfortunately did not have it on hand today. It can certainly be distributed to the Commission.

Commissioner Stanley Sickels asked about the investigative report on mattress safety, and whether that report could be distributed to local fire officials. Chief Kramer answered that he believed it was posted on Fox Philadelphia’s website, but he could also contact the reporter in charge of the story and obtain it that way as well. Commissioner Sickels feels this could serve as a good public education piece for fire officials.

Commissioner Arthur Mercurio requested an update on the status of New Jersey having representation at the Mid-Atlantic Conference. Chief Kramer said he had just received the information on the Conference’s date/location and a request has been submitted to DCA to fund this trip for two Commissioners. Chief Kramer said he is cautiously optimistic that it will be approved, but will keep Commissioner Mercurio informed of its status. Commissioner Mercurio also mentioned that there are several fire departments in Tennessee and North Carolina in need of firefighting equipment. If anyone’s department has anything they are able to donate, please contact Commissioner Mercurio.

Commissioner Paul Hartstein asked about a Bill that had been submitted in the Assembly that would move the Division of Fire Safety to the Department of Homeland Security. Chairman Wisniewski answered that he has been assured by Assemblywoman Wagner, the sponsor, that this Bill will not move.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that the meeting originally scheduled for last month had been cancelled. Commissioner Schilling said that he was pleased to see so many of the Codes Council’s items finally being acknowledged and approved by the Department of Community Affairs. He did ask Chief Kramer if he knew what the specific reasoning was for DCA Commissioner Constable not approving the ‘landscaping
material” item. Chief Kramer said that he was not disapproving the item, but just wanted to wait and get more information on it before sending it over to the Governor’s Office.

Commissioner Stanley Sickels gave an update on the Sub-Chapter 3 Committee. They are doing a lot of their work online and with conference-calling. They are going to be reviewing the existing Code compared to the new IFC 2012 Code. They are identifying what is good in the IFC and whether to bring it into the existing Code; or if it makes sense to change everything over to the new IFC 2012 Code. One major catch would be that the new Code’s chapters have all been reorganized.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that a meeting of the Training and Education Advisory Council was held at the Dempster Training Center on June 19th.

Commissioner Wood began his report by commending Kent Neiswender and the NJDFS staff on their work on the ProBoard and IFSAC accreditations.

Commissioner Wood spoke about the finalized RIC Guidelines that had been sent out to the Fire Safety Commission. The document had just been sent out via email the day before, and many Commission members had not yet been able to review them. For this reason it was decided [during the New Business portion of the meeting] that any action or discussion on the RIC Guidelines would be held off until the September meeting.

In order to get their roster up to date, Commissioner Wood made a motion that the following people be appointed/reappointed to the Training and Education Advisory Council: William Bates, Albert Beers, Brian Bennett, Patrick Bigoss, Dr. Harry Carter, Michael Corbo, Michael Daley, Eric Evers, Timothy Flannery, Glenn Franzoi, Alfred Gerber, David Gsell, Robert Hill, William Itinger, Andrew Jensen, Christopher Kozub, Chester Krawcykowski, John Kubilewicz, Kevin Malley, Anthony Mangeri, Nicholas Palumbo, Paul Roman, Paul Sandrock, Scott Smith, Joseph Vallo, Raymond VanMarter, Philip Wilk. The motion was seconded by Commissioner Paul Hartstein and passed unanimously.

The next meeting of the Training and Education Advisory Council is scheduled for August 21st at the Dempster Training Center in Lawrenceville.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the NFIRS Unit is still in the process of collecting data from previous years. Commissioner Naylis commended Heather Allen and her unit for the persistence they have shown in making sure as much data is collected as possible and that it is as accurate as possible. Commissioner Naylis asked the Commission members to continue to urge any departments that might not be reporting to do so. He mentioned a number of issues in towns across the state that have had to deal with personnel changes, software problems, etc. New Jersey’s reporting number is over
94% participation, which is extremely successful given that reporting is not mandatory here. This number exceeds most states where NFIRS reporting is mandatory.

The Statistics and Information Advisory Council has examined the sudden spike in the amount of fire deaths in New Jersey at the beginning of 2012. As far as they can tell so far, it seems to be a statistical anomaly. It does not seem to be a trend of any kind. Chief Kramer added that for something to be considered to be a “trend”, it would need to take place over the course of three years.

Commissioner Naylis asked Chairman Wisniewski if he had heard anything regarding the fire department liability issue from the Office of Legislative Services. Chairman Wisniewski said he did not recalling hearing anything back on this matter, but would check again and report back to the Fire Safety Commission. Chief Kramer added that the Division of Fire Safety is working with BPU on these types of issues.

