

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

Meeting of May 17, 2023

The New Jersey Fire Safety Commission meeting was held on Wednesday, May 17, 2023 at the New Jersey State Firemen's Association in Wall Twp., NJ.

Commission Members Present: Mr. Arthur Londensky, Vice-Chairman
Sen. Samuel Thompson
Asm. Kevin Rooney
Mr. Richard Blohm
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
Mr. Daniel DeTrollo
Mr. Lawrence Wood

Commission Members Excused: Mr. Kevin Krushinski, Chairman
Mr. Paul McGrath
Ms. Kathleen O'Leary
Mr. Nelson Wiest
Mr. Arthur Hayducka
Mr. Karl Spinner

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Louis Kilmer, NJDFS
Charles Lavin, NJDFS
Don Nelsen, NJDFS
Gregory Kirkham, NJDFS
Steve Dyl, NJDFS
Steve Taylor, NJDFS
Chris Barrella, NJDFS

Guests:
William Quinn Joseph Hankins Elizabeth Sweeney
Robert Ordway Thomas Pelaia Stuart Blank
Brian Martone Ronald McGowan Jr.

A. Call to Order

Vice-Chairman Arthur Londensky called the meeting to order at 10:07 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 March 15, 2023, were approved as submitted. Commissioner Gerard Naylis made the motion to approve. The motion was seconded by Assemblyman Kevin Rooney and passed unanimously.

C. Correspondence

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

D. Public Comment I

Vice-Chairman Londensky 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.

Vice-Chairman Londensky took the opportunity to thank Commissioner Nelson Wiest and the New Jersey Career Fire Chiefs Association for sponsoring the coffee and refreshments this morning. He also thanked the New Jersey State Firemen's Association for their hospitality in hosting the meeting once again.

E. Division of Fire Safety Activities

Director Richard Mikutsky reported that the NJ Division of Fire Safety continues to work on a multitude of issues and topics across the State. He spoke about recently attending two announcements to benefit the fire service:

On March 27th, Congressman Pascrell announced the introduction of H. R. 1814- To provide an appropriation of \$750,000,000 for FY2024 grants for fire station construction through the Administrator of the Federal Emergency Management Agency. Congressman Pascrell introduced the bill at Paterson's Riverside firehouse. The bill was referred to the Committee on Science, Space, and Technology, and in addition, to the Committee on Transportation and Infrastructure.

On May 2nd, Governor Murphy announced a proposed addition of \$10 million in American Rescue Plan (ARP) funding for Fiscal Year 2024 to support the continuation of the Firefighter Grant Program, which first launched in May 2022. The ARP Firefighter

Grant Program provides funding to local and regional fire departments across New Jersey to ensure firefighters have proper protective, cleaning, and sanitization equipment.

From the Bureau of Fire Department Services, the NJ Department of Environmental Protection and NJDFS have recently installed and shared frequencies. This allows for both state agencies to communicate directly as we respond to incidents. The New Jersey Domestic Security Preparedness Task Force has identified a statewide priority for active shooter. The ASIM (Active Shooter Incident Management) curriculum will be adopted for statewide training. The NJDFS has personnel trained and assisting with these courses. We have also requested to be added to the Training subcommittee.

Director Mikutsky reported that they recently met on May 12th with the Department of Environmental Protection, Office of Emergency Management, and Homeland Security regarding freight rail response and timeframes, an overview of New Jersey response plans, rail safety, training and projected tabletop exercises. All rail lines that operate in New Jersey attended the meeting as well.

Director Mikutsky reported that the CODES project for County Fire Coordinators and OFDP personnel is progressing through the procurement and OIT processes. The NJDFS hopes to have this program up and running by Fall 2023. The NJDFS also recently hired Chris Barella, Senior Planner EMF. Chris will be assigned as the coordinator for the Delaware River region. This will bring OFDP back to having a region coordinator in each region. The Office of Fire Department Preparedness also presented at the 2023 Emergency Preparedness Conference in Atlantic City on April 19th. They covered topics such as the Emergency Deployment Act and an introduction to the Fire Threat Task Force.

This week, the NJDFS - in conjunction with Mutual Aid Compact-State Industrial Chiefs (MAC SIC) - is presenting a Foam Reset seminar. This is an all-day presentation by retired National Foam instructor Frank Bateman. These are being held on May 15-16 in Jersey City, and on May 18-19 in Paulsboro.

