

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

**Meeting of May 17, 2017**

The New Jersey Fire Safety Commission meeting was held on Wednesday, May 17, 2017 at the Middlesex County Fire Academy in Sayreville, NJ.

**Commission Members Present:** Assemblyman John Wisniewski, Chairman  
Mr. Kevin Krushinski, Vice-Chairman  
Mr. Stanley Sickels  
Mr. Lawrence D. Wood  
Mr. Roger Potts  
Mr. Gerard Naylis  
Mr. Pasquale Intindola  
Mr. Armando Roman  
Mr. Richard Blohm  
Mr. Daniel DeTrolio  
Mr. Fred Collender  
Ms. Kathleen O’Leary  
Mr. John Lightbody

**Commission Members Excused:** Mr. Steve O’Gorman  
Mr. Kevin Bellew  
Mr. Arthur Londensky

**DCA Staff Members Present:** Lou Kilmer, NJDFS Acting Director  
Rick Farletta, NJDFS  
Charles Lavin, NJDFS  
Frank Clark, NJDFS  
Jerry Clark, NJDFS  
Peter D’Amore, NJDFS  
Michael Whalen, Codes and Standards

**Guests:** George Borek, PFANJ  
Tony Correia, NFFF/NJFEMSI  
John Garton, NJDOL/PEOSH  
Pasquale Sarnella, H.F.D.  
Ronald McGowan Jr, Wildwood Crest Fire  
Alden Blackwell, Tenafly FD  
Brian Turcotte, Woodbridge Twp Fire Officers  
Thomas Stark, NJDOH-OEMS  
Anthony Tartaro, Newark Fire Officers  
William Duffy, NJDOH-OEMS  
Rich Silvia, NJFPPA

**A. Call to Order**

Chairman John Wisniewski called the meeting to order at 10:10 AM. Chairman Wisniewski led the meeting with the Pledge of Allegiance, a moment of silence, and pointed out the fire exits.

**B. Approval of Minutes**

With no discussion requested or additional corrections, the minutes of the regular meeting of January 25, 2017 were approved.

**C. Correspondence**

Chairman Wisniewski 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**

Chairman Wisniewski opened up the meeting to any members of the public wishing to address the Fire Safety Commission.

Rich Silvia, President of the NJ Fire Prevention & Protection Association, announced the winners of the New Jersey Fire Safety Poster Contest. Each winner will be issued a gift certificate for the purchase of a personal computer during ceremonies at their respective schools. The winners were:

Division 1	Zara Hamil	PS#11, Jersey City
Division 2	Anabella Cossaboon	Vineland Public Charter School, Vineland
Division 3	Jaslyn Tu	Robert L. Craig School, Moonachie
Division 4	Patrick Villavert	Belleville High School, Belleville
Division 5	Nyland Powers	Cumberland Tech. Education Ctr., Vineland
Division 6	David Deconde	Lake Riviera Middle School, Brick
Division 7	Simon Matos	Calais School, Whippany

Ronald McGowan Jr. from Wildwood Crest Fire Department spoke about the red/blue light law for fire coordinators that had been brought up in the past with former State Fire Marshal Bill Kramer. Mr. McGowan said that legislation had been drafted by Senator Van Drew (S2984), and he was hoping to ask Senator Greenstein – who is not in attendance today – to support the bill since she chairs the Committee the bill went to. Mr. McGowan distributed copies of the bill and asked the Fire Safety Commission for their support.

Mr. McGowan also spoke about the lack of the attendance from Commission members at meetings, in particular the legislative members. He cited the last three years average attendance as examples (11 members per meeting from 2014-2016). He urged the

Commission to find members who can attend regularly, as well as get empty positions filled. Chairman Wisniewski agreed that this is not fair to the fire service, that if you accept the appointment you should attend meetings – otherwise you should vacate the position.

