

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

**Meeting of September 20, 2006**

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The New Jersey Fire Safety Commission meeting was held on Wednesday, September 20, 2006, at the Middlesex County Fire Academy in Sayreville, New Jersey.

**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. Steve O’Gorman  
Ms. Kathleen O’Leary  
Mr. C. Kenneth Anderson

**DCA Staff Members Present:** Lawrence Petrillo, State Fire Marshal  
Paul Allen, NJDFS  
Don Huber, NJDFS  
William Kramer, NJDFS  
Heather Puskar, NJDFS  
Charles Luxton, NJDFS  
Charles Lavin, Commission Secretary  
Amy Frank, Codes and Standards  
Gerry Grayce, Codes and Standards

**Guests:** Chuck Aughenbaugh – NJ Deputy Fire Chief’s Association  
John F. Lightbody – Dover Twp. Fire  
David Kelly – Westfield Fire Dept.  
Thomas P. Gerity – Old Bridge Dist #2  
Bernie Cohan – NJ State Fire Chiefs  
Nicolas J. Kikis – NJ Apartment Association  
Daniel P. Mulligan – Ocean County Fire Marshal

## **A. Call to Order**

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

Commissioner Daniel DeTrolio requested that the Commission observe a moment of silence in honor of Kevin Appuzio and Vincent Neglia, the two firefighters that were killed in the line of duty this year. The moment of silence was observed.

## **B. Approval of Minutes**

Commissioner Arthur Mercurio noted that on the July minutes (page 11) the word “not” should be changed to “now” at the bottom of the page. The change was noted and made.

With no further corrections necessary, the minutes of the regular meeting of July 19, 2006, were approved.

## **C. Correspondence**

Chairman Wisniewski noted that each member of the Commission had received correspondence in their packets.

Commissioner Richard Blohm requested that there be a discussion on Commissioner C. Kenneth Anderson’s reports on the up-coming Mid-Atlantic Conference. Commissioner Blohm could not understand why the State of New Jersey could not lend any financial support to putting on the Mid-Atlantic Conference of Fire Commissions. Commissioner Anderson reported that last year, he and Commissioner Arthur Mercurio were not even reimbursed for attending last year’s conference. Commissioner Anderson has had to work on soliciting outside funds to put on this year’s Conference.

Assemblyman Wisniewski asked State Fire Marshal Petrillo whether the State would be able to supply some money to host Mid-Atlantic Conference that would represent New Jersey well. Director Petrillo said that the Division of Fire Safety has not been able to help financially because of the constraints that they are under, but he would reach out to DCA Commissioner Susan Bass-Levin about obtaining an exemption for this event. Commissioner Anderson said another \$2,000 would but the organizing committee in good shape to pull off a decent Conference. Commissioner Anderson also urged as many Commissioners and representatives of New Jersey’s fire service to attend. Commissioner Mercurio also spoke about the lengths that other states have gone to put on excellent Mid-Atlantic Conferences in the past, and it would be vital for the reputation of New Jersey that this conference not be short-changed.

#### **D. Public Comment**

Chuck Aughenbaugh, President of the NJ Deputy Fire Chiefs Association, recommended that everyone on the Commission read the book “Disaster: Hurricane Katrina and the Failure of Homeland Security.” He said the book was very interesting, and both writers are being honored by the NJ Deputy Fire Chiefs Association.

Mr. Aughenbaugh said he sent a letter to Chairman Wisniewski regarding the liability issue for incident commanders, but he did not receive a reply. Chairman Wisniewski said that he received the letter and has forwarded the information to the Office of Legislative Services to be researched.

Mr. Aughenbaugh informed the Commission that the NJ Deputy Fire Chiefs Association would be providing the coffee and refreshments for the November meeting in Atlantic City.

Bernie Cohan, NJ State Fire Chiefs, inquired about the many seats on the Commission that have been left unfilled. Chairman Wisniewski explained that there are three types of appointees to the Commission: Governor’s Appointments, Senate President or Speaker of the House Appointments, and Joint Senate/Assembly Appointments. The only seats on the Commission left empty are the Joint Senate/Assembly Appointments, and with the busy summer and turnover in these positions – the appointments have yet to be made.

