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

Meeting of January 17, 2024

The New Jersey Fire Safety Commission meeting was held on Wednesday, January 17, 2024 at the New Jersey State Firemen's Association in Wall Twp., NJ.

<u>Commission Members Present</u> :	Mr. Kevin Krushinski, Chairman Mr. Arthur Londensky, Vice-Chairman Mr. Lawrence D. Wood Mr. Paul McGrath Mr. Steve O'Gorman Mr. George Aleu Mr. Arthur Hayducka Mr. Gerard Naylis Mr. Richard Blohm Mr. Charles Siedenburg Mr. Daniel DeTrolio Mr. Charles Maria Ms. Kathleen O'Leary Mr. Armando Roman
Commission Members Excused:	Mr. Frederick Collender Mr. Kevin Bellew Mr. Raymond Heck
DCA Staff Members Present:	Richard Mikutsky, NJ State Fire Marshal Louis Kilmer, NJDFS Charles Lavin, NJDFS Don Nelsen, NJDFS Lenny Inzerillo, NJDFS Greg Kirkham, NJDFS Jason Spiecker, NJDFS Daniel Timmerman, NJDFS
<u>Guests</u> : Rich Heimbach Joseph Hankins Matthew Janora	Ronald McGowan Bob Ordway Brian Kubiel Tom Pizzano

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 November 15, 2023, 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.

David Kurasz from the New Jersey Fire Sprinkler Advisory Board was happy to announce that, last night, on January 16th, Governor Murphy signed S-281 (the townhouse sprinkler bill) into law. Mr. Kurasz thanked and congratulated the Fire Safety Commission, Division of Fire Safety, and all those in the fire service throughout the state who worked for years to make this happen. Mr. Kurasz also specifically mentioned the NJ State Firemen's Association, the NJ State FMBA, and Senator Greenstein who was instrumental in pushing for this bill and getting it passed. Mr. Kurasz also stressed that the work continues because opponents of this bill will continue to try and undermine the bill going forward.

With no more 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 announcing that a new Deputy Commissioner of the NJ Department of Community Affairs – Kate McDonnell – had been appointed to replace former Deputy Commissioner Rob Long (who retired on December 1st). Deputy Commissioner McDonnell has a wealth of experience in both the Governor's Office and Attorney General's Office before coming to DCA.

Director Mikutsky reported that the NJDFS continues to work towards the readoption of the Deployment Act. The Act expires in March 2024 after it was extended this past fall. Director Mikutsky also spoke about meeting with the National Fallen Firefighter

Foundation back on November 27th. This was to strengthen the relationship between the two agencies and provide more training in New Jersey going forward.

The Holiday Fire Safety Demo was held back on November 20th at Monmouth County Fire Academy to promote fire safe practices in homes during the holiday season. Director Mikutsky thanked Chairman Krushinski, the NJ Fire Sprinkler Advisory Board, Sprinkler Fitters Local 696, and the staff at Monmouth for putting this event together. Director Mikutsky also attended the ASIM/SAVER briefing on November 21st at the Regional Operations and Intelligence Center along with OFDP Supervisor Bruce Tynan. This briefing was related to active shooter incident management.

Director Mikutsky gave an update on a handful of pieces of legislation. This first of which was an echoing of David Kurasz's earlier announcement, as Director Mikutsky expressed his encouragement and gratitude for the townhouse sprinkler bill (S-281/A-3791). Director Mikutsky also spoke about A-4125/S-2712, which prohibits the sale, manufacture, distribution of use of firefighting foam containing intentionally added perfluoroalkyl and polyfluoroalkyl substances. This requires the Department of Environmental Protection to establish a collection and disposal program and was signed into law on January 8th. The last piece of legislation Director Mikutsky gave a report on was S-2057/A-1174, which requires certain documentation of needs of students with disabilities during school security drills and emergency situations and in-school security plans. This requires staff training on the needs of students with disabilities in emergency planning and was signed into law on January 8th as well. Chairman Krushinski asked for clarification on that bill and Director Mikutsky explained that this bill is primarily the concern of the schools, but the fire service is tied in due to the emergency planning aspected.

