

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

Meeting of November 16, 2022

The New Jersey Fire Safety Commission meeting was held on Wednesday, November 16, 2022 at the Atlantic City Convention Center in Atlantic City, New Jersey.

Commission Members Present: Mr. Kevin Krushinski, Chairman
Asm. Kevin Rooney
Mr. Lawrence D. Wood
Mr. Raymond Heck
Ms. Kathleen O’Leary
Mr. Armando Roman
Mr. Nelson Wiest
Mr. Karl Spinner
Mr. Kevin Bellew
Mr. George Aleu
Mr. Paul McGrath
Mr. John Wisniewski
Mr. Steve O’Gorman
Mr. Richard Blohm

Commission Members Excused: Asm. Kevin Rooney
Mr. Arthur Londensky
Mr. Fred Collender
Mr. Arthur Hayducka

DCA Staff Members Present: Richard Mikutsky, NJ State Fire Marshal
Louis Kilmer, NJDFS
Donald Nelsen, NJDFS
Charles Lavin, NJDFS
Lenny Inzerillo, NJDFS
Ashley Bledsoe, NJDFS

Guests: Joseph Jubert
Scott Trythall
John Garton Stan O’Brien
Chris Willms Joseph Tompey
Fred Fritz Lee Eggert
James Schmidt Steve Smith
Patrick Mason Shawn Layton
Patrick Dolgos Nick Lombardi

Brian Murray
Charles Wells
Richard Silvia
Steve Curry
Kate Triggiano
Kent Mezaros
Ross Kownatsky
Andrew Williams
Shaun Dannenfelser
Alfred J. Cirelli
James Gillespie
Dean Manente
Marc Strauss
Robert Echavarria
Scott LaMorticella
Karen Grant
Scott McCormick
Steven Spurr
Brian Pericone
Brian Wahler
Kenneth Schulz

Ronald McGowan Jr.
Vincent Corsaro
David Porter
Scott Oatman
Angela Morello Lange
David Kurasz
Paul Cafone
Joseph Przybylinski, Sr.
Mike Christensen
Michael Famularo
Bruce Mizak
Cory S. Spillar
Michael Nunn
Anthony Correia
Phil Mancini
Brian McDade
Nicholas S. Buroczi
Joseph Frain
Wayne Lyon
Alberto Garcia
Paul T. Dansbach

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:02 AM. He led the meeting with the Pledge of Allegiance and a moment of silence for those recently lost in the line of duty and the men and women serving our nation overseas.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of September 15, 2022, were approved as submitted.

C. Correspondence

Chairman Krushinski noted that any and all correspondence for today's meeting was contained in the Commission packets.

D. Public Comment I

Chairman Krushinski opened up the meeting to any members of the public present wishing to address the Commission.

Lee Eggert from Tuckerton spoke for the second straight meeting about the sanctions levied against his son and the Tuckerton Fire Department from the NJ Division of Fire

Safety. His claim once again was that the allegations are false and are being appealed. He specifically accused NJDFS staff members of lying about the situation regarding his son and asked that they visit Tuckerton to deal with it. State Fire Marshal Richard Mikutsky answered that he can not comment on Mr. Eggert's situation since it is in the appeal process, but did express support and confidence in the work done by his staff on the matter. He also made it clear that the Borough of Tuckerton closed their fire department based on what was going on, not the State of New Jersey/NJ Division of Fire Safety.

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

E. Division of Fire Safety Activities

Director Richard Mikutsky began his report with good news, announcing that the grant recipients of the American Rescue Plan Firefighter Grant Program had been named last week. The Grant Program's aim is to help local and regional fire departments in New Jersey provide their first responders with proper protective, cleaning, and sanitization equipment. 348 applications were received and 293 were granted, totaling \$10 million. Director Mikutsky congratulated all the recipients.

Director Mikutsky reported that the 2022 New Jersey Youth Firesetter Intervention Conference is set for December 1st and 2nd at Middlesex County Fire Academy in Sayreville. Registration information is on the Kean Fire Safety website and will be open until November 22nd (or when all classes reach capacity). Director Mikutsky also reported on an upcoming Holiday Safety Demonstration – scheduled for December 5th at Monmouth County Fire Safety. This demonstration is done in partnership with the NJ Fire Sprinkler Advisory Board, Sprinkler Fitters Local 696, the staff at Monmouth and the NJ Fire Safety Commission. He urged all Commission members to attend.

The New Jersey Division of Fire Safety recently renewed the contract with Rutgers Mental Health for the Fire & EMS Crisis Hotline, so Director Mikutsky was glad to report that this partnership and vital service will continue. Also, the FireStat meetings on the HSIN network will continue to be held weekly on Wednesday mornings.