Alexi Assmus gave a brief presentation that outlined the concerns and hazards posed by construction that is identical to the building in Edgewater that burned in 2015. She presented on behalf of citizens concerned that this type of construction is coming to their towns. Ms. Assmus spoke about the several pieces of legislation that are now being proposed to limit this problem. Ms. Assmus cited numerous catastrophic fires that have taken place in the past few years as examples – including one in Maplewood, NJ. Chairman Wisniewski added that he has sponsored legislation in the wake of the Edgewater fire. The Speaker of the Assembly also has an almost identical bill.

The ultimate question, Ms. Assmus said, is whether any of these proposed bills – if passed – would have prevented any of the large-loss fires that have occurred? The group of citizens Ms. Assmus is representing contends that the way to ensure there are no conflagrations in our towns and cities is to limit the size of these wood buildings – preferably no more than 18 units each. She commented that the Assembly Speaker’s bill has no limit on these buildings. Commissioner Pat Intindola asked if Alexi Assmus had submitted her report to the League of Municipalities, which she had not. Commissioner Intindola suggested she forward them the report so they can have it before supporting any bills or taking any action.

Commissioner DeTrollo, Chairman Wisniewski, and Commissioner Stanley Sickels continued by discussing the various reasons for these types of buildings burning, but all concurred that construction techniques and practices have accelerated and the ability to prevent them with codes and regulations must progress as well. Commissioner Sickels added that, whether it is selling codes or the use of homebuilding materials, it all comes down to money. Also, as manpower continues to be reduced the fire load continues to increase. Ms. Assmus stressed her point that the underlying solution is limiting the size of lightweight construction buildings and having open space in between buildings. Chairman Wisniewski added that the fire service needs to do a much better job of educating legislators about what is needed. To date, the fire service has not brought a concise message to those making bills and passing laws.

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

Acting Director Louis Kilmer began his report by talking about how, this coming September, all of the regulations governing what the Division of Fire Safety does expire. Therefore, a re-adoption of the regulations needs to be done and the Division took this opportunity to do a full review/upgrade of them. The first regulation completed and submitted for approval covered Training, which included many minor changes but also contained the addition of about 60 new certifications. These certifications were all approved through the Training and Education Advisory Council. The Incident Management regulations have also been submitted for re-adoption – the major change

there being we'll now be looking at incident time, rather than time-on-scene. The Contractor Certification regulations and Emblem regulations were also submitted with minimal changes.

The major undertaking in terms of re-adopting regulations has been the Fire Code. The Code is being updated to the 2015 International Fire Code. Many Codes Council recommendations from the past several years are included in this, as well as updates to account for advancements in technology since the Code was last updated (newer smoke alarms, electronic record-keeping, electronic signatures, etc.) Chief Kilmer publicly thanked DCA Commissioner Richman for his support in this process and all of these regulations have been moved beyond the Department to the Governor's Office. Chief Kilmer commended all the hard work and long hours put in by Division of Fire Safety staff to get this completed in time. Chief Kilmer specifically mentioned Peter D'Amore, Glenn Smyth, Drew Kondor and Britt Schulmeister. These individuals worked day and night in addition to completing their regular jobs. Commissioner Stanley Sickels made a motion that the NJ Fire Safety Commission support moving forward with the 2015 Code. The motion was seconded by Commissioner Pat Intindola and passed unanimously.

Chief Kilmer spoke on the issue of propane tank labeling, and the proposal to have warnings in English and Spanish as well as a picture graphic. It was decided that all three would be warnings would be included and this has been included in the 2015 code language.

The Annual Reports, which were new this year on RIMS (combining two reports into one), saw a fantastic response. Chief Kilmer thanked Frank Clark and everyone in Local Assistance who was out in the field helping this process go smoothly with Fire Officials and Business Administrators. Also, in the June 5<sup>th</sup> "New Jersey Register" there will be a proposal for a 29% across-the-board fee increase on life hazard uses. This is the first increase since 2003, and is a result of calculating cost of living indexes. The proposal has passed the Department of Community Affairs and Governor's Office, and the comment period will begin on June 5<sup>th</sup>. The proposal, upon adoption, will see the funds be shared in the same proportions with the locals (65%) as it has in the past. Commissioner Sickels asked if the new LHU's (parking garages, animal surgical centers, etc.) proposed by the Codes Council would be included in the fee increases. Chief Kilmer said the DCA Commissioner chose not to include any new building types in that classification at this time.

