

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

Meeting of September 13, 2018

The New Jersey Fire Safety Commission meeting was held on Thursday, September 13, 2018 at the Wildwood Crest Fire Department in Wildwood Crest, NJ.

Commission Members Present: Mr. Pasquale Intindola, Vice Chairman
Mr. Stanley Sickels
Mr. Lawrence D. Wood
Ms. Kathleen O’Leary
Mr. Armando Roman
Mr. Gerard Naylis
Mr. Charles Siedenbug
Mr. Steve O’Gorman

Commission Members Excused: Mr. Kevin Krushinski, Chairman
Asm. Anthony Bucco
Sen. Sam Thompson
Mr. Kevin Bellew
Mr. Daniel DeTrolino
Mr. Raymond Heck
Mr. Richard Blohm
Mr. Fred Collender
Mr. Arthur Londensky

DCA Staff Members Present: Richard Mikutsky, NJDFS Director
Lou Kilmer, NJDFS
Rick Farletta, NJDFS
Frank Clark, NJDFS
Craig Augustoni, NJDFS
Robert Tharp, NJDFS
Tim Weiss, NJDFS
Greg Kirkham, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
Michael Whalen, Codes and Standards

Guests: Ronald McGowan Jr, Wildwood Crest Fire
Tony Correia, NJES Health Coalition
Bryant Curry, Bradley Beach
Matthew Levine, Middlesex Co. DOC
Vincent Corsaro, Jefferson Twp.
Al Evangelista, Pompton Lakes
Alden Blackwell, Tenafly FD
Stanley O’Brien, Jackson Fire

Nick Lombardi, Piscataway Dist. 1	Robert A. Brenneck, West Caldwell FD
John Garton, NJDOL/PEOSH	Frank Ellis, NJFSAB
Paul Snyder, Possumtown Fire	Edward McDermott, Piscataway Fire
Jerome Inderwies, Cape May City	Michael Abraham, ATF
Craig Bierbaum, Toms River Dist 2	Artie Hayducka, North Stelton FD
Darrick Kobierowski, Wildwood FD	Daniel Spiegel, Wildwood FD
Conrad Johnson, Cape May County	Robert Griffith, Tri-County Fire
Steve Dyl, Kearney Fire	Joshua Carter, North Wildwood FD
Ronald Harwood, Wildwood Crest	Vincent Mascio, North Wildwood FD
Richard Dean, Avalon	William J. Cripp, Wildwood FD
Robert Stanton, Cape May Fire Prev.	Lisa Saschelli, Avalon
Robert Feltnell, Wildwood FD	Daniel Dunn, Wildwood FD
Dominick McClain, North Wildwood	Thomas E. Simpson, Harrington Park

A. Call to Order

Vice-Chairman Pat Intindola called the meeting to order at 10:06 AM. He led the meeting with the Pledge of Allegiance, a moment of silence, and pointed out the fire exits. He asked that we especially remember Commissioner Roger Potts. Commissioner Gerard Naylis also asked the we remember former Commissioner Jacob Genovay.

Vice-Chairman Intindola thanked the Wildwood Crest Fire Department for hosting today’s meeting and the Cape May County Fire Prevention & Protection Association for providing the refreshments for breakfast.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of July 18, 2018 were approved.

C. Correspondence

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

D. Public Comment I

Vice-Chairman Intindola opened the meeting up to any members of the public wishing to comment before the Fire Safety Commission. Tony Correia of the First Responders Health & Fitness Coalition asked that the Commission Secretary share information on the Cumberland Valley Volunteer Firemens Association’s fall meeting on October 14th. Charles Lavin agreed to share the details of the meeting once they are received via email. Mr. Correia urged anyone interested to attend.

Tom Simpson from Harrington Park spoke about a one-day seminar that is being offered at the Bergen County EMS Center on firestopping – it will require a \$25 donation to take the seminar.

With no additional 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

Director Richard Mikutsky began his report by talking about the fees collected in FY18, which amount to roughly \$34.5 million and the LEA rebates totaled nearly \$20 million. The New Jersey Division of Fire Safety is currently staffed by 80 personnel, and they are in the process of adding full-time staff. Also, there has been a reorganization within the Office of Fire Department Preparedness within the NJDFS – with a new principal and new regional coordinator.

The NJDFS is completing a two-year plan review of the 21 counties mutual aid plans, and is maintain the emergency response plan and hurricane disaster support tool. The statewide radio system utilized by the NJDFS has been completely upgraded.

