

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

**Meeting of July 20, 2022**

The New Jersey Fire Safety Commission meeting was held on Wednesday, July 20, 2022 at the Surf City Vol. Fire Department in Surf City, New Jersey.

**Commission Members Present:** Mr. Kevin Krushinski, Chairman  
Asm. Kevin Rooney  
Mr. Lawrence D. Wood  
Mr. Paul McGrath  
Mr. Steve O’Gorman  
Mr. Fred Collender  
Mr. Arthur Hayducka  
Mr. Armando Roman  
Mr. Nelson Wiest  
Mr. John Wisniewski  
Mr. Gerard Naylis  
Mr. Richard Blohm  
Mr. Charles Siedenburg  
Mr. Karl Spinner  
Mr. Daniel DeTrollo  
Mr. Kevin Bellew  
Mr. Charles Maria

**Commission Members Excused:** Mr. George Aleu  
Mr. Arthur Londensky  
Ms. Kathleen O’Leary  
Mr. Raymond Heck

**DCA Staff Members Present:** Richard Mikutsky, NJ State Fire Marshal  
Louis Kilmer, NJDFS  
Charles Lavin, NJDFS  
Tim Weiss, NJDFS  
Lenny Inzerillo, NJDFS  
Steven Dyl, NJDFS  
Jason Spiecker, NJDFS  
Ashley Bledsoe, NJDFS

**Guests:** Ronald McGowan Jr.  
John Garton David Kurasz  
Joseph Hankins William Kramer  
Anthony Correia Jim Yates

Bernie Cunningham  
Stefan Vassallo

Charles Lind Jr.

### **A. Call to Order**

Chairman Kevin Krushinski called the meeting to order at 10:04 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 May 18, 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. With no 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 by giving updates on personnel at the NJDFS. He announced that a new member of the Fire Investigation Unit has been added – Braulio “Woody” Villegas, who brings 21 years of knowledge and experience. He is also fluent in Spanish which is a bonus and already paying dividends at the NJDFS.

Two new additions have also started with the Office of Fire Department Preparedness – Ashley Bledsoe (Program Specialist 2) and Jenna Ventres (Technical Assistant 1). They will be bolstering the NFIRS Unit as well as providing support to Community Risk Reduction. A new member of the Training & Certification Unit has also been added recently – Steve Taylor (Training & Certification Specialist 1).

Director Mikutsky also congratulated two newly promoted members of the Local Assistance Unit – Paul Elenio (Supervisor) and Anthony Doyley (Fire Code Assistant Rep 2).

Director Mikutsky followed up on the recent situation in Frelinghuysen Twp. On June 7<sup>th</sup>, parties representing Frelinghuysen Twp. and Green Twp. signed a Shared Services Agreement to provide 24/7 firefighting services to a designated area of Frelinghuysen

Twp. through May 31, 2024, with the option to extend it one year. The extension is subject to approval by the NJDFS. The agreement includes payments from Frelinghuysen to Green through May 31, 2025. Subsequently, Frelinghuysen Twp. will begin meeting with the NJDFS (every two months) next year to work towards establishing their own fire department. Director Mikutsky said getting to this point was a collaborative effort and thanked Assemblyman Rooney, Local Government Services, Lou Kilmer, Bruce Tynan, and all who worked on resolving this situation.

In the area of Training & Certification, Director Mikutsky reported that the Spring Kean University training semester concluded on June 30<sup>th</sup>. The NJDFS is now in the process to establish a 2022-2023 DCA contract with Kean. This new contract is anticipated to be signed sometime in August and the performance period will run from July 1, 2022 to June 30, 2023.

The NJDFS is currently seeking IFSAC reaccreditation for 11 of our New Jersey certification titles. They are: Firefighter 1, Firefighter 2, Hazmat: Awareness, Hazmat: Operations, Hazmat: Ops 6.2, Hazmat: Ops 6.6, Fire Instructor 1, Fire Instructor 2, Fire Officer 1, Fire Officer 2, and Fire Officer 3. The NJDFS will be requesting IFSAC approvals for five additional certification titles: Fire Inspector, Fire Officer 4, ARFF, ARFF Driver/Operator, and Hazmat: Technician.

The NJDFS has recently submitted to the Department of Community Affairs proposed changes to N.J.A.C. 5:71 which have been authored by the Office of Training & Certification. The proposed rules are focused on the Fire Inspector and Fire Official credentialing courses and their State written exams.

