

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

Meeting of September 17, 2020

Due to the ongoing COVID-19 situation, the New Jersey Fire Safety Commission meeting was held virtually on Zoom on September 17, 2020.

Commission Members Present: Mr. Kevin Krushinski, Chairman
Sen. Sam Thompson
Asm. Kevin Rooney
Mr. Lawrence D. Wood
Mr. Armando Roman
Mr. Kevin Bellew
Mr. Gerard Naylis
Mr. Arthur Hayducka
Mr. Richard Blohm
Mr. Daniel DeTrollo
Mr. Raymond Heck
Mr. Arthur Londensky
Mr. Steve O’Gorman

Commission Members Excused: Mr. Steve O’Gorman

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Lou Kilmer, NJDFS
Bruce Tynan, NJDFS
Charles Lavin, NJDFS
Jason Spiecker, NJDFS
Jerry Clark, NJDFS
Kent Neiswender, NJDFS
Justin Henry, Codes and Standards

Guests: Peggy Brookes, Princeton

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:05 AM. He led the meeting with the Pledge of Allegiance and a moment of silence.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of May 20, 2020 were approved.

C. Correspondence

Chairman Krushinski noted that any and all correspondence for today's meeting was transmitted to the Commission members electronically prior to the meeting. With no discussion requested on any of the items submitted, the meeting was moved to Public Comment I.

D. Public Comment I

Chairman Krushinski opened the meeting up to any members of the public wishing to comment before the Fire Safety 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 began by reporting that it has been 183 days now since the Division of Fire Safety is conducting business remotely due to the COVID-19 pandemic. Director Mikutsky commended his entire staff for their ability to adapt to unprecedented times and work conditions. He noted the cancellation of the prior Fire Safety Commission meeting that was scheduled in July, as the NJDFS was navigating its way through the mandatory statewide furloughs for the bulk of that month.

Director Mikutsky reported that the main obstacle faced by the NJ Division of Fire Safety today is staffing. Since the COVID-19 emergency hit, there have been a number of retirements that have left the Division shorthanded. Director Mikutsky and Chief Lou Kilmer continue to meet with the DCA administration on back-filling and adding positions in hopes of getting the staffing levels back up.

A number of the NJDFS's regular fall programs have been cancelled due to COVID-19 – specifically the Youth Firesetter Conference and Mid-Atlantic Fire Safety Summit. Some smaller meetings and beginning to resume little by little, starting with the upcoming County Coordinators meeting. The Operation-7 Save-a-Life program has also resumed, and Charles Lavin is working to get fire departments their 2020 supply of smoke alarms by Fire Prevention Week at the latest.

The New Jersey Legislature is beginning to start holding in-person hearings again and, with this, Director Mikutsky is hopeful that there will be some movement with the Junior Firefighter Bill. Director Mikutsky stressed that if someone is planning to come to Trenton to testify on ANY bill, they must register prior or they will be denied admission to the building. Also, the Fire/EMS Crisis Hotline has, unfortunately, not kicked off as of yet because the MOU is still being reviewed by the Attorney General's Office.

Director Mikutsky spoke about the New Jersey Addendum, which is currently under review. It has not been overhauled since 2011 and a lot has obviously changed since

then. The review is being handled by Kean University's staff. Also, the NJDFS is offering 50 online classes through Kean University this fall, and registration is available on the Kean Fire Safety website.

The Division of Fire Safety is in the process of outfitting the Inspections Unit staff with PPE and N-95 masks in order to be able to inspect more higher-risk buildings. Director Mikutsky also talked about the kicked of the first-ever Fire-Stat webinar with help from the ROIC. Response has been overwhelmingly positive on the information being shared. The sessions are held every Wednesday morning.

So far for 2020 there have been 40 fatal fires, 36 school fires, 236 civilian burns, and (alarmingly) a huge uptick in Molotov Cocktails – 20 so far in 20 (only 4 last year). There is a very small number of burns reported as related to fireworks and Director Mikutsky stressed the importance of reporting these. He reported that the current administration is looking to roll back some of the fireworks legislation that was passed a few years ago by the previous administration.