Also in the June 5<sup>th</sup> "New Jersey Register" will be the adoption of the CO regulations. This will essentially require CO detection in any building that has fuel burning appliances. The Solar Panel regulations and Fire Hydrant Marking regulations have also been submitted and we are awaiting them in a future "New Jersey Register".

The Division of Fire Safety has hired a new staff member for the Arson Investigations Unit to replace Jeff Silver (retired in December) and that person will start within the next few weeks. The NJDFS is still trying to find a Fire Code Specialist to replace Michael Scardino, but they have been able to add two new inspectors thanks to the support from

Commissioner Richman. Chief Kilmer has also placed a number of staff members on looking into bills that are on hold and outstanding registration fees since November. This group is doing a tremendous job and has collected approximately \$1.1 million to date.

On June 1<sup>st</sup>, the NJ Division of Fire Safety will be hosting the annual Homeland Security Conference at Kean University. Chief Kilmer encouraged anyone who is available that day to attend. Also, the NFIRS Unit's "Fire in New Jersey 2016" report is progressing well and it appears that things are on track for completing and publishing the report. In regards to RIMS, there are not many new changes of late to report on and it seems to be going fairly well.

Chief Kilmer reported that the 12<sup>th</sup> Annual New Jersey FIRE Bowl was held at Kean University on May 12<sup>th</sup>. The competition was hotly contested and eventually won by Nicholas Oresko School of Bayonne. Chief Kilmer commended Charles Lavin on all his work in making the program a success. Chief Kilmer also spoke about an upcoming Peer Review session with two fire officials – one who was not enforcing the code, another who went MIA. There will also be a bulletin issued in the near future stemming from a situation in Wildwood. Apparently a car had been equipped with extra fuel tanks in the trunk with lines run to the engine, and this caused a fire in an auto repair shop. This is one more example of something firefighters and fire departments need to be cognizant of out in their communities.

Chief Kilmer reported that a link has been put up on the NJDFS website with the list of available trainings that are upcoming. Pete D'Amore brought up a live shot of the website onto the big screen and Chief Kilmer walked through how to access the necessary information. Chief Kilmer urged anyone who has training upcoming to let the NJDFS know so that they can post it on this page.

Commissioner Richard Blohm asked if the NJDFS or Kean University received any funding from FEMA grants as a State Fire Academy. Chief Kilmer said not that he was aware of, but would have to check. Commissioner Blohm also asked about the nearly 60 new certifications that will be added, and if they will be ProBoard. Chief Kilmer answered that yes, they would be, but like the others you would have to take the ProBoard class. The certifications are all voluntarily and will come through the Division of Fire Safety. This is something the Training and Education Advisory Council has worked on for some time and Commissioner Lawrence Wood further explained the process of getting these voluntarily ProBoard certifications.

Chief Kilmer spoke about the New Jersey Emergency Responder Health and Fitness Coalition that has been doing a lot of work on various topics (fitness, nutrition, cardiac, mental health, etc.) over the past year. Chief Kilmer introduced the Chairman of that Coalition, Tony Correia, and he spoke to the Fire Safety Commission outlining all the work they have been doing. Mr. Correia has been corresponding with professionals from throughout the country on the various health and safety issues facing firefighters today to put together some guidelines and best practices for New Jersey's first responders.

Mr. Correia, as Coordinator of the NJ Emergency Responder Health and Fitness Coalition, gave a presentation summarizing the work that they have done on firefighter functional fitness. Subsequently, Mr. Correia submitted the complete report electronically so that it could be distributed to the Fire Safety Commission members and could be discussed at the July meeting.

