

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

Meeting of September 16, 2021

The New Jersey Fire Safety Commission meeting was held on Thursday, September 16, 2021 at the Wildwood Crest Volunteer Fire Department in Wildwood Crest, NJ.

Commission Members Present: Mr. Kevin Krushinski, Chairman
Sen. Sam Thompson
Asm. Kevin Rooney
Mr. Lawrence D. Wood
Mr. Armando Roman
Ms. Kathleen O’Leary
Mr. Steve O’Gorman
Mr. Paul McGrath
Mr. Karl Spinner
Mr. Fred Collender
Mr. Arthur Hayducka
Mr. Raymond Heck
Mr. Charles Siedenburg
Mr. George Aleu
Mr. Nelson Wiest
Mr. John Wisniewski

Commission Members Excused: Mr. Kevin Bellew
Mr. Arthur Londensky
Mr. Gerard Naylis
Mr. Richard Blohm

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Louis Kilmer, NJDFS
Bruce Tynan, NJDFS
Charles Lavin, NJDFS
Kent Neiswender, NJDFS
Tim Weiss, NJDFS
Rod Meyer, NJDFS
Robert Tharp, NJDFS
Steven Dyl, NJDFS
Tim Paar, NJDFS
Justin Henry, Codes and Standards

Guests: Nick Lombardi, Piscataway FD 1
Ron McGowan, Wildwood Crest Brian C. Wahler Jr, Piscataway FD 2

Michael Neill, Wildwood FD
Vinny Corsaro, Jefferson Fire Bur.
Steven Porth, Jackson Fire
Michael Whalen, NJDCA (ret.)
Josh Galfelter, HAL Extraction
Thomas Lettim, North Brunswick
Mike Johnson, North Wildwood
Daniel Dunn, Wildwood FD
Kathy Elwell, MTFB Fire Prevention

Ronald Harwood, Wildwood Crest
Stanley O'Brien, Jackson Fire
Matt Levine, North Brunswick #2
Michael Keller, HAL Extraction
Thomas Simpson, Bergen Co. Fire Prev.
Jim Burleigh, North Wildwood
Lewis Ostrander, Wildwood FD
Chief Lind, Jersey City FD (ret.)

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:12 AM. He led the meeting with the Pledge of Allegiance and a moment of silence for those recently lost in the line of duty.

B. Approval of Minutes

Charles Lavin noted that Commissioner Charles Siedenburgh's name was mistakenly left off of the July meeting minutes and would make the correction. With no discussion requested or additional corrections, the minutes of the regular meeting of July 21, 2021 were approved.

C. Correspondence

Chairman Krushinski noted that any and all correspondence for today's meeting was contained in the meeting packets.

D. Public Comment I

Chairman Krushinski opened up the meeting to any members of the public present wishing to address the Commission. Mike Kelley and Josh Galfelter from HAL Extraction gave a comprehensive presentation on cannabis extraction and the fire safety hazards associated with it. As New Jersey gets closer to having legalized marijuana, the fire safety aspect of it needs to be examined and HAL Extraction considers itself to be a leader in this respect. Mr. Kelley and Mr. Galfelter urged the fire service community to educate itself and prepare for the coming business practices New Jersey will begin to see.

Commissioner Steve O'Gorman had originally requested time for a presentation on the NJ Statewide Utility Safety Team but the presenter had gotten called away on an emergency. Commissioner O'Gorman requested that the presentation be pushed back to the November meeting.

With no more members of the public wishing to address the Commission at this time, the meeting was moved to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Director Richard Mikutsky reported that the NJ Division of Fire Safety staff continues to perform all of their duties admirably throughout all the challenges of the past year and a half. The current plan is to return fully to the office on October 18th. Director Mikutsky also spoke highly of the DCA Administration, as the NJDFS has enjoyed their full support (including backfilling and staffing) throughout.

Director Mikutsky reported that the FireStat sessions are continuing to be held every Wednesday morning – at which time invaluable up-to-date information, as well as guest speakers, are shared with the state’s fire service community. The NJDFS also continues to put out its weekly FireLine newsletter, the goal being to share information with the state’s fire service as frequently as possible. Director Mikutsky was especially happy to report that the NJDFS has been working with Rutgers Mental Health in moving forward with the New Jersey Fire/EMS Crisis Hotline. This will provide desperately needed support to New Jersey’s emergency responders for mental health services.