#### **E. Division of Fire Safety Activities**

State Fire Marshal Petrillo reported that Superintendent of State Police, Colonel Rick Fuentes, would be arriving at the Commission meeting shortly to talk about a new initiative that the Division of Fire Safety and NJ State Police would be starting together.

State Fire Marshal Petrillo spoke about Vincent Neglia, the firefighter that was killed in the line of duty this past week. This has been the third line-of-duty death in New Jersey this year. For the most part, the fires where these deaths have occurred would be classified as “routine”. But there is nothing routine when it comes to firefighting. The Division is involved in the investigation of the incident in Union City, as well as the investigation of the death of Kevin Appuzio in Franklin Township. State Fire Marshal urged that there needs to be reminders and an on-going focus on firefighter safety.

State Fire Marshal Petrillo spoke about a Hurricane Tabletop Exercise that was held in July. The exercise was attended by the Fire Coordinators of each county, and they discussed the course of action during a hurricane emergency. It was found that ideally emergency services would need as much as 72 hours notice to react effectively to a large-scale hurricane emergency. Director Petrillo called the exercise “enlightening” and said it was something they would like to continue in the future.

Director Petrillo reported that, since the last Commission meeting, the Division has lost some staff. A few inspectors have left the Division, and the Supervisor of the Office of

Fire Department Preparedness has left to take a job at Texas A&M. Since the Division is still faced with a promotion and hiring freeze, these positions remain empty.

Since the last Commission meeting, Director Petrillo has been working closely with NJ Office of Homeland Security Director Richard Cañas. Both Director Petrillo and Chief of Staff Don Huber have been sitting in on the Office of Homeland Security's executive staff meetings. The Division has been very much at the table regarding Homeland Security and how it relates to the fire service. Director Petrillo said the Division has been more involved in the recent months than it has been in the past several years.

Chief Paul Allen reported on the High-Rise survey. The Division sent surveys to 567 municipalities. Of those municipalities, 427 have reported back and 95 have not. Among those 95 that have not reported are significantly large cities, including Jersey City. Chief Allen has been working closely with Jersey City and hopes to finish the survey in the next month.

Chief of Staff Don Huber reported that, as we speak, the Firefighter I books are being unloaded and stored in the Division's Bordentown Office. The Division's staff will be working diligently in the coming days to get the books out to the academies as quickly as possible. Chief Huber expressed his appreciation to DCA Commissioner Bass-Levin, Assemblyman Wisniewski's Office, and the Division of Fire Safety staff for getting this Delmar issue resolved.

Chief Huber gave an update on the new fire extinguisher law, and expressed that Assemblyman Wisniewski's new bill to place the decision on that law in the hands of the municipality was a good thing. Assemblyman Wisniewski explained that putting the decision in the hands of individual municipalities, where the majority of fire officials would choose not to enact the law, would help alleviate the problem without removing the original law.

Chief Huber spoke about a recent issue that took place at Greystone Hospital. While many issues came from this particular incident, one that surfaced was that there is no mechanism in place that calls for the Division of Fire Safety to be notified in case of a fire or explosion. Chief Huber said the Code dances around this at certain points, but Bill Kramer and Sylvester Swanson from the Division are working on inserting this language.

Chief Bill Kramer reported that the Division is well into its fall registration process for the coming semester. 65-70% of the available seats are full at this time. A brochure for the FIFO retreat, which will be held at the Middlesex County Fire Academy, will be sent out soon. Additionally, the Division is sending out an announcement to the fire departments saying that individuals can be nominated to attend I-400 training, as well as I-400 Train-the-Trainer programs.

**\*\*\* Special Presentation \*\*\***

Colonel Rick Fuentes, the Superintendent of State Police, stopped by the Commission meeting to speak about a new initiative that is taking place involving State Police and the fire service in the State of New Jersey.

