

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

Meeting of July 19, 2017

The New Jersey Fire Safety Commission meeting was held on Wednesday, July 19, 2017 at the Toms River Fire Academy in Toms River, NJ.

Commission Members Present: Assemblyman John Wisniewski, Chairman
Mr. Kevin Krushinski, Vice-Chairman
Assemblyman Anthony Bucco
Mr. Stanley Sickels
Mr. Lawrence D. Wood
Mr. Roger Potts
Mr. Pasquale Intindola
Mr. Richard Blohm
Mr. Daniel DeTrollo
Ms. Kathleen O’Leary
Mr. John Lightbody
Mr. Steve O’Gorman
Mr. Kevin Bellew
Mr. Arthur Londensky

Commission Members Excused: Mr. Armando Roman
Mr. Fred Collender
Mr. Gerard Naylis

DCA Staff Members Present: Lou Kilmer, NJDFS Acting Director
Rick Farletta, NJDFS
Frank Clark, NJDFS
Jason Speicker, NJDFS
Charles Lavin, NJDFS
Craig Augustoni, NJDFS
Jerry Clark, NJDFS
Michael Whalen, Codes and Standards

Guests: Tony Correia, NFFF/NJFEMSI
John Garton, NJDOL/PEOSH Ronald McGowan Jr, Wildwood Crest Fire
Pat Bigoss, Camden Co. College Bill Gee, Ocean County Fire Prevention
Al Fecci, NJAFED/Jersey Coast Fire David Kurasz, NJFSAB
Rich Heimbach, Master Planning Craig Bierbaum, Ultimate Protection Group
Rich Silvia, NJFPPA Anthony Tarantino, Newark Fire Officers
Carole Lightbody, Atlantic Const. John Kubilewicz, Pine Beach FD

A. Call to Order

Chairman John Wisniewski called the meeting to order at 10:12 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 May 17, 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.

Representing a group of concerned citizens who are working on the issue of conflagrations in large-scale wood housing, Alexi Assmus spoke about a recent meeting of the Fire Code and Building Code Action Committees. She has been involved closely with those groups and they have been working on modifying the codes to focus more on preventing the loss of hundreds of homes from a single fire. She used a medical study from the Station Night Club fire to illustrate the wide-ranging effects of a major fire – even for those that hadn't suffered an injury or death. She also spoke about a recent fire in Chesapeake, VA as another example of these types of large-loss fires.

Kip Cherry spoke on the same issue and emphasized the point that there are numerous affordable housing projects upcoming in New Jersey that will use lightweight construction. She asked that the Fire Safety Commission do all they can to advocate for the residential sprinkler bills put forward by Assemblyman Wisniewski to prevent a catastrophe in these buildings. Paul Driscoll also spoke on this topic and thanked the Fire Safety Commission for all the work they do in calling the public's attention to this issue. He stressed that the health and safety of citizens should be our top priority, and this is why they have been persistent in speaking with legislators to get something done.

Anthony Tarantino, Presidents of the Newark Fire Officers Union, spoke about a recent debate at Fire Safety Commission meetings in regards to recruit fitness. His contention was that there is no test that can measure [guts]. He said that if you weed out the true firefighters based on a test - the ones who have the guts, calmness, experience and know-how - the fire service will be weakened and the citizens that those firefighters are protecting will be less safe.

Bill Duffy from the Department of Health/Office of EMS said the EMS Council has adopted a culture of safety and is working to make things safer for those volunteers and career personnel who are out working in the ambulances. Mr. Duffy wanted to make sure the fire service side of emergency response knew that they were moving forward in this realm.

Anthony Correia from the New Jersey Emergency Services Health & Fitness Coalition gave a presentation on functional fitness for recruit firefighters. Mr. Correia stressed that their work is geared towards using best practices and data from health and fitness professionals to help ensure that firefighters enjoy long, healthy careers and lives. He presented a number of recommendations for firefighters and fire departments to be proactive in keeping firefighters safe, healthy, and effective. He stressed that implementing these recommendations do not have to be punitive or be geared towards keeping anyone out of the fire service. Mr. Correia provided additional data related to firefighter injuries, health insurance claims, and health risks that firefighters face due to the unique physical demands of the job.

In response to Anthony Correia's report, Commissioner Richard Blohm questioned Commissioner Lawrence Wood on the Training and Education Advisory Council's ability to get a quorum at their meetings. This was brought up because of Anthony Correia's claim that the Training and Education Advisory Council is overwhelmingly in favor of the recommendations on firefighter recruit fitness. Commissioner Blohm warned that there is legal liability, as well as a detriment to firefighters and the fire service, to mandating a fitness test.

