

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

Meeting of November 14, 2018

The New Jersey Fire Safety Commission meeting was held on Wednesday, November 14, 2018 at the Atlantic City Convention Center in Atlantic City, NJ

Commission Members Present: Mr. Kevin Krushinski, Chairman
Asm. Anthony Bucco
Sen. Sam Thompson
Mr. Stanley Sickels
Mr. Lawrence D. Wood
Mr. Armando Roman
Mr. Gerard Naylis
Mr. Charles Siedenburg
Mr. Steve O’Gorman
Mr. Daniel DeTrolio
Mr. Raymond Heck
Mr. Richard Blohm
Mr. Fred Collender
Mr. Arthur Londensky

Commission Members Excused: Mr. Pasquale Intindola, Vice Chairman
Ms. Kathleen O’Leary

DCA Staff Members Present: Richard Mikutsky, NJDFS Director
Lou Kilmer, NJDFS
Rick Farletta, NJDFS
Frank Clark, NJDFS
Charles Lavin, NJDFS
Jerry Clark, NJDFS
Leonard Inzerillo, NJDFS
Craig Augustoni, NJDFS
Keith Mitchell, NJDFS
Michael Whalen, Codes and Standards

Guests: Ronald McGowan Jr, Wildwood Crest Fire
Cary Costa, Tinton Falls
John Hoag, Andover Borough Fire
Anthony Griffin, City of Burlington
Vincent Corsaro, Jefferson Twp.
Rich Vigliotti, East Brunswick
Alden Blackwell, Tenafly FD
David Kurasz, NJFSAB
Nick Lombardi, Piscataway Dist. 1
Michael Santori, Moonachie Fire Prevention
Jesse T. Kaar, Morris Twp. FD
Angela Morello Lange, Landmark Fire

Paul Snyder, Possumtown Fire	Joanne Hartwyk, Twp. of South Orange
Conrad Johnson, Cape May County	Richard Neale, Twp. of Verona
Joshua Carter, North Wildwood FD	Dominick McClain, North Wildwood
Mike Rau, Midland Park	Keith Thedinga, Somerville
Robert Lewis, Howell Fire Bureau	Paul McGrath, City Fire
William Smith, Fairfield Fire	Robert Schmitt, Parsippany Fire Prevention
Richard P. Schreck, Edison Fire	Rich Heimbach, NJFC
Shaun Dannenfels, Gloucester City	Robert Gorr, Piscataway Fire Marshal
Cory S. Spillar, Avenel Fire Official	Dean Manente, Avenel FD
Bruce Mizak, Avenel FD	John Stephan Jr., Rahway FD
Michael Roberts, Rahway FD	Brian Thornton, Rahway FD
Joseph Zavarino, Northvale	Paul Sandrock Jr., Camden Co Fire Academy
Heidi Michel, Stafford Twp.	Chris Freeman, Stafford Twp.
Luigi Tramontana, Vineland FD	Alfred Cirelli, Hackensack FD
Daniel Spiegel, Wildwood Fire	Mark Allen, Wildwood Fire
Vincent Mercio, North Wildwood	Pat Calabrese, Parsippany Fire
John Medina, West Caldwell Fire	Edward Mullen, Perth Amboy FD
Rudolphus Davis III, Plainfield FD	Jerome Yarborough II, Plainfield FD
Corey Henry, Plainfield FD	Meluyne Armstead, Plainfield FD
Michael Bell, Plainfield FD	Robert Echavarria, Millburn FD
Robert King, Mt. Laurel Twp.	

A. Call to Order

Chairman Kevin Krushinski called the meeting to order at 10:12 AM. He led the meeting with the Pledge of Allegiance, a moment of silence, and pointed out the fire exits.

Chairman Krushinski thanked the New Jersey Fire Prevention and Protection Association, and President Rich Silvia, for hosting today’s meeting and providing the refreshments for breakfast.

B. Approval of Minutes

With no discussion requested or additional corrections, the minutes of the regular meeting of September 13, 2018 were approved.

C. Correspondence

Chairman Krushinski 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 Krushinski opened the meeting up to any members of the public wishing to comment before the Fire Safety Commission. Former Chairman of the NJ Fire Safety Commission, John Wisniewski, gave an update on legislation that would add four members to the Fire Safety Commission. That legislation has gotten through committees in both houses, as well as passed the Senate. The only thing remaining is a full vote in the Assembly.