Director Mikutsky reported that the Arson Investigations Unit has already conducted 205 investigations in 2022 (as of July 14). They have also moved into a more primary role investigating wildland fires for the NJ Forest Fire Service. The last few large forest fires in Ocean and Burlington Counties have been determined to be intentionally set. The NJDFS is currently working with the NJ Park Police and NJ State Police to pursue these arson cases. The Arson Investigations Unit has also recently been involved with two prosecutions resulting in two guilty verdicts – one in Passaic County, one in Middlesex County that resulted in multiple murder and arson charges.

Director Mikutsky reported on the following statistics from the NJDFS's Office of Fire Department Preparedness:

- \*Notifications-multiple alarms – 229
- \*Emergency Responses – 33
- \*Exercises – 12
- \*Special Events – 24
- \*Fire department assistance – 162
- \*Training – 72
- \*Fire department complaints – 28

In terms of meetings the Office of Fire Department Preparedness was involved in:

- \*County Fire Coordinators – 72
- \*Fire departments – 219
- \*County fire chiefs – 39
- \*Office of Homeland Security & Preparedness – 42
- \*FBI / Joint Terrorism Task Force – 11
- \*ROIC / State Emergency Operations Center – 96
- \*Area Maritime Securities Committee – 11
- \*Urban Area Securities Initiative – 44
- \*NJ Fire Threat Task Force – 12
- \*NJ Office of Emergency Management – 11
- \*Domestic Security Preparedness Task Force – 8
- \*NJ State Emergency Response Commission – 6

In addition, the OFDP conducted support group training for the State Emergency Operations Center on June 28<sup>th</sup>. Six additional NJDFS staff members were trained to assist OFDP with SEOC operations during activations. The OFDP also received 20 new updated portables, and they are working on distributions to DFS and County Coordinators (Motorola APX 6000 2.5).

All Office of Fire Department Preparedness staff has completed the updated ICS 200, 300, and 400 courses. They are in discussions with Union County Communications for NJDFS radio migration from Mercer County. They OFDP is also working with the ROIC Threat Assessment Unit on various social media threats.

In 2022 so far, the NJDFS's NFIRS Unit has conducted in-person NFIRS-Fire Incident Report Writing Training for 21 fire departments covering 205 fire service members. NFIRS personnel has responded to 41 emergency incidents to support NFIRS report Tab G ("Property Loss"). Statewide losses in this incidents have totaled \$146,213,713. Year-to-date there have been 211 civilian burn reports, 30 total fatal fire reports, and 46 school fire reports.

Director Mikutsky reported on the recent activity stemming from the July 4<sup>th</sup> holiday weekend. Between July 1-4, the NFIRS Unit received 3 civilian burn reported related to fireworks. The most significant was an eye injury where a 48-year-old lost an eye. The Burn Center at St. Barnabas reported 6 fireworks burns, 2 of which were from sparklers. Chief Kilmer added that they are looking into the public fireworks displays that had incidents over the holiday weekend.

There were some significant fires reported from fireworks over the 4<sup>th</sup> of July Weekend:

- \*2 house fires in Manville
- \*1 house fire in Cedar Grove
- \*Public fireworks display fire on a barge in Perth Amboy
- \*Public fireworks display fire at BlueClaws Stadium in Lakewood
- \*Public fireworks display fire in Sea Isle City

Director Mikutsky gave a report on the Fire & EMS Crisis Hotline, which just completed its first year in use. Over the year they have diversified their experience to include Peer Support Prevention, Peer Support Intervention telephone support, and Peer Support Post-Intervention crisis response.

Director Mikutsky gave the following highlight/statistics from the hotline's past year:

- \*726 total telephone support contacts

- \*1,222 total peer prevention contacts

- \*Average speed to answer: 15 seconds

- \*Average talk time: 7 minutes, 46 seconds.

- \*Top ten reason for calling: anxiety, sleep difficulty, loneliness, financial difficulties, relationship difficulties, burnout, bullied, unemployment, trauma, depression.

- \*Top ten caller locations (by county): Middlesex, Essex, Out-of-State, Bergen, Burlington, Mercer, Monmouth, Passaic, Somerset, Union.

Chairman Krushinski asked if callers to the Fire & EMS Crisis Hotline were being referred to follow-ups relative to the issue they are having. Director Mikutsky answered that they were referred to professionals for continued assistance after the call.

