

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

**Meeting of November 16, 2011**

The NJ Fire Safety Commission meeting was held on Wednesday, November 16, 2011, at the Atlantic City Convention Center in Atlantic City, NJ.

**Commission Members Present:** Assemblyman John Wisniewski, Chairman  
Mr. Pasquale Intindola, Vice-Chairman  
Assemblyman David Rible  
Senator Donald Norcross  
Mr. Charles W. Schilling  
Ms. Kathleen O’Leary  
Mr. Roger Potts  
Mr. Kevin Bellew  
Mr. Arthur Londensky  
Mr. John Lightbody  
Mr. Lawrence D. Wood  
Mr. Armando Roman  
Mr. Daniel DeTrolio  
Mr. Gerard Naylis  
Mr. Ronald Phillips  
Mr. Frederick Collender  
Mr. Richard Blohm

**Commission Members Excused:** Mr. Arthur Mercurio  
Mr. Paul Hartstein

**DCA Staff Members Present:**  
William Kramer, Acting Director Lou Kilmer, NJDFS  
Jim McFadden, NJDFS Charles Luxton, NJDFS  
Charles Lavin, NJDFS Rick Farletta, NJDFS

**Guests:**  
David Kurasz, NJFSAB Paul C. Sandrock, Camden Co. Fire Marshal  
Stanley J. Sickels, NJFPPA David Matos Jr., NJ Fire & EMS Institute  
Patrick Bigoss, Camden Co. College Patrick Bost, DHSS – PEOSH  
George Heflich Sr., NJSFA Frank Gunson, NJSFA  
Vincent Corsaro, Jefferson Fire Bur. John Medina, West Caldwell Fire  
Al Beers, Fire Prevention Ronald McGowan Jr., Wildwood Crest Fire Co.  
Bryant R. Curry, Bradley Beach FM Kevin Batzel, Brick Twp. Fire  
David A. Maas, NJFPPA Carole Lightbody, Atlantic Coast Construction  
Patrick Kenny, Woodbridge FD Thomas McNamara, Woodbridge FD

Keith Repace, Woodbridge FD	Cory R. Spillar, Avenel Fire Prevention
Richard A. Vigliotti, East Brunswick	Michael Gallagher, Middlesex County Fire Acad.
Nick Lombardi, MCOEM	Heidi Michel, Stafford Twp.
Nicholas Kikis, NJ Apartment Assn.	Marc Kiempisty, Joshua Marcus Group
Rich Silvia, NJFPPA	Robert Gorr, Piscataway Fire Prevention
Paul Snyder, Piscataway OEM	Bill Johnson, Middlesex County
Paul McGrath, City Fire	Keith Thedinca, Highland Park FD
Rich Heimbach, Master Planning	Lew Candura, Sprinkler Fitters Local 696
Ray Lonabaugh, NFSA	Edward Wade, Millburn Fire
J. Michael Roberts, Millburn FD	Gary Lewis, City of Summit
Phil Zimm, Boro of Paulsboro	Angela Morello Lange, Landmark Fire/NJFSAB
Steven Walko, Boro of Haddonfield	Charles Burton, Asm. Wisniewski's Office
Robert Moore, Carlstadt FD	Adam Sherman, Asm. Wisniewski's Office
Frank Rich, Rich Fire Protection	Scott McCormick, Hamilton Twp. Fire Dist. 7
James Yaters, W. Windsor Fire/EMS	William I. Schultz, NJFPPA
Daniel P. Mulligan, Ocean Co. FM	Alden B. Blackwell, Tenaflly Fire Dept.
Irwin Kreisburg, NJDOL PEOSH	

**A. Call to Order**

Chairman John Wisniewski called the meeting to order at 10:08 AM and began the meeting with the “Pledge of Allegiance” and pointed out the fire exits.

Chairman Wisniewski thanked the New Jersey Fire Prevention and Protection Association for providing the accommodations and refreshments for today’s meeting. Also, Chairman Wisniewski recognized new Fire Safety Commission member Kevin Bellew and welcomed him and thanked him for serving on this body.

**B. Approval of Minutes**

With no discussion requested or necessary corrections, the minutes of the regular meeting of September 15, 2011 were approved.

**C. Correspondence**

Chairman Wisniewski noted that all correspondence for today’s meeting is contained in the Fire Safety Commission packets. With no discussion requested on any of the correspondence at this time, the meeting was moved to Public Comment I.

