

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

Meeting of March 21, 2012

The New Jersey Fire Safety Commission meeting was held on Wednesday, March 21, 2012, at the Hyatt Regency Jersey City in Jersey City, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Charles W. Schilling
Mr. Roger Potts
Mr. Arthur Londensky
Mr. Lawrence D. Wood
Mr. Armando Roman
Mr. Daniel DeTrollo
Mr. Gerard Naylis
Mr. Stanley Sickels
Mr. Kevin Krushinski
Mr. Frederick Collender

Commission Members Excused: Senator Anthony Bucco
Mr. Pasquale Intindola, Vice-Chairman
Mr. Paul Hartstein
Mr. John Lightbody
Mr. Richard Blohm
Mr. Kevin Bellew
Mr. Arthur Mercurio

DCA Staff Members Present:
William Kramer, Acting Director Lou Kilmer, NJDFS
Jim McFadden, NJDFS Charles Luxton, NJDFS
Charles Lavin, NJDFS Rick Farletta, NJDFS
Jerry Clark, NJDFS Michael Whalen, Codes and Standards

Guests:
Rich Silvia, NJFPPA Vincent Corsaro, Morris Co. Fire Prevention
Nicholas Kikis, NJ Apartment Assn. Marc Kiempiesty, Joshua Marcus Group
Irwin Kreisburg, NJDOL PEOSH Ronald McGowan Jr., Wildwood Crest Fire Co.
Daniel P. Mulligan, Ocean Co. FM Craig Babcock, Rockaway Twp. Fire Prevention
Lorryn Gumble, JCFD Ryan Giordano, Hillsborough Fire Safety
Paul Soriero, NJ Deputy Fire Chiefs Sean Sinclair, Asm. Wisniewski's Office
Bryant Curry, Bradley Beach FM Thomas Lipski, PEOSH / NJ LWD
Frank Pizzuta, H.C.F.M. Abraham Pitre, Perth Amboy FD
Elizabeth Clark, Perth Amboy FD David J. Volk, Perth Amboy Fire Chief
Wally Jamison, Jackson Fire Bureau Rick Frumberg, Asm. Wisniewski's Office

Susan Pabon, JCFD
Dennis Nuber, JCFD

Scott Ferson, Asm. Wisniewski's Office
Patrick Bost, NJDHSS – PEOSH

A. Call to Order

Chairman John Wisniewski called the meeting to order at 10:14 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits.

Chairman Wisniewski thanked the Jersey City Fire Department, the City of Jersey City, and the Hyatt Regency for providing the New Jersey Fire Safety Commission with great accommodations, as well as breakfast and lunch, for today's meeting. Chairman Wisniewski specifically thanked Jersey City Fire Department Director (and Commissioner) Armando Roman for making the arrangements and hosting the Commission in Jersey City.

B. Approval of Minutes

With no discussion requested or necessary corrections, the minutes of the regular meeting of January 18, 2012 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.

Elizabeth Clark and Abraham Pitre of the Perth Amboy Fire Department gave a special presentation on “Fire Prevention for the Blind and Visually Impaired”. Their initiative is geared towards students and families of the Blind and Visually Impaired community. Within the State of New Jersey there are little-to-no efforts at all concerning fire education towards the blind. This education program will incorporate in-house fire tours of the facilities, auditory and tactile education guides towards firefighter equipment, tools, and vehicles. The program will also include a parental information seminar that discusses evacuation routes within their homes for themselves and easily accessible routes for children who are blind and/or visually impaired. Future planning involves in-home evacuation routes provided by the firefighters.

The overall objective of this program is to educate a population of low-incidence disabled (blind community) citizens who are in need of real-life fire emergency techniques in order to live safely. Abraham Pitre spoke about the Perth Amboy Fire Department getting involved in the program's train-the-trainer courses; Jersey City FD has gotten involved as well. Several of the Fire Safety Commission members expressed interest in the training programs and asked about the costs involved depending on how many firefighters would be trained. Chief Bill Kramer also asked to speak with Elizabeth Clark

and Abraham Pitre following the meeting to discuss coordinating their program with the Division of Fire Safety's Training and Education Unit.