Director Mikutsky gave a report from the K-9/Investigations Unit, which performed 321 investigations total in 2023. Of these investigations, 68 were arson fires and the K-9's were deployed 39 times. There were 8 line of duty deaths reported in New Jersey in 2023 – 2 operational LODDs from the Newark ship fire, 5 medical-related within 24 hours, and 1 from COVID. The K-9/Investigations Unit is expected to be much busier in 2024 now that they are logging and reporting for all "calls for service", which includes actual investigation responses, as well as incident notifications where no response is needed. Previously, "notification only" calls were only logged at dispatch. So far in 2024, the Unit has had 46 cases, 15 of which were actual investigations, which is on-track with last year for responses.

K-9 Remi is now fully certified for Ignitable Liquid Detection as of January 1st. She is the partner of Investigator Stephen Letts in the Central Region. However, Remi is temporarily out of service as she recovers from being spayed on January 11th. With her certification, the K-9 Unit is back at full-strength with four teams active. After multiple delays, three new K-9 trucks have been ordered to replace the oldest units.

Director Mikutsky spoke about the US Coast Guard public hearings regarding the Newark ship fire investigation and two line of duty deaths that began last week and have continued this week. The overall incident investigation is being led by the US Coast Guard, with ATF handling the primary origin and cause, and NIOSH handling the line of duty death analysis. Formal findings and/or recommendations are expected in the future.

The NJDFS was involved with the investigation of a multi-alarm fire at the old Singer Sewing factory complex in Elizabeth on January 5-6. ATF led the fire investigation and brought in their National Response Team for multiple days. They determined a unit of fire origin, and the fire cause is currently Undetermined but not suspicious in nature. There were also significant fire code issues here which contributed to the severity of the fire.

From the Community Risk Reduction Unit, Director Mikutsky reported that the 20th Annual New Jersey Youth Firesetting Intervention Conference was held on November 30th and December 1st. Planning has already begun on the 21st, which will take place on December 5-6, 2024, at Middlesex County Fire Academy under its new name: The Anthony R. Braig Conference on Youth Firesetting Intervention.

2024 New Jersey Fire Safety Calendars have been distributed to all counties. Thanks to City Fire (Commissioner Paul McGrath), NJ Fire Sprinkler Advisory Board (David Kurasz), Sprinkler Fitters Local 696 (Commissioner Kevin Bellew), and Atlantic City Electric for making this program possible.

The Kickoff Event for the 26th edition of the Operation-7 Save-a-Life program will be held on January 23rd in New York City. Distribution of the actual alarms is always ongoing via the CRR Unit, but we should expect a new shipment sometime in the spring. This year we will be joined by our new DCA Commissioner Jacquelyn Suarez.

Director Mikutsky offered the following statistics from the Office of Fire Department Services for 2023:

*Notifications-multiple alarms – 624 *Emergency responses – 63 *Exercises -74*Special Events – 6 *Fire department assistance – 300 *Trainings – 223 *Fire department complaints – 144 Meetings-*County fire coordinators - 206 *Fire departments – 429 *County fire chiefs – 109 *Office of Homeland Security & Preparedness – 66 *FBI / Joint Terrorism Task Force – 137 *ROIC / State Emergency Operations Center – 225 *Area Maritime Securities Committee – 25 *Urban Area Securities Initiative – 44 *NJ Fire Threat Task Force – 74

*NJ Office of Emergency Management – 31 *Domestic Security Preparedness Task Force – 10 *NJ State Emergency Response Commission – 5 *NJ Health and Safety Committee – 6 *NJ Statewide Utility Safety Committee – 7 *NJ All Hazards Incident Management – 22 *TOTAL – 1,396

Director Mikutsky also gave the NFIRS Unit report, providing the following totals for 2023:

*Total fatalities – 77 *Residential fatal fires – 58 *Civilian burn reports – 529 *School fires – 77 *Lithium-ion battery incidents reported – 53 *Electric vehicle fires reported – 1

There are currently 581 eNFIRS FEMA Software system users throughout the state, which is an increase of 345 since October 27th. NFIRS Unit staff have also trained approximately 500 fire service members in Fire Incident Report Writing classes. The delivery method included all in-person classes – 7 for Kean University and 51 local delivery classes. These trainings encompassed 31 different fire departments, both career and volunteer.

