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before

COMMISSION TO STUDY GOVERNMENTAL LAWS AND REGULATIONS
RELATING TO FIRE SAFETY STANDARDS

ATTORNEY GENERAL'S LIBRARY

MAR 9 - 1982

Held:
November 24, 1981
Labor Education Center
Rutgers University
New Brunswick, New Jersey

MEMBERS OF COMMISSION PRESENT:

Senator John P. Caufield (Chairman)
John W. Dries (Vice-Chairman)
Assemblyman Thomas F. Cowan
William T. Kosakowski
Robert M. Brody
Charles Schilling
Donald M. O'Brien
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ALSO:

Geraldine K. Van Horn, Research Assistant
Office of Legislative Services
Secretary to the Commission to Study Governmental Laws and
Regulations Relating to Fire Safety Standards

* * * *

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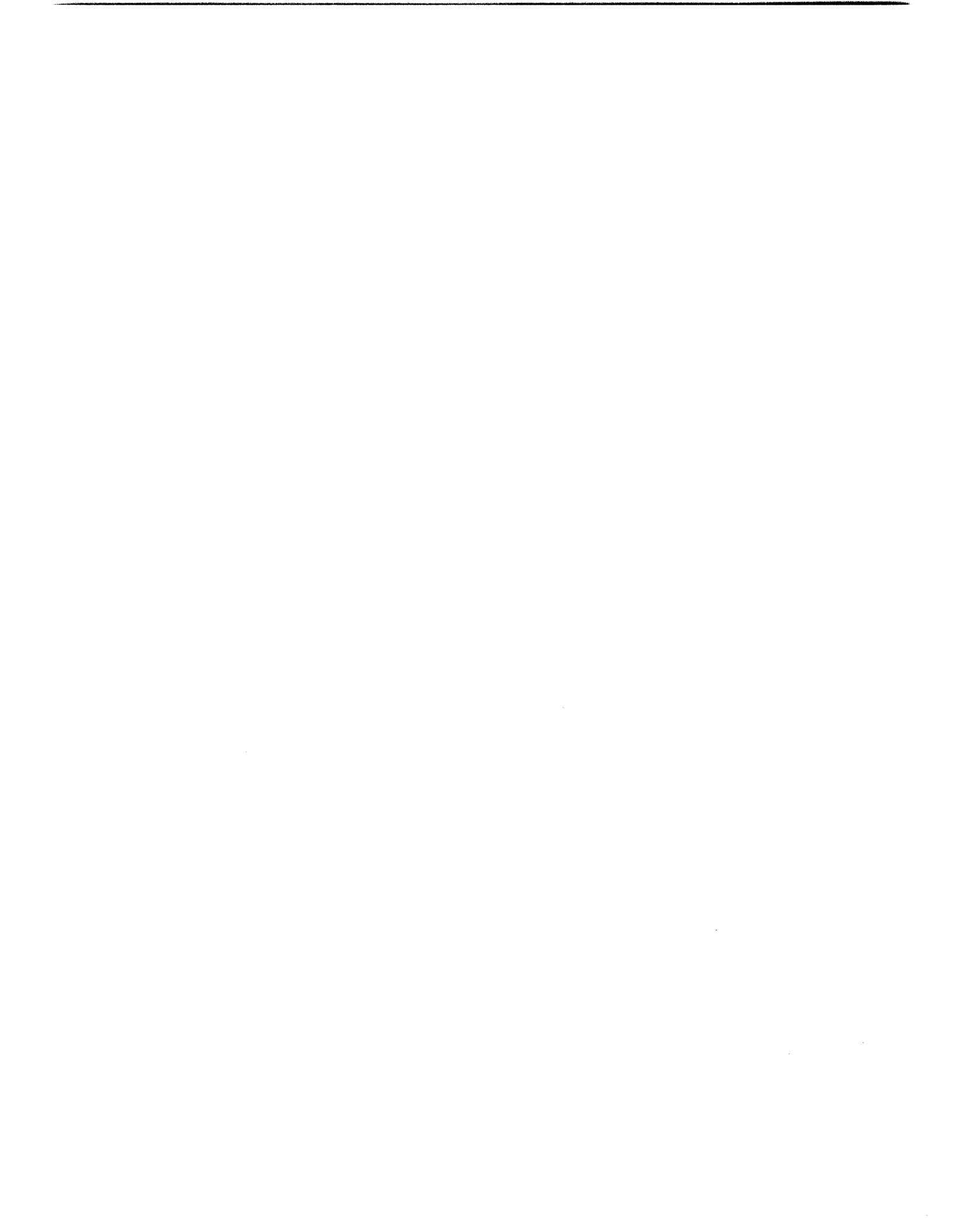
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* * * * *



November 8, 1981

Mr. Leonard Fisher
City Editor
Star Ledger
Star Ledger Plaza
Newark, New Jersey 07102

Dear Len:

New Jersey is facing a very serious problem in its CRISIS MANAGEMENT APPROACH to our state fire problems.

The current New Jersey State Fire Commission Hearings on Fire Safety Regulations are due in a large part to the serious loss of life in recent boarding home fires around the state. Public attention was focused once more on fire regulations due to this terrible loss of life that occurred, due to the lack of sprinkler systems, boarding homes staff's fire safety training, the lack of or inoperative fire alarms or life safety systems.

Public attention along with well written articles in the Star Ledger and other newspapers in New Jersey moved the State Legislator to approve Senate Joint Resolution # 21, commonly called the New Jersey State Fire Commission.

Senator John P. Caufield was appointed Chairman of this committee which has held three (3) public hearings to date. Many individuals and groups have expressed their views before this interested and hard working committee. However, very little media exposure is focused on this committee with correspondently little public discussion on the crisis of the fire problems in New Jersey.