The Division of Fire Safety is reviewing the capabilities of the Meadowlands Fire Department in anticipation of the opening of the American Dream complex. On any given Sunday (or other event day), this small area will become the biggest city in New Jersey and it is important to look ahead to the emergency response and preparedness needs of that department. The NJDFS is also working closely with the Office of Homeland Security and Preparedness to provide federal trainings to the fire service at no cost. There is also training being developed in conjunction with PSE&G in regards to gas emergencies.

Director Mikutsky reported that the Arson Investigations Unit had completed nearly 200 investigations statewide in 2017, and is currently at around 170 investigations for 2018. This Unit continues to work extremely hard and are constantly getting called into action. The Unit is also in the process of training a new dog as another prepares to retire in the near future.

The NJ Division of Fire Safety has also been working on a cancer awareness protocol document and, thanks to the hard work of Chief Lou Kilmer and NJDFS staff, is ready for distribution to the fire service statewide.

Chief Lou Kilmer reported on various NJDFS issues and began with the proposal in the New Jersey Register to enforce the new fireworks regulations. The comment period is nearly over and the NJDFS is preparing responses. Chief Kilmer noted that the NJDFS can only develop regulations to enforce the law as written, nothing beyond that. Chief Kilmer also noted that there were some minor errors (spelling, punctuation, etc.) in the new Code – but being that they were all extremely minor, it will only require a correction

document and not be subject to comment. The NJDFS also had a retirement of a member of the Peer Review Board, and they are in the process of replacing him at this time.

Chief Kilmer spoke about the Inspections Unit and Local Assistance Units of the NJDFS having an extremely busy summer, especially considering the inspections that have been conducted at the farms throughout the state. Some of the living conditions, and the hazards presented therein, have been found to be downright scary. The NJDFS has actually forged a strong partnership with the Department of Agriculture and, although there is still much work to do, they have made New Jersey significant safer for those working on farms. Also, the NJDFS has been working with the Codes Advisory Council on a proposal in regards to mulch and how close in is permitted to be to a given structure. All told, the Inspections Unit has done 12,675 inspections and issued over 27,767 violations so far this year.

Chief Kilmer reported that, in the 91 municipalities handled by the NJDFS, they are continuing to do smoke and CO alarm inspections on change of occupancy in all cases. This began early in 2018 and, due to support from the new Director, staffing levels have been maintained to continue this. Chief Kilmer also spoke positively about the new fire codes becoming effective on July 1st, as the rollout went virtually seamlessly. Books are available and it is also available online.

The NJ Division of Fire Safety continues to work with their legislative liaison on the junior firefighter issue. It is the Division's position that the junior firefighters are an extremely important and vital part of the fire service as it builds towards the future, and hopefully they will be able to move forward soon on a bill clarifying the program statewide. Hold mail continues to be a problem and staff has been dedicated to work on this – so far, in only two months this fiscal year, nearly \$90,000 has been collected.

Chief Kilmer spoke about the RIMS system, which Division of Fire Safety staff is continuously working on fine-tuning and perfecting. Five reports have been added that fire officials can access. The system itself has roughly 73,000 active Life Hazard Uses, which gives some perspective on what it takes to manage RIMS and keep it running.

The Contractors Certification Unit has been extremely busy of late, handling 667 businesses that operate within the State of New Jersey and have active permits. Chris Michallis recently uploaded an updated list of certified contractors to the NJDFS website. Also, the Training and Certifications Unit has recently completed its contract with Kean University to provide firefighter training statewide. This contract is increased by 23.3%, which is a direct result of the fee increases that were made this time last year, and it will go right towards training.

Chief Kilmer ended his report by talking about some upcoming retirements of key people throughout the NJ Division of Fire Safety, including Glenn Smyth who will be retired by the time the Fire Safety Commission next meets.

Director Mikutsky announced that, as of this morning, the registration period for the Fall 2018 semester is open through the Kean Fire Safety program. Registration can now be done through their website – www.keanfiresafety.com – and the complete course catalog can be found there as well.

Craig Bierbaum from Pleasant Plains Fire Department asked if there were any initiatives being proposed that would make any of the new certifications mandatory. Chief Kilmer answered that all of the *new* certifications are voluntarily. Mr. Bierbaum said that it was his hope that, to move the fire service forward, many of the certifications would become mandatory. Commissioner Wood added that, once something becomes mandatory the state is then on the hook to pay for it. Mr. Bierbaum also asked for an update on the NJ Division of Fire Safety's efforts in the area of homeland security. Director Mikutsky reported that they are heavily involved in working with OHS&P and has a desk and presence at the NJ State Police Operations Center. Director Mikutsky said the relationship with Homeland Security continues to build, and said the fire service certainly has a seat at the table when homeland security matters are discussed. Mr. Bierbaum thanked Director Mikutsky and his staff for moving these initiatives forward.