NFIRS Unit staff responded to most fatal fires in New Jersey and conducted 30 Fatal Fire NFIRS Report Reviews out of the current 77. NFIRS Unit staff conducted 82 emergency responses to fire departments for NFIRS Coding assistance in various types of fires including multiple-alarm fires, fatal fires, civilian burn fires, electric vehicle fires, warehouse fires, and residential dwelling fires. In total in 2023, the NFIRS Unit calculated property losses of approximately \$450.5 million during emergency responses.

Director Mikutsky gave a report from the NJDFS Training & Certifications Unit, beginning with total numbers of certifications processed in 2023. They totaled 24,245 with the following breakdown:

*FF1/FF2/ARFF – 2,580 *ARFF Apparatus Driver/Operator – 22 *HazMat – 14,535 *Incident Management – 2,597 *Fire Officer – 155 *Fire Official/Inspector – 1,298 *Fire Police – 102 *Investigator – 432 *Instructor – 2,312 *Contractor's Certifications – 212 The NJDFS and Kean University held a Hazardous Materials: WMD Awareness & Operations Train-the-Trainer on January 16th and January 18th. This was to review the new NFPA 470, 2022 Edition, Chapters 5, 7, 9.2, and 9.6 via the Zoom platform. This was instructed by J&B Account Executive Jennifer Troup and registrations were done via Kean.

Starting on January 1st, the Recruit Firefighter 1/Hazardous Materials credentialing program are teaching to the NFPA 470 – Hazardous Materials/Weapons of Mass Destruction (WMD) Standard for Responders, 2022 Edition. Also starting on January 1st, the Office of Training & Certifications began asking for documentation of a written and practical exam for all Hazardous Materials: Incident Commander online courses. This coincides with the already enacted administrative procedure of asking for written and practical exams for the online HazMat: Awareness and Operations courses before accepting them towards state certifications. Firefighter 2 Written Equivalency Exams ended on December 31st with 53 offerings for approximately 1,510 firefighters.

Office of Training & Certifications Supervisor Greg Kirkham and Training & Certification Specialist 1 Steve Taylor will meet with Morris County Fire Academy Chief Pepe and Michael Corbo from Atlantic County on January 29th regarding the NJDFS's RIC credentialing program.

Director Mikutsky reported that he will be meeting with Greg Kirkham and Karen Grant from Kean University and top officials from Port Authority on January 22nd. This will be to discuss the issues that PANYNJ Deputy Chief Davitt is having with the NJDFS's regulations and requirements regarding the ARFF training program and train-the-trainer programs.

Director Mikutsky noted that all NJDFS certification applications are being revised as of January 2024. The revisions are minor (i.e. phone numbers, fax numbers, email addresses, etc.) Also, one of the applications (Firefighter 1) will not cover all certification titles (HazMat, etc.). Appropriate certification applications must be utilized. Director Mikutsky also reported that Recruit Firefighter 1 students cannot apply for the Incident Management Level 1 certification as soon as they graduate the academy, even though they receive an I-200 course completion certificate from the academy. They still need to have the three years of experience letter signed by Chief or Training Officer on department letterhead. Many of these applications are sent back every year.

The Firefighter, Hazardous Materials, and Fire Officer applications are slightly backed up again due to multiple, late Firefighter 2 Challenge Exam requests. Program Manager Steve Taylor will be getting caught up as quickly as possible. Some good news, however, is that the Training & Certifications Unit has received approval to hire to backfill the vacant Specialist 1 position.