Is it because the victims of these recent fires are only remembered by their families while the rest of us go on facing the problems of every day life - maybe not realizing or hoping in our hearts - the next time it won't be my family. But there will be a next time.

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It appears the State of New Jersey will approve a Statewide Fire Prevention Code from the testimony presented before the New Jersey State Fire Commission and desperately needed legislation this is. It will address an area too long overlooked by the State of New Jersey. Add this to the State Uniform Building Code and you have two parts - components if you will - of a complete Fire Safety System that New Jersey needs.

We, the New Jersey Society of Fire Service Instructors have testified before New Jersey State Fire Commission and will do so again in the support of its aims and our concerns.

As our name implies, we are concerned with Fire Training, the Instructors teaching the Fire Training and a Fire Reporting System that we can find out what is burning in New Jersey so we can develop new curriculum with other groups in the Fire Service to reduce the terrible loss in fires.

Let us talk about training first: "THERE IS NO MANDATORY TRAINING FOR FIRE FIGHTERS BY STATE LAW IN NEW JERSEY!" Let us use this example; If your son or daughter wanted to train for a BEAUTY CULTURE CAREER - by New Jersey Administrative Code, Title 13, Chapter 28, - he or she would have to complete TWELVE (12) HUNDRED HOURS OF TRAINING before a license would be issued by the State of New Jersey. Interestingly, part of the Beauty Culture Training Curriculum requires 30 hours in Chemistry related to Cosmetology.

Your question then should be, is there at least 30 hours of training in Chemistry for fire fighters? Sadly the answer to your question is no. In a state that has intensive industry, transportation corridors, North, South, East and West, a large portion of the remaining Conrail System and its high population density, the answer is still no mandatory training for fire fighters.

Fire fighters training programs in our 565 different municipalities range from non-existent to fairly comprehensive in some of the larger volunteer and career fire departments. But here again, budget cuts - be it volunteer or career training - it's not mandatory, you know, it's first to be eliminated if it was there at all.

In the small career departments, that add one or two fire fighters a year, the new person is given a helmet and boots and told to follow an older man. On the presumption, we guess, the older man knows what he's doing.

Our volunteer fire departments depend upon the services of men and women who work to support a family and give generously of their time to their local volunteer fire department. It's to their amazement they find they have to drive 100 miles during different seasons of the year to attend some of the basic fire service training courses that they need.

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We do not want to give the impression there are not excellent fire service training programs in New Jersey. The New Jersey Fire Education and Training Planning Council's Report under a grant from the New Jersey Department of Community Affairs clearly shows some of the excellent fire training programs in the state. However, attendance is completely voluntary and it is to the credit of over 8,000 men and women in our state fire service who each year at their own cost and initiative attend the fire training courses.

The Planning Council Report intentionally points out that after basic fire training courses, interest and attendance drop off in the areas of more advance training.

Where are the requirements to train the middle level managers of the Fire Service. The company fire officer, whether Captain or Lieutenant, is the first fire officer to make a decision. This lack of training could be that cause that sets off a big bang when it should have been a little boom.

You have noticed, INSTRUCTORS is one of the words in our title. Just who are the Fire Instructors teaching the art and science of fire fighting. Once again New Jersey does not have a requirement for a Fire Service Instructor to take training courses in teaching. The State Fire College and other agencies listed in the Planning Council's Report require their instructors to meet a certain level of proficiency before they are allowed to teach courses. They are some of the few who have taken the training courses on how to teach, know their subject matter and share their expertise in professional societies, like ours.

But too often this is not the case at the municipal and even county level. It's simply a matter of saying it's your turn to train the new kids on the block - and the instruction is - the big hose is for big fires and the small hose is for small fires, just follow everybody else. Sad, but in course content, too many times true.

Does it sound like we have a burning issue here? That is a good question in itself. What is burning in New Jersey? What type of fires are most experienced by our fire departments? What is the total fire loss in dollars, in injuries to people and to fire fighters? Just how many fires are in New Jersey each year and at what cost.

The answer to many of these questions - go unanswered. Why? - New Jersey does not have a State Fire Incident Reporting System. Each individual fire department keeps its own fire report and may submit a monthly or yearly summary to its municipality but no comprehensive use of the data takes place in New Jersey. The fire report form itself is in as many sizes and shapes as there are municipalities in New Jersey. At a recent Fire Seminar, one Fire Official remarked, he knew of a case where the fire report was on the back of a brown paper bag. Everyone thought he was joking until he insisted the incident was true.

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The State Fire Marshall's Office in the Department of Law and Public Safety is working on a State Fire Reporting System. Hopefully such a mandatory system can start to be implemented in 1982 so the State of New Jersey can identify trends and problems in the Fire Service that need to be addressed.

All we have talked about - are parts - components if you will, of what New Jersey needs to address the problems in the Fire Service. The KEY to the solution is a systems approach. That system needs a central fire focal point or central fire authority.

It has been proposed that a division of Fire Safety be created in the department of Law and Public Safety. Such a statewide organizational design was developed by the New Jersey Planning Council for Fire Education and Training. In the cover letter to the report, dated October 6, 1980, Chairman Francis X. Donovan stressed "The Fire Service in New Jersey is at a very critical crossroad."

New Jersey is one of the two states in the country that lacks a central fire focus. Identifying the problems that New Jersey has in numerous reports, there is still opposition even in the Fire Service for a central fire focus.

Samuel A. Magilone, First Vice President of the New Jersey State Fire Prevention Association stated it very elegantly when he said, "Just because the Fire Service has been unable to agree on a particular course, there is no reason for the Legislator to abandon Legislative remedies by ignoring the problem."

The New Jersey Society of Fire Service Instructors does not believe in management by crisis - rather management by objectives, as practice by progressive corporations and government agencies.