Director Mikutsky reported that the Homeland Security Conference was scheduled for October 1st at Kean University. He urged everyone to register for the event on the Kean Fire Safety website. Also, the 18th Annual NJ Youth Firesetter Intervention Conference would be kicking off registration on October 1st – that conference being slated for December 2nd and 3rd at Middlesex County Fire Academy. Registrations for the Youth Firesetter Conference can also be done online at the Kean website. The NJDFS is also continuing its internship program through the fall semester.

The NJ Division of Fire Safety is currently in discussions regarding the 2022 New Jersey Weekend. It has yet to be determined whether we will be going to the National Fire Academy (or if the Academy will be coming to us), but that information will be distributed once it is available.

Director Mikutsky spoke about the Office of Fire Department Preparedness being able to get backfill three positions for planners and two promotions to get that Unit’s staffing up. The NJDFS will also have a full-time intelligence officer going forward. This Unit was particularly busy recent in the aftermath of Hurricane Ida and the effects of that storm that were felt across the state.

Director Mikutsky spoke about the uptick in online firefighter injury reports – the vast majority of which are minor and should not be submitted. These reports should be for more serious matters like major injuries, burns, hospitalizations, COVID cases, etc. There has also been a spike in apparatus crashes over the past few months, so Director Mikutsky urged everyone to stress safety at their departments and be careful out there. Commissioner John Wisniewski asked if this is something the Motor Vehicle Commission monitors. He said it could be useful if the MVC had data on these types of incidents.

The NJDFS recently issued a safety alert stemming from an incident at a Warren County hotel where responding firefighters encountered entryways lined with razorblades. A few Commission members mentioned that they had not received the safety alert when it was issued. Commission Secretary Charles Lavin was able to locate and distribute the safety alert to all Commission members via email during the meeting. Commissioner Heck asked about the circumstances of this hotel incident and Director Mikutsky said the occupant had severe mental health issues and had been tampering with the fire protection equipment at the facility.

Director Mikutsky gave the following statistics, courtesy of the NJDFS NFIRS Unit: 277 civilian burns, 71 fire fatality reports, 47 residential fatal fires. These numbers are on pace to surpass those from 2020. The NFIRS Unit has also been out conducting trainings on accurate and comprehensive reporting of fire incidents. Trainings are being done both in-person and online. Commissioner Wisniewski inquired about the fire fatality statistics and how they compare to pre-COVID years. Director Mikutsky answered that there doesn't seem to be any glaring differences, but this is something that the NFIRS Unit continues to examine.

Director Mikutsky announced that the NJDFS's contract with Kean University has been renewed for the year and the Fall 2021 semester is currently accepting registrations. Over 18,000 students last year benefitted from the online training. Going forward, 40% of classes will be online with the rest taking place in person. The ProBoard accreditation process is also ongoing. They are also continuing to work on the fire official credentialing program and working with the DCA Commissioner's Office on providing Firefighter II students with the Jones & Bartlett books.

The Arson Investigations Unit is seeing its busiest year on record for 2021. The NJDFS is awaiting a hiring list to bolster the unit, but the approval to add personnel has already been approved. Director Mikutsky regrettably announced the passing of K9 Investigator Blaze who had lymphoma.

Chief Louis Kilmer began his report by talking about the Peer Review Board, which the NJDFS is looking to get up and running again. All the current members' terms have expired, so they are looking to refill those spots. A letter will be sent out to all the Local Enforcing Agencies shortly to see who is interested. Chief Kilmer also reported that the Local Assistance Unit is doing a lot of monitorings – not only in-office but checking out buildings as well. The NJDFS is also taking over jurisdiction in areas where there are significant deficiencies, which is a process and decision that is not taken lightly.

Chief Kilmer spoke about the NJDFS's ongoing review of the 2018 International Fire Code and working on the amendments that are New Jersey specific. NJDFS staff is working closely with the Codes Advisory Council on this so that once the review is completed it can be brought directly to the Fire Safety Commission for approval. Chief Kilmer anticipates this process getting done within the next few months. Chief Kilmer also spoke about the new system that will be replacing RIMS. NJDFS staff is working on this system at least one day a week and getting input from the users group, which is

extremely helpful and necessary to the process. Chief Kilmer gave some details on the more user-friendly aspects of the new system. In the meantime, the existing RIMS systems has been stable.