Bureau Chief Lou Kilmer began his report by talking about the move to the 2018 International Fire Code, which was released from DCA yesterday and sent to the Governor's Office. He thanked everyone involved in the process, from the NJDFS staff, Codes Advisory Council, the NJ Fire Safety Commission, and all those who examine it from both a code and policy standpoint. Chief Kilmer said everyone has been extremely supportive on all levels, and it has been sent to the Governor's Office completely in tact without changes or omissions. He asked for everyone's continued support on it going forward. Chief Kilmer also talked about the combustible mulch issue and how that needed to be address because of so many incidents, injuries, and even deaths resulting from it. Chief Kilmer also spoke about the classification of motels without interior hallways needing to be changed based on the incidents/data.

Commissioner Wisniewski asked when the 2018 Fire Code would hit the New Jersey Register and Chief Kilmer answered that it should be within the next couple of months.

Chief Kilmer spoke about Sober Living Facilities and how they are to be classified in terms of the fire code. There had been some differences of opinion between Codes & Standards and the NJDFS, but after much discussion it was determined that they are required to be inspected and not exempt as one- and two-family dwellings. Chief Kilmer has drafted a letter to fire officials and operators of these facilities, which is awaiting approval and should be sent to all parties soon.

Chief Kilmer said the NJDFS is looking to hire inspectors and is having difficulties getting a good amount of candidates – as is being felt across all industries. The NJDFS is exploring all avenues to promote/search for people, but inspections staff has remained reduced by roughly one-third. For all intents and purposes, inspections for events are back to normal levels from before the COVID-19 pandemic.

Chief Kilmer reported on the progress of the new computer system. The NJDFS is looking to transition fully from RIMS to the new system on January 1, 2023. This system will do much more and be more functionally useful for all parties than RIMS – issuing reminders, uploading reports, all information in one place more interactive, pre-planning, etc. The new system’s reports will be made available to fire suppression forces as well. Staff is continuing to clean up the information from the old system to make sure everything moved over is updated and accurate.

Chief Kilmer reported that the NJDFS is working on reconstituting the Peer Review Board. They also continue to look into smoke alarm/CO alarm certifications, etc. – as it has come to their attention that some local enforcing agencies are doing the certifications and some are not. They are also working with BHI on doing more frequent inspections of the fire related elements of their inspections.

Chief Kilmer followed up on a discussion from last meeting on surgical centers, and how they were to be classified or inspected. After examining the issue it was determined that the position of the NJDFS was correct and these facilities should be inspected – but there will be smaller fees for the smaller sized facilities. Chief Kilmer also followed up on the school fire suppression survey. This survey has been developed and will be done completely online. It was rolled out last week to a handful of school districts, with the rest to follow shortly after. Assemblyman Rooney asked if this would include day care centers. Chief Kilmer answered that this would only be for K-12 schools, but would include all types of schools (public, private, charter, parochial, etc.).

Commissioner Richard Blohm asked about the new regulations related to mulch and if they applied to one- and two-family homes. Chief Kilmer answered that it would only be those buildings that are subject to the fire code. Commissioner Wisniewski stressed the need to work with fire officials, business owners, landscapers, etc., etc. – all parties involved in the change. Chief Kilmer said it would work similarly to the changeover to 10-year sealed battery smoke alarms – where there would be a year’s time to get compliant with the new regulations.

**\*\*SPECIAL PRESENTATION\*\***

On behalf of the NJ Division of Fire Safety and the fire service throughout New Jersey, Director Richard Mikutsky took a moment to recognize Fire Chief Kyle Costabile of the Surf City Volunteer Fire Department for his hospitality, dedication, and support of the NJ Fire Safety Commission and their efforts year in and year out. The Fire Safety Commission echoed this, congratulating and thanking Chief Costabile.

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

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

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

In the absence of Commissioner Arthur Londensky and Commissioner George Aleu, no report on the Codes Advisory Council was available at this time.

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

Commissioner Lawrence Wood reported that the Training and Education Advisory Council met on June 21<sup>st</sup> at the Burlington County Emergency Services Training Center in Westampton. The minutes of that meeting were provided in the meeting packets for the Commission to review. He urged the Fire Safety Commission to review the minutes, as Kent Neiswender from the NJDFS provided a lot of good information and updates in regards to training. Commissioner Wood also noted the resignation of Steve Taylor from the Council, as he is now employed with the NJDFS Training & Certifications Unit. Commissioner Wood made a motion that the NJ Fire Safety Commission accept this resignation. The

Chairman Kevin Krushinski asked Commissioner Wood why there was still a Committee under the Training & Education Advisory Council working on Acquired Live Burn Structures. This despite the position of both the NJ Fire Safety Commission and NJ Division of Fire Safety that acquired live burn structures are not to be used for training under any circumstances and there is law prohibiting it. Chairman Krushinski asked why this Committee is being allowed to continue to waste the Council's and Commission's time on this matter. Commissioner Wood answered that the Committee can remain and discuss the matter as they wish and he would not stop them or dissolve the Committee. Director Mikutsky agreed with Chairman Krushinski on the matter of acquired structures, as the position of the NJDFS on the matter had been stated several times and would not be changing. Commissioner Richard Blohm added that, as Chair, Commissioner Wood should not continue to enter this issue any further.