Commissioner Richard Blohm thanked Mr. Correia for all the work that he has put in to firefighter health and safety, but strongly disagreed with placing any kind of minimal physical standards on firefighters from any eligible organization, academy, or state. This is something that should be determined by a given department, whether it is career or volunteer. Commissioner Blohm also stated that legal issues need to be reviewed, particularly from a County Academy standpoint. He also spoke about trying to implement the physical agility test in years past, but in dealing with the Department of Labor and Department of Health, it is not something you can grandfather anyone into. That is where you start to affect the jobs and pensions of individuals currently doing the job. Commissioner Blohm also raised the issue that if the State mandates something, the State has to pay for it – and when you get into any form of healthcare test, you are talking about a significant amount of money. Commissioner Blohm also talked about the effect this would have on recruitment and retention – how adding any more layers of testing will only serve to deter potential firefighters.

Anthony Correia responded that the goal of the work being done is to educate firefighters and provide them with the best practices for keeping them healthy, safe, and have long careers and retirements; it is not meant to be punitive or take current firefighters out of their jobs. Commissioner Naylis urged the rest of the Commission to review the entirety of Mr. Correia report, digest it, and return to the July meeting prepared for discussion on it. Commissioner Stanley Sickels offered his sincere thanks to Mr. Correia for his dedication and all the work done in the area of firefighter health and fitness.

Commissioner Gerard Naylis asked Chief Kilmer if, in the new code, there was any consideration given to making changes to inspection requirements - more specifically, allowing only certified personnel to conduct inspections. Chief Kilmer answered that it is the Division of Fire Safety's opinion that this would take a legislative change in the statute. This doesn't mean they are opposed to the requirement, but it needs movement through a legislative change. Commissioner Naylis also asked if there was any consideration given to incorporating inspection requirements in one-and-two family homes. Chief Kilmer answered that this is also something that would take a legislative change. Also, this is something a municipality can choose to do in multiple family dwellings or non-owner occupied dwellings. Commissioner Sickels added that this is something that can be dictated by local ordinance, and vehemently agreed that anyone conducting inspections in any municipality should be certified or licensed. Commissioner Naylis also asked what makes non-owner occupied residences more hazardous than owner-occupied ones. Chief Kilmer said he understands the sentiment of the question but, at this point, that is just how the law is written. If the Commission feels strongly about changing this, they can certainly voice this to legislators about getting the law changed.

With no further questions for the Division of Fire Safety, the meeting was moved to Advisory Council Reports.

## **F. Advisory Council Reports:**

### **1. Codes Advisory Council**

Commissioner Pat Intindola reported that, since the last Commission meeting, the Codes Advisory Council had met on February 15<sup>th</sup> and April 19<sup>th</sup>. Commissioner Stanley Sickels gave a report on the February 15<sup>th</sup> meeting. Commissioner Sickels spoke first about the warning labels on propane tanks, and the Codes Council was in concurrence with Chief Kilmer on including both the pictographs and language to cover all based with the warning. The Codes Council also discussed the color tag system for fire protection contractors, and Commissioner Sickels explained that the contractors are not required to send reports to fire officials and they are looking to make that mandatory. Chief Kilmer commented that in the new code, if there are deficiencies somewhere in the contractor's report it needs to be reported to the fire official.

Commissioner Sickels also spoke about the Codes Council's proposal log and how some of those items will finally be moving forward after wallowing for several years. It is hopeful that the Codes Council will be reporting on the adoption of many of these proposals in the near future. Also, the Code Analysis Subcommittee has expressed concern that there is no requirement for investigations to be done on large-loss fires throughout the state. At this point the Division of Fire Safety is only required to investigate a fire if there are fatalities or firefighter injuries, etc. Commissioner Sickels stressed that it would be very valuable, and necessary, to investigate other large fires from a code perspective. Commissioner Sickels also talked about hot work permits and the deficiencies in FireWatch procedures that the Codes Council is looking into. Commissioner Naylis asked if anything more was being done to try and require training, education, or certification for those bringing an ignition source into a building to do work. Commissioner Sickels answered that yes, the programs they are looking into (from New York City and California) include those elements.