Director Mikutsky reported that Senate Joint Resolution-23 was recently approved, designating October as First Responder Appreciation Month. He also reported that a date had been set for the 2023 Homeland Security Conference. It will be held on Tuesday, June 6th at Kean University.

The NJDFS's Arson Investigations Unit reported that they have done 344 investigations so far in 2022 – well ahead of 2021's all-time high of 324. There have been three recent medical line of duty deaths:

*September 30 – Keyport Chief Tim Pflieger due to medical complications from a vehicle accident in July.

*October 24 – Westwood Firefighter Kevin May due to cardiac complications after a fire call.

*October 30 – Upper Saddle River Firefighter Alex Moss due heart attack after a fire call.

The NJDFS is currently working on another possible line of duty death from Burlington County where a disability-retired firefighter passed away due to presumptive occupational cancer. New Jersey has a presumptive cancer law for worker's compensation for both career and volunteer firefighters, and federal benefits can be claimed for certain cancers if they can be attributed to specific incidents/exposures.

The Arson Unit staff recently assisted with instructing the NJ-IAAI 80-hour Basic Fire Investigator course, and the NJ Forest Fire Service Wildland Fire Investigator FI-210 course. The Unit was also involved in the following several cases with arrests:

*Arrest made in serial arson brush fires in Wanaque; approximately 50 fires in the last 6 months.

*Arrest made in arson to multiple NJ Transit buses in North Bergen; US Marshals located suspect in New York City.

*Guilty verdict in murder/arson case from Monmouth County; NJDFS K9 Team provided critical courtroom testimony.

*Arson arrest made for fatal house fire in Trenton; NJDFS K9 Team worked the scene.

Director Mikutsky gave a report from the NJDFS Training and Certifications Unit, which reached a major milestone this past week. As of November 10th, the NJDFS has reached 200,000 issuances of DFS ID numbers. Though that may not seem exciting, it validates all the hard work that has been done on all levels of New Jersey's fire service throughout the years.

The NJDFS/Kean University budget for FY2023 was approved and issued on July 26, 2022. The Fall 2022 semester has 213 classes with a total available capacity of 10,688. There were 122 in-person classes (57%) and 91 held online (43%). The Training Unit had 10 certifications renewed and added 8 new titles. The IFSAC Reaccreditation is currently being scheduled for March 2023 and include the 8 new certifications. The Training Unit is also in the process of developing a new computer credentialing program and purchasing textbooks for both the Firefighter 1 and Firefighter 2 courses.

There is an ongoing NFPA Standards Consolidation Project that will see 91 NFPA Standards consolidated into 29. Fifteen of the NFPA Standards that New Jersey has adopted will be affected. The NJ Attorney General's Office has rendered a legal opinion that the "as amended and supplemented" language in our Fire Safety regulations, where the regulations have incorporated sections of the NFPA Standards, is sufficient to address the forthcoming changes to and recodification of the Standards.

Director Mikutsky also spoke about the numerous upcoming courses that will be offered in the near future. Included is the lineup for New Jersey Weekend, which is scheduled for April 29-30, 2023. Registration will open on January 4th at www.keanfiresafety.com.

Director Mikutsky reported on the activities of the Office of Fire Department Preparedness. They are still awaiting a certified civil service list for the position of Senior Planner, as there is currently an unfilled slot for the Delaware River Region Coordinator. The OFDP is also working on the State Fire Department survey – which is at 48% compliance – working with coordinators for updated fire chiefs contact information.

The OFDP currently has six ongoing fire department complaint investigations and has had 54 so far in 2022. They also continue to work on the CODES Project (Coordinators Deployment System) and the FirstNet updates for the communication system with coordinators. The OFDP has also reestablished the FBI Joint Terrorism Task Force personnel at the Newark Field Office.

OFDP is developing a Clandestine Operations course with the FBI WMD-Union County Fire Academy, as well as working on School Security initiatives with State Police and doing GPS mapping for county coordinators.

The NJDFS NFIRS Unit reported 399 civilian burn reports, 54 total fatal fire reports, 38 residential fatal fire reports, and 68 school fire reports so far in 2022. There are 488 out of a possible 704 fire departments in New Jersey that have reported as of November 3rd. This amounts to 69%. Several issues have been identified as to contributing factors as why NFIRS reports were not received in various departments and have been corrected (or in the process of being corrected).

Effective for December 2022, NFIRS report due dates will be changed. They will be due “As soon as possible but no later than the 5th of the following month” and will continue on that cycle. Going forward, each month’s reports will be due no later than the 5th of the month. This is a change from the 10th, which was the prior due date.