Tom Pizzano from the Millburn Fire Department spoke about the recent legislation that has been introduced regarding the solar panel emblems. While Mr. Pizzano finds the spirit of the law to be in the right place and a step towards ensuring firefighter safety, he pointed out several issues with the Bill that he felt should be amended. Chairman Wisniewski asked if he had put any of his proposed amendments in writing. When Mr. Pizzano replied he had not, Chairman Wisniewski asked him to do so and he will share them with his fellow legislators before the Bill moves along any further.

Seeing no other members of the public wishing to comment at this time, the Chairman moved the meeting to Division of Fire Safety Activities.

E. Division of Fire Safety Activities

Acting Director William Kramer reported that the Bed & Breakfast amendments have been adopted and are currently in effect. There are a couple of other pieces of regulation that are currently undergoing review by the Department of Community Affairs. Hopefully they will be able to be released relatively soon. Those regulations are Kitchen Fire Suppression Systems and changes to the Training and Certification regulations. These items should move in the near future.

Chief Kramer reported that the Division of Fire Safety is continuing to train emergency responders on the Highway Traffic Safety Guidelines. This includes firefighters, emergency medical personnel, and law enforcement. The Division is the only agency involved in drafting these Guidelines that is providing the training. Regional Fire Coordinators Tim Weiss and Michael Gallagher have been extremely busy offering this training around the State and have trained well over 2,000 emergency responders. This is being recognized as a leading program nation-wide.

The final incident report from the firefighter injury (due to large-diameter hose device failure) that took place in Sussex County has been completed and posted on the Division of Fire Safety website. The report file was too large to email to all Commission members, but everyone was made aware of its publishing via the NJDFS website. Chief Kramer urged everyone to take a look at the report and pass it on to others, as it is one of the best reports that the Division has ever done. It has been recognized and redistributed by several national agencies as well. Chief Kramer feels that there will be legal action against the manufacturer stemming from the report.

Chief Kramer reported that the Division of Fire Safety has put out notices in regards to an impostor fire suppression system professional. This person is posing as a fire extinguisher/fire suppression contractor, asking to be paid in cash, then not doing the job. They have struck in several New Jersey counties and in other states as well. Chief Kramer recently got word from the Pennsylvania Attorney General's Office that the man has been identified, but he has not gotten confirmation of this. There is more information

on this case on the Division's website. It seems this impostor has moved on from New Jersey, but Chief Kramer urged the inspections and fire service community to be vigilant.

Chief Kramer also reported on the staffing issue at the Division of Fire Safety. Currently, the inspections unit is about seven people short. However, permission has been granted by the DCA to hire five inspectors immediately. Also, up to 20 full-time temporary inspector positions have been approved to help get the Division of Fire Safety up to speed on their workload for the year. The interview process is currently ongoing.

Bureau Chief Lou Kilmer was pleased to announce that the Division of Fire Safety continues to make great progress with the new computer system. Some prototypes have been brought in and the system will undergo testing from around Memorial Day through July. Shortly after the Firemen's Convention in September, training will begin for not only Division staff but also to local officials. The new system should go live in November. Chief Kilmer added that the system is everything he had envisioned it would be and more. The new computer system is called "RIMS", Registration and Inspection Management System.

Commissioner Gerard Naylis asked where the Division of Fire Safety was in regards to the backlog of inspections. Chief Kramer answered that, considering the new staff and the amount of work, all inspections should be up to date by the end of 2012 and there will not be a backlog by that time. Commissioner Naylis also asked how far along the Division of Fire Safety was in the collections of overdue fees. Chief Kramer answered that it is going quite well now that the Division has been mandated to use a collections agency. This has resulted, in the last year, in the collection of over \$2 million in overdue fees. However, the design of the old computer system does not allow for a true amount (or even true estimate) to figure out the money that is still owed. It would have to be examined closely on a case-by-case basis, which the Division of Fire Safety does not have the personnel to perform. As the data gets moved from the old system to RIMS, it will go through a cleansing process and become accurate.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Charles Schilling reported that the Codes Advisory Council is working on two primary, controversial issues that Subcommittees are focusing on. Those issues are with Signage for Buildings with Sonar Panels and Windowless Basements. There is a Codes Advisory Council meeting scheduled for next month and those two topics are expected to dominate the conversation. There will surely be many comments and opinions.