Commissioner Pat Intindola reported on various issues from the April 19<sup>th</sup> meeting, including the Subchapter 3 and 4 Committees and updates to the matters discussed in Commissioner Sickels's report.

Commissioner Stanley Sickels made a motion that Michael J. Moscatello be appointed to the Codes Advisory Council and distributed his resume to the Fire Safety Commission. The motion was seconded by Gerard Naylis and passed unanimously.

The next meeting of the Codes Advisory Council meeting is scheduled for June 24, 2017, 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 February 21<sup>st</sup> and the minutes of that meeting are contained in the Commission meeting packets. There was also a meeting held in April and the minutes of that meeting will be forwarded electronically as soon as possible. Generally speaking, the Council went over most of the information related to the codes changes.

In reference to the Health and Safety Council, T&E was getting a lot of questions from academies related to out-of-shape firefighter recruits coming in and they were looking for their expertise on the matter. The issue is not something that the Training and Education Advisory Council came to the academies with, but the other way around. Commissioner Wood stressed that they are not looking to set any kind of standard with firefighter fitness – as this is an issue that must be dealt with by individual municipalities – departments need to be mindful of the OSHA guidelines. Commissioner Wood thanked all those who attended the sessions and all the work done by the committees examining this issue.

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

Commissioner Gerard Naylis reported progress.

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

Commissioner John Lightbody started his report by apologizing for his absence recently, as he had suffered an injury that put him out of commission. There was no meeting held since the last Fire Safety Commission meeting, so no report was given. Commissioner Lightbody added that if anyone would like to be Vice-Chairman of the Master Planning and Research Advisory Council to contact him.

The next meeting of the Master Planning and Research Advisory Council is scheduled for June 12<sup>th</sup> at the Toms River Fire Academy.

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

Commissioner Daniel DeTrollo reported that the Public Education Advisory Council met on March 8<sup>th</sup> at the Middlesex County Fire Academy. The minutes of that meeting are in the Commission packets.

Commissioner DeTrollo asked that Charles Lavin give a brief summary of the 12<sup>th</sup> Annual New Jersey FIRE Bowl – which was won by Nicholas Oresko School of Bayonne. Also, the Operation Save-a-Life program is getting underway and distribution events are set for June 23<sup>rd</sup> (Kean University) and June 30<sup>th</sup> (Middlesex County Fire Academy).

Commissioner Gerard Naylis added his congratulations to Charles Lavin on all his successful work with the FIRE Bowl program. At a recent international conference,



several people had mentioned the FIRE Bowl to Commissioner Naylis and was giving it rave reviews.

The next meeting of the Public Education Advisory Council is scheduled for September 6, 2017 at the Middlesex County Fire Academy in Sayreville.

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

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council had met on April 5<sup>th</sup> at Middlesex County Fire Academy and the minutes of that meeting are in the Commission packets. Commissioner Blohm gave the following report:

The Department of Labor stated that they have added an additional person for their consultation and training section. Also, they reported that in Old Tappan it appears a faulty relief valve caused the catastrophic failure on the filter in the compressor due to replacing a steel one with a plastic one.

Commissioner Blohm sent a letter to the Department of Health Commissioner requesting permission to update what has for years been referred to as the “pink book”, which is Guidelines for the Emergency Management of Firefighters. This was done because the previous version, published in 1992, is extremely outdated. The Council is looking to assist in the revision of this document with the help of personnel from St. Barnabas.

The NJ Forest Fire Service indicated that there were – to date – 251 fires totaling 941 acres destroyed. Also, the State Fire Warden unexpectedly announced his retirement as of June 1<sup>st</sup>. Nothing has been said thusfar about his replacement.

The next meeting of the Firefighter Safety and Health Advisory will be held today, May 17<sup>th</sup> at the Middlesex County Fire Academy at 1:30 PM.

#### **7. Youth Firesetter Prevention Advisory Council**

Commissioner Kathleen O’Leary reported that the Youth Firesetter Prevention Advisory Council met on May 11<sup>th</sup> at the Middlesex County Fire Academy. The minutes of that meeting are contained in the meeting packets.