Commissioner Blohm also spoke about these requirements being a hindrance to volunteer recruitment and retention – an area that the volunteer fire service is already struggling. Commissioner Blohm also brought up the issues of state mandate/state pay and the fact that the testing would be too subjective. Commissioner Blohm thanked Mr. Correia for all his work on this area, and agreed that they should be educating firefighters on health, fitness, nutrition, etc. – but he disagrees that there should be any kind of mandate or test involved. He also cited a conversation with Mr. Correia that the goal would be for both recruits and veteran firefighters to be tested. Commissioner Stanley Sickels added that with weakening codes, lightweight construction, and limited resources – mandating this kind of test would hurt volunteer recruiting at a time when manpower is at a premium.

David Kurasz from the NJ Fire Sprinkler Advisory Board requested that a roster of the Fire Safety Commission – complete with the organizations that each member represents – be disseminated at a future meeting. Charles Lavin agreed to supply that list in the meeting packets at the next meeting on September 14th.

E. Division of Fire Safety Activities

Acting Director Louis Kilmer began his report by following up on a few items from the previous meeting. Commissioner Gerard Naylis had asked that a couple of bills be added

to the Legislative Report and that was done – a new, updated report was distributed in today’s meeting packets. Also, Commissioner Blohm had inquired as to whether the NJ Division of Fire Safety (or Kean University) received federal funding for training as a “State Fire Academy”. Commissioner Blohm was directed to Training Supervisor Kent Neiswender, who informed him that they do not. Commissioner Blohm raised this issue because a certain amount of federal funds is earmarked for one state fire academy, and he is going to pursue this through Congressman Pascrell to see if some funds could be obtained to aid firefighter training in New Jersey.

Chief Kilmer reported that the main focus of the spring and summer to this point has been working on regulation changes. On September 15th, virtually all of the NJDFS’s regulations expire so they are working on getting them into the New Jersey Register. Currently the IMS regulations have passed the DCA Commissioner and Governor’s Office and is set to come out on August 7th. The one significant change there is changing the timekeeping on an incident from time of arrival to the time of first call. There were a few other minor changes. Also, the Contractor Certification regulations and Disability Emblems have also been proposed for readoption and are set to come out on August 7th as well. The Training regulations have been reworked considerably by Kent Neiswender with input from the Training and Education Advisory Council. Everything within those regulations has been updated concerning the Fire Inspector class and test. There are also approximately 60 new certifications that are proposed to go in line with the state’s ProBoard and IFSAC certifications. Chief Kilmer stressed that these are voluntarily certifications, NOT mandatory.

Chief Kilmer reported that Division of Fire Safety personnel has been working tirelessly on the Fire Code and as of yesterday passed the Governor’s Office. DCA Commissioner Charles Richman has been extremely supportive on this, and all the regulations, and would not have been able to move forward without the help of him and his staff. Commissioner Stanley Sickels asked if there had been any changes made to the code since it had been submitted by the Codes Council and Chief Kilmer said no, not to his knowledge. Some of the notable changes concerned 10-year sealed battery smoke alarms, cooking trailers, self-storage warehouses, hospitality rooms, and it also allows for electronic record-keeping for local enforcing agencies moving forward. Also included is the propane tank labeling that includes both text and graphic. Chief Kilmer also reported that the proposed increase on fees (29%) came out in the New Jersey Register in June and the comment period wraps up on August 4th.

On the topic of firefighter health and fitness, Chief Kilmer reported that the Division has been working with Kean University on offering some additional courses this fall that focus on this. Also, the CO detector regulations were adopted and the enforcement of those will go into effect in early September.

The NJ Division of Fire Safety was able to fill the Arson Investigator position that was vacated with the retirement of Jeff Silver. That position was filled by Joe Jackson, retired Police Chief from Berlin Twp., who was added to the Unit. Also, Chief Kilmer has dedicated a few staff members to tracking down unpaid registration fees and that group

has done a tremendous job in collecting \$1.68 million – 60 percent of which will be sent directly back to the local enforcing agencies.

The annual Homeland Security Conference was held on June 1st at Kean University and was extremely well received. The NFIRS Unit is currently working on the next Fire In New Jersey report, and the RIMS system is continuing to be developed and updated.

Chief Kilmer reported that, with the passing of legislation allowing for certain types of fireworks to be sold in New Jersey, the Division of Fire Safety is working on an informational guidance bulletin on how to deal with this going forward. Also, the Division is roughly 1,000 inspections ahead of schedule for 2017 and Chief Kilmer thanked the Inspections Unit for their dedication.