Al Evangelista from Pompton Lakes spoke about the issue of the new carbon monoxide requirements. He had been receiving questions about what the response would be when a CO alarm comes in when dealing with a school. Chief Kilmer said he would discuss that directly with the local official that has a question, but ultimately it is up to the local department to have the response policy in their emergency operations plan.

Commissioner Stanley Sickels asked about the roughly 200 investigations conducted by the NJDFS so far this year, and whether they were all in the municipalities where the Division is the local enforcing agency. Director Mikutsky answered that they are from those areas, *plus* when the NJDFS is requested to help an outside agency. Commissioner Sickels spoke about the need for the NJDFS to be involved in investigating large-loss fires – even where there is not a line of duty death or serious injury. This has been discussed at the Codes Advisory Council, as well as raised at past Commission meetings. Commissioner Sickels provided examples of these fires, and giving the Division of Fire Safety the ability to investigate and examine the impacts. Director Mikutsky said he would be in favor of this.

Commissioner Lawrence Wood inquired about the junior firefighter program and the potential legislation regarding it. Commissioner Wood asked if the NJDFS could forward any information on this being shared with legislators with the Fire Safety Commission as well. Director Mikutsky answered that there has been a bill drafted and the NJDFS made recommendations. They are now awaiting a new draft of the bill, and once that comes it can be shared with the Fire Safety Commission.

Commissioner Stanley Sickels asked for an update on the legislation that would add four new members to the New Jersey Fire Safety Commission. Vice-Chairman Intindola answered that they had just check and the bill passed the Assembly and has not yet been voted upon in the Senate.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Stanley Sickels reported that the Codes Advisory Council had met on August 15th at the Middlesex County Fire Academy in Sayreville. The minutes of that meeting are in the Commission meeting packets. The Codes Council discussed the proposed amendment regarding solar panel signage and landscape materials/mulch. Commissioner Sickels added a recent example of a fire that was started due to smoking material being discarded in mulch. Chief Kilmer said the proposal on this is about 90% ready to go.

Commissioner Sickels said the Codes Council also discussed hot work permits and the requirements surrounding it in the IFC 2015 NJ. The committee on this will continue to discuss this and make recommendations regarding the training for those responsible to supervise hot work. Commissioner Sickels reported progress on behalf of the Codes Council in the areas of the color tag system and fire alarm activations/school lockdowns.

Commissioner Sickels spoke about Emergency Responder Radio Coverage, as the Codes Council had discussed the need to add a section to Subchapter 4 similar to the Edgewater ordinance for radio coverage. A proposal is being prepared for the Council's review. The Codes Council is also looking ahead and reviewing regulations pertaining to marijuana, and they are working with Denver who has offered their assistance.

The Codes Council discussed conflicts of interest and in particular updating 2.9(b) to match Codes and Standards by removing [adjacent to any municipality in which he or she is thus employed]. There was also discussion on how ICC removed the requirements on impact protection due to testing that was completed showing it did not offer any additional protection.

The next meeting of the Codes Advisory Council is scheduled for October 17th at the Middlesex County Fire Academy in Sayreville.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council had met on August 21st at the Dempster Training Center in Lawrenceville. The minutes of that meeting are in the Commission packets.

Commissioner Wood reported that a motion was made at the Training and Education Advisory Council for the NJDFS to call a meeting of mental health stakeholders – the object being to get input from the fire service as a whole on this issue. Commissioner Wood added that this would also be a good opportunity to clarify some training-related things throughout the fire service in general. Commissioner Wood said he would make a motion on this when there is a quorum at the November meeting.

The next meeting of the Training and Education Advisory Council is scheduled for October 16, 2018 at the Dempster Training Center in Lawrence.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the Fire in New Jersey 2016 report is now completed, published, and available on the NJDFS website. The Statistics and Information Advisory Council continues its efforts of encouraging widespread, and accurate, participation in the NFIRS program to fire departments statewide.

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 Daniel DeTrolgio, Charles Lavin reported on the ongoing public education program at the Division of Fire Safety. Mr. Lavin reported that, thanks to Atlantic City Electric and the NJFPPA, he and Jerry Clark had taken receipt of 7,000 copies of the 2019 New Jersey Fire Safety Calendars. Mr. Clark will be distributing them by county in the coming weeks, and everyone should have them in time for Fire Prevention Week.