**D. Public Comment I**

Chairman Wisniewski opened up the meeting to any members of the public wishing to address the Fire Safety Commission. With no one requesting to speak at this time, the meeting was moved to Division of Fire Safety Activities.

## **E. Division of Fire Safety Activities**

Acting Director William Kramer reported that the amendments to the Bed & Breakfast regulations have been published in the New Jersey Register on November 7<sup>th</sup>. The comment period on those regulations ends on January 6, 2012. The Division is also working on an amendment for Registration of Self-Storage Facilities. A judge recently ruling that the current life-hazard use category for self-storage facilities did not apply; so the Division is making an amendment to update the registration on self-storage facilities that have interior means of egress.

The Division of Fire Safety is working through the DCA's review of a proposal to adopt a standardized form for the inspection of kitchen fire suppression systems. Also, the Division is working with the DCA on an amendment that would update training and certification requirements to bring them in compliance with the new reference materials that are utilized.

The Division of Fire Safety's Arson Unit has been involved with an investigation at a large dollar-loss fire at a new car dealership in Sussex County. Roughly 30 vehicles were destroyed in that fire. Also, the Division was notified by the Middlesex County Prosecutor's Office that an arrest had been made of a serial arsonist where the Arson Unit was involved with the investigations. This individual lit at least ten fires, both in New Jersey and New York, a couple of which resulted in fatalities.

The DFS Arson Unit is involved in investigating the Animal Kingdom Zoo fire in Springfield Twp. that killed a number of exotic animals (including two giraffes). Also, Division of Fire Safety staff played a part in getting a ten-year sentence for an arsonist in Passaic County who was responsible for a fatality. There was also a firefighter fatality in Cape May City that the Division is in the process of investigating at this time.

Chief Kramer also made note that the Juvenile Firesetter Prevention Conference was all set to be held on December 1<sup>st</sup> and 2<sup>nd</sup> at the Middlesex County Fire Academy. Attendees from all over the country are expected, as well as some special guests from New Zealand thanks to the Conference's sponsors. The Division is expecting people from the fire service, law enforcement, and mental health communities to attend.

The Division of Fire Safety continues to provide first responders with training on the Highway Traffic Safety Guidelines. Also, the Division has been working with law enforcement and homeland security on a few situations where individuals have been impersonating inspectors to gain access to businesses.

Chief Kramer reported that the "Fire in New Jersey 2010" report is now completed and posted on the NJDFS website. He gave credit to Heather Allen and the NFIRS Unit for their diligent work and producing the most accurate and comprehensive Fire in New Jersey report to date.

Chief Kramer said that he was contacted by WABC-7 in regards to their Operation Save-A-Life program. He was asked whether New Jersey's citizens and fire service found the program to be beneficial or not. He told them he found it to be a vital program, both in its fire safety education value (through the special) and community outreach (through the smoke detector giveaways. There is no way to put a number on it, but there is no doubt that – given the amount of smoke detectors that have been distributed in New Jersey through WABC's efforts – that the program has saved lives. Chief Kramer asked if the Fire Safety Commission would formally support the WABC Operation Save-a-Life program. Commissioner Gerard Naylis made a motion that the New Jersey Fire Safety Commission draft a Resolution to fully support and endorse the Save-a-Life program, its television special, and the smoke detector giveaway. The motion was seconded by Commissioner Wood and passed unanimously. Commissioner Naylis was directed by Chairman Wisniewski to work with Commission Secretary Charles Lavin on drafting the Resolution.

Chief Kramer spoke about a recent court ruling that came in the wake of the storms that have hit New Jersey. A citizen had a wire down on their property and called the power company (JCP&L), who were already tied up responding to numerous other calls. The volunteer fire department then responded and manned the downed wire until the power company's personnel was able to show up and relieve them. Apparently (and Chief Kramer did not have all the details at this time as to how it happened) the resident whose property the wire had fallen on inadvertently touched the wire and was electrocuted. The victim lost an arm and a leg in the accident. Subsequently, the ruling in this case awarded the victim \$18 million and found the volunteer fire company 60% at fault for the accident. The fire company is now on the hook for that money. Chief Kramer found this story to be extremely alarming and asked that Assemblyman Wisniewski and the other legislative members of the Fire Safety Commission look into this matter to protect firefighters in the future. Chairman Wisniewski said there are laws in place to protect first responders from being held liable in such case. He asked Chief Kramer to provide him with the details on this specific case so that it can be examined further. Chief Kramer will be reaching out to the Board of Public Utilities on this matter as well.