Vice-Chairman Kevin Krushinski asked about the Carbon Monoxide detector regulations and whether there would be a guidance document on this coming from the Division of Fire Safety. Chief Kilmer answered that he is hopeful to get something out soon on this, but there just has not been the available staff to put that together to date. Michael Whalen from Codes & Standards spoke about a recent UCC article in regards to the new Carbon Monoxide regulations.

Vice-Chairman Krushinski also spoke about an issue about the jurisdiction of County Fire Marshals and County Prosecutors Offices. Chief Kilmer said that he would look into the matter. Vice-Chairman Krushinski also asked about a recent bulletin regarding the mental health of firefighters and fire officers. Chief Kilmer said it was a general document so as to be sensitive to recent events, but it was geared towards the fire service being cognizant of their brother and sister firefighters' mental well-being.

Commissioner Stanley Sickels asked if there was a date of publication determined yet for the Fire Code. Chief Kilmer said it depends on how it progresses through OAL and he is hopeful that it will be done in early September.

Commissioner Richard Blohm asked about all the training regulations that have been submitted and whether there would be an opportunity for input on them. Chief Kilmer answered that yes, it would be his recommendation to have the various Advisory Councils examine the regulations and get each of their input on them. Commissioner Blohm also expressed concerns with web-based trainings in certain instances and asked specifically about whether Firefighter I and II courses would be moved to an online format. Chief Kilmer said that clearly not all training can be done on line (any practical, demonstrations, etc.) – but it is certainly conceivable that some of the modules could be done online if the programs are reworked. At this point, Chief Kilmer said he is unsure where this is going, but it does not foresee the day when all firefighter training is moved to a fully online platform.

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

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Pat Intindola reported that the Codes Advisory Council met on June 21st at Middlesex County Fire Academy and the minutes from that meeting are in the Commissioners' packets. The Codes Council discussed the new Carbon Monoxide regulations and the question was raised whether they would have to be hard-wired. Mike Whalen from Codes & Standards confirmed that they would have to be hard-wired in new construction. On existing construction, battery-powered or plug-in CO detectors are acceptable. The Codes Council requested a bulletin containing guidance on these regulations be put out by the Division of Fire Safety.

Commissioner Intindola expressed that he was glad to hear the 2015 Fire Code had passed the Governor's Office, and they will be awaiting its appearance in the New Jersey Register in September. Commissioner Intindola also reported that the Codes Council made further progress in regards to the Fire Protection Color Tag System, Subchapter 3, and Subchapter 4.

Commissioner Intindola also spoke about the Fire Code Analysis Subcommittee, which is headed up by Glenn Corbett. This Subcommittee has submitted a report and Commissioner Intindola is hopeful to share it with the rest of the Fire Safety Commission at an upcoming meeting. Commissioner Stanley Sickels added to this by speaking to the fact that there is no mandate that a State-initiated report or study (in regards to cause/effect or prevention, etc.) be done in the wake of large-loss fires. Commissioner Sickels explained how the Fire Safety Commission was actually born out of three large fires, with numerous fatalities, and that kind of analysis must continue. We need to learn the impacts of these fires, the long term effects, how to make firefighters and citizens safer, and how to work towards preventing them going forward.

The next meeting of the Codes Advisory Council meeting is scheduled for August 16th at 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 June 20th at the Dempster Training Center in Lawrenceville. The minutes of that meeting are containing in the Fire Safety Commission meeting packets.

Commissioner Wood spoke about the IFSAC and ProBoard accreditations that are set to expire in 2018 after a five-year cycle. The Training and Education Council will be working on the re-accreditation of these, as well as the initial accreditation of some new programs.

Commissioner Wood also reported that there was a robust discussion on the length of time required for a Firefighter I course and the subsequent need for the program to be

moved more online. Jones & Bartlett does have a lecture series online, but it was Commissioner Wood's feeling that there would need to be a pilot program to examine how well it would work. In reference to the prior comment on the Training and Education Advisory Council having a quorum at meetings – they did not have one at the most recent meeting and have been working on holding electronic votes.

In regards to the firefighter recruit fitness issue, Commissioner Wood stressed that it was the Fire Academies that came to the T&E Council citing a problem that warranted looking at. The Council did not initiate this with the goal of punishing or excluding any potential firefighters or looking to weaken the fire service in any way. The goal of the Council was to provide the Academies with the most accurate and relevant information so that they can examine, and potentially solve, their respective problems. Commissioner Richard Blohm commented that Bergen County Fire Academy has never had a training class held back by a recruit or student being physically unfit. There are, of course, cases where a recruit or student needs extra help or training for one reason or another, but they are worked with more independently of the class so as to keep them up to speed.