Director Mikutsky gave a reminder that the grandfathering clause for Firefighter 1 ended on February 5, 2018. Everyone must now provide a Firefighter 1 course completion certificate from an academy to obtain state certification. New Jersey Weekend 2024 at the National Fire Academy has been scheduled for June 1^{st} and 2^{nd} . There will be seven courses offered. They are:

*Leadership in Supervision: Perspectives in Thinking
*New Fire Chief: Contemporary Issues
*Emergency Response to Terrorism: Strategic Considerations
*Youth Firesetting Intervention Specialist
*Incident Command System and Resource Management for Fire Service
*Preparation for Initial Company Operations
*Building Organizational Support for Community Risk Reduction

Director Mikutsky reported that the NJDFS's Airport Rescue Firefighter credentialing program will be run exclusively at the Middlesex County Fire Academy, Newark International Airport, and Atlantic City Airport. The Middlesex County Fire Academy and Port Authority staff will be involved in every delivery. All materials needed for the course (student manuals, jet fuel, crash truck, etc.) will be purchased by the organization(s) sponsoring the course.

Director Mikutsky concluded his report by proving statistics from the Fire & EMS Crisis Hotline for November 2023:

*Total contacts - 110
*Incoming calls - 37
*Outgoing calls - 72
*Contacts from chat - 1
*NJ Fire/EMS Lifeline Opened Peer Support Counseling Cases - 25 firefighters
*Abandonment rate of calls - 13.51%
*Average speed to answer - 10.6 seconds
*Average talk time - 8 minutes, 9 seconds

Commissioner Richard Blohm asked a question in regard to the collection and disposal of the firefighting foam. He asked if there would be a new request form put out, and Director Mikutsky answered that this had already been done in 2023. Commissioner Blohm also asked about progress in regard to shipboard firefighter trainer and the challenges in getting it funded. Director Mikutsky answered that this is the main topic of discussions with the Port Authority, but it seems as though nothing will move until the Coast Guard hearings are completed. They are exploring various funding mechanisms for firefighter training. Commissioner Aleu asked what the NJ Division of Fire Safety's plan is in the interim for departments who have ports in their jurisdiction. Director Mikutsky answered that many of these departments have taken the initiative to train on their own and getting it funded on their own.

Commissioner Gerard Naylis inquired about the Singer Sewing factory fire in Elizabeth, as he had heard via news outlets that the fire was initially reported by a passerby. He asked what the findings were as far as detection and fire suppression in the building. Director Mikutsky answered that those news reports were not entirely accurate, as the Elizabeth Fire Department had been alerted via automatic alarm prior to the person's call.

Director Mikutsky added that the investigators are having difficulties in getting inspection records from Elizabeth in regard to this building. There was a discussion in regard to some of New Jersey's larger cities having difficulties in getting all their inspections done, and the potential consequences there are from the State for this not being done. Commissioner Naylis expressed concern that there was not corrective action in place when a situation like this arises because it is putting firefighters in danger when they go into these types of buildings. Chief Kilmer added that there is simply not the manpower at the State level to double-check on all cities getting their inspections done, especially considering that the NJDFS does not have the staffing to get their own inspections done. They are facing extreme challenges staffing-wise and Chief Kilmer expressed his frustration with this. There is only so much that can be done with what they have at this time. Commissioner Naylis recommended that the Fire Safety Commission take a deeper look at what can be done to help the Division of Fire Safety with giving them what they need personnel-wise. The Fire Safety Commission discussed several courses of action, including legislation to try and fix the problem.

Bureau Chief Lou Kilmer began his report by talking about Annual Reports. The process has not changed much from last year, but there is no provision for extensions – the reports are due at the end of January. The regulations are very clear on this and Chief Kilmer asked that the Fire Safety Commission pass along that the Annual Reports need to be submitted on time. Chief Kilmer also reported that the new Code is moving along and has gotten the stamp of approval from the Attorney General's Office with no changes requested. It is now in the DCA Commissioner's Office and it is hoped that the process will move quickly from there and the Code will be forwarded to the Governor's Office. Chief Kilmer added that, while this 2018 Code is in the adoption process, the long-term project of review the 2021 Fire Code has already begun. It is hoped that if there is anything the Codes Advisory Council would like to see in that new code, now would be the time to start putting recommendations together.

