

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

**Meeting of July 17, 2013**

The New Jersey Fire Safety Commission meeting was held on Wednesday, July 17, 2013, at the Toms River Fire Academy in Toms River, NJ.

**Commission Members Present:** Assemblyman John Wisniewski, Chairman  
Mr. Pasquale Intindola, Vice-Chairman  
Mr. Charles W. Schilling  
Mr. Arthur Londensky  
Mr. John Lightbody  
Mr. Stanley Sickels  
Mr. Lawrence D. Wood  
Mr. Daniel DeTrolio  
Mr. Gerard Naylis  
Mr. Roger Potts  
Mr. Kevin Bellew  
Mr. Armando Roman  
Ms. Kathleen O'Leary  
Mr. Fredrick Collender

**Commission Members Excused:** Mr. Richard Blohm  
Mr. Steve O'Gorman  
Mr. Kevin Krushinski

**DCA Staff Members Present:** William Kramer, Acting Director  
Lou Kilmer, NJDFS  
Charles Lavin, NJDFS  
Steven Letts, NJDFS  
Jason Spiecker, NJDFS  
Jerry Clark, NJDFS  
Craig Augustoni, NJDFS  
James McFadden, NJDFS  
Michael Whalen, Codes and Standards

**Guests:** Rich Silvia, NJFPPA  
David Kurasz, NJFSAB  
Chris Niebling, Mantoloking F.D.  
Hugh Hurley, HAST  
Tom Pizzano, Sr., Codes Council  
Steve Curry, Fort Lee Fire  
James McCreary, Toms River FP  
Thomas M. Haskell Jr., Ocean Co. Prosecutor  
Carl S. Christensen, NJ Vol. Fire Chiefs  
Ronald McGowan Jr., Wildwood Crest FD  
Bill Newberry, NJSFCA  
John Kubilewa, Pine Beach FC  
Richard Kosmoski, NJ Vol. Fire Chiefs  
Rich Heimbach, Master Planning

## **A. Call to Order**

Chairman John Wisniewski called the meeting to order at 10:00 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits. A moment of silence was observed for the 19 firefighters who had recently lost their lives in Yarnell, Arizona.

## **B. Approval of Minutes**

With no discussion requested or necessary corrections, the minutes of the regular meeting of May 22, 2013 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 correspondence at this time, 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.

David Kurasz spoke about the issue taking place between the Jersey City and Harrison Fire Departments stemming from Jersey City firefighters getting injured while providing assistance to a fire in Harrison. Mr. Kurasz asked if the Fire Safety Commission had any stance on minimum manpower requires to prevent abuses of mutual aid that seem to be taking place more and more. This question sparked a lengthy discussion about minimum manpower, recruitment and retention, and how local departments should be funded and operated.

Commissioner Gerard Naylis said the Fire Safety Commission had implemented a Recruitment & Retention Committee under the Public Education Advisory Council several years ago, as well as integrating LOSAP to bolster volunteer ranks. Commissioner Naylis also spoke about the Deployment Act, which strengthens mutual aid agreements and maximizes the use of the resources we do have. However, the reality of shrinking tax bases and shrinking staffing levels has affected the fire service across the state on both the volunteer and career side. Commissioner Naylis said that as mutual aid is being utilized more and more, it is important for departments to fine-tune their plans and work as efficiently as possible. The task is very daunting in this economic environment though. Commissioner Lawrence Wood added that this is also a ‘home-rule’ problem. Home rule dictates what is going to be done on the fire ground, as well as their mutual-aid agreements with surrounding towns. Commissioner Wood suggested the possibility of better informing the public in given areas that this is a major problem.

Mr. Kurasz followed up by asking if the Fire Safety Commission if they have relayed their concerns to the powers that be in Trenton. Commissioner Wood said that he believes the Firefighter Health & Safety Advisory Council should be the ones to examine this problem in-depth and report back to the Fire Safety Commission on it. Chairman Wisniewski agreed and will refer the issue to Commissioner Richard Blohm and his Council.

Commissioner Lightbody added that there is no standard for volunteer response times. It is his understanding that NFPA is revamping these standards, which Commissioner Wood confirmed that it is up for review and added that PEOSHA has standards on this as well. Commissioner Lightbody feels that this could be something to look at as the Fire Safety Commission looks deeper into this problem. Commissioner Stanley Sickels added that this is an extremely critical issue and suggested the possibility of the State hiring outside consultants to thoroughly examine the problem – as was done for a code issue in Cape May several years ago. It is his feeling that the Council will need some staff support as well. He added that with staffing at critical levels, departments are not able to have active safety officer problems, attack fires with at least four people, etc. The funding is just not available for consolidation at this point, and Commissioner Sickels provided examples from his own town.

