

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

Meeting of November 15, 2006

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The New Jersey Fire Safety Commission meeting was held on Wednesday, November 15, 2006, at the Atlantic City Convention Center in Atlantic City, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Senator Anthony R. Bucco
Mr. Pasquale Intindola, Vice-Chairman
Mr. Daniel DeTrolio
Mr. Paul E. Hartstein
Mr. Arthur Londensky
Mr. Arthur Mercurio
Mr. Richard Blohm
Mr. Charles W. Schilling
Mr. Lawrence D. Wood
Mr. Frederick Collender
Ms. Kathleen O’Leary
Mr. C. Kenneth Anderson
Mr. Gerard Naylis

DCA Staff Members Present: Susan Bass-Levin, Commissioner
Lawrence Petrillo, State Fire Marshal
Don Huber, NJDFS
William Kramer, NJDFS
Charles Lavin, Commission Secretary
Amy Frank, Codes and Standards

Guests: Assemblyman Fred Scalera
Chris Assenheimer – NJ State Fire Chief’s Association
John F. Lightbody – Dover Twp. Fire
Nicolas J. Kikis – NJ Apartment Association
Daniel P. Mulligan – Ocean County Fire Marshal
Kieran Flynn – Vice Pres., NJFPPA
Stanley J. Sickels – Red Bank Fire Marshal
David Maas – NJFPPA
Wayne Masiello – Springfield FD
James R. Boelhower – Woodbridge FD
Cory S. Spillar – Avenel Fire Prevention

Carl S. Christensen – Fire Dist. 9, Woodbridge
Twp.
Robert Gorr – Piscataway Fire Prevention
Monica Talmud – NJFSAB
Hugh Hurley – Hurley Assn. Safety Training, LLC
Daniel Spiegel – Wildwood City FD
Robert Moore – Carlstadt FD
Gary Lewis – City of Summit
Vincent Corsaro – Jefferson Twp. Fire Prevention
H. Leigh Peterson – NJSFA
Kevin C. Batzel – Brick Twp.
Bryan DiLisi – Woodbridge FD
Frank DellaPietro III – Fords FD
Britton L. Schulreintes Jr. – Old Bridge FD
Patrick Kenny – Woodbridge FD
Tim Fisher – West Milford Building/Fire Inspector
Joe Thornton – Hackensack FD
Pete Smeraldo – West Orange FD
Craig Snediker – North Brunswick FD
Joe Whalen – North Brunswick FD
Gene DeAugustinos – Hawthorne FD
Gregory Velardis – Wayne FD
Edward Grobaly – East Brunswick Twp.
Tim Coyle – Highland Park FD
Diane Reh – Highland Park
Lewis Ostrander – NW Fire Official
Dominic McClain – NW Fire Inspection
Robert E. Byrnes – Bergenfield FD
Robert Moran – Englewood FD
Kevin Allen – Montclair FD
Conrad Johnson Jr. – Wildwood FD
Cary Costa – Boro of Tinton Falls
Tom Dolaghan – NJ Career Chiefs
Justin Lizza – Fairfield FD
Ronald McGowan Jr. – Wildwood Crest FD

A. Call to Order

Chairman John Wisniewski brought the meeting to order at 10:00 AM and pointed out the fire exits.

B. Approval of Minutes

With no corrections necessary, the minutes of the regular meeting of September 20, 2006, were approved.

C. Correspondence

Chairman Wisniewski noted that each member of the Commission had received correspondence in their packets. With no discussion requested on any of the correspondence, the meeting moved to public comment.

Chairman Wisniewski announced that the refreshments and audio equipment at today's meeting were provided by Davidson Code Concepts and the NJ State Association of Deputy Fire Chiefs.

D. Public Comment

*****Special Presentation: DCA Commissioner Susan Bass-Levin*****

Department of Community Affairs Commissioner Susan Bass-Levin started off the meeting to speak about some on-going issues that had been going on with the Division of Fire Safety. First, Commissioner Bass-Levin spoke about the recent problem getting Firefighter I books from Delmar. She reported that she has signed a waiver to purchase these books, and the original reason the purchase was delayed was because the initial order did not comply with the State's purchasing requirements. That has since been straightened out and the Commissioner has also signed a waiver to have these books purchased through the end of 2008.

Commissioner Bass-Levin also spoke about the on-going issue of the placement of the Division of Fire Safety in State government. She informed the Commission that, after several meetings and discussions with Governor Corzine, the Division of Fire Safety would be remaining – in tact - in the Department of Community Affairs. Also, Lawrence Petrillo will continue to serve as the State Fire Marshal and the Director of the Division of Fire Safety. The Division will also be working closely with the Department of Homeland Security in the future.