The program is a sharing of information between New Jersey's police and fire departments to better each responder's ability to do its job well. The information sharing would be related to gang activity. Col. Fuentes explained that fire companies will often go into urban areas and see signs of gang activity. This would be an instance where the fire department can alert law enforcement as to what is going on in a certain building, block, or neighborhood – and the police can then deal with the problem. Likewise, the police department will often know about a dangerous area (one containing drugs, weapons, disease, etc.) where the fire department is responding to an incident. In this case, the police department's information can help keep the fire department better prepared for what to expect when responding in these types of areas.

What the new partnership between the State Police and Division of Fire Safety will accomplish is to centralize this wealth of information that is obtained over time – and make it accessible to all responders throughout the State. This program will be run out of the new State Emergency Operations Center (ROC).

Director Petrillo agreed with Col. Fuentes that this is a fantastic idea and it will bring the fire service up-to-date as far as information and intelligence sharing in the post 9/11 world. Director Petrillo is looking forward to working together with Colonel Fuentes, as well as Director Cañas in Homeland Security, on developing this initiative in the very near future.

Commissioner DeTrollo noted the fact that even rural areas in New Jersey have gangs and gang-related crime and dangers – and that information from those areas should be compiled, and not just from New Jersey's big cities. Colonel Fuentes said the program will encompass the entire State because he realizes that many of New Jersey's rural areas experience these same types of urban problems.

The Commission, as a whole, seemed to be in agreement that the increased intelligence sharing would greatly benefit New Jersey's fire service. This information will help keep firefighters safe, as well as increase their abilities to serve the people of the State. This program provides a forum to share this type of intelligence like never before. The Commission expressed its gratitude for Colonel Fuentes' attendance at today's meeting.

**F. Advisory Council Reports:**

**1. Codes Advisory Council**

Commissioner Charles Schilling reported that at the August 16, 2006 meeting, the Fire Codes Advisory Council finished its discussion of the revised draft of Subchapter 3 and

voted to recommend that the Department move forward with adoption. The changes to the draft agreed upon at that meeting were itemized in the minutes (which are contained in the Commission packets). Commissioner Schilling asked that the Commission vote to endorse publication of this draft in the New Jersey Register as a proposal for public comment.

The Codes Council decided to go forward with a draft that adopts the 2006 edition of the International Fire Code (IFC). This draft merges what currently is in Subchapter 3 with the newer edition of the IFC and eliminates possible conflicts with the Uniform Construction Code (UCC). Where New Jersey had more stringent requirements, those requirements have been retained. As discussed, going with the 2006 edition will keep us in step with the Uniform Construction Code. On September 5, 2006, the Department published a proposed rule to incorporate the 2006 editions of the International Codes into the Uniform Construction Code by reference.

Commissioner Schilling made a motion that the Commission endorses publication of this draft in the New Jersey Register as a proposal for public comment. The motion was seconded by Vice Chairman Pat Intindola and passed unanimously.

Commissioner Schilling thanked Amy Frank and DCA's Division of Codes and Standards, without whom it would not have been possible for them to finished this review.

Commissioner Schilling also spoke briefly about fire safety at casinos and their misuse of alarms, etc. He happened to be at the Showboat recently and the fire alarm went off. It was tested for about 15 minutes and worked extremely well.

## **2. Training and Education Advisory Council**

Commissioner C. Kenneth Anderson gave the following report on the Training and Education Advisory Council:

The Training and Education Advisory Council met on August 15<sup>th</sup> at the Dempster Training Center at 10:00am.

Director Petrillo attended the meeting and gave an update on various things, including the waiver and purchase of Firefighter I training kits.

The remarks generated many comments from the members. Can T&E do something to help the Commission be more effective? We should get back to basics; do task analyses of the fire service in the State; then we will know the competencies that are needed. This is a golden opportunity for more members to get involved in committee work.

A committee was appointed to identify a sampling group to survey to determine if there are things needed that we are not providing. And, as a corollary, if there are things that we include in the training that are not required.

Director Petrillo also reported that the adoption of the new Fire Code and the likelihood that the Fire Inspector/Fire Official certification program will change, will require changes in the training and testing programs. The Codes Council is asking T&E to assist in that project.