Chief Lou Kilmer reported that the Division of Fire Safety's new computer system for the Code Enforcement Unit is making exceptional progress. There was even a demonstration of a prototype of part of the system conducted recently. The Code Enforcement Unit is diligently working to make sure their data is accurate and up-to-date so that the conversion to the new computer system will run as smoothly as possible.

The Code Enforcement Unit will be distributing its Annual Report to Fire Officials within the next couple weeks. It will be done electronically as has been done for the previous few years. Chief Kilmer also mentioned that the Division of Fire Safety is working on two extremely large sporting events that will be coming to New Jersey in the coming years. They are a Formula-1 Grand Prix race in Hudson County, and Super Bowl XLVIII to be held at MetLife Stadium in East Rutherford in early 2014. Division staff is working with local authority and the event's planners to make sure they both go off without incident.

Commissioner Lawrence Wood commented on the situation with the fire company that was blamed for the electrocution accident. It is his feeling that the fire service, particularly the volunteers, are being somewhat picked on by local utilities and law enforcement when they themselves are spread thin because of cutbacks. Often, they assume that the volunteers have nothing better to do than babysit a wire (for instance) so they call the fire department in while they attend to other matters. As the poor economic conditions result in more and more cutbacks, this will only happen more frequently and it needs to be looked into. Commissioner Wood suggested that it is less of a problem for the career service because they are looking to increase their workload in some cases to keep jobs, avoid layoffs, etc. Commissioner Gerard Naylis suggested that the Division of Fire Safety could conduct some kind of survey to determine best practices from around the State concerning situations like these.

Commissioner Richard Blohm vehemently disagreed with Commissioner Wood's suggesting that career fire departments use minor incidents like a wire down or someone smelling gas to "pad their statistics" as far as how many calls they respond to. All firefighters are charged with protecting lives and save property, and the career fire service is certainly no exception to this. It was Commissioner Blohm's feeling that it IS the fire departments job to protect and help citizens in all types of emergencies regardless of whether the threat is from fire, natural gas, electricity, flood waters, etc., etc. Commissioner Blohm did agree with looking at the legal ramifications of this particular case, but found it ridiculous that the career fire service would be using any type of incident to build up its amount of calls.

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

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

Commissioner Charles Schilling reported that no meeting of the Codes Advisory Council had been held since the last Fire Safety Commission meeting. Therefore, there is no formal report.

Commissioner Schilling did mention that the Codes Council is looking into many issues heading into the New Year. Namely, they will be examining the proposed Solar Panel decals to be placed on buildings outfitted with solar power; and the "minor work" regulations that would allow a contractor to begin construction before having to obtain a permit for it. Commissioner Schilling will report on these matters, and others, at the January meeting of the Fire Safety Commission.

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

Commissioner Lawrence Wood referred all members present to a report in the Commission packets entitled "Rapid Intervention Crew Training Guidelines". Since the report is quite large and too much to digest at today's meeting at a glance, Commissioner Wood asked that all Commissioners take a look at the document and provide him with

feedback at the next meeting in January. If anyone has questions in the meantime, they can feel free to email Commissioner Wood and he will address it. Commissioner Wood commented specifically on the regulations regarding “2 in, 2 out”. In the RIC Training Guidelines document, the Council goes beyond this to ensure a minimum of 4 to 6 people per crew. He feels this will go further to ensure firefighter safety.

Commissioner Wood added that an email had been sent to gauge interest in the position of Vice-Chairman of the Training and Education Advisory Council. The position is currently vacant and Commissioner Wood asked that any interested Commission members should speak with him about it at their earliest convenience.

The next meeting of the Training and Education Advisory Council will be held on December 20, 2011, at the Dempster Training Center in Lawrenceville, NJ. Commissioner Wood stated that this will be a brainstorming meeting to analyze what the Training and Education Council has done, and what it will be focusing on going forward in 2012.