Acting-Director William Kramer said that everyone knows what the problem is. No one wants to consolidate or give anything up. He said the communities and departments need to look at themselves and solve their problems on a local and regional basis. Chief Kramer agreed with the Commissioners' positions and agreed that a study is necessary, but he feels they already know what the results will be – to consolidate and regionalize. It is just a matter of it actually being done. Chief Kramer added that it is his feeling the lack of competent fire officers will ultimately be what pushes regionalization into happening.

Commissioner Charles Schilling commented that the lack of manpower problem has been around for a very long time, and agreed with Chief Kramer that it should be examined on a case-by-case basis. It is something that needs to be worked out between cities and communities based on their specific needs. Therefore, he feels there is no catch-all answer to the problem. Chief Kramer added that the Department of Health did a similar study on EMS and the results made a lot of sense, yet were hammered on the local level by those not wanting to make the appropriate changes.

Commissioner Gerard Naylis suggested that what needs to be examined is which, exactly, emergencies that each body is responsible for. What is the expectation of service from various first-responding entities? Many times the fire service is looked on to do everything, but if there were specific expectations then maybe you could work towards the minimum requirements (manpower, etc.) to follow through on the jobs. Commissioner Wood said that this is done in his town, there are some guidelines available, and they are able to work around the shortcomings when they pop up.

Commissioner Roger Potts spoke about a Senate bill that had been introduced by Senator Steve Sweeney on consolidation and shared services. Chairman Wisniewski said that he had worked on a similar bill years ago and the reaction was very extreme. He elaborated on the issue, saying there are many tough decisions that need to be made and people assume you can always do more with less when it comes to government. This, however, is not a workable solution. Commissioner Lightbody asked if there was some sort of grant program that helps departments that want to consolidate. Chairman Wisniewski answered that there is a program through the Department of Community Affairs. It ultimately provides for a consultant to come in and start the process of examining what consolidation would entail, where inefficiencies lie, etc.

Commissioner Stanley Sickels spoke about consolidation in Maryland and Virginia, where there are great county-wide fire departments that have volunteer and career elements, quality facilities, etc. He thought that these departments could serve as a model for how it could operate in New Jersey. Chairman Wisniewski asked that Commissioner Sickels send him some more specific information on those departments, how they are funded, and how they operate.

Carl Christensen from the New Jersey Volunteer Fire Chiefs added to the discussion that, when it comes to recruitment and retention, the training is too extensive for a lot of people these days that have obligations, families, and jobs that could be in a different area. People don't have the time, and this problem – including mutual aid – will continue to get worse.

Mr. Christensen also spoke about the Residential Sprinkler bill. He specifically highlighted the problem of the bill not including homes where there is a well. The requirements for a sprinkler system in a home, for water flow, are less than what is required for plumbing. He also had a problem with the bill not including pre-manufactured homes, which poses a danger for the inhabitants since there is more wood in those homes than in lightweight construction. Mr. Christensen understands the point of view of the builders, but the public needs to understand the fire dangers that these buildings pose.

Chairman Wisniewski replied in regards to the Residential Sprinkler bill. He said, in any case, a lot of compromises needed to be made to have a chance at getting a bill passed as law. Obviously you can write the perfect bill, on residential sprinklers or anything else, but that doesn't mean it is going to get passed. Mr. Christensen agreed and commented that the bill as it is would be much better than no bill at all.

Fire Official Steve Curry from Fort Lee asked whether it was a conflict of interest for someone from the NJ Fire Safety Commission to testify in a court hearing against a working fire official. He added that it is currently in the code that a fire official cannot testify against another fire official, he had sent correspondence posing the question if the same applied to a member of the Fire Safety Commission. Chief Kramer answered that there is nothing in the statute prohibiting this, but if the Fire Safety Commission would

want to adopt rules on this it would be up to them. Chief Kramer agreed that it does raise some ethical questions.