Our objective is to arouse the public's attention to the crisis in New Jersey's Fire Service and the management by objectives that our State Legislators can use to act upon to establish the office of a State Fire Administrator.

Enclosed is a copy of the New Jersey Fire Education and Training Planning Council's Report for your information.

Yours in Fire Safety,

Charles Aughenbaugh, Jr., M.A.
Public Relations
New Jersey Society Fire Service Instructors
18 Carpenter Terrace North
Belleville, New Jersey 07109
201-759-9155

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ISFSI

SUBMITTED BY CHARLES AUGHENBAUGH

Volunteer Section News



Volume 1 Issue 2 March 1980

How Important Is Training For Volunteers?

This author lists three important reasons why volunteer firefighters must be better trained than their paid counterparts.

By JoCarol Hamilton
EMT/Fire Technology Instructor
Conway County (Arkansas) Fire Department
Hattiesville, Arkansas

It is an undeniable fact that firefighting has become such a complex business that training is required of every rookie. Every paid department has its equivalent of a rookie school and volunteers drill and redrill in the basics.

But what about more advanced techniques? Is it important for volunteers to be familiar with such methods as suppression of multi-structure fires, procedures for railway disasters, or rescue of people from gondola cars? Surely these are special cases that only paid departments need worry about. Right? Wrong!

I feel, as do many other volunteers, that the volunteer firefighter must be as well trained as the paid. In fact there are reasons why the volunteer should be better trained. First, we all fight the same type of fires and face the same hazard. Second, volunteers are called upon less often than their paid counterparts. This leads to skilled degradation. Third, volunteers may require broader training. On a volunteer company, since no one can be depended on to always be there, any member could end up in any position.

Let's look at each of these reasons. First, do volunteers and paid really fight the same types of fires? I'm sure everyone remembers a railway disaster not too long ago in Waverly, Tennessee. Waverly has a volunteer fire department. Surely the magnitude of the calamity rivaled any met by our nation's paid departments. This challenge was met by the volunteers of Waverly.

During the worst conflagration of modern time in Chelsea, Massachusetts, many volunteers fought side-by-side with paid firefighters. Since both worked the same catastrophic fire, both obviously needed the same skills.

What about unusual rescues? For example, rescuing people from gondola cars. The December, 1978, issue of FIRE CHEIF carried an article about the rescue of 36 people from gondola cars at Six Flags over Mid-America. The first-in fire department had eight paid people and 45 volunteers. It is evident that the volunteers had much to do with amusement park rescue.

Many fire departments are like this one - combination paid and volunteer. I have yet to hear of a part-paid department that lets the volunteers fight only certain fires. All firefighters are equally responsible for knowing what to do and when to

do it. Certainly, on such departments, paid and volunteer fight all types of fires.

Yet another example was the small town in Georgia that had an airplane unexpectedly drop in one day not too long ago. Volunteer firefighters were the only available emergency personnel. And don't forget the Beverly Hills Supper Club fire to which the all volunteer Southgate (Kentucky) Fire Department responded.

These are just a few of the spectacular fires, the ones that made national headlines, in which volunteer fire departments were involved. Is there any reason to suppose that volunteers only fight small grass fires?

The danger of fire abounds everywhere. It does not discriminate between paid and volunteer departments. All over this nation people live in homes. And homes burn. No one has yet found a way to be sure that only the homes in fire protection areas covered by paid firefighters will burn. People work in factories, stores, and schools, many of which are not in paid fire department jurisdictions. Extensive rural areas of our land are protected only by volunteer fire departments. Through these vast areas run highways and railroads. Over these areas fly aircraft of all types.

In the Fire Fighter Mortality Report prepared for the USFA in 1976, 101 firefighter in-the-line-of-duty deaths were studied. Fourteen of these were volunteers. Six of these volunteers were fighting fires, two had heart attacks at the scene, and three were involved in apparatus accidents. Two volunteers died during training, and one was killed by toxic fumes during a rescue. There is no doubt that paid and volunteer firefighters are involved in the same activities and need equal training.

But earlier I said that in some cases the volunteer needs to be better trained than his paid counterpart. The second reason I mentioned, that volunteers are called upon less often, helps explain why volunteers need better training.

As the number of runs increase for a volunteer, it becomes more and more difficult for him to take-off from work as often as necessary. When volunteers spend as much, or more time at fires than they do at their regular jobs, the area needs at least a part-paid department. So it follows that the average volunteer responds less often than the average paid firefighter.

Less response means less actual experience. For example, the paid driver may drive apparatus several times a day. The volunteer may drive only once a week, depending on how often he is one of the first to respond. This can degrade his skills in one of the simplest tasks - driving. The volunteer who drives less often may forget what each switch controls and hit the wrong button, for example.

Because of the greater population density in the areas with paid departments, it would not be unusual to have several

INTERNATIONAL SOCIETY OF FIRE SERVICE INSTRUCTORS BOX 88, HOPKINTON, MA 01748 617-435-3888

structure fires daily. Yet, even a busy volunteer company rarely has over two or three structure fires weekly and not all members are able to respond to all fires.

The old adage "practice makes perfect" applies here. The paid firefighter, by his continual practice at real fires, retains his familiarity with all aspects of the job. The volunteer must find other ways to keep a fine edge on his skills. One answer, of course, is training, retraining, and more training. And we're not only talking about the basics, a volunteer must train in all phases of fire and rescue work. In addition, this training must be reviewed often.

In the absence of the actual use of a technique, practice must be acquired by other methods to keep procedures fresh in a volunteers mind. And I am not talking about simple listening to a lecture. A good lecture is an excellent way to introduce a new idea or to review an old one, but in the fire service the lecture is one of the poorest training techniques. The instructor could talk about self-contained breathing apparatus for months, but until the firefighter has actually worn one, felt the weight on his back, breathed through the tubing and regulator, and heard the bell, he is not ready to use it in an emergency situation.