Gary Lewis from the City of Summit spoke about the ICC's annual business meeting in Richmond, Virginia. At this meeting, wood construction up to 18-stories high was approved. He expressed his disappointment in the amount of people from New Jersey who had attended and voted at this meeting. He suggested providing some kind of scholarship or other program to attend and vote, because these codes will have a direct impact on the safety of our state's citizens and firefighters.

David Kurasz from the NJ Fire Sprinkler Advisory Board spoke about the New Jersey Fire Sprinkler High Rise Survey that is part of the correspondence at today's meeting. Mr. Kurasz thanked the Division of Fire Safety, the Fire Safety Commission, the fire service community, and Local 696 for all their work on getting this data and report. Mr. Kurasz requested that there be some further discussion with the NJDFS and legislature on what can be done to get these high rises protected.

Paul Roman, President of the NJ Fire and EMS Institute, spoke about a recent legislative walkthrough that was done to talk about the relationship between the Fire Safety Commission, the Institute, the legislature, and other interested parties. He thanked all those involved and urged continued communication at the highest levels for the benefit of New Jersey's fire service.

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

E. Division of Fire Safety Activities

Director Richard Mikutsky began his report by talking about meetings with Senator Cory Booker's staff regarding the Philadelphia area's UASI funding, and they are moving forward on this with Senator Menendez's office as well. The NJDFS has also been closely working with the New Jersey Forest Fire Service to address issues with manpower and the Bass River Tower.

The NJDFS has been in ongoing talks with the New Jersey State Police and Department of Education regarding school safety. This is a hot-button issue that is being looked at closely from both an emergency response/preparedness standpoint, as well as a code standpoint. Also, the Marine Firefighter Subcommittee in the Delaware River Region continues to make progress on the business of protecting the area in and around the port of Philadelphia.

Director Mikutsky reported that 453 LEAs will be receiving their rebates for the first quarter of the fiscal year. The amounts for each LEA is posted on the NJDFS website for anyone who would like to see what theirs is receiving. Chief Kilmer added that the website also shows 'anticipated revenue' for the year. The Traffic Incident Management System program has been worked on with the Department of Transportation, as this will soon be part of the Firefighter I curriculum that new recruits will be taking. The NJDFS has also been meeting with AT&T regarding their FirstNet system, and examining the system as an option for statewide communication going forward.

The NJ Division of Fire Safety's OFDP Unit has been very involved in Active Shooter/Hostile Environment Response and been heavily involved with NJ State Police with their presence at the Regional Operations & Intelligence Center. They have also been working with the Meadowlands on their being prepared for emergencies and incidents, as the facility is expanding and hosting more and more people on event days. They have also been working with the Department of Environmental Protection on the impact/use of foam firefighting products. The NJDFS Arson Unit has surpassed the 200 mark for amount of investigations in 2018, and is also eagerly awaiting two new canines that will be arriving shortly and begin training immediately upon their arrival.

Director Mikutsky is continuing to expand the visibility of the NJ Division of Fire Safety on a statewide basis. They are looking to boost personnel, as well as be involved with more meetings, state departments and events throughout the year. In terms of reporting, Director Mikutsky announced that there have been 50 fire fatalities so far in 2018, as well as 40 school fires. 531 out of 715 departments have completed their NFIRS reports. As far as training, there are 154 fall classes scheduled with just over 2,700 firefighters enrolled. Also in terms of training, many out-of-state airports from around the region (Reagan, Dulles, BWI, Philadelphia) have requested that New Jersey do their training and accreditation.

Chief Louis Kilmer reported that the Bureau of Fire Code Enforcement is working to make sure annual reports go smoothly as 2018 comes to a close. While there will be no change in the process, the NJDFS is working with a lot of new personnel from around the state who may be new to the process. Chief Kilmer also spoke about the NJDFS's new Compliance Unit has been approved. It will consist of three field staff, a supervisor, and a couple support staff in the office. This unit will handle a lot of new areas, as well as some that had fallen by the wayside due to lack of staffing. At this point, a lot of these position will be promotions of existing staff and, in turn, their positions will be backfilled.