Commissioner Naylis also spoke about the fact that statistics show fire deaths from cigarettes have been on the decline. This is certainly a good thing, and is proof that it was the right policy move to get Fire Safe Cigarette legislation put in place.

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council had met on July 9th at the Middlesex County Fire Academy. He gave the following report:

Dave Kurasz gave an update on NJ residential fire sprinkler legislation; and Ray Lonabaugh gave an update on the Maryland, Delaware, and Pennsylvania legislation. He also spoke about the situation in Virginia, where the builders seem to have all the control. In Pennsylvania the builders actually received an award for blocking the sprinkler legislation.

Rich Silvia mentioned that his Mayor had met with the Governor in reference to sprinklers. But the Governor, at this time, is opposed to it because of bad economic times and home sales. Commissioner Lightbody presented an article about new home sales in New Jersey being up 52% according to a major builder.

There was a discussion about the false information that is being forwarded to the State regarding the costs of sprinkler systems in homes with wells. Council member Jeff Betz spoke about his own home sprinkler system with a well for many years without any problems. Tim Travers gave an update on the social media and survey questions he sent to Dave Matos. Dave will be sending the questions out to all coalition members before he meets with the college that is to conduct the survey.

Commissioner Lightbody spoke about various articles and media coverage that is focused on residential sprinklers and lightweight construction. A lengthy discussion was held noting that the Residential Sprinkler Coalition’s need to develop a more definitive plan,
direction, and list of objections. The possibility of putting together a booklet outlining these was discussed as well.

In the area of Shared Services, Dan Mulligan reported that he was finally to meet with Acting Director Bill Kramer about the survey that is to be sent to all fire departments. Chief Kramer directed NJDFS webmaster Karen Luckie to work on getting this survey placed onto the website, but she was not available for the meeting between Mr. Mulligan and Chief Kramer. It is his understanding that – although it is not live on the website at the current time - the survey will be posted shortly.

In the area of Shared Resources, Commissioner Lightbody reported that Bob Yaiser is continuing to explore ways of doing more with less in the realm of Public Education. He has begun to use multimedia broadcasts to instruct students on fire safety and this allows him to reach more students at any given times. This is opposed to going into individual classrooms, which is time consuming particularly when towns are equipping themselves with fewer and fewer people.

On the topic of Lightweight Construction, Commissioner Lightbody has been in contact with a reporter from the Larchmont, NY area on doing an article on its dangers. Both he and Rich Silvia have also been in contact with Larchmont and Brewster NY in reference to the fatal fire and loss of a Police Captain. Rich Silva is presently working with the Larchmont Mayor.

Commissioner Lightbody mentioned doing another article for the League of Municipalities publication, this time on lightweight construction. It is his fear that many people, including local government officials, are unaware of the dangers it presents. Commissioner Lightbody stated that roughly 60% of all new construction is lightweight construction now, and he will be contacting the Division of Fire Safety’s NFIRS Unit to see about getting statistics on fires in these buildings.

Dan Mulligan raised the issue of fire-safe standards for building materials. Rich Silvia explained that, in most cases, the standards are merely there to ensure that the buildings will have structural integrity and stand up to wind – not necessarily taking into account the danger that fire presents.

Commissioner Lightbody spoke about the issue of recruitment and retention of volunteer firefighters. He pointed out that an article had recently been published in the League of Municipalities magazine that calls attention to this pressing issue. It is his hope that municipalities will take heed of this problem and make having a strong volunteer fire service a priority in their town.

The next meeting of the Master Planning and Research Advisory Council is scheduled for August 27th at the Toms River Fire Fire Academy.

Commissioner Gerard Naylis spoke about the need for collecting statistical data that reflects how many volunteers are active in each town in the State (and how long their
careers span). This could go a long way towards examining and combatting the growing problem of recruitment and retention. A lengthy discussion was held on how the fire service, and the population in general, has changed since the volunteer fire service began. Chairman Wisniewski spoke about programs that have been implemented to give volunteers incentives, but they do not seem to work because of economic reasons, a workforce that commutes longer distances, etc. Commissioner Lightbody agreed with Commissioner Naylis on this issue and agreed to put some data together to try and examine the problem further. Commissioner Sickels added examples of how the fire service is generally just spread too thin these days, and this fact bolsters the case of having buildings equipped with fire sprinklers.

5. **Public Education Advisory Council**

Commissioner Daniel DeTrolio reported that no meeting had been held since the last Commission meeting. However, Commissioner DeTrolio asked Charles Lavin to give a report on the 2012 FIRE Bowl.