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

Commissioner Gerard Naylis reported that the 2012 Fire in New Jersey report has been published and is available on the New Jersey Division of Fire Safety website. Commissioner Naylis gave kudos to Heather Allen and the NFIRS Unit for doing the legwork in obtaining and compiling the data, as well as putting together this comprehensive and important document.

Commissioner Naylis also thanked all the New Jersey fire departments that submitted their NFIRS data, as well as several fire photographers whose pictures have been utilized (at no cost) to greatly enhance the Fire in New Jersey report. Lastly, with the year’s end coming, Commissioner Naylis reminded everyone to have their fire department submit their data. New Jersey has seen 95% participation in NFIRS and this is an achievement that needs to continue.

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

Commissioner John Lightbody reported that the Master Planning and Research Advisory Council met on November 14<sup>th</sup> at the Toms River Fire Academy. At that meeting, Lew Candura announced that he would be replaced on the Fire Safety Commission by Kevin Bellew. Commissioner Lightbody thanked Mr. Candura for all his hard work as a Commissioner, and welcomed Mr. Bellew.

Commissioner Lightbody reported that the Residential Sprinkler Coalition had a booth set up (with new backdrop) at the Wildwood Firefighter’s Convention. The booth was very well received. The Residential Sprinkler Coalition’s website is also up and running and can be found at [www.njfiresprinklers.com](http://www.njfiresprinklers.com). The webpage will continue to evolve with David Kurasz serving as the webmaster. The Coalition is requesting that all fire service organizations go to this website and join the coalition and bolster support. The Coalition

is also still waiting on a few more quotes from organizations to determine exact costs of installing residential fire sprinkler systems.

Commissioner Lightbody reported that a motion was made on the floor of the Wildwood Firefighter's Convention, and passed, to the support keeping together the Division of Fire Safety and the Master Planning and Research Advisory Council is working on getting a copy of that motion. In the area of Shared Services, Dan Mulligan reported that he is awaiting a meeting with NJDFS Acting Director Bill Kramer about the survey to be sent to all fire departments. He insisted that all the survey questions and material is set to be sent out; it is just a matter of getting together with Chief Kramer to finalize the execution of the survey.

The Master Planning and Research Advisory Council discussed the Division of Fire Safety, and the fire service in general, being spread too thin across the board. The fire service is continually asked to do more with less, and this is detrimental to the safety of citizens and firefighters alike. Commissioner Lightbody spoke about how less manpower and slower response times are becoming more acceptable – which is a huge problem.

In the area of Recruitment and Retention, Commissioner Lightbody spoke about this being a nationwide problem. For reasons that are mostly economic, the volunteer fire service has seen its ranks diminish year after year. Also, the Council members expressed concern that fire safety education is becoming a casualty of economic cutbacks on the local level. This is a major concern and the effects will be felt down the road if it isn't made a priority.

The Council also discussed the topic of standards for minimum manpower requirements. As of now, there are no minimum manpower requirements and with many financially strapped departments, apparatus are going on jobs with two (sometimes only one) firefighters riding. This is obviously extremely dangerous situation in these cases.

Commissioner Lightbody reported that the Master Planning and Research Advisory Council unanimously endorsed the placarding of residential and commercial buildings that are equipped with solar panels.

Commissioner Lightbody gave a report in regards to lightweight construction. It is his feeling that the public, particularly homebuyers, need to be made aware of the specifics of the construction of their homes and the potential dangers they present regarding fire. Commissioner Lightbody distributed a document citing NFPA 1:5.2.2.7 Emergency Responder Protection: "Buildings shall be designed and constructed to reasonably prevent structural failure under fire conditions for sufficient time to enable firefighters and emergency responders to conduct search and rescue operations."

The next meeting of the Master Planning and Research Advisory Council is scheduled for December 5, 2011, at the Toms River Fire Academy.

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

Commissioner Daniel DeTrolio reported that the Public Education Advisory Council met on November 10, 2011, at the Middlesex County Fire Academy in Sayreville.

Commissioner DeTrolio reported that Charlie Luxton gave a brief update about the ongoing “Fire Is” fire safety education campaign. Andy Stratton - along with Storm Field, Joe Erhardt, and NJDFS staff – hosted a program on the “Fire Is” campaign at the recent NJ School Boards Association Conference in Atlantic City. The seminar had maybe a dozen attendees, which was a smaller turn-out than we would have hoped. The folks that did attend seemed very interested in the program and Lt. Stratton did a tremendous job in presenting it.

