

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

Meeting of March 15, 2023

The New Jersey Fire Safety Commission meeting was held on Wednesday, March 15, 2023 at the New Jersey State Firemen's Association in Wall Twp., NJ.

Commission Members Present: Mr. Kevin Krushinski, Chairman
Mr. Arthur Londensky, Vice-Chairman
Sen. Samuel Thompson
Asm. Kevin Rooney
Mr. Paul McGrath
Mr. Steve O’Gorman
Mr. Fred Collender
Mr. Arthur Hayducka
Mr. Gerard Naylis
Mr. Charles Siedenburg
Mr. Karl Spinner
Mr. Charles Maria
Mr. Armando Roman
Mr. George Aleu

Commission Members Excused: Mr. Richard Blohm
Ms. Kathleen O’Leary
Mr. Nelson Wiest
Mr. Lawrence Wood

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Louis Kilmer, NJDFS
Charles Lavin, NJDFS
Don Nelsen, NJDFS
Stephen Letts, NJDFS
Jason Spiecker, NJDFS
Daniel Timmerman, NJDFS

Guests: Ronald McGowan Jr.
John Garton Joseph Hankins
Robert Ordway Cleo Hendrickson
Muraad Abdus-Salaam Paul Gass
William Quinn David Kurasz
Thomas Pelaia Mary Boujotas

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:04 AM. He led the meeting with the Pledge of Allegiance and a moment of silence for those recently lost in the line of duty and the men and women serving our nation overseas.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of November 16, 2022, were approved as submitted. Assemblyman Rooney made the motion to approve. The motion was seconded by Senator Thompson and passed unanimously.

C. Correspondence

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

D. Public Comment I

Chairman Krushinski opened up the meeting to any members of the public present wishing to address the Commission. With no 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 New Jersey Division of Fire Safety sent an impressive contingent over to New York City on February 1st to represent our state at the ABC Operation-7 Save-a-Life Kickoff Event. This year marks the programs 25th Anniversary – the NJDFS having participated every year since its inception. We have received confirmation that the NJDFS will handle both Operation-7 and Operation-6 Save-a-Life programs in New York and Philadelphia respectively. This will allow us to assist fire departments with smoke alarms statewide for the first time ever. The actual distribution is set to begin around late April/early May.

The NJDFS recently met with Rutgers Mental Health regarding improvements and promotion of the Fire and EMS Crisis Hotline. The NJDFS also met recently with “After the Fire” presenter Shawn Simons about spreading the word about this powerful program and connecting them to school districts around the state. The NJDFS is also continuing to track and comment on any legislation regarding the fire service. A report on this was provided in today's meeting packets.

Director Mikutsky reported that the Arson Investigations Unit has conducted approximately 70 investigations so far this year, which is on pace with last year's amount. The Unit assisted with the investigation of the recent “Governor's Branch

Wildfire” that burned roughly 420 acres in parts of Little Egg Harbor (Ocean Co.). This was an intentionally set forest fire and was in the same general area as multiple past arson fires.

The Arson Investigations Unit has been assisting the NJ-IAAI with teaching portions of their 80-hour Basic Fire Investigator classes. On March 2nd, the Unit attended the Annual Training Conference of the NJ-IAAI and – during the Conference – they were honored to receive the NJ-IAAI President’s Award in front of all fellow investigators in attendance. The award was in recognition of outstanding achievements and contributions to the fire investigation profession and the Unit’s 20-year anniversary.

From the Office of Fire Department Preparedness, Director Mikutsky reported that they are continuing discussions with Union County Communications regarding the migration of NJDFS radio communications. They are also working with the MAC-SICS partners for a 4-hour foam class. The OFDP has also been working with the NJ Department of Environmental Protection to schedule a meeting with all rail lines in New Jersey to discuss planning, preparation, and response to rail incidents. The OFDP is also working on the fire department survey, but have only gotten participation from 280 departments (roughly 30%). Director Mikutsky urged all fire departments to participate and provide this vital information.

The NJ EPA Conference is scheduled to take place April 19-20 in Atlantic City. The Office of Fire Department Preparedness will be presenting a Deployment Act class, a Fire Threat Task Force overview, and will have the NJDFS booth on display throughout. The OFDP has also worked to complete reviews of 30 Homeland Security Grant Project applications. This is in coordination with the Office of Homeland Security & Preparedness. The OFDP is also working on 8 ongoing fire department complaints, as well as working on the planning of the annual Homeland Security Conference, which is scheduled for June 6th at Kean University.