Chief Kilmer spoke about the rule relaxations that were put into place for COVID, most of which have expired. A couple, including school inspections, remain in place and the NJDFS is working with the Governor's Office and Attorney General's Office on these going forward. The NJDFS is also working on updating the emergency contact list for fire officials since they are finding a lot of the existing information is outdated. This will not be shared publicly, but will be kept in case they are unable to reach a given fire official off-hours or in an emergency situation.

Chief Kilmer reported that the Inspections Unit has completed roughly 76% of its inspections for 2021 and is on pace to complete all inspections by the end of the calendar year. A significant number of events have come back this year, requiring permits, that had been cancelled in 2020 due to COVID restrictions. The Unit is always looking for hourly inspectors, so if anyone knows folks looking to do this job it pays a little over \$26/hour.

The NJDFS is working with the Attorney General's Office on the classification of buildings that perform medical and/or dental procedures where a person is under general anesthesia. There will be an appeals process on this and it will be some time until there is a definitive answer.

The NFIRS Unit and Local Government Services has been out working to increase participation in the NFIRS reporting system. Also, the School Sprinkler Survey is ongoing and the NJDFS is working with IT to conduct this electronically. Rebates are also going out on schedule to the local enforcing agencies.

Assemblyman Rooney asked about the requirements for temporary structures (outdoor tents, etc.) that will be used by restaurants as we head into the winter months. Chief Kilmer answered that the NJDFS could put something out to fire officials that directs them to take a look at these structures in their municipalities.

Commissioner Paul McGrath asked if there was a timeline for the adoption of the new code. Chief Kilmer said if all goes well and it can be brought before the Fire Safety Commission at the November meeting, we would be looking at the early Spring. Obviously if this can not be done until the January meeting then the timeline moves further back.

With no additional questions raised regarding Division of Fire Safety Activities at this time, the meeting was moved to Advisory Council reports.

F. Advisory Council Reports:

1. Codes Advisory Council

In the absence of Commissioner Arthur Londensky, no formal report was given.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council met on August 17th. However, the meeting minutes were not ready in time for today's meeting and will be distributed electronically afterwards. The primary topic for Training and Education would be discussed under New Business, so Commissioner Wood asked if there were any questions from the Commission. There being none, he concluded his report.

3. Statistics and Information Advisory Council

In the absence of Commissioner Gerard Naylis, no formal report was given.

4. Master Planning and Research Advisory Council

Commissioner Raymond Heck reported that the Master Planning and Research Advisory Council meeting had to be postponed due to the effects of the aftermath of Hurricane Ida. Commissioner Heck did speak on the topic of coming up with a long-term plan for COVID going forward. He urged the fire service to take the lessons learned over the past year and a half to develop a plan when another crisis inevitably happens again. Commissioner Heck also stressed the importance of emergency responders to protect themselves when these situations arise.

5. Public Education Advisory Council

In the absence of Commissioner Daniel DeTrollo, no formal report was given.

6. Firefighter Safety and Health Advisory Council

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

7. Youth Firesetter Prevention Advisory Council

Commissioner Kathleen O'Leary reported that the Youth Firesetter Prevention Advisory Council met yesterday – September 15th – at the Wildwood Crest Fire Department. A main topic discussed was the need for involvement from not only all county programs, but the Attorney General's Office as well. Commissioner O'Leary also echoed Director Mikutsky's announcement regarding the 18th Annual New Jersey Youth Firesetter Intervention Conference, which begins registration on October 1st.

The next meeting of the Youth Firesetter Prevention Advisory Council is tentatively scheduled for November 10th at Monmouth County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

In the absence of Commissioner Gerard Naylis, no formal report was given.

2. Ad-Hoc Committee on Legislation

Commissioner Heck reported that the Committee had not met since the last Fire Safety Commission meeting, so no formal report was given.

H. Old Business

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. Chairman Krushinski asked if there had been any movement in examining best practices for recreational marijuana as it relates to first responders. Director Mikutsky answered that the NJDFS is still looking in this but there is not a whole lot of data available from around the country on it.

Commissioner Wisniewski noted that on December 1st there will be a Holiday Safety Demonstration at Monmouth County Fire Academy at 11AM. Commissioner Wisniewski urged as many Commissioners as possible to attend this event to promote fire safety throughout the holiday season.