Fire Official Curry also asked about the code changes to Subchapter 4. It is his feeling that making the changes to be less stringent is, in effect, rewarding fire officials who haven't done their jobs for the past 25 years – as well as the people who refused to comply with the retrofit. He specifically spoke about the new proposal regarding windowless basements. Commissioner Stanley Sickels agreed exactly with Fire Official Curry and commented as such at the Codes Advisory Council meetings. There were many factors examined, particularly in regards to basement access. Ultimately, a large contingency was in favor of these proposed changes, a lot of debate took place, and the Codes Council voted on them. And it is Commissioner Sickels's feeling that you have to respect the process although it was not an easy one. It still requires for fire department access to be able to fight the fire. Commissioner Schilling added that this issue went on for months and was a very controversial process. Commissioner Sickels also clarified that you cannot reduce your level of fire protection under this new proposal without the fire officials approval, as per Subchapter 6 of the building code.

Fire Official Curry asked to speak about one more topic. He addressed the issue of fire escapes, which are a big problem in his area as far as maintenance, proper certifications, and their overall safety. Mr. Curry said that fire escapes are not, in his opinion, covered very well in the fire code. He asked if there was anything the State or Division of Fire Safety could do to look into this. Michael Whalen from Codes & Standards answered that the requirements for lodes, wooden and metal fire escapes, are contained in the Uniform Construction Code. Anyone can design and install a fire escape as long as they are in accordance with the code requirements. There's nothing that says a certified fire escape company installing or inspecting fire escapes.

Richard Kosmoski, President of the New Jersey Volunteer Fire Chiefs, read a letter in regards to their opposition to a recent bill – the “Deputy Chiefs Response Bill”. This bill has been conditionally vetoed by the Governor. Mr. Kosmoski elaborated on the issue and said that he (and other interested bodies) would have liked to have been made aware of this bill sooner so maybe it would not have gotten so far. Assemblyman Wisniewski used the example of the fire extinguishers bill to illustrate how - at a certain point - it is too late to go back in the legislative process. Chief Kramer added that most, if not all, interested organizations have representation on the Fire Safety Commission and those members need to take information back to those organizations.

It was suggested that a Legislative Committee be established within the Fire Safety Commission to keep an eye on these kinds of things – and Commissioners Naylis and Sickels expressed interest in serving on it. Chief Kramer said that going forward, the Division of Fire Safety will distribute its monthly “Legislative Activity Report” to the Fire Safety Commission. Commissioner Sickels asked if the Division of Fire Safety was regularly notified of all legislation pertaining to the fire service. Chief Kramer answered that no, the Division has to research and keep an eye out like everyone else.

With no more members of the public wishing to comment at this time, the meeting was moved to Division of Fire Safety Activities.

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

Acting Director William Kramer began his report by noting the last time he was at Toms River Fire Academy was a planning meeting with local Chiefs in the wake of Hurricane Sandy. He expressed his best wishes towards all those still recovering from the storm the best in their efforts, and thanked the Toms River Fire Academy for hosting again today.

Chief Kramer gave an update on the RIMS computer system. It is up and running and the Division of Fire Safety has been using it from an inspections standpoint. A lot of training has been done and bugs being worked out. Chief Kramer said his impression from Fire Officials is that once you get used to the system, it is not as daunting as originally thought. The bottom line is that RIMS is here to stay and the Division is looking for suggestions on tweaks and enhancements going forward.

Chief Kramer thanked Commission Stanley Sickels and the NJ Fire Prevention and Protection Association for their contributions to the New Jersey Fire Safety Poster Contest. This is a program that cannot be done by the Division of Fire Safety alone, so he is grateful for all their efforts with the luncheon, prizes, etc. Also, Chief Kramer spoke about the fact that no regulations are moving. Everything seems to be at a stand-still and Chief Kramer's best guess is that it will remain that way until after the November elections.

The Division of Fire Safety is still trying to get a Peer Review Committee appointed, and has submitted nominations for all positions. They have not heard back on these appointments yet and this has held up the process of imposing sanctions in certain areas. In regards to staffing, the Division is in the process of hiring three inspectors to replace four that have left. There are some part-time inspectors on board and the Division is maintaining its inspections load at this point.

Chief Kramer commented on the National Transportation Safety Board's hearings on the Paulsboro train derailment incident. Chief Kramer described the findings as "horrific" and it was clear that the municipality did not understand its obligations or have an updated emergency management plan. Also, State Police has a trooper assigned to each county to make sure these plans are updated and in order, which was clearly not done. The town is now facing numerous law suits from several types of parties. Chief Kramer said the NTSB will make its recommendations based on these proceedings and he does not expect them to be kind. Unfortunately, this will reflect publicly on the State of New Jersey's fire service with is unjustified.