A good instructor could probably lecture on spanners for at least three hours, but until the rookie actually breaks a line with a pair of them he does not know about spanners. Therefore because the volunteer does not obtain as much actual fire scene experience as the paid firefighter, more training is needed.

But there is another important reason why every volunteer should be well trained. It is the simple fact that one does not know who will be the first to the fire. Usually, volunteers reside at scattered addresses within the protected area. This time John may be the closest to the fire and the next time the fire may be near Don's home. Do Don and John both know how to size up the situation? Do they know enough to look for the water source (so important in rural areas)? Do they both know what to look for in a water source and how to determine accessibility for the apparatus?

Suppose John knows this and Don doesn't. When the apparatus arrives at the fire scene near John's home, he has already located the water source, determined the best way to get the apparatus there; knows what is burning and the contents of the building. The apparatus drives in, is spotted, starts pumping, and the business of fire suppression is started.

But in Don's case, he hasn't done anything because he doesn't know what to do. Upon arrival, the driver must do all the things that John did at the last fire. Meanwhile, the fire spreads and grows.

In a volunteer department every person must be capable of being the officer in charge - at least for the critical first few minutes. In a paid department, each man does a certain job and knows exactly what it is. The same person is always pump operator and the same one is always hose person. No one has to learn another's job.

In a volunteer company, the first to the apparatus is the driver and pump operator. Just who this person is depends on a number of factors: the day of the week, time, weather. Therefore everyone on the volunteer department must know how to do every job.

To be able to achieve this goal takes training and plenty of it. Each volunteer should receive the training of three or four paid positions to be a good firefighter. Therefore every volunteer should receive more training than the average paid person.

It is clear that volunteers need training just as much as paid firefighters for at least the three reasons I have given. They certainly fight the same type of fires and carry the same responsibilities as their paid counterparts. In addition, volunteers have a greater risk of experiencing skill degradation. Because they never know what job they will be doing at the fire, they need to be trained in all the tasks they may be expected to perform.

Reprint with permission - FIRE CHIEF MAGAZINE

"WORD OF THE MONTH"

"Word of the Month" is a means of bringing increase emphasis to new, special and seldom used pieces of equipment, points of department policy and/or new policies and new procedures and operations used by the department.

At the end of a training session, assign and post in a conspicuous standard location for those who are not present a word or phrase associated with the operations of the department. Explain that at the end of the next training session the word will be discussed roundtable style by all the members present as to how the word applies to the department and its intended function in the department.

By using the "Word of the Month" idea, special, new and seldom used equipment and/or operations can be brought to the surface and thought about in advance by the members for the next scheduled discussion. The Chief and Training Officer should be prepared to open and lead the roundtable while allowing an open discussion of the subject by all members present. Handled properly, new ideas, misunderstandings and questions can all be addressed. Hopefully the discussion will lead to improved communications and increased efficiency on the fire scene.

COMMENTS FROM A MEMBER

Dear Ed,

As a Volunteer Fire Chief and Training Instructor, I am very excited by the recent emphasis of the needs of the Volunteer Fire Service. Through the interest generated at the Stonebridge Conference and the continued pressure of the ISFSI Volunteer Section, perhaps the USFA can be made to realize what their responsibilities to the Volunteer Fire Service are.

It is a fact that Volunteers, in one form or another, make up the overwhelming majority in the Fire Service. Until now, the Fire Service has been lead by those in the Paid Service, despite the clear numerical superiority of the Volunteers. I believe that the fault for this lies with the Volunteers ourselves. It is time that we began to be more active and vocal. Stonebridge appeared to be the beginning and, hopefully, the spirit of Stonebridge will not be dampened by the frustrations of dealing with the bureaucracy.

In 1977, at the South Dakota State Fire School, we heard Mr. David McCormack outline the plans for the National Fire Academy. Since that time, the personnel of the USFA and the NFA have changed many times. Even the location of the campus has been changed. The only thing that has not changed is the fact that the NFA has yet to show a direct benefit to us here in the West. The problems and needs of the SD Volunteer Fire Service are unlike those elsewhere and I hope that the NFA realizes their responsibility to people like us.

In answer to Larry Davis's plea for printed matter I have enclosed copies of our first two newsletters. We distribute it to everyone in our Fire Protection Area. Also enclosed is a copy of an article which appeared in Fire Chief. I am sure that you have seen it but I send it because it is the best article I have ever seen on Volunteer Training. Ms. Hamilton's article is required reading in our department.

I really look forward to the Volunteer newsletter and I especially like the emphasis placed on the Volunteer as a Professional. You mention a network information system and if I can be of any help in this way, please let me know. As a brand new applicant for membership to the Society, I look forward to helping.