The NJDFS will be kicking off the 16th Annual New Jersey FIRE Bowl program on March 20th. There will be eight school districts competing in this year’s program, which is doubled compared to 2022. The program runs throughout the spring, culminating on May 24th with the State Championship event at Kean University.

From the Training and Certifications Unit, Director Mikutsky reported that they are currently going through the IFSAC Reaccreditation Site Team Visit this week. The NJDFS is looking to reaccredit the 11 certifications that currently exist and add 7 additional titles. The additional titles are: Airport Firefighter, ARFF Apparatus Driver/Operator, Fire Brigade Member: Incipient, Fire Brigade Member – Advanced Exterior, Hazardous Materials: Technician, Fire Officer 4, and Fire Inspector.

Following recommendations from meetings with the Hazardous Materials SME Group and PEOSH Labor & Health, the Hazardous Materials: Incident Commander letter will be removed from the Hazardous Materials Certification Application starting April 1, 2023. Anyone looking for the Hazardous Materials: Incident Commander state

certification will have to take the Hazardous Materials: Incident Commander credentialing program that includes a written exam and practical exam. All applications received on or before April 1st will be accepted and processed. All applications received thereafter will be returned.

The RIC SME Group continues to meet and make progress. They are working on the Skill Sheets, Written Exam Allocation Chart, Instructor Qualifications and the Train-the-Trainer. The Hazardous Materials SME Group continues to meet and make progress on finalizing the Hazardous Materials: Incident Commander credentialing program.

The Office of Training and Certifications has four phone conferences scheduled for today, March 15th, with the Office of Administrative Law regarding the Cherry Hill Live Burn Injury Investigation. The Training Unit is also working with Newark and Jersey City Fire Departments to clean up their training and certification paperwork.

New Jersey Weekend is scheduled for April 29-30, 2023. Registrations are through the Kean Fire Safety website. There are 9 classes and 240 seats available. Registration ends on March 17th. Also, the 2023 Spring Brochure has been posted on the websites and registrations can be done through the Kean Fire Safety website. Transcripts and renewal notices have been sent out, and final renewal notices will be sent out next week. The Training Unit has begun working with the Kean Fire Safety Program for the next Kean contact. The new Office of Training & Certification computer system should be ready for staff training by August 2023.

Director Mikutsky reported that a change to online trainings had been implemented. Now, all students are required to keep their cameras on throughout the class or they will not receive credit.

Director Mikutsky concluded his report by giving some NFIRS statistics for 2023 so far: There have been 121 civilian burn reports, 21 total fatal fires, 15 residential fatal fires, and 23 school fires.

Bureau Chief Lou Kilmer began his report by talking about the School Fire Suppression Survey. This has not been an easy process, as it is looking at all types of fire suppression systems within all types of schools (K-12) throughout the state. There has been some progress made in working with the Department of Education, but they are still only seeing about 20% participation. The NJDFS is partnering with local fire officials on this as well.

The NJDFS is continuing to work on update to the Fire Safety Act with the DCA Commissioner's Office and Governor's Office. The new Fire Code is still in the review process and has passed another level of approvals and has been recommended to move forward. Chief Kilmer also reported that Annual Reports season is complete, and he commended Paul Elenio and his team on getting all reports in successfully for 2022.

In regard to personnel, Chief Kilmer reported that the NJDFS is continuing to look for new inspectors. Just like the rest of the world, the fire service and NJDFS is having trouble recruiting people, but they are working on a new announcement on these openings. Fortunately, with the support of the Director and DCA Commissioner, they have been able to successfully backfill many positions.

Chief Kilmer gave an update on the new computer system, which NJDFS staff are being trained on and Train-the-Trainers are being held. The new target date to move over to the new computer system is May 1, 2023. The Local Assistance Unit has been working diligently with the locals to prepare for the move to the new system. Chief Kilmer also reported that the NJDFS is continuing to see a huge turnover of local fire officials.

Chief Kilmer address the issue of food trucks and has directed Code Specialist Dan Timmerman to issue a bulletin regarding them. They are also working with the Office of Administrative Law on several appeals – one of particular interest is in regard to railroads. There is a dispute as to who has jurisdiction in these areas that have rails on site, in particular when there is a tent set up on the same property that needs a permit, etc.

Chief Kilmer reported that the NJDFS has been meeting with the Department of Labor regarding the contractor registration issue. This had been brought to the attention of the NJDFS by several contractors associations because the Department of Labor is placing more requirements on them to operate. The NJDFS has some concerns with this because it could potential take some fire protection contractors out of the mix, and they are now working on a joint bulletin with the Department of Labor on it.