The NJ Division of Fire Safety's Homeland Security Conference – themed this year as “Back to Basics”- is scheduled for June 6th at Kean University's STEM Building. Breakfast starts the day at 8:00 AM and attendees are encouraged to bring a minimum of two non-perishable food items for the Kean University Pantry. Please do not bring any expired items, they will not be accepted. Currently enrollment for the Conference is FULL.

Director Mikutsky reported that there are 8 ongoing fire department complaint investigations, dual investigations, or referrals with the NJ Department of Labor/PEOSH/NJ Department of Health. Director Mikutsky also supplied the most up-to-date NFIRS statistics:

- Civilian Burn Reports – 193
- Total Fatal Fire Reports – 30
- Residential Fatal Fires – 21

- School Fire Reports – 43
- *Statewide NFIRS reporting for 2023 is at 58%

Director Mikutsky also noted that as per the USFA, NFIRS will be becoming NERIS (National Emergency Response Information System). USFA has sent out a press release and can be viewed on the USFA web page under NFIRS with answers to FAQs.

From the Office of Training & Certifications, Director Mikutsky reported staff is working with the subject matter expert groups and Kean staff to finish making the required updates to the credentialing programs required by IFSAC during their Reaccreditation Visit. The IFSAC accreditation/reaccreditation vote is scheduled for November 2023.

Office of Training and Certifications staff is continuing to make progress in dealing with the major influx of Hazardous Materials: Incident Commander applications. The Hazardous Materials: Incident Commander letter provision expired on May 15, 2023. Many applications are being returned for a multitude of reasons. Office of Training and Certifications staff is starting to receive Course Delivery Forms for the Firefighter 2 Written Equivalency Exam that is being held for this year only. All academies must send in rosters (names and DFS ID numbers) to the Office of Training & Certification, so the staff can vet the names to make sure all individuals meet the requirements.

On April 29th & 30th the New Jersey Fire Service returned to the National Fire Academy for the first NJ Weekend at the NFA in three years. There were 129 people signed up, only 8 no-shows. Nine classes were offered. Dates & courses for next year have been picked, and we are waiting to hear back from the NFA with a confirmation.

The NJDFS and Kean University are working together to offer another round of Hazardous Materials: Technician Train-the-Trainers on Monday, May 22, 2023, at Middlesex County Fire Academy; and Wednesday, June 21, 2023, at the Burlington County Emergency Services Training Center. All registrations are done through Kean. These Train-the-Trainers are to the NFPA 470 Standard, 3rd Edition IFSTA Technician textbook. Instructors are required to possess Instructor 2, Drill Ground Instructor, and a technician course completion certificate. Non-fire service instructors must produce an Instructor certificate from their agency, Hazardous Material: Awareness, Operations, Technician, I-200 course completion certificates, and a letter from their organization stating they are active in the HazMat response field. All instructors must attend to be approved to teach this course.

The Office of Training & Certification is again reminding everyone that has the Fire Inspector/Fire Official certifications, that meetings can only be used to meet half of the CEU requirements, N.J.A.C. 5:71-4.5(c)1 and 2. Also, the 2023 Fall Semester CEU planning meeting is scheduled for June 12th. The NJDFS will be proposing the elimination of Zoom classes entirely due to the complaints being received by the instructors concerning the students' behavior and inattentiveness.

From the Arson Investigations / K-9 Unit, Director Mikutsky reported they are at 140 investigations so far this year, which is on pace with last year. The new K-9, Murray, is progressing nicely with Basic K-9 Training. He has already been imprinted on multiple ignitable liquids, and hopefully he will be fully certified and available to respond to North Region incidents over the summer.

Director Mikutsky reported that March and April were very busy with forest fires. The NJDFS assisted the New Jersey Forest Fire Service with multiple “Major” wildfire invests throughout the state. The causes of these major wildfires are predominantly Incendiary with a few focusing on areas of repeated fire activity.

Director Mikutsky gave an update on the March 20th investigation at the “Fountain of Life Center” in Florence, Burlington County. The 8-alarm fire destroyed the main church building, which was 3 stories and 100,000+ square feet. Arson Investigations / K-9 Unit members spent an entire week investigating there along with local, county, and federal personnel. The fire’s origin was determined to be in a large storage section of the building adjacent to the sanctuary. The fire cause is currently considered “Undetermined” but suspicious in nature, with local police are pursuing this case.