The Inspections Unit is still very involved with the farming industry throughout the state and working diligently to make sure their facilities are compliant. Chief Kilmer said it is his belief that numerous lives have been saved and protected by focusing on these facilities and the Inspections Unit will continue to stay involved in this. Chief Kilmer also spoke about the Cancer Reduction document that was sent to all LEAs and

department chiefs. This is clearly not the be all-end all document, but it is hoped that this will start (or continue) a larger conversation in terms of cancer prevention.

Chief Kilmer reported that the RIMS system is stable and the Department of Community Affairs has decided not to make any further enhancements at this point in time. Chief Kilmer also announced the retirement of the Supervisor of Inspections, Glenn Smyth, who was a long-time key part of the NJDFS and he will be greatly missed.

Fireworks Regulations have just completed the comment period in the New Jersey Register and the NJDFS has responded to the comments. The next step is for those regulations to go to the Governor's Office. The Division of Fire Safety is also on track to complete 100% of the required inspections for its municipalities and state facilities for 2018. Also, as of the new year, 10-year sealed-battery smoke alarms will become a requirement and this is the last piece of the new code to become enacted. Chief Kilmer stressed that this will cut down on smoke alarms being inactive due to battery issues and, in turn, save lives.

Chief Kilmer spoke about the 28% increase in LEA fees and rebates for this past year, and was pleased to announce that this allowed the NJDFS to increase its training budget by 28%.

Commissioner Lawrence Wood asked if there had been any progress in regards to the issue concerning Junior Firefighters. Director Mikutsky answered that the NJDFS is still looking at changes on their end, but has yet to be able to meet with Assemblyman Space – the bill's sponsor. Commission Wood also spoke about AT&T's FirstNet system and stressed the importance of interoperability between departments and state agencies in large-scale emergency situations. He said he would like to see AT&T make everything available to all departments, as well as the state, and Director Mikutsky answered that the NJDFS was actually meeting with AT&T tomorrow.

Commissioner Richard Blohm asked for more information about what the training partnership between New Jersey and the airports from throughout the region would entail. He also asked if this would be available for New Jersey firefighters as well. Director Mikutsky answered that these were mainly preliminary talks, but they centered around New Jersey handling the training and accreditation of their airport firefighters and emergency responders. He also said this would include programs for New Jersey firefighters as well. This is all contingent upon a lot of information from the interested parties, as well as approvals from the DCA on developing and executing the training. Either way, it would be a great thing for New Jersey to have its name on and provide.

Commissioner Gerard Naylis asked about the Traffic Incident Management System and how many hours it would add to the existing Firefighter I program. Rick Farletta from the NJDFS answered that, with the modules they would be adding, it would not be increasing the overall training by much. Commissioner Naylis asked if it could be added as a web-based program. Chief Farletta said he did not believe so. Commissioner Naylis also asked if the NJDFS had a plan to address the issue of fire departments being asked

by faith-based facilities what to do about shelter-in-place during hostile incidents. Chief Kilmer answered that this is being looked at for schools and many other public buildings as well. Commissioner Naylis suggested giving the locals some kind of guidance as to what to tell people when calls are coming in. Chief Kilmer said they would look into putting something together.

Commissioner Stanley Sickels asked if there was an existing memorandum outlining the current status of what junior firefighters can and can not do. Director Mikutsky said that the Department of Labor has a whole different outlook on junior firefighters than the fire service does. They are currently working on a balance going forward that satisfies both sides of the coin – being safe and providing real hands-on training at the same time. Commissioner Sickels suggested developing some kind of program through the schools to have kids ready to join by the time they turn 18. Commissioner Sickels also asked Chief Kilmer about the farm inspections program from a code perspective and whether it was sufficient for these kinds of places. Chief Kilmer answered that it was and added how pleased he was with the ability of the farming community to work with them towards making their facilities safer.

Commissioner Raymond Heck asked about the whole active shooter issue and, from the perspective of elected officials, the question remains of how they will fund new trainings, response capabilities, etc. He suggested, going forward, dedicating funds for addressing these types of concerns. Commissioner Heck also expressed concern with the DEP's potential elimination or change in the use of firefighting foam. He wondered who would be to replace or get rid of the foam, and asked that this be addressed going forward.