Both Chairman Wisniewski and Commissioner Arthur Mercurio thanked Commissioner Bass-Levin for being such a strong supporter of the fire service and attending the meeting today, and also for the successful outcome of the issues that she spoke about today.

Assemblyman Fred Scalera said he was excited about the great news from the Governor's Office and Commissioner Bass-Levin regarding the standing of the Division of Fire Safety. He also spoke about his work with the NJ Fire and EMS Institute, along with many other organizations, and their kicking off of a Fire Caucus – New Jersey similar to what is done at the federal level. Assemblyman Scalera said a mailing would soon be going out to all legislators to try and build support for New Jersey's fire service and give it one voice.

Red Bank Fire Marshal Stanley Sickels spoke about the need to require fire suppression systems to protect outdoor deck-type structures (attached to homes). Currently, the

regulations do not mandate that the suppression system cover the exterior area where a deck could present a fire safety issue. Mr. Sickels asked that the Commission support getting this changed. Ray Lonabaugh, from the National Fire Sprinkler Association, echoed Mr. Sickels sentiment on this issue. In the five states that Mr. Lonabaugh works with, these types of deck structures are a leading cause of fire-related deaths.

Mr. Sickels inquired about where the Division was with the night club regulations. State Fire Marshal Petrillo said that the process has been moving along, and he and Director of Codes and Standards Bill Connelly had just signed off on them. Director Petrillo said the night club regulations were moving through the necessary steps. Mr. Sickels also inquired about getting tenure for Fire Officials. Chairman Wisniewski said that the legislation on this issue is pending, but this is something that the League of Municipalities is not in favor of. Giving tenure to any local public official is never a popular thing, and so getting tenure for Fire Officials has a lot of opposition.

Gary Lewis spoke about the risk that New Jersey is facing in the way of high-rise fires. Mr. Lewis feels that it is of the utmost importance to get the amendment to Sub-Chapter 4 that would require sprinkler systems in high rise buildings. Mr. Lewis felt that the important thing was to move forward with changing the regulations as quickly as possible, rather than continuing to split hairs over gathering the data. Also in regards to high-rise buildings, Jim Foley (Atlantic City) spoke about the need to put antennas in high-rise buildings to allow for firefighters to communicate effectively during an emergency.

Dan Spiegel (Wildwood City) and Robert Moran (Englewood) spoke about the budget cuts that New Jersey's USAR team (Urban Search And Rescue) is facing. They urged that this is a necessary and high-quality operation that will be hurt severely by these cuts. Director Petrillo said that this is a very serious problem, as the USAR team is vital to the State's preparedness and ability to respond quickly to a major emergency. Director Petrillo believes that Assemblyman Scalera is working on avoiding this cuts and having the USAR team's funding maintained. Jim Foley (Atlantic City) said that these cuts would severely inhibit the USAR team's ability to respond quickly to emergencies throughout the state – and he cited the parking garage collapse at the Tropicana as an example of how effective the USAR team has been. Chairman Wisniewski and Commissioner Dan DeTrollo questioned as to where the cut monies would be going, and said that is something that should be looked into. Commissioner Richard Blohm inquired as to why the USAR team was facing the bulk of these budget cuts, instead of taking a small amount from several areas. Director Petrillo said he did not know exactly how this was decided, but they were working toward maintaining the USAR team's funds as is.

E. Division of Fire Safety Activities

State Fire Marshal Petrillo spoke about the new, exciting direction that the Division of Fire Safety is headed in. With the support of Governor Corzine, Director Canas from Homeland Security, and Commissioner Bass-Levin, the Division is poised to reach heights that it never has before. Director Petrillo recalled when, at this meeting four

years ago, he reported being thrown out of a Homeland Security meeting. Now, the tables have completely turned, and the Division has been able to work closely with Homeland Security and State Police. The Division has been getting funding and recognition at the State level like never before.

Director Petrillo addressed the concerns that were brought up by Stanley Sickels. He talked about the importance of codes in protecting the people of New Jersey by ensuring the safety of the State's structures. Director Petrillo said he would be sitting down with Bill Connelly to discuss possible code changes to protect building occupants and firefighters alike.