Director Mikutsky also gave an update on the May 7th investigation for a fatal apartment fire in Maple Shade, Burlington County - which originated on a 2nd floor exterior balcony and destroyed multiple apartments. One child perished at the scene, and yesterday it become a multi-fatal due to a second child succumbing to injuries. The mother remains very critical. What the NJDFS can report at this time is that the fire originated on the exterior of apartments 5C and 5D. The deceased occupants were from the first floor apartment (5D). The occupants from the second floor apartment 5C escaped the fire without injuries. Fire cause is currently “Undetermined”, but still under investigation as we work with insurance investigators. The NJDFS is still investigating the 5-alarm fire vacant school fire in Trenton from Monday afternoon (May 15). It is currently considered suspicious.

Director Mikutsky regretfully reported on two line-of-duty deaths, both cardiac related after returning from a fire call. The first, on March 23rd was an ex-Chief from Deptford Fire Department in Gloucester County. The second was on April 12th, a firefighter from the Sussex Fire Department in Sussex County. These were the second and third LODDs of 2023.

On April 20th, the NJ Department of Community Affairs formally recognized the 20th Anniversary of the Arson Investigations / K-9 Unit with a ceremony in the lobby of the DCA Building.

From the Community Risk Reduction Unit, Director Mikutsky reported on the Operation Save-a-Life program. Unfortunately, Kidde has shipped the NJDFS a record low number of alarms for this year’s program. This, even though we are handling both the NY and Philadelphia programs now. We are working to get more, including partnering with the American Red Cross, who has been extremely supportive in helping us close the gap.

Please ask departments to be patient when it comes to receiving a 2023 supply of alarms. Anyone receiving alarms MUST complete distribution logs and had to if they've received alarms last year as well.

Director Mikutsky reported that the State Championship of the New Jersey FIRE Bowl is slated for next week – May 24th – at Kean University's STEM Building. The final competition will feature Nicholas Oresko School (Bayonne) vs. Burnet Middle School (Union), who were the two top scoring teams statewide. All are encouraged to attend at 11:00 am.

In regard to Youth Firesetter Programs, Director Mikutsky reported that two full classes were completed in April, and we will be hosting a new NFA Pilot Course. The new class (first offering) is scheduled for August 16th and 17th at Monmouth County Fire Academy. It will be offered to anyone who has taken Youth Firesetter Intervention Specialist within the past year.

The NJDFS online newsletter, "Fire Focus", had its Spring 2023 edition posted and distributed on May 8th. It is now available on the NJDFS website. CRR Unit staff is now working on the Summer 2023 edition, which will be completed for distribution around August 1st.

Director Mikutsky gave a report on the New Jersey Fire & EMS Lifeline and offered the following statistics from the past year:

Fire/EMS Program Peer Post-vention Crisis Management Total Contacts: 114
8 Critical Incident Stress Management Responses (debriefings)
Fire/EMS Program Performance Telephone Details FY '23 (July 2022 – April 2023)
Inbound Calls 301 /Outbound Calls 1,787
Abandonment Rate 7.97 %
Average Speed to Answer 12.7 seconds
Average Talk Time:
Inbound Calls - 6 minutes, 16 seconds per call
Outbound Calls - 2 minute, 0 seconds per call

Commissioner Gerard Naylis asked that the detailed statistics on the Lifeline be distributed to all Fire Safety Commission members. This was done during the meeting for the Commissioners' review. Assemblyman Rooney asked if there was any designation within the statistics between career and volunteer. Director Mikutsky answered that there was not.

Bureau Chief Lou Kilmer began his portion of the NJDFS Activities report by speaking about the 2018 International Fire Code – which was released by the Governor's Office following their review. Chief Kilmer was pleased to report that all provisions added by the NJ Division of Fire Safety has been included. The next stop in the process is the Office of Administrative Law and the NJDFS has been given the firm date of June 5th for publication in the New Jersey Register, comment period to follow. The Subchapter 2 and

4 changes will be in effect upon adoption; the Subchapter 3 changes will have a six-month grace period. Chief Kilmer asked for the Fire Safety Commission to come out in support of the 2018 Code after June 5th, positive comments are welcomed and encouraged.

Bureau Chief Kilmer reported that work has already begun on the 2021 International Fire Code. Documents have been ordered – both electronic and hard copies – and the work on those is anticipated to be about 7-9 months. Chief Kilmer thanked everyone at the Division of Fire Safety who did a ton of hard work on both the 2018 Code, namely Bob Lenox and Dan Timmerman.