The next meeting of the Training and Education Advisory Council is scheduled for August 15th at the Dempster Training Center in Lawrenceville.

3. Statistics and Information Advisory Council

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

4. Master Planning and Research Advisory Council

Commissioner John Lightbody reported that a meeting of the Master Planning and Research Advisory Council met on June 12th at Toms River Fire Academy in Toms River. The minutes from that meeting are contained in the Fire Safety Commission meeting packets.

Commissioner Lightbody spoke about the Council's lengthy discussion on Shared Services. They examined the issue of cutbacks to the Atlantic City Fire Department and how that has – and will continue to have – a negative impact on fire and life safety for the city's residents and visitors. Commissioner Lightbody spoke about shared services and the strain that these types of cutbacks put on the surrounding departments as well. Rich Silvia recounted the situation in Harrison where the department was relying heavily on mutual aid and it eventually resulted in a contentious situation where Jersey City firefighters were injured fighting a fire in Harrison. While the fire service is always prone to helping out their neighboring department, it becomes a big problem when one of those neighbors is severely understaffed or underequipped and takes advantage.

On the topic of Lightweight Construction, Commissioner Lightbody outlined the various pieces of legislation that are currently out there that would regulate building sizes of structures using lightweight construction and/or the fire sprinkler systems that would be required in them. A lengthy discussion took place on how these large-loss fires – which

continue to occur throughout the US and beyond. It is hoped that some legislation on residential sprinklers will eventually be signed into law – whether it is done by the current Governor or the next one.

On the topic of Recruitment and Retention, Commissioner Lightbody spoke about the changes in mentality of today's volunteer firefighter has continued to deplete the ranks. Volunteers are no longer sticking with the process and the job as long due to time/financial constraints, longer commutes out of town, lack of interest/connection to the community, and numerous other reasons. Commissioner Lightbody lamented the fact that LOSAP has not been able to greatly incentivize volunteer firefighter, but stressed that the fire service must pursue newer and more creative ways to bolster its staffing levels.

The Master Planning and Research Advisory Council has also been discussing the possibility of a one-day retreat or workshop that includes all facets of emergency responders to identify the challenges they face collectively today and explore how to solve them.

The next meeting of the Master Planning and Research Advisory Council is scheduled for later today, July 19th at the Toms River Fire Academy.

5. Public Education Advisory Council

Commissioner Daniel DeTrollo reported that there had not been a meeting of the Public Education Advisory Council during the summer months, but referred to Charles Lavin to give an up-to-date overview of the Public Education programs from the Division of Fire Safety.

Mr. Lavin reported that, for the first time, the Division will be offering a centralized training event geared towards Public Education. In partnering with NFPA, the Inaugural New Jersey Fire Safety Summit has been planned and will take place from 3PM-8PM on November 29, 2017. It will be held at the Sheraton Edison – Raritan Center. Registration for the program is free and this includes dinner. Topics will include High Risk Populations, Youth Programming, Carbon Monoxide, Youth Firesetting, Smoke Alarm Installation & Canvassing, and many more.

Also, Mr. Lavin reported that he and Jerry Clark had recently met with Atlantic City Electric in regards to publishing the annual "New Jersey Fire Safety Calendar". Mr. Lavin announced that Atlantic City Electric has generously agreed to increase their sponsorship of the program and will be printing 7,000 calendars to be distributed throughout New Jersey. Mr. Lavin said that calendars will most likely be available in September and to look for them at the next Fire Safety Commission meeting.

In regards to the Operation Save-a-Life program, Mr. Lavin reported that two smoke alarm distribution events were held in June (one Northern NJ, one Central NJ) where the bulk of the 5,000 alarms were given out. A limited number are still available for

departments that have not claimed their supply for 2017, and they can be obtained by making arrangements with Mr. Lavin at the NJDFS.

6. Firefighter Safety and Health Advisory Council

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council met on June 12th at Middlesex County Fire Academy. The minutes of that meeting are contained in the Fire Safety Commission meeting packets. Commissioner Blohm reported that the Forest Fire Service has indicated they've experienced a very slow season thusfar. Fires are down by two-thirds and destroyed acreage is down to 25% of what was destroyed last year.

On July 5, 2017, the New Jersey Department of Labor adopted the Federal Globally Harmonized System (GHS). Also, the Council's Subcommittee is going to reach out for Dr. Goldstein from the Department of Health to work on the Guidelines for Emergency Management of Firefighters (aka "Pink Book")

The next meeting of the Firefighter Safety and Health Advisory will be held on September 13th at the Middlesex County Fire Academy in Sayreville.