Commissioner Blohm asked for specifics in regards to new certifications for ICS instructors and fire academy directors, but Commissioner Wood was not able to give an answer at this time. He referred Commissioner Blohm to Kent Neiswender from the NJDFS who would be able to comment on this matter specifically.

The next meeting of the Training & Education Advisory Council is scheduled for August 16<sup>th</sup> at the Burlington County Emergency Services Training Center in Westampton.

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

Commissioner Gerard Naylis referred to Director Mikutsky's report from the NJDFS NFIRS Unit and said he did not have any further information beyond what was provided.

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

In the absence of Commissioner Raymond Heck, no report was available on the Master Planning and Research Advisory Council at this time.

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

Commissioner Daniel DeTrolio reported that the Public Education Advisory Council was still in the process of reorganizing. He was supplied with a roster by Charles Lavin, but they have yet to review and/or reestablish any meeting dates or times. Charles Lavin added that, in addition to primary assisting the NFIRS Unit in South Jersey, newly added Program Specialist 2 Ashley Bledsoe would be assisting with Community Risk Reduction outreach. This would include some public education and liaison to the Public Education Advisory Council when they reconvene.

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

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council met on June 30<sup>th</sup> at Middlesex County Fire Academy. The minutes of that meeting were provided in the meeting packets for the Commission to review.

Commissioner Blohm reported that PEOSH conducted a respiratory inspection of a fire academy in response to a DOL PEOSH referral from an injury investigation. Two violations are being cited for not having a respiratory protection program and not providing medical evaluations for the instructors. The academy had thought the respiratory protection program and evaluations from the instructor's home department would comply with the standard. PEOSH is requiring that the employer (the fire academy) must directly provide these documents.

Commissioner Blohm reported that PEOSH will be requiring that ALL firefighters working on a fire ground must be SCBA qualified and have current fit tests and training in SCBA use. These firefighters cannot have beards that interfere with a SCBA mask seal.

Commissioner Blohm gave an update on the Pink Book Subcommittee headed up by Kathe Conlon, which continues to work on the following topics: Thermal Injuries, Cardiovascular, Trauma, and Burns. This will be forwarded to the Department of Health for approval and review when it is complete. The Committee also suggested forwarding this to the Training & Education Advisory Council to examine the possibility of awarding additional CEUs. Commissioner Blohm also reported updates from the Department of Labor, particularly relative to safety inspections and dedicated safety officers at fire academies. John Garton from the Department of Labor added that this stemmed from a specific investigation at a fire academy, and they wanted to ensure that a dedicated safety officer was performing their duty and not tasked with something else as well.



Commissioner Blohm also spoke about the need for ongoing testing of the condition/fit of personal protective equipment.

The next meeting of the Firefighter Safety and Health Advisory Council is scheduled for August 22<sup>nd</sup> at the Middlesex County Fire Academy at 10am.

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

In the absence of Commissioner Kathleen O’Leary, Chairman Kevin Krushinski reported that the Youth Firesetter Prevention Advisory Council did not officially meet in July. Unfortunately, no member of the Commission was able to make it that day due to extenuating circumstances.

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for Wednesday, September 14<sup>th</sup> at Wildwood Crest Fire Department.

### **G. Committee Reports**

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

Commissioner Gerard Naylis reported that there was nothing new to report regarding residential sprinkler legislation. Commissioner DeTrollo asked if there was any movement at all regarding this, but Commissioner Naylis answered that until the building industry changes its stance it seems like there will not be movement unfortunately.

#### **2. Ad-Hoc Committee on Legislation**

Commissioner Kevin Bellew reported that there were no updates to provide at this time, but the Committee would be working to set up a meeting before September. Commissioner Bellew also recommended that Assemblyman Rooney be appointed to the Committee, which would be addressed under New Business.