Sincerely,

Tom Robichaud, Chief
North Haines VFD

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APRIL 30, 1961



EDITOR:

QUESTIONABLE INFORMATION HAS BEEN PRESENTED DURING RECENT HEARINGS CONVENED AS A RESULT OF PUBLIC CONCERN, ALARM, INDIGNATION AND IMMINENT PERSONAL FEAR OF CONSEQUENCES BEFALLING THEIR FAMILIES IN THE WAKE OF A CYCLE OF AGONIZING LIFE EXPERIENCES THAT ARE INSUFFERABLE. DEATH BY FIRE OR THE SUFFERING OF FIRE INFLICTED BURNS, AS A RESULT OF HAVING BEEN TRAPPED WITHIN A RAGING INFERNO WITH NO MEANS OF ESCAPE, IS A TRAGIC EXPERIENCE. IT MATTERS LITTLE TO THE VICTIM SO TRAPPED THAT THEY ARE UNFORTUNATE OCCUPANTS OF DECREPID HAZARDOUS SUB-STANDARD BOARDING HOUSES, POORLY CONSTRUCTED OR MAINTAINED TENEMENT TYPE MULTIPLE DWELLINGS, OR THE HIGHLY TOUTED SAFE FLAME-RESISTIVE CONSTRUCTION FEATURES OF OUR MODERN MOTELS, HOTELS, LUXURY HIGH-RISE APARTMENTS OR OFFICE COMPLEX RECENTLY RAVAGED BY A SERIES OF SUDDEN DEVASTATING FIRES. ARE WE NOT AS HUMAN BEINGS DESERVING OF A BETTER FATE THAN THIS CONSIDERING OUR INTELLECTUAL ACCOMPLISHMENTS IN PRACTICALLY EVERY FIELD OF PROFESSIONAL ENDEAVOR KNOWN AND PARTICULARLY MEDICINE ?

AVAILABLE FIRE STATISTICS FROM THE U.S. GOVERNMENT, FIRE AND CASUALTY INSURANCE COMPANIES AND OTHER RESPECTED SOURCES OF INFORMATION CONCERNING FIRES CONFIRM THAT THE MAJORITY OF REPORTED TRAGIC FIRES ORIGINATE FROM MINOR IGNITION ACCIDENTS SUCH AS THE MIS-USE OF CANDLES, MATCHES, CIGARETTES AND CIGAR SMOKING, COOKING, IMPROPER USE OF OVENS, SPACE HEATERS AND UNATTENDED OPEN FLAMES. DEFECTIVE OR OVER-LOADED ELECTRICAL CONNECTIONS, APPLIANCES OR WIRING ARE ALSO A MAJOR CONTRIBUTING FACTOR OF FIRE CAUSES. PERHAPS, THE SADDEST IS WHEN IGNITABLE MATERIAL HAS BEEN LEFT WITHIN THE PRESENCE AND REACH OF UNATTENDED CHILDREN. ANOTHER HORRENDOUS CONTRIBUTION TO THESE TRAGIC STATISTICS ARE INCENDIARY IN ORIGIN ATTRIBUTED TO HUMAN CULPABILITY WHETHER DUE TO CARELESSNESS, REVENGE, PROFIT OR "KICKS."

THERE HAVE BEEN LEGIONS OF PROFESSIONALS WHO HAVE CHAMPIONED UNDER OATH THAT THE SOLUTION FOR REDUCING THE TRAGIC RESULTS OF THESE DEVASTATING FIRES IS TO "RETROFIT" ALL BUILDINGS WITH "SPRINKLERS." THE HISTORICAL DOCUMENTED EXPERIENCE OF SPRINKLER SYSTEM PERFORMANCE DOES NOT SUPPORT THIS POSITION. HIGHLY RESPECTED, WELL DOCUMENTED QUESTIONS OF RELIABILITY AND PERFORMANCE DATA ARE AVAILABLE. THIS INFORMATION SHOULD BE REVIEWED AND RESPONDED TO BY ALL LEVELS OF FIRE PROTECTION PROFESSIONALS, PARTICULARLY THE PRIVATE SECTOR. THE CRITIC'S PRESENTATION SHOULD NOT BE HAM-STRUNG BY SUCH MINOR MUNDANE TIME LIMITATIONS PRESENTLY PRACTICED. ACCEPTANCE OF CARTE BLANCHE STATEMENTS OF SPRINKLER SYSTEMS PERFORMANCE CAPABILITIES MUST BE REVIEWED TOWARD ACCEPTING ONLY DOCUMENTED SUPPORTIVE INFORMATION. THE PUBLIC HAS A RIGHT TO KNOW THE EXTENT OF FIRE PROTECTION THAT SPRINKLER SYSTEMS ARE CAPABLE OF PERFORMING, PARTICULARLY ITS LIMITATIONS. THIS IS NO MORE OR LESS THAN REQUIRED OF ANY PRODUCT AFFECTING THE HEALTH, WELFARE OR SAFETY OF THE PUBLIC.

CONSIDER THESE CIRCUMSTANCES, PEOPLE ENTERING A HIGH-RISE TYPE BUILDING KNOWN NOT TO HAVE FIRE PROTECTION AS IMPLIED BY THE OBVIOUS ABSENCE OF PROTRUSION OF "SPRINKLER HEADS" UNIFORMLY FROM THE CEILING AREAS. WOULD IT BE AN EXAGGERATION TO SAY THESE PEOPLE ENTER THE PREMISES WITH A NATURAL AND CONDITIONED TREPIDATION AND FEAR CONSIDERING THE BUILDINGS VULNERABILITY TO FIRE ? THAT THE PEOPLE ARE CAUTIOUS AND SENSITIVE TO THEIR ENVIRONMENT AS LONG AS THEY REMAIN WITHIN THE BUILDING ? UPON LEAVING THE BUILDING, MANY HAVE SAID TO THEMSELVES, "THANK GOD I HAVE SURVIVED ANOTHER DAY."/

CONVERSELY, WHERE THERE ARE A MULTITUDE OF SPRINKLER HEADS PROTRUDING FROM THE CEILING, THE PEOPLE ENTERING ACCEPT THEIR PRESENCE AS EVIDENCE THAT THE BUILDING IS SAFE AND SECURE FROM FIRE AND ITS DEVASTATING CONSEQUENCES. THE BUILDING IS PURPORTED TO HAVE MET THE FIRE CODE REQUIREMENTS AND IS CONSIDERED SAFE. NOTE AND REMEMBER THE WORDS "CONSIDERED SAFE" AND "POSITIVE PROTECTION". UNDER THESE CIRCUMSTANCES, UNFORTUNATELY, COMPLACENCY WILL PREVAIL WHEREAS CAUTION SHOULD EVEN MORE SO BE THE RULE. IT IS INCREDIBLE THAT FROM PROFESSIONALS ONE OFTEN HEARS THE PROFOUND STATEMENT APPROPRIATE OF SPRINKLER SYSTEMS INSTALLATIONS, "WELL, AT LEAST THEY ARE BETTER THAN NOTHING." FORTUNATELY, THERE IS SOMETHING BETTER AVAILABLE.