As a result of the recent tragic incident at a Pennsylvania school, Governor Corzine has quickly put together a school safety task force under the leadership of Director Canas of Homeland Security. The Division has been involved in this to make sure that the new safety measures being taken does not subject the children to additional fire hazards in the schools (i.e. locking doors, blocking exits, etc.).

Director Petrillo spoke about the new program on gang awareness that the Division has been involved in with State Police. This program is not something that should be interpreted as turning firefighters into law enforcement. It is an information sharing program that raises the awareness of firefighters and police officers alike when entering potential gang territory.

Director Petrillo thanked both Commissioner Arthur Mercurio and Commissioner Ken Anderson for coordinating New Jersey's hosting of the Mid-Atlantic Conference of State Fire Commissioners. Director Petrillo said that the conference was a success, with the State of New Jersey representing itself extremely well.

Director Petrillo spoke about the future of the firefighter books that are being supplied to the fire academies. He has met with the Eligible Organization, and discussed calling in all the vendors that produce this kind of material. In the future there will be presentations from each of these vendors, explaining what they have to offer, and from there a joint decision can be made as to which company the Division can purchase these materials from.

Director Petrillo also spoke about the high-rise sprinkler issue. He said that there are several organizations, including the New Jersey Apartment Association, who have a stake in this issue. Director Petrillo feels it's necessary to get all parties involved together to speak about this, and he did feel it was important to get the high-rise survey as accurate as possible so the document is credible. Commissioner Gerard Naylis talked about the retro-fit program with the college dormitories, and inquired as to whether the bond repayment money from this program to potentially fund the high-rise retro-fit. This would be a legislative issue, but Assemblyman Wisniewski thought this was a good suggestion and would be worth looking into.

Commissioner Blohm said that he had gotten a large supply of the USFA's publication about the Near Miss Reporting System. Director Petrillo said that if he could give those to the Division, they would do a mailing to all departments in the State.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that there was no October meeting of the Fire Codes Advisory Council. Instead, the Council's Subchapter 3 committee met on October 18, 2006, to discuss the issues involved with enforcing the requirements for storage, an item of unfinished business from the Council's August 16th meeting. The members of the Subchapter 3 committee in attendance were Bob Davidson, Chair, Pat Intindola, and Peter Buckley. The committee members agreed that a cross-reference to Chapter 23, entitled "High-Piled Combustible Storage," should be added to the storage requirements in Section 315 (Chapter 3), "Miscellaneous Combustible Materials Storage." They also agreed that both a bulletin and training on the storage requirements might be helpful in the future as this is a somewhat complicated subject.

Commissioner Schilling also took this opportunity to update the Commission on the status of the proposal to adopt the 2006 International Fire Code, with amendments. Staff is currently completing the work necessary to put all of the changes into the prescribed language and format for publication in the New Jersey Register as a proposal for public comment. Additionally, staff has been in contact with the International Code Council regarding the production of a New Jersey edition.

Commissioner Schilling also spoke about the need for the high-rise retro-fitting. He urged that the need is there, now it is time for some kind of action to take place on this issue.

2. Training and Education Advisory Council

Commissioner C. Kenneth Anderson reported the Training and Education Advisory Council met on October 17th at the Dempster Training Center at 10:00 am.

Firefighter I Training Kits have been received and distributed. There are approximately 350 in stock. Projections for the needs for 2007 are in progress. There was a discussion about the Kit. The box and CD can be eliminated and the manuals shrink wrapped with a cost saving.

The Council asked about the progress of mandating Firefighter I Certification for all firefighters in New Jersey. Mandatory certification was requested at a Commission meeting, recommended by T&E, endorsed by the Commission, and several bills have been introduced in the Legislature; the current ones being A-1934/S-1040. The Council supports these companion bills.

The Firefighter II standard still has not been proposed in the *Register*.

The report on the critique of the three pilot offerings of the Fire Officer I course has been received. Its recommendations include adding two modules to the curriculum. We are waiting for details of the modules before acting on the recommendations. There are also questions to be resolved on how the testing will be administered and budget restrictions.

The Committee working on uniform training for Rapid Intervention Teams will meet again to discuss the best way to proceed. Either as a program based on existing texts and programs now used in some Academies in New Jersey or by expanding the Module in Firefighter II are the two major alternatives.

The revised Fire Instructor Certification standard has not yet been printed in the *Register*. In the proposal, a Drill Ground Instructor Certification will take the place of the current two special certifications. Originally, it was felt that a program used in Pennsylvania could be used for training for this certification. That has been found to be false. Other programs are being reviewed or it may be necessary to have a contractor develop the training program.