#### **3. NJ Utility Safety Team**

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

#### **4. Cannabis Committee**

Assemblyman Rooney proposed that his office send an alert out tomorrow to establish meeting dates for whoever is available to serve on this Committee, including Assemblyman Danielsen who spoke on the issue at the previous meeting. Assemblyman Rooney expressed concern about “Bud Bus”-type units that essentially circumvent the usual process of legally dispensing cannabis. An upcoming meeting will examine all safety issues relative to legal cannabis, as well as potentially setting up a tour of one of the newly opened facilities

Assemblyman Rooney also spoke about a recent bill that he sponsored that would require paramedics and fire departments to carry cyanide toxicity kits to deal with victims of smoke inhalation. He also referred the Fire Safety Commission to three other fire service-related bills: A2205, A211, and A4357. The language on each can be read at New Jersey's Legislature website. Anthony Correia spoke on behalf of the Fire & EMS Institute and said they would work together with Assemblyman Rooney on developing and supporting legislation for firefighter health and safety. Mr. Correia and Assemblyman Rooney also discussed the challenges surrounding maintaining a paramedic certification and possible solutions going forward.

#### **H. Old Business**

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. Commissioner Gerard Naylis inquired about the issue of lithium ion batteries and if there had been any follow up on working with industry to address proper disposal, etc. Director Mikutsky and Chief Kilmer said they have nothing definitive at this point, but they are continuing to look into it – information seems to be all over the map at this point. Chairman Krushinski suggested following up with the Department of Environmental Protection on this matter to see if they have any information on lithium ion battery disposal or anything related. Director Mikutsky said he could have staff reach out to DEP.

Commissioner Armando Roman took the opportunity to publicly congratulate the Jersey City Fire Department on becoming the largest fire department in the state and receiving the highest ISO rating in the country.

#### **I. New Business**

Chairman Krushinski asked if anyone had any New Business to bring before the Commission. Commissioner Naylis raised the question: If there is a fire with a sprinkler activation, is the fire department allowed to change out sprinklers so the system can be back in service? A discussion followed on this issue on whether it had to be a certified contractor who changed the sprinklers, or is it necessary to re-establish protection as quickly as possible. Several Commission members weighed in on this and, ultimately, Chairman Krushinski said that when the NICET guidelines were put out it prevented a fire department from doing his. Chief Kilmer said, from his perspective, the fire department would be liable when they do this so a certified contractor would have to be brought out as soon as possible.

Commissioner John Wisniewski made a point to compliment and thank Assemblyman Rooney for his dedication and engagement with the NJ Fire Safety Commission. Often there is not consistency from the legislative members of the Commission, and it was his hope the others would follow Assemblyman Rooney's lead.

Commissioner Naylis expressed concern that non-certified people enforcing the fire code. It was his hope that new legislation would require this. Chief Kilmer answered that he

doesn't disagree with Commission Naylis and that is certainly a priority. Assemblyman Rooney asked if there should be legislation drawn up to remedy this and Commissioner Naylis answered yes. This will be discussed in further detail at the upcoming Legislative Committee meeting. Chairman Krushinski formally appointed Assemblyman Rooney to the legislative Committee, as nominated earlier by Commissioner Kevin Bellew.

Commissioner Nelson Wiest reported on a recent meeting of various Fire Chiefs Associations, who met in an effort to reconstitute all the different agencies and work on common goals with one voice. They are looking to partner with EMS agencies and firefighters unions as well to work on legislative goals and forge partnerships across the fire service community in New Jersey.

Chairman Krushinski thanked Charlie Lind and the NJ Deputy Chiefs Association for generously providing the refreshments and lunch for today's meeting.

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. Jim Yates, representing the National Association of Fire Chiefs, spoke about firefighter cancer and the World Health Organization's reclassification of firefighting as a Class I cancer-causing occupation. He gave specifics regarding the effects of cancer on the firefighting community. He urged the NJ Fire Safety Commission to be vocal in getting the word out about this, as well as work to track the numbers of firefighters who get/succumb to cancer. Director Mikutsky agreed that this is extremely important and something the NJDFS would look into as far as statistics. Commissioner Naylis called attention to new legislation that calls for cancer screenings for all firefighters, career and volunteer. Supporting this would be a step in the right direction. Joe Hankins from the NJ Firemen's Association does track information relative to cancer if anyone wanted to contact him for more information.

**K. Adjournment**

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Commissioner Gerard Naylis made the motion, which was seconded by Commissioner John Wisniewski and passed unanimously. The meeting adjourned at 11:46 AM.

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