Director Mikutsky announced that four individuals will be joining the NJDFS as interns within the Office of Fire Department Preparedness and NFIRS Unit. Also, October 4-10 is Fire Prevention Week with the theme being "Serve Up Fire Safety in the Kitchen". There will be a side-by-side burn demonstration in conjunction with the Sprinkler Association and Local 696 in Morris County on October 1st.

Chief Lou Kilmer started his report by echoing Director Mikutsky's sentiments on the Division of Fire Safety's ability to adapt to these unprecedented times – as well as thanked the DCA Administration, the Governor's Office, local fire officials, and all support staff involved with keeping things running as close to normal as possible. Chief Kilmer spoke about the halt in inspections, which ran from March 19 to May 11. Basically two month's time was lost to the COVID-19 emergency. Once inspections resumed there were relatively few problems getting inspections done, but the NJDFS is behind about 700-800 inspections for the year (LHU's are being prioritized). Chief Kilmer also spoke about the staffing issues the NJDFS is facing and hoping to get that rectified soon.

Assemblyman Kevin Rooney asked about the Junior Firefighter Bill - Under the current status, is it allowable for junior firefighters to do everything associated with volunteering as long as they do not enter a building? Chief Kilmer answered that the current legislation is somewhat unclear and the Department of Labor has ruled that Junior Firefighters can not do certain things – but this is being interpreted differently in different jurisdictions. Ideally, with a new bill, it will remove any ambiguity with what Junior Firefighters can and can not do – as well as prepare them to step right in as fully-trained firefighters once they turn 18. Assemblyman Rooney thanked Chief Kilmer and the NJDFS for their help on this and would be looking into the issue further with the Department of Labor and report back to the Commission.

Chief Kilmer spoke about the new Code that is being worked on right now. The first few chapters – which are the bulk of it – should be done by the end of the month and ready for review. Chief Kilmer spoke about the high-hazard inspections being done by NJDFS – which are being conducted with the health and safety of the inspectors being the highest priority going in. These inspections are nursing homes, health care facilities, etc. These facilities absolutely must maintain their fire protection systems and they are working to make sure this is being done.

Chief Kilmer spoke about the rule relaxation notice that was established to deal with the COVID-19 pandemic going back to March. School inspections were extended to the end of December, a new deadline for certification renewal, as well as many others. Chief Kilmer reminded that these are law and have varying expiration dates – December 31st, at the end of the health emergency, etc. Chief Kilmer also mentioned that the NJDFS does not anticipate adding a stipulation of allowing for not doing inspections due to COVID-19.

Chief Kilmer spoke about a particular rule relaxation where there will be no further changes to jurisdictions of LEAs until the health emergency is over. The NJDFS is awaiting word on when the “un-relaxing” of this particular rule will be allowed. Chief Kilmer also gave further specifics on the personnel/back-filling challenges currently faced by the NJDFS.

Chief Kilmer announced that the quarterly rebates will be sent out on schedule and the amounts have not been as severely affected by the COVID-19 pandemic as previously anticipated. NJDFS staff is working constantly to help answer questions and give guidance on the proper and safe reopening (or further opening) of all types of buildings and businesses. The NJDFS also gave guidance on school procedures related to fire drills during the health emergency and with respect to keeping with social distancing. It will ideally be done on a class-by-class basis at this point until conditions at school are back to normal. These regulations fall under the Department of Education and are enforced by them, not the fire official.

With no further questions asked regarding Division of Fire Safety Activities, the meeting was moved to Advisory Council reports.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Arthur Londensky reported that there was no formal report to be given, as the previous meeting of the Codes Advisory Council had been cancelled.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council met over Zoom back in August. The minutes of that meeting are not available

just yet, but will be distributed to the NJ Fire Safety Commission once they are. Commissioner Wood did note that Jones & Bartlett won the bid to provide Firefighter I and II training programs and we will be working with them going forward.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that there are a number of training opportunities coming up relative to NFIRS – October 5th and October 20th, online. Recertification credits will be given for completing those. Commissioner Naylis noted that we need to continue to stress timely reporting as well as data quality going forward.