Chairman Wisniewski asked that Commissioner Schilling report on the Subcommittees' findings at the May Commission meeting. Commissioner Sickels added, in regards to the windowless basements, that the Council needs to be cautious when looking to change regulations. He suggested that perhaps it became an issue because enforcement,

throughout the years, was not as it should be. Commissioner Sickels said he would be looking forward to all members articulating their positions at the upcoming Codes Council meeting.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council minutes of the last two meetings were included in the Commission packets. At the meeting on February 21st, a representative from PEOSHA and Department of Labor gave a presentation on PEOSHA which many of the Council members found to be very eye-opening. PEOSHA will be having an outreach program going on throughout the State to keep the fire service better informed. Chief Kramer added that the Department of Labor just announced that there would be five regionally-scheduled programs to be offered throughout the State.

In regards to the RIC guidelines, Commissioner Wood said there has been a change of chairman of that committee. William Itinger has stepped down from that post and Michael Corbo has assumed the position of Chairman. In the wake of this change, the Training and Education Council will be reviewing the guidelines at the next meeting.

Commissioner Wood reported that the overall pass/fail rate of the Firefighter I program is 90%. This includes all three tests that can be taken, so essentially only 10% fail on their third attempt at passing. Commissioner Wood feels that this is a great rate and a sign that the training program is working very well.

Two members of the Training and Education Advisory Council have resigned – Chuck Aughenbaugh and Jack Rindt. Commissioner Wood thanked them publicly for all their great work on the Council. Commissioner Wood made a motion that Pat Bigoss and Richard DeGroot be appointed in their places. The motion was seconded by Commissioner Naylis and passed unanimously.

The next meeting of the Training and Certification Advisory Council will be on April 10th at the Dempster Training Center at 10 am.

***Jersey City Mayor Jeremiah Healy stopped into the Fire Safety Commission meeting to welcome everybody to Jersey City. Mayor Healy expressed great pride in Jersey City's own fire department, as well as thanked the Fire Safety Commission for all the hard work they do on behalf of New Jersey's citizens and firefighters.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the push to get data in from 2011 is still ongoing. Most fire departments have submitted their data by now, but there are some that are lagging. Commissioner Naylis urged anyone who had not yet submitted their 2011 data to do so as soon as possible. Still, the NFIRS Unit has seen participation from around 95% of fire departments, which is an outstanding number when you consider that

reporting is not mandatory in New Jersey. This number far exceeds many, many states where NFIRS reporting IS mandatory.

Commissioner Naylis expressed concern in the abnormally high number of fire deaths so far in 2012. In the first quarter of the year, there has been a significant spike in the amount of New Jersey citizens who have perished in house fires as compared to the past several years. Commissioner Naylis said the next meeting of the Statistics and Information Advisory Council would be dedicated to examining this data closely and trying to come up with some determination as to its cause. They are hoping to be able to see whether there is a correlation amongst these fire deaths that can be address with some form of action, or if this particular period of time is an outlier. Chairman Wisniewski asked that Commissioner Naylis report the Council's findings at the May Commission meeting.

Commissioner Naylis also spoke about the "wire-down" incident that resulted in a discussion about fire department liability when dealing with the utilities. Commissioner Potts spoke about emergency responders and the utilities coordinating on the local level to avoid confusion in these types of incidents. Chairman Wisniewski said he had not yet heard back from the Office of Legislative Services on this issue. Chief Kramer said he has been in contact with the Board of Public Utilities on this very issue and both sides are working to set up a meeting about it. Chief Kramer's concern is that the fire service simply does not have the personnel and/or resources to cover every utility-related issue in extreme circumstances.