7. Youth Firesetter Prevention Advisory Council

Commissioner Kathleen O'Leary reported that the Youth Firesetter Prevention Advisory Council had not met during the summer months, but the Council is continuing to work on issues related to the new fireworks legislation and novelty lighters.

Commissioner O'Leary asked Charles Lavin to comment on the planning of the upcoming 15th Annual New Jersey Youth Firesetter Intervention Conference. Mr. Lavin said the Conference is set to take place at Middlesex County Fire Academy on November 30th and December 1st. Registration will open on September 11th, and the theme is "Moving Traditional Approaches Into the Future". The Keynote Speaker will be Thomas Olshanski, Director of External Affairs at the United States Fire Administration. There will be nine other courses offered by instructors who are coming from across the country to attend.

The full Youth Firesetter Conference program and registration information will be released in late August and copies will be available at the upcoming Fire Safety Commission meeting in September.

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

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

H. Old Business

Commissioner Stanley Sickels asked about the Proposals Log and the section having to do with high-rise regulations. Commissioner Sickels asked – given the tragic high-rise fire in London recently – if they would be able to capitalize on the attention to this matter. Commissioner Sickels thought this would be an ideal time to reopen a dialogue with the DCA Commissioner on the topic of high-rise regulations. Chief Kilmer said that, in all likelihood, those proposals will not be moving during this administration. Chief Kilmer said there is certainly validity in revisiting this, but it would most likely have to wait until after January 2018. Commissioner Kevin Bellew requested that an updated list of high rises in New Jersey be disseminated to the Fire Safety Commission members when possible.

I. New Business

Chairman Wisniewski drew the Fire Safety Commission's attention to Assembly Bill A5076 that is contained in the Commission packets. It concerns adding four members of the public – with knowledge of the fire service – to the Fire Safety Commission. Chairman Wisniewski talked about expanding the reach of the Commission and bolstering attendance.

Commissioner Arthur Londensky spoke about how local enforcing agencies are losing money back to the general fund of their municipalities when a shared service is outsourced. It was discussed how to prevent this, whether through regulations or legislation, and Assemblyman Wisniewski said to would look into the issue further.

Vice-Chairman Kevin Krushinski made a motion that the Fire Safety Commission officially supports Assembly Bill 5076. The motion was seconded by Commissioner Wood and passed unanimously.

Commissioner Richard Blohm publicly thanked Anthony Correia for all his hard work, and multiple phone conversations, his has done in the name of firefighter health and fitness and providing reports on the topic. Commissioner Blohm asked that the Fire Safety Commission table taking any action on the firefighter recruit fitness at this time. Commissioner Sickels agreed but urged the Commission to continue to evaluate and study the effects of firefighter health, safety, and fitness.

J. Public Comment II

Anthony Correia stated that the New Jersey First Responders Health and Safety Coalition will continue to seek out and disseminate the best information available in regards to firefighter health and fitness. Jimmy Keegan from the Cherry Hill Fire Department also spoke on this issue and stressed the need for assessing the health and fitness of firefighters working today. Mr. Keegan said that the fire service needs to recognize that the same job is being done by less and less people, and therefore the risks for overexertion are becoming greater. By not assessing the physical capabilities of

firefighters, Mr. Keegan feels you are putting them at risk and this is why so many are being injured and killed. While understanding the need for manpower, that need cannot put human lives at risk and something needs to be done. In response, Commissioner Blohm spoke about unfit individuals taking firefighter recruit training essentially weeding themselves out as the demands of the job become apparent – but to have a mandatory test prior to the training, or during a firefighter’s career, would be a detriment.

Craig Bierbaum expressed his disagreement with moving firefighter recruit training into an online format. He stressed the importance of that training being a back-and-forth between teacher and student, and for a job like firefighting where lives are at stake that focused learning needs to be there. Mr. Bierbaum also expressed support for the potential retreat/summit/etc. that Commissioner Lightbody spoke about during his report.

Pat Bigoss from Camden County College spoke on the debate regarding online training for recruit firefighters. He expressed that doing online training is extremely effect, and in some cases it is more effective online than it is in person. Clearly not all firefighting training can be done remotely, but his feeling is that the fire service could benefit from updating the way it trains its firefighters. He stressed the importance of the fire service changing with the time to service today’s firefighters and not just always sticking to the “tried and true” way.

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 12:18 pm.

*** The next meeting of the Fire Safety Commission will be on Thursday, September 14, 2017 at 10am. It will be held at the Wildwood Crest Fire Department in Wildwood Crest, NJ ***