Commissioner DeTrolio reported that the 2012 FIRE Bowl is in its earliest planning stages at this time. School districts are being canvassed to see who’s in and who’s out for the 7<sup>th</sup> Annual FIRE Bowl competition. Confirmations have already been received by Bayonne, Belleville, Camden, and Jersey City. Also, the 2011-2012 NJ Fire Safety Poster Contest is underway and all information regarding it is posted on the front page of the Division of Fire Safety website. All poster entries are due to the County Coordinators by March 15<sup>th</sup>, but some entries from around the State are already beginning to trickle in.

Charlie Luxton reported that he is officially out of smoke detectors for distribution from the 2011 Save-a-Life Program. Also, Commissioner DeTrolio reported that Vincent Corsaro had brought up the issue of Carbon Monoxide in homes (mainly from generators) and the dangers they pose. It was his feeling that more needs to be done to make the public aware of how dangerous CO can be. The Division of Fire Safety’s Jerry Clark will be working on a press release about this very issue to follow up on other press released that have been picked up recently in local media

Commissioner DeTrolio said the Public Education Advisory Council also unanimously endorsed the concept of placarding buildings that are equipped with solar panels. This led to a discussion about the dangers that solar panels pose (particularly to firefighters) during a working fire. Chairman Wisniewski asked that Commissioner Schilling and the Codes Council take a close look at this and report back at the January meeting of the Fire Safety Commission. Commissioner Schilling said the Codes Council had originally decided to let the local jurisdiction decide on how to identify these solar-equipped buildings, but they will examine the issue further. Commissioner Blohm expressed an idea from Commissioner Steve O’Gorman that the solar panel decals be placed upside-down (as an inverted triangle) to make them more easily identifiable.

The next meeting of the Public Education Advisory Council is scheduled for January 11, 2012, at the Middlesex County Fire Academy at 10 AM.

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

Commissioner Richard Blohm reported that the Firefighter Safety and Health Advisory Council met on September 14<sup>th</sup> at the Middlesex County Fire Academy. At that meeting, a representative from the Department of Labor indicated that using SCI bottles is considered a serious violation, particularly since it voids the NIOSH certification of the unit the bottle is used with.

Commission Blohm noted that the Department of Health opened their emergency command center after Hurricane Irene regarding water supply and mold. Also, the New Jersey Forest Fire Service is still working to fill vacancies. They have finished their interview process for tower operations. A Fire Crew of 20 people was dispatched to Minnesota and four additional people were sent to Texas to assist with wildfires there. High Water vehicles were deployed to assist with flooding as a result of Hurricane Irene and Tropical Storm Lee.

The Firefighter Safety and Health Advisory Council will initiate looking into procedures and/or guidelines associated with activities during flooding. Commissioner Blohm gave an example from the City of Hoboken where they are looking into procedures and learning from the events of the past few months.

The next meeting of the Firefighter Safety and Health Advisory Council will be held today, November 16<sup>th</sup>, in Room 316 of the Atlantic City Convention Center.

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

In the absence of Commissioner Paul Hartstein, Commissioner Kathleen O'Leary gave the report of the Juvenile Firesetter Prevention Advisory Council. The Council met on November 9<sup>th</sup> at the Middlesex County Fire Academy.

Commissioner O'Leary reported that educational information on a Juvenile Firesetter Prevention curriculum is now in the hands of the Fire Safety Department at Kean University. The plan is to have the information in its entirety on the Kean website, which is [www.keanfiresafety.com](http://www.keanfiresafety.com). In regards to the Parents Legal Responsibility Pamphlet, Charlie Luxton reported that he has been unable to meet again with Asst. Prosecutor Jeff Cartwright regarding his input. Mr. Luxton will try and get together with him as soon as possible.

The 9<sup>th</sup> Annual Juvenile Firesetter Awareness Conference is proceeding along well and is scheduled for December 1<sup>st</sup> and 2<sup>nd</sup> at the Middlesex County Fire Academy. Hartz Mountain Industries has donated \$1,000 towards the transportation costs to get Rachel Lind here from New Zealand for the Conference. The total cost is \$1,900 with the NJ Chapter of IAAI and the NJDFS splitting the remainder of the costs. Also, guest speaker Mike Higginbotham mentioned that the CEU's being offered by Kean University is a very good deal for those in the Social Work field and he would pass this information along. If additional brochures for the Conference are needed, it can be accessed on the

Division of Fire Safety website. The brochure is part of the Fall Kean Course catalog, located in the middle of the catalog.