The NJDFS has been looking into the growing trend of mobile fueling – where, instead of going to a gas station, fuel is brought to you and put into your vehicle. The Codes Advisory Council is also looking at this, as a company called Shell TapUp that provides this service is looking to operate in New Jersey. A guidance letter from Code Specialist Dan Timmerman was provided to the Fire Safety Commission that outlines the variance process involved in doing this. Chief Kilmer also spoke about taking a look at sprinkler coverage in warehouse buildings, which was talked about at the recent Codes Advisory Council as well. Vice-Chairman Arthur Londensky would be able to elaborate further under the Codes Council report.

Commissioner Gerard Naylis asked Director Mikutsky about legislation regarding people not being certified, but Director Mikutsky said that the NJDFS had been keeping an eye on this bill and was told this bill is dead. Also, Assemblyman Rooney asked about the School Fire Suppression Survey and what would be done with the findings stemming from it. Chief Kilmer answered that the legislation requiring the survey was done in the previous administration and the findings will be passed back to the legislature in the form of a report and they can analyze it from there. Assemblyman Rooney asked if the legislation should be amended to add more ‘teeth’, requiring schools to report. Chief Kilmer answered that it is probably best to leave the legislation as is. Assemblyman Rooney also spoke about the food truck issue that is being examined and added that newer “bud buses” (which sell cannabis) should be included in that as well. Although

there is no cooking taking place, these buses are heated and should be monitored and regulated.

Assemblyman Rooney also asked the NJDFS if they felt it was necessary to introduce legislation regarding the apprenticeship program for fire protection contractors. Chief Kilmer answered that it is possible that it already exists and, if so, maybe it could be amended to focus more on helping smaller companies. Assemblyman Rooney said he would look into this further to see what could be done.

Assemblyman Rooney asked what the requirements are for vehicle charging stations and what we should have in place to ensure these stations are safe. As we move towards more electric vehicles into the future, this will become more and more of an issue. Director Mikutsky answered that this is certainly a new, growing issue that the fire service is aware of. It is definitely an area that demands the attention of the fire service and many questions about it remain unanswered at this point. Assemblyman Rooney suggested New Jersey get ahead of this potential problem, because it is coming down the road. Director Mikutsky said he has voiced this to the Governor's Office. Chief Kilmer added that he will look into the 2021 code and see if this issue is address and, if not, maybe legislation would need to be looked at.

Commissioner Paul McGrath asked about a bill that would require carbon monoxide alarms in multiple family dwellings and hotels – which is redundant to the current code. This bill is on the list that the NJDFS is monitoring, but Commissioner McGrath wanted to call this to the Fire Safety Commission's attention. Director Mikutsky looked up the bill and confirmed that it is on their radar.

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

Commissioner Arthur Londensky reported that the Codes Advisory Council met on February 15th at the Middlesex County Fire Academy in Sayreville. The minutes of that meeting have been distributed via the meeting packets for the Commission members to review.

Commissioner Londensky reported that the Codes Advisory Council received reports from all their standing committees. Commission Londensky said the 2018 International Fire Code, New Jersey Edition is still in the review process and, once the adoption process is complete NJDFS staff will begin work on the 2021 Code. Once adopted, all changes will become effective immediately with the exception of Subchapter 3 (which will become operative 6 months after).

Commissioner Londensky spoke about the Subchapter 4 review and the Codes Advisory Council had a lengthy discussion on Emergency Responder Radio Coverage. The Council also recommended that the NJDFS revise the existing guidance document regarding cooking vendors. The Codes Advisory Council also addressed Commissioner Naylis's request that they determine the feasibility of requiring sprinkler contractors to evaluate systems during regular maintenance cycles based on the materials being stored. The subcommittee determined that NFPA 25 does not require sprinkler contractors to determine the adequacy of the design of the system. The subcommittee asked that Commissioner Naylis be invited to their next meeting to discuss further.

The next meeting of the Codes Advisory Council is scheduled for Wednesday, April 19th.

2. Training and Education Advisory Council

Commissioner Charles Siedenburg reported that the Training and Education Advisory Council met on February 21st and the minutes of that meeting are included in today's meeting packets for review. The meeting was held at Kean University and several members of the Kean Fire Safety Program staff were present in addition to DFS staff and Council members.