Chief Kilmer reported that the NJDFS is continuing to work with the Office of Administrative Law on issues related to railways and events being held on their properties. This is for such novelty events like short train rides, holiday events, etc. It is being contested that the NJDFS has any jurisdiction on these properties. This is incorrect, as the Federal Rail Regulations only pertain to what happens on the actual tracks, not what is going on with the land surrounding them. There will be a formal hearing on this within the next couple months.

The NJDFS's Local Assistance Unit is continuing to work on ordinance reviews, changes in fees, etc. Chief Kilmer noted that this is not a quick process to resolve these types of issues, so he urged local agencies to plan ahead for these kinds of things. Chief Kilmer also reported on the NJDFS's review of legislation related to smoke dampers/smoke control systems. However, this is already in the code aside for requiring the contractors to be licensed. The NJDFS is working with the legislation's sponsors on this. The NJDFS is also continuing to work with the Department of Labor on contractor certifications issues.

Chief Kilmer spoke about the continuing review of the "mobile fueling" issue, which is being looked at by the Codes Advisory Council. The NJDFS has provided guidance to local officials on this and have suggested using local ordinances. This concerns tanker trucks coming to residences to fuel up cars and/or boats and there are several companies doing this. There will most likely be an uptick on this in the summer in towns where boating is being done. Assemblyman Rooney expanded upon this and spoke about "self-service" as far as fueling boats along the Jersey Shore. He asked that inspection of this area be beefed up a bit, and Chief Kilmer answered this is something they are familiar with and aware of each year.

Chief Kilmer spoke on an issue that was brought up by Commissioner Naylis at a previous Fire Safety Commission meeting, that being sprinkler coverage in warehouses. Chief Kilmer agreed that this is a serious concern, and there have been examples of large warehouse fires in New Jersey in the past few years. Chief Kilmer said inspectors need to be educated on these systems to know what is necessary/required in these large scale buildings. The NJDFS is also working on various guidance documents relative to food trucks. They should be out in the near future.

Chief Kilmer reported on the launch of the new NJDFS computer system. RIMS is now shut down and the new system has gone live. Considering the volume of information contained in the system, there have been relatively few problems. There are some bugs, of course, but these are being addressed and the system is up and running. Trainings on the system are taking place and more are being scheduled. Chief Kilmer thanked Pete D'Amore, Bob Lenox, and Karen Luckie specifically for all their hard work on the system.

Chief Kilmer spoke about a staffing shortage in the Inspections Unit. The NJDFS is having a hard time (much like the rest of the world) attracting new talent and retaining them long-term. The NJDFS is also continuing to work on the School Suppression Survey and has dedicated additional staff to this. They are up to about 50% participation at this point in time, but it is a slow process. The NJDFS is also continuing to work with fire departments on the Fire Safety Act.

Assemblyman Rooney asked about the process when the 2018 International Fire Code is approved as far as sending it out. Chief Kilmer answered that the NJDFS is planning on contacting all the groups that will be affected in some way from any changes (landscaping industry, surgical centers, etc.). Assemblyman Rooney asked that it be shared with him as well so he can help distribute it.

Commissioner Gerard Naylis inquired about the mobile fueling issue and expressed concern that, if a variance is asked for and granted, then this type of operation is safe. Chief Kilmer agreed that this is an important point, and it is his understanding that the 2021 and 2024 International Fire Code will allow it. However, it will need to be reviewed and we need to ensure that safeguards are in place. Commissioner Naylis suggested that guidelines be put out by the NJDFS to help locals deal with these possible variances. A discussion followed regarding a fire officials' ability to grant variances. Commissioner George Aleu added that there should be some protections for fire officials put in place regarding this.

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 April 19th at the Middlesex County Fire Academy. As soon as the minutes of that meeting are completed and approved, they will be forwarded to the Fire Safety Commission members for their review.

Commissioner Londensky reported that much of the Codes Advisory Council report had been covered under Division of Fire Safety Activities. Commissioner Naylis commented regarding his agreement with the NJDFS's course of action on training for fire officials.

2. Training and Education Advisory Council

In the absence of Commissioner Nelson Wiest, Commissioner Charles Siedenbug reported that the Training & Education Advisory Council met on April 18th in Atlantic City. The minutes of that meeting were submitted in today's meeting packets for the Commission members to review.