The Division staff is continuing to work with the Office of Homeland Security and Preparedness to get information into its E-Learning system.

Although the Firefighter II standard has not yet been printed in the Register, we continue to discuss the implementation of the program. There will be a State written test, similar to the Firefighter I procedure. There will not be a State skills test. However, there will be skills evaluation sheets. The staff will collect check sheets now being used in the County Academies to assist developing the State form.

The Committee reviewed the critiques of the three pilot offerings of the Fire Officer I course. Its recommendations were incorporated into a report. Unfortunately, the report has not been distributed to T&E and no member of the Committee was able to attend the meeting. This will be considered at the October meeting.

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 Instruction Certification standard has not yet been printed in the Register.

The next meeting of the Council will be on October 17<sup>th</sup> at 10am at the Dempster Training Center.

Commissioner Anderson made a motion that William Itinger, Joseph Vallo, and Michael Corbo be added to the Training and Education Advisory Council. The motion was seconded by Commissioner Lawrence Wood, and passed unanimously.

### **3. Statistics and Information Advisory Council**

In the absence of Commissioner Gerard Naylis, no report was given.

### **4. Master Planning and Research Advisory Council**

John Lightbody reported that the Master Planning and Research Council has continued to discuss the issue of residential sprinklers. The Council has looked into the issues surrounding residential sprinklers including: how much they will cost to have installed, who is installing them, and the necessary certifications of those who install residential

sprinkler systems. Chief Lightbody talked about one of the more prominent obstacles of residential sprinklers being the water supply.

Chief Lightbody reported that the vast majority of fire emergencies are residential, as opposed to industrial fires. Heather Puskar reported that the exact numbers showed, in fact, that 78% of all fires in 2004-2005 were residential. Chief Lightbody pointed to this fact to illustrate the need for residential sprinklers to be more thoroughly advocated for and researched.

## **5. Public Education Advisory Council**

Commissioner Daniel DeTrolio reported that the Public Education Advisory Council met on September 13<sup>th</sup> at the Middlesex County Fire Academy.

Among the topics discussed was the 2006-2007 Poster Contest. The applications for this coming year's poster contest were recently sent out, with the new theme being "Prevent Cooking Fires: Watch What You Hear".

Commissioner DeTrolio also reported that the Division's Charlie Luxton had reported distributing just about all of the 15,000 available smoke detectors from last year's ABC-7 Operation Save-A-Life. Both Commissioner DeTrolio and Director Petrillo believe the program will be continued again this year, but official word would not be received until around December.

The next meeting of the Public Education Advisory Council will be November 8<sup>th</sup> at the Middlesex County Fire Academy.

## **6. Firefighter Safety and Health Advisory Council**

Commissioner Richard Blohm reported that the NFPA requirements for SCBA retention devices in the crew cab must now have a strap-latch. In the past, the SCBA was able to just be pushed into a C-bracket.

Any apparatus built before 1979 is now considered to be obsolete by the NFPA and can not be refurbished any longer. Also, pre-1991 apparatus can no longer have open cabs. This has become an issue in North Hudson with some of their apparatus, but they are working with the Department of Labor to fix the problem.

There is an SCBA manufacturer that has a bail-out system as part of their SCBA component that has failed. The Department of Labor has inspected them and will be putting an alert out. There also may be a NIOSH problem with regard to the eyeglass inserts that are put into the SCBA facemask. As more information comes from the Department of Health on this, we will be notified. Also, the Department of Health will be expanding their Fit-Test Train-the-Trainer programs for EMS personnel.



Commissioner Blohm also passed along information to the Division of Fire Safety about a program called Firefighter Near Miss. This program can be accessed by any member of the fire service to anonymously report near-miss incidents that too often are swept under the rug. Commissioner Blohm also spoke about the issue of grounding wires on portable generators, which was brought to him by Director Petrillo. The Firefighter Safety and Health Advisory Council were going to examine this issue during today's meeting.