Progress is being made with I-400 training; the required course for certification at Incident Management Level III. A Train-the-Trainer class will be conducted in December. Enrollment is by invitation and in consultation with the Eligible Organizations.

The next meeting of the Council will be on December 19th at 10:00 am at the Dempster Training Academy.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that last year was a banner year for fire departments reporting. With 2006 coming to a close, they are hoping for similarly successful numbers. Commissioner Naylis is encouraged by the fact that fire departments are putting these statistics and information to good use through evaluations.

Director Petrillo noted that 92% of fire departments were reporting for the year 2006. Commissioner Naylis said that this was a remarkably high number, and credited much of the success of this initiative to the Division of Fire Safety's staff.

4. Master Planning and Research Advisory Council

Acting Chairman John Lightbody reported that the Master Planning and Research Advisory Council has been extremely busy. One issue they have been researching is fire sprinklers in one- and two-family dwellings. The council has been doing in-depth research on this issue using both the New Jersey statistics, as well as the national statistics, and their report is just about completed.

Mr. Lightbody echoed Director Petrillo's sentiment that the statistics in the high-rise survey report needs to be accurate in order to make their information, and in turn their case for high-rise retro-fitting as strong as possible.

Mr. Lightbody thanked the Commission for the opportunity to report on and facilitate the council's research, and ensured that they would continue the hard work.

5. Public Education Advisory Council

Commissioner Daniel DeTrolio reported that the Public Education Advisory Council did not meet in November. The minutes from the September meeting, however, are contained in the Commissioner's packets.

The next meeting of the Public Education Advisory Council will be January 10, 2007, at the Middlesex County Fire Academy.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that he was unable to attend the most recent meeting of the Firefighter Safety and Health Advisory Council, so he sent Commissioner Steve O'Gorman in his place. Unfortunately, Commissioner O'Gorman was unable to make today's meeting. Commissioner Blohm reported progress.

Commissioner Blohm also inquired about the State-wide emergency evacuation mayday signal. Director Petrillo said that the Division has not had a chance to work on this recently with all that has been going on, but Chief William Kramer is going to spear-head an internal task-force to get all the current regulations moved through the necessary process.

G. Committee Reports

1. Juvenile Firesetter Prevention Committee

Commissioner Paul Hartstein reported that there had been two meetings of the Juvenile Firesetter Prevention Committee since the Commission last met. Since that time, the Committee has gotten the Deputy Attorney General and a representative from the Juvenile Justice Commission to attend the upcoming January meeting.

One thing the Juvenile Firesetter Prevention Committee is working on is setting criteria for the recognized juvenile firesetter programs. The Committee will be submitting a list of criteria for these programs for the Division's review. This will be to make sure the programs have all the necessary components for a successful juvenile firesetter intervention program.

Commissioner Hartstein also spoke about the fire-safe cigarette legislation. He had spoken with the Assembly Speaker, and is hopeful that this legislation will be posted by

the end of the year. Also, Commissioner Hartstein spoke about trying to get legislation that would prevent children from purchasing lighters, novelty and otherwise.

The 4th Annual Juvenile Firesetter Conference will be held November 30 & December 1, 2006 at the Middlesex County Fire Academy in Sayreville.

2. Residential Sprinkler Committee

Commissioner Gerard J. Naylis made a motion that the Commission go on record as supporting balcony and deck suppression (as mentioned earlier by Stanley Sickels) and encourage that it be adopted by the IBC. Commissioner Paul Hartstein seconded this motion, and it passed unanimously.

Commissioner Naylis also made a motion that a code change be made to require sprinkler protection in combustible concealed spaces. After much debate about exactly what code changes would need to be made where, the motion was changed to ask that the Codes Council look into this issue, and do it as quickly as possible. The motion was then seconded by Commissioner Wood, and passed unanimously. The Codes Council will be looking more into this issue of being able to make this code change.

H. Old Business

Commissioner Paul Hartstein spoke about the three meetings (North, Central, and South) that were supposed to take place to have an open discussion about the position of the Division of Fire Safety. Commissioner Hartstein said that the first of those meetings, which was planned for Ramapo College on October 30th, was cancelled by the college. Chairman Wisniewski said that the original purpose of these meetings was to discuss the position of the Division of Fire Safety in State government, but that issue has apparently been resolved by the administration. Chairman Wisniewski suggested that these meetings, which will also include discussions on shared services and how the fire service can function more efficiently, be put on hold until the Governor Corzine requested such research/public hearings on these topics.