There is a Juvenile Firesetter Intervention Specialist I program scheduled for April 11<sup>th</sup> and 12<sup>th</sup>. Also, the Council has decided to change its meetings back to Thursdays to accommodate more of the members. The Public Education Advisory Council will, in turn, follow suit and move their meetings back to Wednesdays.

The next meeting of the Juvenile Firesetter Prevention Council is scheduled for Thursday, January 12, 2012, at the Middlesex County Fire Academy in Sayreville.

## **G. Committee Reports**

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

Commissioner Naylis commented that they are waiting for the economy to turn around so that others will come around to the idea of residential sprinkler regulations. In the meantime, the Committee and Coalition are continuing to advocate for legislation that would require residential fire sprinklers in one- and two-family homes. Chairman Wisniewski said he would continue to work towards this.

## **H. Old Business**

Chairman Wisniewski reported that the Resolution in support of keeping the Division of Fire Safety in tact was drafted and sent to the Governor, Senate President, Assembly Speaker, and Commissioner of the Department of Community Affairs. Commissioner Grifa was invited to attend today's meeting to discuss this matter in person, but she is not in attendance. Chairman Wisniewski said the Commission will continue to invite the DCA Commissioner to all future meetings to discuss this - and several other - issues that the fire service in New Jersey is facing.

Chief Kramer followed up on the manifold failure issue that resulted in a firefighter being injured in Sussex County. The Division of Fire Safety contracted with a metallurgist in Delaware to conduct testing. The report from the metallurgist has been received. The Division of Fire Safety's final report on this matter is currently undergoing internal review and should be released shortly. Chief Kramer did say that the metallurgist reported significant flaws in the manufacturing of these devices. Also, the NJDFS has still not been able to identify a Federal agency that has jurisdiction over this type of issue. The official report should be issued in a couple weeks.

## **I. New Business**

After a brief discussion, the Meeting Schedule for 2012 was unanimously agreed upon as follows:

Wednesday	<b>January 18<sup>th</sup></b>	10 AM	<u>Middlesex Co. Fire Academy</u> 1001 Academy Drive Sayreville, NJ
Wednesday	<b>March 21<sup>st</sup></b>	10 AM	<u>Hyatt Regency Jersey City</u> 2 Exchange Place Jersey City, NJ
Wednesday	<b>May 16<sup>th</sup></b>	10 AM	<u>Monmouth Junction F.D.</u> 573 Ridge Road Monmouth Junction, NJ
Wednesday	<b>July 18<sup>th</sup></b>	10 AM	<u>Toms River Fire Academy</u> 1780 Church Road Toms River, NJ
Thursday	<b>September 13<sup>th</sup></b>	10 AM	<u>Wildwood Convention Ctr.</u> 4501 Boardwalk Wildwood, NJ
Wednesday	<b>November 14<sup>th</sup></b>	10 AM	<u>Atlantic City Convention Ctr.</u> 1 Convention Boulevard Atlantic City, NJ

With no other New Business to discuss, the meeting was moved to Public Comment II.

### **J. Public Comment II**

NJFPPA President Stanley Sickels inquired as to whether there had been any movement in regards to appointing a permanent State Fire Marshal. Chairman Wisniewski answered that the question would best be directed towards the DCA Commissioner, who is not present to answer at this time.

Mr. Sickels spoke about Senate Bill 2795, noting that they are working with the Apartment Owners Association to add language that would exempt both ordinances adopted pursuant to the Uniform Fire Code so that the inspection can still take place. Mr. Sickels also commented on the issue discussed previously that concerned the “wire down” where the fire department was held liable. While he didn’t know the particulars of the case, Mr. Sickels did say that in Red Bank they’ve discussed this type of situation. It is his feeling that - when you have the resources, knowledge, and ability – there is a duty to act. On the other hand, Chief Kramer is right that there should be a way to recoup the

costs to the fire department and this issue certainly needs to be examined further and regulations or statues established. Ray Lonabaugh added that it is certainly a troubling issue with the utilities, as well as emergency services, being cut back so much.