4. Master Planning and Research Advisory Council

In the absence of Commissioner John Lightbody, no report was given.

5. Public Education Advisory Council

Commissioner Daniel DeTrollo reported that the Public Education Advisory Council met on March 14, 2012, at the Middlesex County Fire Academy in Sayreville. Commissioner DeTrollo spoke about the ongoing "Fire Is" campaign. The Division of Fire Safety is continuing to push the "Fire Is..." educational program through the County Presidents of the NJ Fire Prevention and Protection Association. It is our hope to have a Fire Is representative/advocate at the county level – in every county – so that people interested in implementing the program on the local level can get immediate assistance. Jerry Clark continues to work closely with Dr. Frank Field on developing new ways to push this initiative.

Commissioner DeTrollo reported that the 2012 FIRE Bowl will be returning all six participating school districts from last year. They are: Bayonne, Belleville, Camden, Carteret, Freehold, and Jersey City. There were a few new districts that had shown interest in entering this year, but in the end they did not come on board. One district, Jefferson Township, will be observing this year's program in hopes of joining in 2013. The FIRE Bowl sponsors will all be returning from last year. They are: Hartz Mountain

Industries, NJ State FMBA, Joshua Marcus Group, IMTT-Bayonne, and Kean University. The FIRE Bowl trip to Middlesex County Fire Academy is set for **March 30th**. The final event will be at Kean University on **May 18th**. Start times for both are 10:00 AM. All Commission members are of course welcome to attend.

The 2011-2012 NJ Fire Safety Poster Contest is underway and all information regarding it is posted on the front page of the Division of Fire Safety website. All poster entries were due to the County Coordinators by March 15th. A lengthy debate took place on what to do about computer-generated posters. They are currently allowed to be entered into all categories and there is a question as to whether they should be separate. It was Charles Lavin's thought that this will create a problem with the amount of prizes need (see: money) and will begin a slippery slope of separating all different types of art. It also implies that doing a graphic design is somehow much simpler and creates the concept for you. Ultimately these posters are judged on the merit of their fire safety message and how effectively it is illustrated – regardless of what medium is used.

As of today, the smoke detectors from the ABC Save-a-Life program have not been received, but they are expected to come in any day. It is still unknown as to exactly how many detectors will be donated and how many (if any) will be the 10-year sealed battery type of smoke detector. It has been discussed that in future years, it may become an option to get the 10-year detectors – or even CO detectors – in place of regular smoke detectors, but in lesser amounts. When the smoke detectors are received, they will once again be housed at the Kinder Morgan facility in Carteret. People can contact Charlie Luxton at the Division of Fire Safety for more detailed information on how to get them.

Commissioner DeTrolgio asked Chairman Wisniewski for an update about the fire extinguisher bill. Chairman Wisniewski answered that new legislation is being drafting that would repeal the old law, but also urged the Commission members to be instrumental in educating the legislators and public about why the old bill is a bad one. Vincent Corsaro added that hardware stores are now making fire extinguishers returnable so that homebuyers can circumvent the old law and not have it cost them anything.

Commissioner DeTrolgio added that, led by Jerry Clark, the Division of Fire Safety has been collaboratively working to make their brochures bilingual (English and Spanish). Many Spanish-speaking staff members have contributed to this project and all brochures will be posted online. Some of the Council members suggested the possibility of adding even more languages to the arsenal of brochures – specifically Korean and Mandarin.

The next meeting of the Public Education Advisory Council is scheduled to take place at 10 A.M. on Wednesday, May 9, 2012 at the Middlesex County Fire Academy.

6. Firefighter Safety and Health Advisory Council

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

7. Juvenile Firesetter Prevention Advisory Council

In the absence of Commissioner Paul Hartstein and Commissioner Kathleen O’Leary, Charlie Luxton from the Division of Fire Safety gave the report of the Juvenile Firesetter Prevention Advisory Council. The Council met on March 8th at the Burlington County Emergency Service Training Center.