Commissioner Siedenbug spoke about the meeting being held in conjunction with the NJ Emergency Preparedness Association and the benefits of being present for those programs. State Fire Marshal Mikutsky and Training & Certifications Supervisor Greg Kirkham were on hand to answer questions and report on NJDFS programs.

Commissioner Blohm inquired whether there were discussions about providing Firefighter I and Firefighter II, and Greg Kirkham answered that is something that can be discussed in the future. Commissioner Blohm also asked about drill ground instructor, which NJDFS's Steve Taylor gave an update on.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis highlighted the fact that fire deaths in New Jersey continue to be predominantly seen in residential structures. He spoke about this highlighting the need to augment smoke alarm programs and the need for residential sprinkler systems. Because one and two family homes are still where the fire problem in New Jersey lies.

4. Master Planning and Research Advisory Council

In the absence of Commissioner Raymond Heck, no formal report was given.

5. Public Education Advisory Council

In the absence of Commissioner Paul McGrath, Commissioner Dan DeTrollo reported that the Public Education Advisory Council met on April 19th and the minutes of that meeting were distributed in today's meeting packets. The next meeting is scheduled for June 7th at Union County Fire Academy in Linden.

Commissioner Blohm inquired about the reference in the minutes to a Statewide Risk Assessment. Charles Lavin answered that this is a report related to Community Risk Reduction, which takes fire data, demographics, geography, etc. and highlights the needs for CRR efforts in a given area.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that the Firefighter Safety & Health Advisory Council met on April 3rd at the Middlesex County Fire Academy in Sayreville. The minutes of that meeting are contained in today's meeting packets for the Commissioners to review.

Commissioner Blohm reported that Kathy Conlon who was leading a subcommittee looking to revise the Department of Health “Pink Book” has determined that it is not something worth pursuing any longer. Now EMS is better educated and has been very successful in assessing patients on a case-by-case basis to send them to a trauma center. Kathy Conlon also reported that burn units across the nation are seeing a marked increase in burns from lithium-ion batteries. Commissioner Blohm spoke about Paul Rogers from FDNY who would be presenting on this topic at the upcoming Homeland Security Conference.

The next meeting of the Firefighter Safety & Health Advisory Council is scheduled for June 8th at Middlesex County Fire Academy.

7. Youth Firesetter Prevention Advisory Council

In the absence of Commissioner Kathleen O’Leary and Chairman Kevin Krushinski, no formal report was given.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that there was nothing new to report on residential sprinklers from the legislature.

2. Ad-Hoc Committee on Legislation

In the absence of Commissioner Kevin Bellew, no formal report was given. However, Assemblyman Kevin Rooney spoke about numerous bills that he has been working on that are fire service and first-responder related, which have not seen any support from his colleagues in the legislature who serve on this Commission. Assemblyman Rooney said there is only so much he can do alone with these bills, which he has no problem dropping, but nothing will move forward without support from others. Assemblyman Rooney asked for the Commission members present to be advocates on these bills and help garner support from the legislative members.

3. NJ Utility Safety Team

Commissioner Steve O’Gorman reported that the NJ Utility Safety Team held a presentation at the New Jersey Emergency Preparedness Association Conference in Atlantic City. It was productive and well attended. Commissioner O’Gorman reported progress from

4. Cannabis Committee

Assemblyman Kevin Rooney reported that he had submitted recommendations regarding cannabis use in the fire service. He has not heard from the other members of the

committee, nor from the organizations that have a stake in the process. Commissioner Blohm answered that he did submit a response in agreement with the recommendations, specifically related to training academies, and suggested they be referred to the appropriate advisory councils. A discussion followed regarding the handling of a firefighter or firefighting recruit showing up to work under the influence.

H. Old Business

Vice-Chairman Londensky 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

Vice-Chairman Londensky made a motion that John Lewis be appointed to the Training & Education Advisory Council, as his resume had been distributed for review prior to the previous meeting. The motion was seconded by Commissioner Naylis 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

Vice-Chairman Londensky opened up the meeting for members of the public to comment for the second time. Stuart Blank from Bergen County addressed the Commission and asked State Fire Marshal Mikutsky about the issues surrounding lithium-ion batteries. Director Mikutsky answered that they were not only aware of the issue, but concentrating on developing training and working with experts (specifically via FDNY) on addressing the dangers these batteries present. Mr. Blank agreed that this would be a statewide problem and they (in Bergen) have been working with FDNY representatives on this as well.

Vice-Chairman Londensky asked if anyone else 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 11:23 AM.

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