Commissioner Naylis concurred with Chairman Wisniewski, that these public hearings be set aside, and made a motion that these public hearings be held in the future to assist in obtaining information to help the fire service in New Jersey operate more efficiently. The motion was seconded by Commissioner Arthur Londensky, and passed unanimously.

I. New Business

State Fire Marshal Petrillo delivered the breaking news that there had been a plea bargain in the Seton Hall fires case. The accused pleaded guilty and accepted five-years each with no homicide charges.

Stanley Sickels, Red Bank Fire Marshal, announced that both Dr. Frank Field (for his efforts in public education) and Joe Popolo (fire inspector of the year) would be receiving awards December 14, 2006, at the State Fire Commissioners Association dinner at Baltusrol Golf Club.

Commissioner C. Kenneth Anderson gave the following report on the Conference of the Mid-Atlantic Association of State Fire Commissions, which was hosted by New Jersey this year:

The 28th Annual Conference of the Mid-Atlantic Association of State Fire Commissions was held at the Mount Laurel Marriott Hotel, October 19th to 21st. The Association is an outgrowth of meetings held by the Delaware and Maryland Commissions starting in 1979. Other states have joined through the years. The New Jersey Fire Safety Commission joined in 1985.

“Mid-Atlantic” describes more where the group originated than the present territory of the membership. Eleven states are members: Delaware, Maryland, Kentucky, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Connecticut, which joined this year.

There is no formal structure. Delaware acts as the secretariat. There are no dues, but each state takes a turn hosting the annual Conference. This was New Jersey’s year. Six New Jersey Commissioners participated in all or part of the Conference and there were 35 out-of-state delegates. South Carolina was unable to participate this year. Connecticut and Pennsylvania each had one delegate and Kentucky had the largest delegation; eight. In addition to State Fire Commission members, State Fire Marshals and State Training Directors attend from some states.

The meetings serve several purposes: (1) To share information among the States relating to successes in (a) Training, (b) Legislation, and (c) Funding; (2) To bring problems to see if other States have experienced similar situations and have solutions that have worked; (3) To participate in informational and educational programs scheduled by the host; and (4) To have formal and informal times to socialize with the representatives of the other States.

Each state makes a report to the Conference. There was a Meet and Greet reception on Thursday evening when we visited with those from other states that we hadn’t seen for a year. Other social activities were the Welcome Breakfast, coffee breaks, a cookout at Mount Laurel Fire Department Sta. 361, and the Conference Banquet at Burlington County College.

Dr. Robert Fleming was the keynote speaker with a presentation titled “Fire Commissions as Agents of Change.” Dr. Dennis O’Neal, Superintendent of the National Fire Academy and former Jersey City Fire Chief, spoke about adapting to changing times and new technology. His presentation was titled, “Looking in the Wrong Places.”

There was a field trip to the new Regional Operations and Intelligence Center (ROIC) in West Trenton. Richard Kelly Director of the ROIC described how the facility came into existence and how it operates. He led a tour of the building.

Michael Gallagher, Office of Fire Department Preparedness, Division of Fire Safety, made a presentation, "The Fire Service Resource Emergency Deployment Act" in the EOC.

On Saturday, the delegates and guests had lunch at the Burlington County Emergency Services Training Center. There was time to view the "Teamwork" monument and the 9-11 Exhibit. The monument was unveiled and the exhibit opened on October 18th.

The group went on the Whitesbog with a presentation by the Pinelands Institute for Natural and Environmental Studies (PINES) and tours of the village led by members of the Whitesbog Preservation Trust. Chris Irick, Assistant Division B Firewarden, exhibited an historic and a new Forest Fire Service power wagon and gave a history of the Service.

The Conference banquet was held at Burlington County College. Dr. Robert Messina, Jr., President of the College, welcomed the delegates and Paul Leakan of the Pinelands Commission gave a PowerPoint program about the Pinelands.

There was also a special guest program. They visited the Mount Laurel Quaker Meeting where Burlington County Historian Joseph Laufer discussed "Meeting Houses in Burlington County" and Jarry Jones, a member of the Meeting and a member of the Mount Laurel Fire Department, described the history of the meeting house and the Society of Friends. The guests also had lunch at the Smithville Mansion and tours of the buildings.

J. Adjournment

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting was adjourned at 11:48 AM.

****** The next meeting of the Fire Safety Commission will be on January 17, 2007 at 10am. It will be held at the New Jersey Regional Operations Intelligence Center (ROC) in West Trenton, NJ. ******