Charles Lavin also reported that registration has begun for the Mid-Atlantic Regional Fire Safety Summit, a public education event set to take place on November 28th at the Sheraton Edison Hotel at Raritan Center. This is a collaboration with New York, Maryland, Delaware, DC, Pennsylvania and NFPA – registration is free and includes lunch. You can register at www.keanfiresafety.com under Community Risk Reduction.

6. Firefighter Safety and Health Advisory Council

In the absence of Commissioner Richard Blohm, no official report was given. The minutes of the August 8th meeting were included in the meeting packets.

7. Youth Firesetter Prevention Advisory Council

Commissioner Kathleen O’Leary reported that the Youth Firesetter Prevention Advisory Council had met yesterday (September 12th) at the Wildwood Crest Fire Department in Wildwood Crest. The minutes were unable to be submitted in such a short time, but will be distributed when they are complete.

Commissioner O’Leary spoke about the planning of the 16th Annual New Jersey Youth Firesetter Intervention Conference. Charles Lavin distributed the finalized program for the event – set for November 29th and 30th at Middlesex County Fire Academy – and anticipated that registration will begin in the coming weeks. For the first time,

registration will be available online and they are coordinating with Kean University staff on setting this up.

Commissioner O'Leary also reported on the Fire Is and Youth Firesetter Awareness courses upcoming in the fall semester. Also, the Council is still working towards getting all 21 counties reporting but is having difficulty in some areas. It is hoped that, in working with the new NJDFS Director and new Fire Safety Commission Chairman, some headway could be made in enforcing this and/or getting representation from the Attorney General's Office on the Council.

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for November 8th at the Monmouth County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis reported that, while he would love to give a good report, he is still hopeful that with the fall session upcoming there will be some positive movement.

H. Old Business

Vice-Chairman Intindola asked if anyone had any Old Business to bring before the Commission. There being none at this time, the meeting was moved to New Business.

I. New Business

Commissioner Stanley Sickels spoke about Assembly Bill 1627, which states that employees in PFRS that volunteer with local departments can still remain in service and not have a six month layoff. This had been an issue in the past with varying results in court. This also applies to EMTs.

Director Rich Mikutsky and Chief Lou Kilmer made a special presentation on behalf of the Division of Fire Safety. There were four counties in New Jersey who had 100% of their fire departments participating in the NFIRS reporting system in 2017. Those counties were Hudson, Hunterdon, Passaic and Somerset. Director Mikutsky and Chief Kilmer presented recognition awards to representatives from each.

J. Public Comment II

Tony Correia from the New Jersey First Responders Health & Fitness Coalition thanked Director Mikutsky and the NJDFS staff for their help with the cancer awareness and reduction documents, and he urged everyone present to share this information with their respective organizations. Mr. Correia also spoke about the work being done with the NJDFS on mental health and physical fitness. Director Mikutsky added that, this coming week, there is a bill up that will reinstate the Fire/EMS crisis hotline. The legislation was

drafted to reestablish the funding for this line. Director Mikutsky stressed the importance of having this hotline available to first responders.

Tom Simpson from Harrington Park publicly thanked Director Mikutsky for his work thusfar and expressed encouragement at the direction the NJDFS is headed. Mr. Simpson also urged everyone to take advantage of the “Gift from Capt. Buscio” program, and spoke about it being a fantastic program that could save your life.

Commissioner Gerard Naylis spoke about cancer prevention practices that could be taken right at the firehouse, and urged everyone to check out the Lavender Ribbon Report that is available online. Commissioner Naylis also spoke about PEOSH mandating that firefighters not have any kind of beard or facial hair that interferes with firefighting equipment. Commissioner Naylis added that NIOSH is reviewing their rule on the 15-year lifespan of air cylinders.

Commissioner Armando Roman asked about the potential expansion of the Division of Fire Safety as far as personnel. Director Mikutsky answered that, as of now, the NJDFS is designed to have 90 full-time employees. One of the Director’s goals is to increase that number moving forward and he will be working towards that.

K. Adjournment

Vice-Chairman Intindola called for a motion to adjourn. Commissioner DeTrollo made a motion, which was seconded by Commissioner Intindola and passed unanimously. The meeting adjourned at 11:21 am.

*** The next meeting of the Fire Safety Commission will be on Wednesday, November 14, 2018 at 10am. It will be held in Exhibit Hall A of the Atlantic City Convention Center in Atlantic City, New Jersey***