F. Advisory Council Reports:

1. Codes Advisory Council

Commissioner Stanley Sickels reported that Codes Advisory Council Chairman Pat Intindola is recovering from heart surgery and passed along his regards to the Fire Safety Commission and wished everyone a happy holiday. Commissioner Intindola expects to be back at the January 2019 meeting. Commissioner Sickels reported that the previous meeting of the Codes Advisory Council had been cancelled.

Commissioner Sickels spoke about several issues that the Codes Council is continuing to work on and reported progress on. These include Hot Work Permits, the Color Tag Program, Emergency Response Radio Communication, and regulations on marijuana growing facilities. They are examining the regulations in Denver and working with officials there on what is working.

Commissioner Sickels thanked David Kurasz and the NJ Fire Sprinkler Advisory Board for the work that was done on the High Rise Fire Sprinkler Survey. Commissioner Sickels went on to talk about several of the incidents, and stressed the hazard posed by having unsprinklered high rises that are out of the reach of fire department equipment. He urged the Fire Safety Commission to support and advocate for retroactively fitting

these buildings with the appropriate fire sprinkler systems. Commissioner Wood followed up by asking if information on cladding on the exterior of high rises had been surveyed, and if they had used the proper materials. Chief Kilmer commented that they had a letter ready to send out on this, however, the cladding is not against the fire code – it is where the material used is not properly rated. Chief Kilmer’s concern was fire officials understanding that the material is what needs to be looked for, and it would actually have to be taken off and tested in many instances. Commissioner Wood commented that it is still something to look into and be aware of. Commissioner Sickels added that just going ahead and putting sprinklers in all the buildings would be the underlying solution.

The next meeting of the Codes Advisory Council is scheduled for December 19th at the Middlesex County Fire Academy in Sayreville.

2. Training and Education Advisory Council

Commissioner Lawrence Wood reported that the Training and Education Advisory Council did meet in October, however, the minutes of the meeting are not available today. They will be distributed electronically at a later date

Commissioner Wood talked about holding a meeting with government officials and stakeholders in the mental health field. He suggested facilitating a discussion on mental health and how it relates to the fire service and the firefighting profession. Commission Wood talked about partnering with the Division of Fire Safety on this. Commissioner Wood made a motion that the NJ Division of Fire Safety look into facilitating such a meeting/discussion between the state’s fire service and mental health community. The motion was seconded by Commissioner Heck and passed unanimously.

The next meeting of the Training and Education Advisory Council is scheduled to take place virtually as a teleconference. Details on this meeting will be distributed when they are available.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis reported that the Statistics and Information Advisory Council is continuing to work with the NFIRS Unit at the NJDFS and they are beginning to compile a list of departments not participating. This is so they can reach out locally and encourage their participation going forward.

Commissioner Naylis also expressed concern with the number of fire fatalities for this year climbing back up to 50. He added that the Council will be looking at this more closely as 2018 comes to a close and report any findings back to the Fire Safety Commission in the New Year.

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

Commissioner Raymond Heck followed up Commissioner Naylis's report that the Master Planning and Research Advisory Council would also be taking a closer look at the fire fatalities statistics going forward. This is so the Council can indentify areas where New Jersey's fire service can focus on to get that number back down to previous levels.

Commissioner Heck requested that Director Mikutsky assign a liaison from the NJDFS to the Master Planning and Research Advisory Council, so that they can coordinate on meetings and reports going forward.

5. **Public Education Advisory Council**

Commission Daniel DeTrollo reported that no meeting had been held since the previous Fire Safety Commission, but called upon Charles Lavin to report about ongoing Public Education programs at the NJDFS. Mr. Lavin reported that the main focus at this time is the upcoming Mid-Atlantic Regional Fire Safety Summit. This event is geared towards public educators and is a partnership between New Jersey, New York, Pennsylvania, Delaware, Maryland, and Washington DC – with the sponsorship and support of NFPA. There are currently 193 slots filled and only 7 remaining, so anyone who is interested should register at www.keanfiresafety.com as soon as possible.

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

Commissioner Richard Blohm reported progress and said that the Fire Safety and Health Advisory Council would be meeting this afternoon (November 14th), here at the Atlantic City Convention Center at 1:00pm.