Chief Kilmer reported that Governor Murphy had vetoed a bill that would permit Christmas tree burnings. This was discussed at previous Fire Safety Commission meetings and was advocated against successfully. Commissioner Naylis added his thanks to the Fire Safety Commission and Commission Secretary's assistance in getting a letter of opposition written and sent to the Governor's Office.

Chief Kilmer reported that the NJDFS continues to work with the Department of Education on the School Suppression Survey, which has been a difficult process but is now roughly 60-70% complete. The NJDFS has also been working with the Highway Authority on the issue of highway safety and the status of testing standpipes/fire department connections. Some violation notices have been issued and this is shaping up to be a long-term project. Chief Kilmer also noted that the NJDFS has been working closely the past several months on legislative initiatives with the Governor's Office, many of which Director Mikutsky prior. Chief Kilmer commended the administration on being proactive with fire safety measures and they have had a good partnership with the NJDFS. Chief Kilmer reported that the Inspections Unit completed roughly 85% of their inspections for 2023. This consisted of 18,806 inspections and 14,829 re-inspections. There were also 44,404 violations and 3,517 event permits issued. All life hazard use building inspections were completed. Chief Kilmer noted that staffing is down in the Inspections Unit by roughly 25%. On a positive note, revenue has evened out – picking back up to normal levels.

Chief Kilmer reported that the new computer system, Dynamics, is up and running. It seems to be working well and the NJDFS is continually fixing bugs and doing updates. Eventually using this system will be mandatory but they are waiting a little while for people to get used to it. Chairman Krushinski asked if they were working on streamlining the system. Chief Kilmer answered that if Chairman Krushinski or anyone on the Fire Safety Commission has specific suggestions or areas of concern to pass them along. Chief Kilmer also reported that it was suggested by the Fire Safety Commission to develop a course for sprinkler system recertifications (changes to the building, occupancy, etc.) This was developed by Paul Dansbach and it is a very good class that will be available in the spring.

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

Commissioner Arthur Londensky reported that the Codes Advisory Council did not have a December meeting. He said that he will take Chief Kilmer's request for suggestions pertaining to the 2021 Fire Code back to the Codes Advisory Council and report back at the next meeting.

2. Training and Education Advisory Council

Commissioner Charles Siedenburg reported that there was not a December meeting due to scheduling conflicts.

The next meeting of the Training and Education Advisory Council is scheduled for February 20th, location to be determined.

Commissioner Kathleen O'Leary asked about complaints from local academies from people who took the Firefighter 1 test back in December and are still awaiting results. This is causing frustration – not only because they don't have the results, but they are also unable to sign up for further classes. Greg Kirkham answered that there is an issue at Camden County Fire Academy, but anyone who needs their grade can contact Steve Taylor at the NJDFS.

3. Statistics and Information Advisory Council

Commissioner Gerard Naylis began his report by stressing the importance of all fire departments submitting their NFIRS data for the year 2023, and they should be going directly to the USFA. Commissioner Naylis also noted that the current NFIRS system will be migrating to a different system – called NERIS – over the course of the next year.

4. Master Planning and Research Advisory Council

In the absence of Commissioner Raymond Heck, no formal report was available at this time. Chairman Krushinski reported that a meeting of the Master Planning and Research Advisory Council is scheduled for February 9th.

5. **Public Education Advisory Council**

Commissioner Paul McGrath reported that the last meeting of the Public Education Advisory Council, held back in December, did not have a quorum and therefore no minutes have been submitted to the Fire Safety Commission. Commissioner McGrath noted that, as per discussion amongst the Public Education Advisory Council and the growing danger presented by them, they will be focused on public safety messaging pertaining to lithiumion batteries. Commissioner McGrath presented the Fire Safety Commission with the Take C.H.A.R.G.E. campaign, which the Council will be centering its messaging around. Chairman Krushinski suggested using the NJ Division of Fire Safety's social media channels to promote this pointed message to both the public and fire service communities. Director Mikutsky agreed that this could be done via the Community Risk Reduction Unit.

Commissioner McGrath reported that the next Public Education Advisory Council will be scheduled for some time in early March, details to come. He added that they continue to look for new active members, so if anyone is interested, they can contact him.