Chief Kramer reported that the Division of Fire Safety is heavily involved in the Joint Terrorism Task Force initiative in Newark. This is expanding to include other key cities for the purposes of information sharing, etc. A release was just put out jointly with FDNY in regards to visits to fire stations. This became an issue earlier in the year in

South Jersey, which got national attention. It wound up in the FBI's hands and identified as something that has been going on around the country with potential terrorists asking pointed questions about specific firefighting equipment, apparatus, etc.

Chief Lou Kilmer expanded on Chief Kramer's report regarding RIMS. He said it has been working out very well and a support group has been established in the Division of Fire Safety to field inquiries from fire officials out in the field. Additionally, the Division will be setting up four RIMS training sessions around the state. They are asking each local or county association to designate three fire officials to take the in-depth training, with the idea of them being able to help other fire officials locally.

With no other questions on Division of Fire Safety Activities, the meeting was moved to Advisory Council Reports.

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

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

Commissioner Charles Schilling reported that the Codes Advisory Council had not met since the last Fire Safety Commission meeting. With the proposed regulations seemingly at a standstill, the meeting was cancelled due to lack of agenda. Commissioner Schilling said he would report on any progress at the next meeting, and concluded his report by wishing the Fire Safety Commission a nice summer.

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

Commissioner Lawrence Wood reported the Training and Education Advisory Council met on April 16<sup>th</sup>. He apologized for not having the meeting minutes in the Commission packets, and said they will be distributed via email as soon as possible.

Commissioner Wood gave an update on the ProBoard and IFSAC accreditation processes. The Division of Fire Safety received some recommendations, in writing, from both of those organizations. Some changes based on those recommendations were made and the required information was relayed back to ProBoard and IFSAC. Commissioner Wood hopes this will be sufficient to get the accreditations, and has earmarked the start of 2014 as a possible kickoff point for the accreditations to be received.

The Fire Officer 3 and 4 pilot programs have been completed. There were two other county academies that were going to hold programs, and the information from the original pilot programs have been sent to them and they will provide feedback from there.

The next meeting of the Training and Education Advisory Council is scheduled for August 20<sup>th</sup> at the Dempster Training Center in Lawrenceville, NJ.

Chief Kramer added that the Homeland Security Conference was held last month at Kean University. Feedback on the Conference was overwhelmingly positive. Chief Kramer

also mentioned that the Division of Fire Safety is starting to get the ball rolling on the Firefighter I books once again, as the previous contract is expiring. Commissioner Wood mentioned that they are moving towards electronic books.

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

Commissioner Gerard Naylis reported that the NFIRS Unit is in the process of preparing its report from 2012 and departments should continue to submit their data. The next meeting of the Statistics and Information Advisory Council will be held in October.

Chief Kramer added that one of the NFIRS Unit field representatives, Fred Connin, will unfortunately be out on an extended medical leave. He will be sorely missed by the Division of Fire Safety and they are now down to one field rep for the time being.

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

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council met on July 8<sup>th</sup> at the Middlesex County Fire Academy. The minutes of that meeting are contained in the Fire Safety Commission meeting packets. Commissioner Lightbody gave the following report on that meeting:

The New Jersey Residential Sprinkler Coalition's Legislative Committee gave an update on the Senate bill and requested that all members to please contact Senator Norcross and Senator Sweeney to post the bill. The Membership Committee reported that they have picked up at least 5-6 new members, including a few groups. It is hopeful that all new applications will be in between September and October. It was also recommended that they reach out to William Lavin and the NJ State FMBA.

The ICC Codes Committee reported that there will be training classes for CEUs in Atlantic City on October 3-4 at the Convention Center. This is a good way to get the NJ code officials out to the ICC Conference and to receive their required CEUs. The NFSA Committee gave an update on Pennsylvania where the Governor still refuses to adopt the 2012 ICC Codes and residential sprinklers.

Commissioner Lightbody read two recent articles on residential structure fires following the basic information of the fire; a summation of why we need residential sprinklers was addressed. A third article was on a commercial building fire which required sprinklers suppressed the fire with no structural damage and very little content damage.

Rich Silvia reported that the NJ Fire Prevention and Protection Association has updated its webpage and will be putting up information from these meetings for further coverage. Mr. Silvia also spoke about a number of single-family homes in his town that are being equipped with fire sprinkler systems.

A discussion was held on Recruitment and Retention. The Council members were in agreement that different recruiting strategies and programs were necessary across the



state – there is no catch-all answer to this growing problem. Jeffrey Betz spoke about the Junior Firefighter program that worked well in his town. Commissioner Lightbody brought to light an upcoming “Recruit Day” event that was going to be held in Howell Township. He said he would keep an eye on this and contact the department to see how well it worked. He feels this is a good start and could be something that other departments do to boost ranks.