Commissioner Blohm took the opportunity to inquire as to whether there was any more discussion about the Division of Fire Safety possibly moving out of the Department of Community Affairs and into either Homeland Security or Law and Public Safety. Chairman Wisniewski answered that, from what he gathered, there was little-to-no chance of the Division moving. Chairman Wisniewski said that it was not out of the realm of possibility that Division staff be working with Homeland Security, but it seemed that the Division of Fire Safety being relocated is very unlikely. Commissioner Blohm said that he asked about this because he received a disturbing, anonymous email from a Division staff member that strongly criticized and attacked the DCA Commissioner and the Governor for their lack of support of the Division. Commissioner Blohm found this email to be foolish and inaccurate, and felt there needed to be an investigation as to who authored it.

## **G. Committee Reports**

### **1. Juvenile Firesetter Prevention Committee**

Commissioner Paul Hartstein reported that there has been no meeting since July, but attendance at the meetings of the Juvenile Firesetter Prevention Committee has been very strong. Commissioner Hartstein also thanked Assemblyman Wisniewski for his help in having the Committee work with the Attorney General's Office. The Deputy Attorney General will be attending the November meeting.

The Juvenile Firesetter Conference is going to be held on November 30<sup>th</sup> and December 1<sup>st</sup> at the Middlesex County Fire Academy. Related to Colonel Fuentes's talk on gang-related violence, there will be a speaker at the Conference who is an expert on cult fire-setting. His program is extremely interesting and was one of the highlights of last year's Conference.

### **2. Residential Sprinkler Committee**

In the absence of Commissioner Gerard Naylis, no report was given.

## **H. Old Business**

There was a lengthy discussion about the three regional meetings that were discussed at the previous meeting. The purpose of the meetings (one in the northern, central, and southern parts of the state) would be to "take the temperature" of the State's fire service as a whole and find out what they think about several issues. The issues on the agenda

for these meetings would include, but not limited to: shared services, the direction and mission of the Division of Fire Safety, the direction and mission of the Fire Safety Commission, etc.

Chairman Wisniewski and Commissioner Hartstein have, in the past month, worked on organizing these three meetings. Their suggestion was to have one meeting in the north (at Ramapo College), one meeting in the central (at Kean University), and one meeting in the south (at Stockton College). It was also suggested that one of the meetings be held at the League of Municipalities in Atlantic City in November. This would serve as the meeting for South Jersey.

Commissioner Arthur Londensky noted that the logistics of holding this meeting at the League of Municipalities. Not only would it be potentially difficult to reserve a room at a time that doesn't overlap with another meeting of interest to the fire service or Commission – but since the meeting is open to the general public, you can not charge admission to the meeting (and one must pay to enter the Convention Center during the League).

Commissioner Anderson and Commissioner Wood were also not in support of having a meeting at the League of Municipalities to serve as the meeting for South Jersey. They felt that there should be three regional meetings, in addition to the League, in order to open this forum and make it convenient for as many people as possible.

It was decided that a first meeting, to take place in North Jersey at Ramapo College on October 30<sup>th</sup>, be planned and the scheduling of the other meetings would be worked on. It was also decided that the meetings would start at roughly 7 pm.

## **I. New Business**

Commissioner Paul Hartstein asked about the use of funding that the fire service gets from LHUs (life hazard uses). Commissioner Hartstein wondered why, since the Division is struggling to get textbooks purchased and Commissioner Anderson struggling to find money to put together the Mid-Atlantic Conference, can't the Division use LHU money for things like this? Chief Huber explained that if you do try and ear-mark those monies for "good causes", a lot of them will start to pop up and it is difficult to determine what the money should and shouldn't be used for. Director Petrillo and Chairman Wisniewski suggested the possibility of setting aside x amount of dollars from LHUs for a specific event or purpose, which they will look into. Chairman Wisniewski said he would research this and have more information at the next meeting.

## **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 12:26 PM.

**\*\*\*\* The next meeting of the Fire Safety Commission will be on November 15, 2006  
at 10am. It will be held in Room 412 of the Atlantic City Convention Center in  
Atlantic City, NJ. \*\*\*\***