4. Master Planning and Research Advisory Council

Commissioner Raymond Heck reported that there had not been a meeting of the Master Planning and Research Advisory Council held since the previous Fire Safety Commission meeting. However, Commissioner Heck did speak to many of the members one-on-one and many of the conversations centered around establishing focus groups between law enforcement, EMS, and the fire service. Since many incidents during this health emergency concern all three entities working together, it is important to find the synergy between them and possibly developing some joint training to foster it.

5. Public Education Advisory Council

Commissioner Daniel DeTrolgio submitted a report of the Public Education Advisory Council that highlighted the ongoing Public Education initiatives at the Division of Fire Safety. These programs included the proceeding of the poster contest/2021 fire safety calendar, as well as community outreach on fireworks safety and CO/generator safety. Charles Lavin added that the Operation-7 Save-a-Life smoke alarm program was able to resume this month and he is working to get all requesting departments their supply before Fire Prevention Week. In all, over 5,000 smoke alarm will be distributed statewide.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council did not have a formal meeting, but he has reached out to the Department of Labor and Department of Health on a matter pertaining to the requirement of Fit Tests. Commissioner Blohm is awaiting answers from the State on issues with this related to COVID-19.

7. Youth Firesetter Prevention Advisory Council

Chairman Kevin Krushinski reported that the Youth Firesetter Prevention Advisory Council met virtually on September 10th to discuss ongoing issues and challenges related to continuing youth firesetter interventions during the COVID-19 pandemic. It was also noted that the 2020 New Jersey Youth Firesetter Intervention Conference and the Mid-Atlantic Fire Safety Summit had both been postponed to 2021. Both the Youth Firesetter

Intervention Specialist and Youth Firesetter Program Manager courses had also been postponed because it is not feasible to hold either of them virtually.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis stated that there was no report to be given from the Residential Sprinkler Committee at this time.

2. Ad-Hoc Committee on Legislation

Commissioner Kevin Bellew reported on behalf of the Committee and thanked the NJ Division of Fire Safety for distributing the spreadsheet of bills that are being monitored by the Committee.

H. Old Business

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. Commissioner Gerard Naylis inquired about S-2051 that deals with lightweight construction fire safety. A legislative meeting has been scheduled for this coming Monday and Commissioner Naylis asked that the NJDFS give some feedback and/or guidance on the legislation. Director Mikutsky said that he had reviewed the legislation a day earlier and felt that there were a lot of ways to look at it – with a lot of good things in it, but also some concerns relative to the construction (it particularly steers towards the concrete industry).

I. New Business

Chairman Krushinski asked if anyone had any New Business to bring before the Commission. It was determined that the NJ Fire Safety Commission was due to reorganize for the next two years. Commissioner Bellew made a motion that Chairman Kevin Krushinski remain Chairman, and that Commissioner Arthur Londensky be nominated for the position of Vice Chairman. Commissioner Heck seconded both nominations and they were appointed by unanimous vote.

Commissioner Naylis made a motion that the NJ Fire Safety Commission formally recognize former Morris County resident Rick Rescorla, who saved 2,700 lives in the World Trade Center attacks. The motion was seconded by Commissioner Dan DeTrolgio and passed unanimously.

J. Public Comment II

Vice-Chairman Londensky once again opened up the meeting to any members of the public wishing to address the Fire Safety Commission. With no members of the public wishing to comment at this time, the meeting was moved to adjournment.

K. Adjournment

With no further discussion requested, Vice-Chairman Arthur Londensky called for a motion to adjourn. Commissioner Heck made the motion, which was seconded by Commissioner DeTrollo and passed unanimously. The meeting adjourned at 11:07 AM.