Mr. Lavin reported that the 2012 FIRE Bowl Championship was held on May 18th at Kean University. The event was hosted by News 12 New Jersey’s Tony Caputo, and was a close-fought contest between Primary Prep of Jersey City and Nicolas Oresko School of Bayonne. Nicolas Oresko School was the eventual winner. The 2013 program is already in the works and Division staff is working to integrate additional school districts to the six they already have participating. Commissioner Naylis asked that all Commissioners get information packets on the FIRE Bowl to take back to their towns. Mr. Lavin agreed to send one out via e-mail as soon as possible.

Charlie Luxton reported that the smoke detectors were delivered and there is a significant number of the 10-year battery type. Because of the higher cost of these, the actual amount of smoke detectors received was lower than in years past – but this has been a trade-off of quantity for quality. Chief Kramer said that many towns still have a significant number of smoke detectors from years past. This is not the purpose of the program and unacceptable. All detectors should be put into use, otherwise no addition ones will be given this year.

The next meeting of the Public Education Advisory Council is scheduled for September 5th at the Middlesex County Fire Academy in Sayreville.

6. **Firefighter Safety and Health Advisory Council**

In the absence of Commissioner Richard Blohm, no report was given.

7. **Juvenile Firesetter Prevention Advisory Council**

Commissioner Paul Hartstein reported that the Juvenile Firesetter Prevention Advisory Council had not met since the last Commission meeting. Commissioner Kathleen O’Leary reported that the Council is continuing to work on the upcoming Juvenile
Firesetter Conference – which is scheduled for November 29-30 at the Middlesex County Fire Academy. They are putting together the list of instructors, schedule, etc. Also, a variety of Juvenile Firesetter Intervention Specialist classes have been held in the recent months, and Charlie Luxton reported that they have been very successful.

Commissioner O’Leary said they still have not gotten any feedback from the Attorney General’s Office. Assemblyman Wisniewski said that his staff has put in several calls to them, and they keep insisting that they will get back to him. Chief Kramer added that he would be reaching out to the Attorney General’s Office as well.

The next meeting of the Juvenile Firesetter Prevention Advisory Council will be at 10 A.M. on Thursday, September 6, 2012, at the Middlesex County Fire Academy in Sayreville.

Assemblyman Wisniewski appointed Commissioner Kevin Krushinski to serve as Vice-Chairman of the Juvenile Firesetter Prevention Advisory Council alongside Commissioner O’Leary.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Naylis reported that we have not seen any movement lately legislation-wise, but one of the things he wanted to get a handle on is the amount of housing permits that are being issued. This show how the current economic situation is in regards to the building industry. Chairman Wisniewski gave an update on the proposed residential sprinkler legislation, and urged the Commission members to equip themselves with concrete data to defend their position. There are certainly opponents to the bill and the legislators need convincing with actual facts and figures. While residential sprinklers are certainly a no-brainer within the Fire Safety Commission, that is not to say the thinking is the same elsewhere. The misconceptions out there are that it is cost-prohibitive and that with an efficient fire department there is no need for sprinkler systems.

H. Old Business

Commissioner Stanley Sickels inquired about the status of certain Train-the-Trainer requirements because of problems that had cropped up around the State. Chief Kramer said that there have been some complaints about local academies, and in those cases the Division has conducted investigations and rectified the problems they have been made aware of. One way of combatting this problem is that evaluators are being sent in to observe these courses, and these evaluations will continue to expand. The Division will continue to respond to specific complaints at the academies.

Commissioner Wood publicly thanked Assemblyman Scott Rumana for his follow-up to an issue from the last Commission meeting regarding college credits. It turned out that
there has been a law on the books for a number of years allowing community colleges to give credits for courses related to firefighting.

Commissioner Arthur Mercurio asked what the requirements are in regards to the installation of solar panels. Chief Kramer answered that they are required to be built in accordance with the State’s building code, they must obtain a permit, etc. Commissioner Mercurio referred to a recent incident in Vineland where there was an explosion because water got into the body of a solar panel. Chief Kramer asked that Commissioner Mercurio get him the details of this incident so that he may look into it.

Commissioner Naylis spoke about the Statute Review that will be taking place soon. Commissioner Naylis referenced the possible changes to mailings and asked that if any Commission member has any other ideas, to contact him with them. Chairman Wisniewski also posed the question of the Fire Safety Commission itself changing to exclude members of the legislature in order to give it more than advisory power. Commissioner Naylis feels that the Commission is making great strides as it is currently constructed, especially when compared to other states.