PROFESSIONALLY, THERE IS AGREEMENT THAT TWO KEY FACTORS UNDERLYING THE ROOT CAUSES FOR THESE NATION-WIDE CATASTROPHES ARE SOCIO-ECONOMIC IN NATURE. HENCE, THE DECISION TO PURSUE SOLUTIONS AND THEIR RESPECTIVE IMPLEMENTATION BECOME MIRED IN POLITICAL RHETORIC INSENSITIVE TO THE VICTIM'S LAST CRY FOR HELP. PUBLIC MEETINGS TO DISCUSS THIS PROBLEM ARE IN REALITY 'FIASCOS.' A MULTITUDE OF CAUSES ARE PRESENTED BY AN EQUAL NUMBER OF PSEUDO-PROFESSIONALS WITH MEAGER QUALIFICATIONS TO SPEAK OF FACTS BEFORE A FIRE OCCURS AND LESS QUALIFICATIONS TO OFFER ORIGINAL SOLUTIONS. AS PRESENTLY CONDUCTED, THESE PUBLIC HEARINGS ARE REPETITIOUS EXERCISES IN FUTILITY SINCE THE CAUSES ARE INDISPUTED AND WELL KNOWN. MEANINGFUL POSITIVE SOLUTIONS WHICH CAN PROTECT PEOPLE HAVE NEITHER BEEN PROPOSED NOR IMPLEMENTED.

MEANWHILE, THE PUBLIC IS PLACATED WITH THE TIME WORN CLICHÉ, "THE PROBLEM IS UNDER STUDY AND THE PUBLIC WILL BE ADVISED ACCORDINGLY." THIS CAN ALSO BE INTREPRETED AS A FOOT-BALL SIZE ASPIRIN DISPENSED AS A CURE-ALL WHILE AMERICA CONTINUES TO BURN UNABATED.

STATISTICALLY, A RELATIVELY MINOR SIMMERING OR SMOLDERING UNDETECTED TYPE OF IGNITION CAN IN A RELATIVELY SHORT PERIOD OF TIME, SECONDS ACTUALLY, RAPIDLY ESCALATE INTO A FULLY INVOLVED RAGING INFERNO BEYOND IMMEDIATE ORDINARY CAPABILITY OF EITHER SUPPRESSION OR EXTINGUISHMENT REGARDLESS OF WHETHER FIRE PROTECTION EQUIPMENT IS AVAILABLE OR NOT. CONSIDER THE AGE OF MODERN SOPHISTICATED TECHNOLOGY IN WHICH WE PRIDE OURSELVES BY PUBLIC DEMONSTRATIONS OF APPLICABLE ACCOMPLISHMENTS OF FEATS SUCH AS LANDING MEN ON THE MOON AND RETURNING BACK TO EARTH. YET, WE IGNORE THE TECHNOLOGY THAT ALSO HAS BEEN DEVELOPED TO NATIONALLY REDUCE DRAMATICALLY THE NEEDLESS LOSS OF HUMAN LIFE AND ASSOCIATED PROPERTY VALUES BY ITS IMPLEMENTATION.

THERE IS A NEW AUTOMATIC FIRE EXTINGUISHMENT TECHNOLOGY AVAILABLE, AND MORE IMPORTANT FINANCIALLY AFFORDABLE. ELECTED OFFICIALS, ADMINISTRATIVE DEPARTMENT CHIEFS AND THEIR APPOINTED COUNTER-PARTS, CHARGED WITH RESPONSIBILITY TO PROTECT PEOPLE AND PROPERTY, MUST SHARE THE ONUS FOR LACK OF MEANINGFUL PROGRESS TOWARD SOLUTIONS WHICH CAN REDUCE LIFE AND PROPERTY LOSS DUE TO SUDDEN UNCONTROLLED FIRES.

RECENT RESEARCH AND DEVELOPMENT ACHIEVEMENTS RELATING TO THE FIRE PHENOMENON STATE OF THE ART, AND MORE SPECIFICALLY AS APPLIES TO AUTOMATIC FIRE EXTINGUISHMENT, HAVE BEEN IN SERVICE PROTECTING PEOPLE, PROPERTY AND INVENTORIES WITHIN MANY MAJOR CORPORATIONS, BOTH AMERICAN AND FOREIGN. THIS SAME TECHNOLOGY IS ALSO PROTECTING MEDICAL AND EDUCATIONAL INSTITUTIONS, BOATS, SHIPS, PAINT STORAGE ROOMS, PAINT SPRAY BOOTHS, FLAMMABLE LIQUIDS STORAGE ROOMS, BOILER-ROOMS, GARAGES, GARBAGE COLLECTION ROOMS, KITCHENS AND A LONG LIST OF OTHER VULNERABLE SPECIFIC AREAS WITHIN A STRUCTURE.

RECENTLY,(APRIL 17, 1981), AT A PROTECTED EIGHT STORY HIGH-RISE TYPE APARTMENT BUILDING THAT COLLECTS ITS GARBAGE VIA A 30 INCH SQUARE CHUTE INTO A STEEL CONTAINER ON GRADE, WAS FULLY INVOLVED WITH FIRE. TWO PORTA-MATIC UNITS THAT WERE INSTALLED TO PROTECT THIS AREA AUTOMATICALLY RESPONDED EXTINGUISHING THE FIRE IN A CONFIRMED 30 SECONDS. NO PHYSICAL BUILDING DAMAGE OR INJURY TO OCCUPANTS OCCURED. FACTUAL DOCUMENTATION IS AVAILABLE UPON REQUEST.