Commissioner O’Leary reported that there is one more “Fire Is” course for the Spring 2017 semester. That will take place on May 24<sup>th</sup> (Camden County). Registration can be completed via Kean’s website. Also, a Youth Firesetter Program Manager course, taught by Joe Ehrhardt and Helge Nordtveit, took place on May 3<sup>rd</sup> and 4<sup>th</sup> at Middlesex County Fire Academy. Offering the course again (or Youth Firesetting Prevention & Intervention Specialist) was discussed for possibly sometime in the fall.

Charles Lavin reported that he had met with Joe Ehrhardt and Helge Nordtveit on May 4<sup>th</sup> to discuss the framework for this year’s Youth Firesetter Conference. Together they

came up with several possible instructors, as well as a keynote speaker, for the November 30<sup>th</sup>/December 1<sup>st</sup> event.

In addition to the Conference, Charles Lavin said the “New Jersey Safety Summit” that NFPA has proposed putting on later this year is still on track. It would have fire safety educators from across the country coming to present on topics ranging from Smoke/CO Alarms, Fire Prevention Strategies, Using Fire Data, etc., etc. It would be a 5-hour seminar (with an hour-long dinner in the middle) on November 29, 2017 (3pm-8pm). It would be taking place at the Raritan Center Sheraton in Edison, NJ. The idea was to cross-promote both the Safety Summit and Youth Firesetter Conference to bolster attendance/interest in both events. Registration for both events will begin simultaneously and be done through the Kean University website.

Vice-Chairman Krushinski reported that he had been working on a draft of a memo along with Chief Lou Kilmer regarding getting participation from all counties. The memo is set to be completed and sent out in the coming weeks.

The next meeting of the Juvenile Firesetter Prevention Advisory Council is scheduled for September 7, 2017 at the Middlesex County Fire Academy at 10 AM.

## **G. Committee Reports**

### **1. Residential Sprinkler Committee**

Commissioner Gerard Naylis commented that there has been zero progress in getting a residential sprinkler bill passed, and also noted that the log of legislative items distributed by the NJ Division of Fire Safety was missing A1914 – Chairman Wisniewski’s sprinkler bill. Chief Kilmer commented that it was just an oversight and would have Marylain Kemp run an update to the legislation log for the next meeting.

## **H. Old Business**

With no Old Business to discuss, the meeting was moved to New Business.

## **I. New Business**

With no New Business to discuss, the meeting was moved to Public Comment II.

## **J. Public Comment II**

George Borek, who represented the Professional Firefighters Association of New Jersey, commented on the previous discussion regarding health and fitness standards for firefighters. His feeling based on his experience was that when there is an appropriate vetting process upcoming hiring (by an occupational doctor) is a system that works. Mr. Borek said that this screening of potential firefighters is key for the volunteer fire service, as well as career.

Mr. John Lightbody, commenting on a previous discussion, concurred with the sentiment of Commissioner Stanley Sickels in that there should be code-based investigations of large fires in the State of New Jersey – not only when there is a fatality or firefighter injury. Doing these studies would go a long way in preventing future fires, or at least being able to limit damage and enhance firefighter and public safety. Mr. Lightbody specifically referenced a boardwalk fire (where the boardwalk was subsequently rebuilt the same way) to illustrate his point. Commissioners Sickels and Lightbody expressed their agreement and further discussed the possibility of mandating a State report in these situations. Ms. Kip Cherry of Princeton also spoke about the lack of a complete report on large scale fires like Edgewater and why they are moving so fast. Ms. Cherry asked that Bill A3770 & S1632 be added to the list of legislation that the Fire Safety Commission is monitoring and support it.

#### **K. Adjournment**

Vice-Chairman Krushinski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 12:26 pm.

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**\* The next meeting of the Fire Safety Commission will be on Wednesday, July 19, 2017 at 10am. It will be held at the Toms River Fire Academy in Toms River, NJ \***