On the topic of Lightweight Construction, Chairman Lightbody said he has completed a couple articles about the dangers and need for fire sprinklers to combat them. They are just about ready to be submitted for publishing.

The next meeting of the Master Planning and Research Advisory Council is scheduled for September 9<sup>th</sup> at the Toms River Fire Academy.

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

Chairman Daniel DeTrollo reported that the Public Education Advisory Council had cancelled its July meeting due to scheduling conflicts. However, the New Jersey Fire Safety Poster Contest awards luncheon was held on June 13<sup>th</sup> in Woodbridge to honor all the students for their artwork. Commissioner DeTrollo deferred to Commissioner Sickels to report on the event.

Commissioner Sickels reported that the Poster Contest Awards Luncheon was a success despite severe weather across New Jersey that day. All Division winners were given MacBook laptops and printers, compliments of the program’s sponsors: Monmouth County Fire Prevention & Protection Association, City Fire, Fire & Safety Systems Company, and the New Jersey chapter of the American Fire Sprinkler Association. A commemorative plaque was also awarded to the Overall Winner by Joshua Marcus Group. Charles Lavin is now working with Atlantic City Electric on the design and printing of the 2014 Calendars that will be distributed this year in lieu of posters. Atlantic City Electric will be providing 5,000 copies of the calendar and they should be available by late-August/early-September.

The next meeting of the Public Education Advisory Council is scheduled for Wednesday, September 4<sup>th</sup> at the Middlesex County Fire Academy in Sayreville.

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

In the absence of Commissioner Richard Blohm, no report was given.

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

Commissioner Kathleen O’Leary reported that there was no meeting of the Juvenile Firesetter Prevention Advisory Council since the last Fire Safety Commission meeting. The only piece of business that Commissioner O’Leary reported on was that Paul Elenio and the Council members were busy preparing for the 11<sup>th</sup> Annual Juvenile Firesetter

Conference that is coming up at the end of the year. It will be taking place at the end of November at the Middlesex County Fire Academy.

The next meeting of the Juvenile Firesetter Prevention Advisory Council is scheduled for September 5<sup>th</sup> at the Middlesex County Fire Academy in Sayreville.

## **G. Committee Reports**

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

Commissioner Gerard Naylis reported that the Committee is anxiously awaiting a hearing in the Senate. With nothing further to report, the meeting was moved to Old Business.

## **H. Old Business**

Chairman Wisniewski opened up the meeting for any Old Business to be addressed at this time. There being none, the meeting was moved to New Business.

## **I. New Business**

Commissioner Sickels spoke in regards to the prior conversation about members of the Fire Safety Commission testifying against fire officials being an ethical issue. He referenced a situation, from 1985, where the Chairman of the National Fire Protection Association (who was also Chairman of the NFPA 13 Committee) testified for the defense in the Six Flags Great Adventure fire trial. His testimony was summarized as being that fire sprinklers would not have prevented loss of life in this incident. He had been given some erroneous information, but the fact was that it had been conveyed to the public that a person of this position was essentially testifying against the benefits of fire sprinklers.

Ultimately, the NFPA's Board of Directors wound up adopting a policy on "conflict of interest" because of the resulting situation. Commissioner Sickels recommended that the Fire Safety Commission draw up a similar policy to prevent situations like these. Commissioner Sickels said he would research the policy and have it forwarded to the Fire Safety Commission for review ahead of the next meeting. Commissioner Wood recommended examining the ethics policy for the Department of Community Affairs as well. Chief Kramer said he will compile these relevant policies and distribute them for review.

Commissioner Lightbody spoke about getting all the fire service organizations together to get things done – in this case residential sprinklers. He cited the effort to pass dormitory sprinklers in the past and how well it all worked out. Currently, the Residential Sprinkler Coalition is looking to get more organizations on board to make their voice stronger in encouraging the Senate to act on this bill.

Commissioner Wood spoke about the lack of participation from the legislative members (aside from Chairman Wisniewski) that are supposed to be serving on the Fire Safety Commission. Chairman Wisniewski said he would personally reach out to the other three legislative members on this matter.

#### **J. Public Comment II**

With no more members of the public wishing to comment at this time, the meeting was moved to Adjournment.

#### **K. Adjournment**

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 11:55 am.

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**\* The next meeting of the Fire Safety Commission will be held on Thursday, September 12, 2013 at 10am. It will be held at the Wildwood Crest Fire Department in Wildwood Crest, NJ \***