THE NEW CONCEPT IN TECHNOLOGY IS AN AUTOMATIC TEMPERATURE-ACTUATED, TOTAL FLOODING DRY CHEMICAL, PORTABLE FIRE PROTECTION SYSTEM THAT FEATURES AN EXCLUSIVE AUTOMATIC OR MANUAL OPERATION MODE. THIS UNIT CAN BE PLACED WHEN AND WHERE NEEDED AT ANY TIME INCLUDING AREAS OF FREEZING TEMPERATURES, HEAVY SNOW-FALLS, AND INACCESSIBLE LOCATIONS TO MENTION A FEW APPLICATIONS. THE MULTI-PATENTED SYSTEM AND ITS TECHNOLOGY IS APPROPRIATELY NAMED "PORTA-MATIC". FURTHER, IT IS THE ONLY PRODUCT DEVELOPMENT OF ITS KIND IN THE WORLD AND THE CHEMICAL USED FOR EXTINGUISHMENT IS NON-TOXIC, NON-CORROSIVE AND DI-ELECTRIC.

PORTA-MATIC DOES NOT REQUIRE A CAPABLE PERSON TO BE PRESENT FOR ITS OPERATION IN THE EVENT OF A SUDDEN FULLY INVOLVED FIRE. THE UNIQUE PATENTED AUTOMATIC TEMPERATURE-ACTUATION FEATURE DOES NOT EXPOSE A PERSON TO THE DANGERS OF A VIOLENT FIRE. PORTA-MATIC AFFORDS 24 HOUR-A-DAY PROTECTION AGAINST THE THREE MAJOR CLASSIFICATIONS OF FIRE WHICH AN AVERAGE PERSON WILL ENCOUNTER DAILY AND ARE REFERRED TO AS FOLLOWS:

CLASS "A" FIRES...SUCH AS...WOOD, PAPER, RAGS.

CLASS "B" FIRES...SUCH AS...GREASE, OIL, PAINT, FLAMMABLE LIQUIDS AND MANY PL STICS.

CLASS "C" FIRES...SUCH AS...EXPOSED ELECTRICAL EQUIPMENT FIRES.

THE PORTA-MATIC CONCEPT ELIMINATES A COMMON EXPOSURE THE OPERATOR RISKS BY POSSIBLY...

USING THE WRONG TYPE OF FIRE EXTINGUISHER WHICH COULD CAUSE A FATAL ACCIDENT; SPECIFICALLY, THE APPLICATION OF WATER TO LIVE ELECTRICAL FIRES.

THE WIDE-SPREAD APPLICATION AND ADVOCACY OF WATER AS THE PRINCIPAL FIRST LINE OF FIRE EXTINGUISHMENT DEFENSE VIA SPRINKLER SYSTEMS INSTALLATIONS IN EVERY ROOM IS BOTH DANGEROUS AND IRRESPONSIBLE. A SPRINKLER SYSTEM THROUGHOUT A BUILDING IMPLIES THAT AN ABUNDANT AND RELIABLE WATER SUPPLY IS AVAILABLE 24 HOURS-A-DAY. ALSO IMPLIED IS A PROVISION TO DEVELOP AND MAINTAIN A POSITIVE WATER PRESSURE AND CORRESPONDING VOLUME OF WATER CAPABLE OF SUPPLYING ALL SPRINKLER HEADS THAT ACTUATE IN RESPONSE TO FIRE. VERY FEW BUILDINGS ARE EQUIPPED WITH AN AUXILIARY ELECTRICAL POWER PLANT SHOULD THE MAIN ELECTRICAL POWER SOURCE FAIL. A GRAVITY WATER SUPPLY SYSTEM USING STEEL STORAGE TANKS PRESENTS AN EVEN GREATER DANGER OF INTERNAL STRUCTURAL COLLAPSE WHICH FAR OUT-WEIGHS ITS EFFECTIVENESS TO SUPPRESS FIRES NOT TO MENTION ITS LIMITED USE FOR CLASS "A" FIRES ONLY. MANY BUILDINGS TODAY HAVE A HIGH CONCENTRATION OF PLASTIC MATERIALS WHICH ARE CLASS "B", HIGHLY TOXIC AND WILL NOT RESPOND TO WATER EXTINGUISHMENT. IN FACT, WATER UNDER THESE CIRCUMSTANCES IS KNOWN TO SPREAD THE FIRE. IT IS NOT SUFFICIENT TO SAY THAT FIRE DEPARTMENTS OFTEN USE WATER TO EXTINGUISH A CLASS "B" FIRE WITHOUT ALSO MENTIONING THE USE OF SPECIAL EQUIPMENT...YES THEY CAN... BUT SPRINKLER SYSTEMS CAN NOT RESPOND AS EFFECTIVELY. THUS, FROM A REALISTIC APPRAISAL, IT CAN BE SAID THAT AT BEST SPRINKLER SYSTEMS ARE IN FACT A NEGATIVE TYPE OF FIRE PROTECTION CONSIDERING ITS LIMITATIONS. THE FINAL PROOF IS THAT EVERY SPRINKLER HEAD INSTALLED WITHIN A BUILDING IS NOT CAPABLE NOR DESIGNED TO SIMULTANEOUSLY DISCHARGE AN EQUAL VOLUME OF WATER AT AN EQUAL RATE OF SUSTAINED PRESSURE AND DENSITY.