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 had met on November 8th at the Monmouth County Fire Academy in Freehold. The minutes of that meeting are contained in the Commission meeting packets.

Chairman Krushinski spoke about the planning of the 16th Annual New Jersey Youth Firesetter Intervention Conference. Charles Lavin distributed the finalized program for the event – set for November 29th and 30th at Middlesex County Fire Academy – and anticipated that registration will begin in the coming weeks. For the first time, registration is available online and they are coordinating with Kean University staff on setting this up. Registration is open through the end of this week (November 16th).

Chairman Krushinski also gave reports on the Operation Save-a-Life smoke alarm program and working being done on legislation that would require emergency rooms and urgent care centers to report burn injuries to local fire department authorities. With the newly legalized types of fireworks available and getting into the hands of youths, it is

even more important to have this data. This is bill A4540 sponsored by Assemblyman Caputo.

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for January 10th at the Monmouth County Fire Academy.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis said that, regrettably, there is no progress as far as getting fire sprinkler systems into newly constructed residential homes. This is despite its immense safety benefits and extremely low cost relative to other aspects of building a home. Commissioner Naylis stressed the importance of having more than just a smoke alarm in homes for fire protection, and fire sprinkler systems are the best way to protect life and property given the types of construction being done today.

H. Old Business

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. There being none at this time, the meeting was moved to New Business.

I. New Business

The NJ Fire Safety Commission's meeting schedule for 2019 was distributed for the review of the members. Commissioner Wood made a motion to accept the schedule as is. The motion was seconded by Commissioner Heck and passed unanimously.

Commissioner Arthur Londensky made a motion that the NJ Fire Safety Commission send a letter to the Commissioner of the Department of Community Affairs asking her to move forward with the 2018 International Fire Code. The motion was seconded by Commissioner Stanley Sickels and passed unanimously.

J. Public Comment II

Former Chairman of the Fire Safety Commission, John Wisniewski, spoke to further elaborate on the challenges to legislation for residential sprinkler systems. In his experience, the building industry always seems to trump a good public safety initiative by claiming this will make construction unaffordable. This is obviously untrue, and fire fatalities are only increasing. The advocacy needs to be that fire sprinklers in residential homes is going to save lives and be an overall benefit to the community, despite the fact that it will cause a nominal increase in costs. Commissioner Sickels added that there were so many costs saved by fire sprinklers when they do their job, in addition to saving lives. Commissioner Richard Blohm added that the insurance industry would also provide savings to homeowners (and themselves) when fires are prevented or suppressed by residential sprinklers.

Mike Whalen from the Division of Codes and Standards spoke in further detail about the issue with cladding on high rise buildings. The building code currently allows for these materials and has been for years, so he was not sure what the benefit would be of alerting construction officials about where it is being used. Commissioner Wood spoke about the problem with the incident in England, in which case the wrong cladding material was used. His thinking is that it is beneficial to know what to look for and ensure the material is the proper kind.

NJ Fire Prevention and Protection Association President Rich Silvia spoke about a press conference he attended this morning, where legislators were advocating for better building codes and fire sprinkler systems. Mr. Silvia also spoke about an issue related to getting residential sprinklers, and that being water purveyors are beginning to charge residents with standby charges. He strongly believes that this needs to be stopped. This started a discussion amongst the Fire Safety Commission as to the legality of water companies doing this and – separately – whether it is being prevented statewide. Commission Naylis stated that if water purveyors are doing this, they are violating the state law and should be referred to the Attorney General’s Office. David Kurasz added that this is only enforceable with water companies that are regulated by the Board of Public Utilities. Commissioner Stanley Sickels made a motion that the Fire Safety Commission support legislation that would amend the current law to include all water companies. The motion was seconded by Commissioner Naylis and passed unanimously. Chairman Krushinski said he would coordinate with the Fire Safety Commission’s legislative members on this.

K. Adjournment

Chairman Krushinski called for a motion to adjourn. Commissioner Heck made a motion, which was seconded by Commissioner DeTrollo and passed unanimously. The meeting adjourned at 11:21 am.

*** The next meeting of the Fire Safety Commission will be on Wednesday, January 16, 2019 at 10am. It will be held at the Middlesex County Fire Academy in Sayreville, New Jersey***