Chief Kramer gave a report on the Homeland Security Conference that took place at Kean University in June. The Conference was very well attended and was an all-around success. One interesting point was that the new Director of Homeland Security & Preparedness spoke and took the time to field questions from the audience. An issue that was discussed at length is the fact that the fire service is not receiving intelligence as readily and as the law enforcement end. He agreed to meet with some representatives from the fire service and the Division of Fire Safety.

I. New Business

Commissioner Stanley Sickels gave a detailed report of a recent meeting with DCA Commissioner Constable:

He described the meeting as very productive, as Commissioner Constable is very direct and candid. He expressed his support for the Division of Fire Safety, opposed any plan that might serve to break it apart in any way, and also gave the opinion that Chief Kramer should be appointed permanently as State Fire Marshal and Director of the Division of Fire Safety.

Commissioner Constable spoke about the actions of the Codes Council that would be moved forward, and just wanted more information regarding the ‘landscaping materials’ item. Commissioner Sickels informed Commissioner Constable about the problem of untrained and/or non-certified inspectors in the field inspecting non-life hazard use buildings and he agreed it was an unsafe situation. He also spoke about the need for inspectors to have actual licenses, rather than certifications, to have the appropriate protections they deserve. Commissioner Constable is also 100% in favor of restoring the Division of Fire Safety to full staffing levels, and is working towards making that happen. Chairman Wisniewski added that he had an opportunity to meet with Commissioner
Constable as well and agreed with Commissioner Sickels’ assessment that he is a very honest, direct, and open-minded individual who is well-informed on the issues at hand – all of which are refreshing to see and a positive for the Department of Community Affairs.

J. Public Comment II

Michael Whalen from the Division of Codes and Standards informed the Fire Safety Commission that there was a rule adopted by the Uniform Construction Code that requires a construction official to notify a fire official within 10 days whenever a permit is issued to install photovoltaic systems on roofs. This is an issue that has been discussed at the Codes Council and the Fire Safety Commission, and this new rule affords the fire department an opportunity to do some pre-planning. Also, a meeting was held with legislators on Assembly Bill 2666 that requires solar panel-equipped buildings to have labels as well as disconnect switches.

Mr. Whalen also spoke about Managed Facility Voice Networks. A rule has been put in place that requires a permit to work with these switch-overs that are occurring. These include Comcast, Cablevision, Verizon FiOS packages, etc.

North Wildwood Fire Official Lew Ostrander stressed the importance of residential fire sprinklers, particularly given the lessened manpower and lightweight construction. He focused on the need to inform and educate the general public on the dangers that are present and the advantages of residential sprinkler systems. He gave examples from inspecting rental properties to illustrate the public’s apathy when it comes to fire safety and fire prevention.

Irwin Kreisburg from PEOSH added to what Mr. Ostrander said by giving an example of how Rahway had recently done away with its fire prevention bureau. He said that in a lot of areas there is no longer the amount of “salesmen” to carry the message of fire safety. Mr. Kreisburg also spoke about Presumption Clauses, which allows for a firefighter to get treatment for cancer and it is presumed that it comes from the hazards of the job. Mr. Kreisburg stressed the importance of getting this in New Jersey and provided several examples of co-workers and friends with cancer related to firefighting. Assemblyman Wisniewski said that presently Assembly Bill 2509, sponsored by Assemblyman Prieto, is out there and would address this issue. Mr. Kreisburg urged the Chairman and the Fire Safety Commission to support the bill.

Ronald McGowan from the Wildwood Crest Fire Department asked about the bill that is posted that would transfer the Division of Fire Safety to the Department of Homeland Security and Preparedness. He said the bill is still posted on New Jersey’s legislative website, and wondered why it is still listed as active if the bill is dead. Chairman Wisniewski assured Mr. McGowan and the Fire Safety Commission that the sponsor of the bill has informed him it will not be moving forward.
Chief Kramer announced that at the Annual Fire & EMS Institute banquet last month, two major awards were presented. The first was the C. Kenneth Anderson Lifetime Achievement Award that was given to Chief Ted Lowden from Evesham Fire Rescue. Also, Chairman Wisniewski was given the Legislator of the Year Award. The entire Fire Safety Commission offered their congratulations on the well-deserved award.

K. Adjournment

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 12:11 pm.

* The next meeting of the Fire Safety Commission will be held on Thursday, September 13, 2012 at 10am. It will be held at the Wildwood Crest Fire Department in Wildwood Crest, NJ *

Wildwood Crest Fire Department
7100 Pacific Avenue
(at corner of Rambler Rd. and Pacific Ave.)
Wildwood Crest, NJ