Mr. Luxton reported that the 10th Annual Juvenile Firesetter Conference is being planned and classes are starting to be put together. The Division of Fire Safety will once again be partnering with the International Association of Arson Investigators and Kean University. The programs and speakers that will be featured will take shape as the year goes on, but Mr. Luxton is hoping to get Dr. O’Neil of the National Fire Academy to be the keynote speaker.

Mr. Luxton also reported that there would be a Juvenile Firesetter Intervention Specialist I course held at Middlesex County Fire Academy on April 11-12. This course is currently sold out and there is a waiting list to get in. Another JFS1 program is being put together for May 19th and 20th in Salem County.

Mr. Luxton spoke about the Juvenile Firesetter Prevention Advisory Council wanting to get some representative from the Attorney General’s Office to attend their meetings. This could be useful, especially when dealing with the need for law enforcement to alert Juvenile Firesetter Programs when incidents occur.

The next meeting of the Juvenile Firesetter Prevention Advisory Council will be Thursday, May 10, 2012, at the Middlesex County Fire Academy at 10 am.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Naylis said there was nothing to report from the Residential Sprinkler Committee at this time. Chairman Wisniewski said that legislation was introduced during the last session and ultimately pocket vetoed. He said they will be trying to get Residential Sprinkler legislation passed again, and has gotten the impression from the executive branch that the door is not completely closed on this possibility. Chairman Wisniewski will continue to advocate for the Residential Sprinkler bill going forward.

H. Old Business

Commissioner Stanley Sickels asked for an update about the SCBA cylinder issue, where certain bottles violate NIOSH regulations. Chief Kramer answered that – about a year ago- the Division of Fire Safety met with the Department of Labor, Department of Health, and Attorney General’s Office and it was thought that the cylinders would ultimately be permitted. This turned out to be incorrect. These cylinders, which were not tested with an SCBA unit from a different manufacturer, violate the regulations. Chief

Kramer understands that many fire departments have spent a lot of money on these cylinders that they now cannot use. Chief Kramer suggested getting all these fire departments together to try and make a coordinated effort in working on rectifying this issue – whether it’s a class-action suit, etc. Chairman Wisniewski agreed that it would be advantageous to have these communities (and their fire departments) acting jointly to pursue a solution. Commissioner Sickels agreed with this, and added that for many departments – particularly smaller ones – this has been a significant financial hit.

I. New Business

Commissioner Stanley Sickels thanked Chief Kramer for once again holding a County Presidents meeting, held on March 9th, which was extremely informative and productive. This was the first County Presidents meeting in nearly 18 months. Commissioner Sickels looks forward to continuing these meetings, hopefully on a quarterly basis.

Commissioner Stanley Sickels announced that the New Jersey Fire Prevention and Protection Association has named James McCready from Toms River as Fire Protection Inspector of the Year.

J. Public Comment II

Vincent Corsaro from Jefferson Township took a minute to publicly thank Chief Kramer and the Division of Fire Safety for their help on an issue that was raised at the last Commission meeting. Morris County had been experiencing high failure rates for fire inspectors being tested on the fire prevention code. Chief Kramer and his Training Unit staff were able to identify the problem and acted swiftly to get everybody up to speed. Mr. Corsaro echoed the sentiment of Commissioner Sickels and also thanked Chief Kramer for once again holding a County Presidents meeting.

Irwin Kreisburg from the Department of Labor spoke about a “presumptive illness act”. This is a concept, and law, that requires firefighters to be covered for several diseases, including forms of cancer, that it is presumed has come from the health hazards of the firefighting profession. Several states have this law on the books, but New Jersey does not. Mr. Kreisburg suggested that the Fire Safety Commission look into this and advocate for it in the State of New Jersey. Assemblyman Wisniewski said he would certainly look into it. Chief Kramer said this was something that Commissioner Mercurio had championed in the past, and believes it may have gotten as far as the Governor’s desk. Chairman Wisniewski feels that this is worth another look.

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 11:28 am.

*** The next meeting of the Fire Safety Commission will be held on Wednesday, May 16, 2012 at 10am. It will be held at the Monmouth Junction Fire Headquarters in Monmouth Junction, NJ ***