NFIRS staff are conducting a Statewide audit of all FDID numbers to verify closed or orphaned FDID numbers. They are also continuing to do data quality checks for invalid reports. Reports have been improving through Fire Incident Report Writing trainings and through corrective measures after conducting individual audits. The NFIRS Unit is also in the process of a School Fire Analysis, as school fires have doubled since this time last year. A special study on lithium-ion battery fires is being done as well and should be implemented in early 2023. All NFIRS Reports should be sent to NFIRS@dca.nj.gov

Director Mikutsky concluded his report by wishing everyone a safe and happy holiday season.

Chief Louis Kilmer began his report by talking about the School Fire Suppression Survey, which was distributed to all schools of every type throughout New Jersey. The NJDFS has been working with the original sponsor of the bill requiring this survey and has gotten clarification on what information is being sought. The survey (which is now online) now covers a number of pieces of information. Dan Timmerman from the NJDFS is working on the reports coming in (most of which are incorrect), so he will be

trying to get accurate reports going forward. This is going to take a concerted effort by the NJDFS, especially because there has not been much help from the Department of Education.

Chief Kilmer spoke about recent legislation requiring radiator covers. The bill, which was short on specifics, is now being looked at to get some clarity and/or possible amendments on this. Chief Kilmer also reported that anticipated revenue has been sent out to the Local Enforcing Agencies for next year. It appears as though we are getting back on track to the levels of pre-COVID.

Chief Kilmer reported that the civil service list for inspectors was available, but there were not a whole lot of candidates Statewide. The NJDFS is already getting towards the end of the list, so it continues to be a challenge in getting staffing up the appropriate levels. However, the NJDFS has been able to backfill many positions due to the diligence and support from Director Mikutsky and the DCA Administration.

The new computer system that will be replacing RIMS has been moving along, and a recent data conversion from one system to the other went off without a hitch. Notices have been posted and put out that RIMS will be going down at the end of 2022, but will remain for the Annual Reports. We will transition to the new system when RIMS is completely shut down on January 31, 2023. The features and functionality of the new system is being continuously tested out.

The NJ Division of Fire Safety continues its yearly inspections and is on track to complete all of them by the end of 2022. Staff is doing their very best to get this completed. The NJDFS is also dealing with the ongoing challenge of increased turnover of fire officials at the local level. The NJDFS is still awaiting word from the Governor's Office regarding the Fire Code before they can move forward with a proposal in the New Jersey Register. Once that happens, it is the NJDFS's intention to begin work on the 2021 Fire Code.

Chief Lou Kilmer spoke about his participation in the Nationwide Campus Fire Safety Forum, which was recently held at Rutgers University. A presentation was given regarding the Fire Code, as well as the tragic events that transpired with the Seton Hall University dormitory fire. Chief Kilmer also gave an update on Sober Living Facilities, which NJDFS staff are doing inspections on currently. The NJDFS is also working on updates to the Fire Safety Act.

Chief Kilmer gave an update on the Peer Review Board and submitted a list of selections to the Fire Safety Commission for their review. The NJDFS has determined these five candidates to be the best for the three regular positions and two alternate positions. Ultimately, the DCA Commissioner will decide on whether they are appointed.

Lastly, Director Mikutsky announced that Marylain Kemp – a longtime staffer of the NJDFS – will be retiring at the end of the month. Many fire service people from

throughout the state have had to pleasure of working with Marylain throughout the years, and the NJ Fire Safety Commission collectively wished her a very happy retirement.

With no additional questions raised regarding Division of Fire Safety Activities at this time, the meeting was moved to Advisory Council reports.

F. Advisory Council Reports:

1. Codes Advisory Council

In the absence of Commissioner Arthur Londensky, Commissioner George Aleu gave the report for the Codes Advisory Council. Commissioner Aleu and Chief Kilmer spoke about a recent meeting on the topic of food trucks and how they will be dealt with going forward. Commissioner Aleu spoke about keeping local fire officials informed and educated regarding the code and any updates that are presented.

2. Training and Education Advisory Council

Commissioner Nelson Wiest reported that the Training and Education Advisory Council met on October 18, 2022 at the Burlington County Emergency Services Training Center. The minutes of that meeting are contained in today's Commission meeting packets.

Commissioner Wiest stated that the main purpose of this meeting was to do a "reset" of the Council and reestablish an accurate roster of people who are actively participating. Commissioner Wiest also expressed the need for the Training and Education Council and the Tier 1 Organizations to be on the same page going forward. He also established himself as the liaison between the Advisory Council and Kean University, and made this clear to the Council members. Commissioner Wiest introduced Karen Grant from Kean, who he will be working closely with going forward.