Commissioner Siedenburg spoke about the Training and Education Advisory Council's restructuring of the strategic planning committee. They will be developing a 5-year plan and a 10-year outlook going forward. Commissioner Siedenburg noted that several other topics and upcoming events were covered at the meeting, and they are expanded upon in the minutes submitted.

The next meeting of the Training and Education Advisory Council is scheduled for April 18, 2023, in Atlantic City.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that, unfortunately, they are seeing an uptick in fire fatalities. Commissioner Naylis stressed the importance of making educated fire prevention decisions (i.e. smoke alarm allocation) based on what the data bears out. Chairman Krushinski followed up by asking if the NJDFS had gleaned anything from the locations of fire fatalities relative to that town's participation in the statewide smoke alarm program. Director Mikutsky answered that he did not have that information at this time but would refer the matter to the NFIRS Unit.

4. Master Planning and Research Advisory Council

Commissioner Raymond Heck reported that the next meeting of the Master Planning and Research Advisory Council was scheduled for March 22nd, so no new report was available at this time. Commissioner Heck said he would report back on this meeting at the May meeting of the Fire Safety Commission.

5. Public Education Advisory Council

Commissioner Paul McGrath reported that the Public Education Advisory Council would be meeting at Monmouth County Fire Academy on April 19th. This will be the first meeting in some time and Commissioner McGrath has been working to establish an active roster of members of the course of the past couple months. He will be nominating new members under New Business.

6. Firefighter Safety and Health Advisory Council

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

7. Youth Firesetter Prevention Advisory Council

Chairman Kevin Krushinski reported that the March meeting of the Youth Firesetter Prevention Advisory Council had been canceled. However there are two trainings coming up next month:

*Youth Firesetter Intervention Specialist (April 11-12, Middlesex)

*Youth Firesetter Program Manager (April 13-14, Middlesex)

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for May 11th at Monmouth County Fire Academy at 10 am.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that there was nothing new to report.

2. Ad-Hoc Committee on Legislation

In the absence of Commissioner Kevin Bellew, no formal report was given.

3. NJ Utility Safety Team

Commissioner Steve O’Gorman reported that a meeting was held on February 3rd at the New Jersey Natural Gas Training Facility. Commissioner O’Gorman thanked the members as well as NJDFS staff who were in attendance. At this meeting Co-Chairs were established. The NJ Utility Safety Team will be participating in the EPA Conference next month also. Commissioner O’Gorman will be distributing information on the class that they will be hosting at the EPA Conference via the Fire Safety Commission Secretary.

4. Cannabis Committee

Assemblyman Kevin Rooney reported that the Cannabis Committee met on February 23rd and discussed guidance on suspected cannabis use by Fire Academy attendees. As a result, Assemblyman Rooney issued a Memorandum to the Fire Safety Commission that outlined the Committee's recommendations. The Committee outlined a number of items as a "course of action" if Academy personnel suspect an attendee is under the influence of cannabis during any activity or physical occupancy of a Fire Academy.

A lengthy discussion amongst the Fire Safety Commission was had regarding these recommendations. Several members of the Fire Safety Commission spoke in support of adopting these recommendations, but ultimately decided that the Memorandum should be forwarded to Commissioner Nelson Wiest and the Training and Education Advisory Council for review before taking any official action on the matter.

H. Old Business

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. With no Old Business to be discussed 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 thanked the New Jersey State Firemen's Association for their hospitality in hosting today's meeting. The Chairman also thanked Sprinkler Fitters Local 696 and the New Jersey Fire Sprinkler Advisory Board for providing coffee and refreshments for the meeting's attendees.

Director Mikutsky spoke in regard to the Fire Safety Commission meeting minutes that are done for each meeting. He wanted to remind the members, as well as the public, that these are minutes and not a transcript. They are meant to document topics covered, actions taken, etc. They are not a verbatim recounting of the meeting as would be done by a court stenographer.

Commissioner Paul McGrath made a motion that Anthony Correia and Walter Nugent be appointed to the Public Education Advisory Council. The motion was seconded by Commissioner Gerard Naylis and passed unanimously. Commissioner Charles Siedenbug made a motion that Brendan Rhodes be appointed to the Training and Education Advisory Council. That motion was seconded by Commissioner Charles Maria and passed unanimously.

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. There being none, the meeting was moved to Adjournment.

K. Adjournment

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Commissioner Gerard Naylis made the motion, which was seconded by Commissioner George Aleu and passed unanimously. The meeting adjourned at 11:14 AM.

#####