Mr. Sickels commented that the issue of identifying solar panels has been discussed within the Codes Council and the International Codes Council may be adopting some sort of markings or procedures in the upcoming version of the Code. The Codes Council will examine this and look to follow suit with the rest of the nation on this issue.

Mr. Sickels spoke about the proposed amendments to the “minor work” regulations in the Construction Code. This basically would allow for renovations or alterations - in a business, factory, storage uses, etc. – to start the work, apply for a permit within 5 days, and the work can continue without being inspected for up to 30 days later. If this amendment is to pass, it would perpetuate the problem of people installing fire alarms, sprinklers, etc. without permits. The comment period on the proposal ends this Friday, and Mr. Sickels asked the Fire Safety Commission to oppose these regulations and ask the DCA Commissioner to at least hold a public hearing on the matter. It is Mr. Sickels impression that this is on the fast-track and – if it is to pass – will have a significant negative effect on public safety.

Gary Lewis, Construction Official from the City of Summit, also spoke about the “minor work” regulations. He spoke about these amendments not only being a construction issue, but a fire safety issue as well. Mr. Lewis was adamant that there needs to be a public hearing so that all parties involved can have an opportunity to offer opinions on the matter. He stressed that it is a fire and life-safety issue and will affect fire department operations as well. Mr. Lewis feels the 60-day comment period is simply not sufficient. Vice-Chairman Intindola said the Building Officials Association has also requested a public hearing in all the comments that have submitted. It is his understanding that a public hearing is required in a case such as this. The Building Officials Association is also willing to go to court and file an injunction if these minor work amendments are not stopped. Commissioner Londensky mentioned that this will become an insurance issue in addition to a life safety issue, as insurance companies will void policies if proper permits and inspections are not performed. David Kurasz added that the New Jersey Fire Sprinkler Advisory Board is also opposed to the “minor work” regulations. He commented that New York has very similar regulations to the ones being proposed and they have not worked out well. He suggested examining what is going on in other states and utilizing that data. Chairman Wisniewski added that he would contact the Assembly Chairman of the Regulatory Oversight Committee and recommend that he hold a hearing on this.

Commissioner Naylis made a motion that the Fire Safety Commission, prior to November 18, 2011, formally recommend to DCA Commissioner Grifa that a public hearing be held on the amendments to the “minor work” regulations. The feeling is that although it is in the Construction Code, it is a public safety issue and needs to be stopped before the comment period ends. The motion was seconded by Commissioner Arthur

Londensky and passed unanimously. Chairman Wisniewski agreed to contact Commissioner Grifa on this matter before the end of the week.

Lewis Candura spoke briefly to thank the Fire Safety Commission for his time serving with them. He said he would continue to work on the issues facing New Jersey's fire services and was confident that the Fire Safety Commission would do the same. Chairman Wisniewski thanked Mr. Candura for all his hard work on behalf of New Jersey's citizens and fire service.

William Drake, Fire Official from Princeton, spoke about the issue of shared services. Recently, Princeton has undergone a merger of municipalities and Mr. Drake has found he's had to perform many redundant tasks when filing reports and dealing with regulatory affairs. He urged the Division of Fire Safety to look at this issue going forward. Mr. Drake added that the identifying of solar panels on residential and commercial buildings is vital to firefighter safety, and urged the Fire Safety Commission to advocate for the placards before there is a tragedy.

Mr. Sickels spoke about the fire sprinkler regulations. He cited a particular part that is contrary to the Construction Code in where you must have a local ordinance in the municipality to require residential sprinklers. Chairman Wisniewski answered that the way to get this done is incrementally. Therefore, the language calls for residential sprinklers to be a local option, and then we can go forward from there. Mr. Sickels also asked that the list of recommendations from the Codes Council be re-examined. His feeling is that they are doing this work and passing them along to the Department of Community Affairs and not being adopted. Chairman Wisniewski agreed that the Codes Council log of action items will be looked into.

#### **K. Adjournment**

Chairman Wisniewski asked if anyone had any additional business they would like to bring before the Commission. There being none, the meeting adjourned at 11:31 am.

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**\* The next meeting of the Fire Safety Commission will be held on Wednesday, January 18, 2012 at 10am. It will be held at the Middlesex County Fire Academy in Sayreville, NJ \***