Commissioner Wiest said the Training and Education Advisory Council will be reexamining the need for some Committees that have been dormant, as well as reevaluating the priorities and plan for the Advisory Council going forward.

The next meeting of the Training & Education Advisory Council is scheduled for December 20th at the Burlington County Emergency Services Training Center in Westampton.

3. Statistics and Information Advisory Council

In the absence of Commissioner Gerard Naylis, no formal report was available at this time.

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

In the absence of Commissioner Raymond Heck, no formal report was available at this time.

5. **Public Education Advisory Council**

In the absence of Commissioner Daniel DeTrolgio, no formal report was available at this time.

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

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council met on October 11th at Middlesex County Fire Academy in Sayreville. The minutes of that meeting are contained in the Commission meeting packets.

Commissioner Blohm spoke about the matters discussed by the Council at the most recent meeting, which included a discussion on confined spaces, a report from the Department of Labor, and updates from the New Jersey Forest Fire Service. Much of the state is experiencing some degree of ‘dryness’, making it susceptible to fire. Commissioner Blohm also reported “progress” from the NJ Department of Health.

The next meeting of the Firefighter Safety and Health Advisory Council is scheduled for December 12th at Middlesex County Fire Academy at 10AM.

7. **Youth Firesetter Prevention Advisory Council**

Commissioner Kathleen O’Leary reported that the Youth Firesetter Prevention Advisory Council had met on November 10th at Monmouth County Fire Academy in Freehold. The minutes of that meeting are contained in the Commission meeting packets.

Commissioner O’Leary reported that the 19th Annual New Jersey Youth Firesetter Intervention Conference is quickly approaching. It is scheduled for December 1st and 2nd at Middlesex County Fire Academy, and registration will remain open until November 22nd. Ten presentations are scheduled over the course of the two-day event and the NJDFS is anticipating roughly 120-130 attendees from around the state and country.

Commissioner O’Leary also spoke about the need for support from the Attorney General’s Office to compel local and county programs to participate and report on youth firesetter intervention programs. Despite the efforts of Director Mikutsky, there still seems to be no traction on this and the Council members will continue their efforts.

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for Wednesday, January 11, 2023. It will be held virtually on Zoom at 10AM.

G. Committee Reports

1. Residential Sprinkler Committee

In the absence of Commissioner Gerard Naylis, no formal report was available at this time.

2. Ad-Hoc Committee on Legislation

Commissioner Kevin Bellew reported that there is no report to give at this time and he will follow up at the January meeting.

3. NJ Utility Safety Team

Commissioner Steve O’Gorman reported progress on the NJ Utility Safety Team.

4. Cannabis Committee

In the absence of Assemblyman Rooney, there was no formal report to be given at this time.

H. Old Business

Commissioner Nelson Wiest commented on the last meeting, as well as the earlier comments, regarding the Tuckerton situation spoken about by Lee Eggert. Commissioner Wiest took exception to the negative comments directed at the NJ Fire Safety Commission, as well as the comments directed at the NJ Division of Fire Safety, who have all done their jobs appropriately regarding this matter. Commissioner Wiest said that all fire departments and fire service members need to follow the rules appropriately and he will sleep well tonight knowing that the NJDFS is enforcing said rules.

I. New Business

Chairman Krushinski began the New Business portion of the meeting by calling for a discussion on the 2023 Meeting Schedule. The discussion centered around meeting locations, ultimately determining that the first three meetings (January, March, and May) would be hosted by the New Jersey State Firemen’s Association in Wall Twp. The following meetings would be in Surf City (July), Wildwood Crest (September), and Atlantic City (November). It was also discussed whether to move the November meeting out of the Atlantic City Convention Center given the conditions have not been ideal in the past few years – most notably today. The location of this meeting will be determined at a later date.

Chairman Krushinski appointed Commissioner Karl Spinner to the Firefighter Safety and Health Advisory Council.

Commissioner John Wisniewski made a motion that the NJ Fire Safety Commission support the NJDFS's five candidates submitted to serve on the Peer Review Board. This motion was seconded by Commissioner Kathleen O'Leary and passed unanimously.

There being no further New Business to conduct at this time, the meeting was moved to Public Comment II.

J. Public Comment II

Chairman Krushinski asked if anyone from the public wished to comment at this time. Scott Trythall from the Pleasantville Fire Department spoke briefly to commend the NJ Division of Fire Safety for all of their assistance in their City. They had been experiencing a number of problems at their fire department and the NJDFS was instrumental in getting them fixed and rectified.

K. Adjournment

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Commissioner John Wisniewski made the motion, which was seconded by Commissioner Nelson Wiest and passed unanimously. The meeting adjourned at 11:03 AM.

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