With no other Old Business to discuss at this time, the meeting was moved to New Business.

I. New Business

Chairman Krushinski asked if anyone had any New Business to bring before the Commission. Chairman Krushinski took this opportunity to welcome newly appointed Commissioners Nelson Wiest and George Aleu. The Commission as a whole welcomed the appointees and looks forward to working with them in the future. Chairman Krushinski also took the opportunity to appoint two new Vice Chairs – Paul McGrath for the Public Education Advisory Council and George Aleu for the Codes Advisory Council.

Chairman Krushinski thanked the New Jersey Deputy Chiefs Association for providing coffee and refreshments for today's meeting. The appreciation was echoed by the rest of the Commission members and all those in attendance at the meeting.

Commissioner Lawrence Wood made a motion that the Fire Safety Commission accept the Junior Firefighter Auxiliary Member Regulations as proposed. The motion was seconded by Commissioner Wisniewski and passed unanimously.

Commissioner Paul McGrath spoke about a new product in the fire extinguisher industry that is engineered to put out fires involving solar panels. Chairman Krushinski asked that information on this be forwarded to the Commission Secretary so that it could be distributed to all for review.

Commissioner George Aleu expressed concern with the protocol for housing complexes when their fire sprinkler systems are down. He stated that the language on firewatch is unclear. Director Mikutsky answered that there has been a lot of discussion on this – who and what constitutes a firewatch. Chief Kilmer added that there are no specific requirements for suppression standing by and code-wise there is no specific definition for what constitutes a firewatch. Commissioner Aleu and Chief Kilmer discussed what could be done locally, or with ordinances, when situations requiring a firewatch arise. Assemblyman Rooney asked for information on the legislation regarding firewatch and perhaps it could be looked at and something could be done to get some more clarity on it.

There being no further New Business to conduct at this time, the meeting was moved to Public Comment II.

J. Public Comment II

Chairman Krushinski asked if anyone from the public wished to comment at this time. Michael Whalen, formerly of Codes & Standards, spoke about the firewatch issue and echoed Commissioner George Aleu's point that it needs clarification. Mr. Whalen suggested that the NJ Division of Fire Safety partner with Codes & Standards on putting together some minimum guidelines/procedure.

Rich Silvia, President of the State Fire Prevention & Protection Association, asked about the status of repealing the law that requires having fire extinguishers upon resale of homes. Commissioner Wisniewski answered that, although the Fire Safety Commission is in agreement that this law should be repealed, a bill counteracting the law was never passed. He suggested a current member of the legislature take this up and potentially get a new law passed. Mr. Silvia said this issue is coming up more and more often, and there is no training for the people owning the fire extinguisher to be able to use it.

Mr. Silvia also spoke strongly in favor of residential fire sprinklers and cited the statistics Director Mikutsky gave earlier, with a high percentage of fire fatalities in one- and two-family residential dwellings. Assemblyman Rooney advised that this be taken up in the next legislative session and Commissioner Wisniewski offered his assistance in providing any information from past attempts at a residential sprinkler bill. Lew Ostrander of Wildwood spoke about the challenges facing potential residential sprinkler legislation, including lobbying from the builders' associations and standby water fees. In the past this legislation has died at the Governor's Office. A discussion followed about the many

water purveyors and types of water purveyors throughout the state that also hinder this process. Tom Simpson from Bergen County suggested making residential fire sprinklers in one- and two-family homes a zoning requirement. This would be a way to handle this on a local level. Assemblyman Rooney said that could be done, but ultimately this type of thing would need to be approved by the mayor and council. Michael Whalen added to his earlier public comments by speaking about the 2-inch requirement for water pipes. He noted that utilities are increasingly becoming privatized, so dealing with the Board of Public Utilities on this matter will only go so far because they only deal with public utilities.

Vincent Corsaro from Jefferson Township spoke about putting together some public service announcements regarding fire extinguishers. He cited an incident in his town where burns were suffered when someone tried to fight their own kitchen fire with the extinguisher on hand. He suggested working with the Public Education Advisory Council on this going forward.

K. Adjournment

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Commissioner John Wisniewski made the motion, which was seconded by Commissioner Lawrence Wood and passed unanimously. The meeting adjourned at 12:17 PM.

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