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

Commissioner Richard Blohm reported that the originally scheduled meeting of the Firefighter Safety and Health Advisory Council was cancelled due to inclement weather. The meeting was rescheduled for January 30th at Middlesex County Fire Academy. Commissioner Blohm will report on this meeting at the next meeting of the Fire Safety Commission.

7. Youth Firesetter Prevention Advisory Council

Commissioner Kathleen O'Leary reported that the Youth Firesetter Prevention Advisory Council met on January 11th at Monmouth County Fire Academy. The minutes of that meeting were provided to the NJ Fire Safety Commission in their meeting packets for review. Commissioner O'Leary reported on the 2023 Youth Firesetter Conference, which was successfully held on November 30th and December 1st. Commissioner O'Leary thanked Charles Lavin for all his work to make the event a success, as well as congratulated Peggy Brookes for receiving the Paul E. Hartstein Lifetime Achievement Award.

Commissioner O'Leary reported that the Advisory Council discussed the possibility of the NJDFS putting out a bulletin directing all counties to participate in youth firesetting intervention by having an active program. At this point there are counties – the ones with solid programs – who are being unfairly counted on to assist in neighboring counties that are inactive. The Council also spoke about holding another presentation of the Mercer County Program, at which representatives from all counties can come and work together to get everyone on the same page.

The next meeting of the Youth Firesetter Prevention Advisory Council is scheduled for March 14th at Monmouth County Fire Academy at 10 am.

G. Committee Reports

1. Residential Sprinkler Committee

Commissioner Gerard Naylis declared victory, given the Townhouse Sprinkler Bill that was passed just yesterday. He thanked David Kurasz and his group, and all those present who worked on and supported this bill, as they have advanced the mission of fire safety in this state. Commissioner Naylis added that it is now time to double-down and work on getting sprinklers into single-family homes. Director Mikutsky and Bureau Chief Kilmer commended the current administration – all the way up to the Governor's Office – on continuing to have dialogue on this matter and ultimately getting it done.

2. Ad-Hoc Committee on Legislation

No report.

3. NJ Statewide Utility Safety Team

Commissioner Steve O'Gorman reported that the NJ Statewide Utility Safety Team will be presenting at the Emergency Preparedness Conference in Atlantic City on April 23rd. All three gas companies will be represented there, and Commissioner O'Gorman looks forward to seeing some of the Commission members there. All local gas companies continue to hold trainings with the fire departments in their areas.

4. Cannabis Committee

There was no official report from the Cannabis Committee available at this time. However, Director Mikutsky reported that he has a meeting scheduled with the Cannabis Commission coming up soon, which he will be able to report back on at the next Fire Safety Commission meeting. Also, Commissioner Naylis spoke about an online training class that is geared towards identifying impairment due to cannabis use.

H. Old Business

Chairman Krushinski asked if anyone had any Old Business to bring before the Commission. With no Old Business to be discussed at this time, the meeting was moved to New Business.

I. New Business

Chairman Krushinski took the opportunity to thank David Kurasz and Commissioner Kevin Bellew (via the NJ Fire Sprinkler Advisory Board and Sprinkler Fitters Local 696) for providing the coffee and refreshments for today's meeting. Chairman Krushinski also thanked the NJ State Firemen's Association for graciously hosting the meeting at their facility.

Chairman Krushinski asked if anyone had any New Business to bring before the Commission. Commissioner Naylis raises the issue of lithium-ion battery fires taking place in residential occupancies, and asked if there was anything that can be done to prohibit their use in residential buildings. Commissioner Naylis referenced a conversation with a building owner who is seeing all the problems in New York City and was asking what can be done to prevent this in New Jersey. Chairman Krushinski suggested starting off by including it in lease agreements that unapproved charging devices and batteries can not be used.

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. There being none, the meeting was moved to Adjournment.

K. Adjournment

With no further discussion requested, Chairman Kevin Krushinski called for a motion to adjourn. Vice-Chairman Arthur Londensky made the motion, which was seconded by Commissioner Gerard Naylis and passed unanimously. The meeting adjourned at 11:31 AM.

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