THE PORTA-MATIC CONCEPT CAN AND DOES PERFORM PRECISELY AS A POSITIVE MEANS OF EXTINGUISHING FIRES IN EVERY ROOM IN WHICH THEY ARE INSTALLED TO PROTECT. THIS INCLUDES CLASS "A", "B" AND "C" FIRES. SPRINKLERS USING WATER CAN NOT PERFORM IN THESE SITUATIONS.

LEGISLATIVE ACTION WAS COMPLETED RECENTLY IN RESPONSE TO NATIONAL NEEDS TO PROTECT THE UNWARY PUBLIC CONCERNING TRUTH IN LENDING PRACTICES, PURCHASING AND SALES AGREEMENTS AND MANY OTHER CONSUMER PRODUCTS SAFETY MEASUREMENTS. WHY NOT SIMILAR LEGISLATION DIRECTED TOWARD TRUTH IN FIRE PROTECTION PERFORMANCE STANDARDS ?

RESPECTFULLY YOURS,

11x

Joseph S. DePalma

JOSEPH S. DE PALMA, DIRECTOR, FIRE SAFETY RESEARCH & DEVELOPMENT

*Received
12/7/81*

Moon and Massimo

Tyiman R. Moon, A.I.A. • P.P.
A. Joseph Massimo, A.I.A. • P.P.

Steven J. Janik, P.E.

David Westlak

William M. Stine
Elwood R. Baldwin

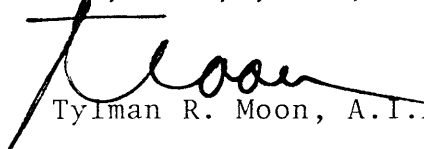
December 3, 1981

Ms. Geraldine Van Horn
Secretary to Commission
New Jersey Fire Safety Study Commission
Official Legislative Services
State House
CN 042
Trenton, New Jersey 08625

Dear Ms. Van Horn:

Enclosed please find the New Jersey Society of
Architects' Statement prepared for the Public
Hearing scheduled for 24 November 1981 and held
in New Brunswick on that date.

Very truly yours,


Tyiman R. Moon, A.I.A.

TRM/ml
Enclosure

12x

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A REGION OF THE AMERICAN INSTITUTE OF ARCHITECTS

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November 24, 1981

TO: THE NEW JERSEY FIRE SAFETY COMMISSION

The New Jersey Society of Architects' applauds the organization of the New Jersey Fire Safety Study Commission recognizing, in particular, that while its formation was undoubtedly precipitated by the tragedies of the past several years, the Commission is approaching this genuine concern of fire safety in a reasonable and logical manner.

The glut of well-intentioned legislation generated by law makers in New Jersey and elsewhere, as a result of boarding house fires in our state and fires in luxury hotels and night clubs in other parts of our country, has somewhat diminished, allowing for a systematic review of existing regulations and codes that deal specifically with fire safety.

The New Jersey Society of Architects is particularly concerned that this review be thorough so that the outcome will not result in a potpourri of rules and regulations that are both confusing and redundant. New Jersey's Uniform Construction Code and current BOCA Codes mandate a comprehensive fire safety system in most buildings. The codes integrate fire resistant design standards, properly lighted and functioning fire exits, sprinkler systems, smoke detectors, smoke control and evacuation elements and emergency sources of power. Unfortunately, the Uniform Code applies only to buildings erected after 1977 and its enforcement is subject to the vagaries and understanding of municipal and state fire officials.

Any first step toward improvement of fire safety is the rigid enforcement of existing codes and regulations as they apply to all buildings in the state. However, new legislation is needed to protect the residents of health-care facilities since these institutions are currently

December 3, 1981

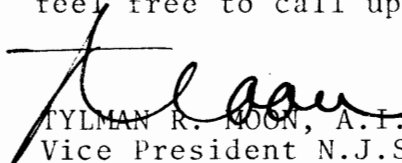
To: The New Jersey Fire Safety Commission

Page - 2 -

exempted from state fire safety regulations so as not to conflict with the provisions of H.F.W. 79-14500 of the Federal Regulations.

We believe smoke detectors, which give potential victims precious extra seconds of warning, installed in all nursing and boarding homes and linked directly to local fire departments or emergency operator switch boards would increase the safety of these facilities. Assembly Legislative Bill A-3133, supported by the New Jersey Society of Architects, provides for the withholding of operating licenses until owners comply with its provisions for fire safety. This appears to be a logical procedure for insuring the upgrading of inadequate fire safety conditions. The uniform mandating of sprinkler systems should be carefully examined. Officials say that fire victims generally die of smoke inhalation and asphyxiation, not from fire.

We offer these views in the hope of constructively adding to an appropriate response to the state wide concern of fire safety. The New Jersey Society Architects would be pleased to contribute its time and expertise to the activities of the State Fire Safety Study Commission and to review and comment on your findings and final report. We feel our day to day involvement with the requirements of fire safety in all building types can be of considerable benefit to the state during these proceedings. Please feel free to call upon us.

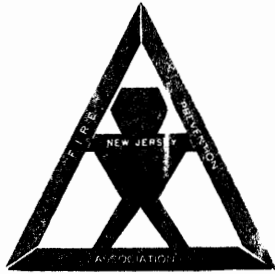

TYLMAN R. MOON, A.I.A.
Vice President N.J.S.O.A.

FIRE PREVENTION

NEW JERSEY STATE FIRE PREVENTION ASSOCIATION

P.O. BOX #1213 PISCATAWAY, NEW JERSEY 08854 201-539-4089

Send reply to:



THROUGH EDUCATION

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REPORT TO THE

NEW JERSEY STATE FIRE COMMISSION

NOVEMBER 24, 1981

NEW BRUNSWICK, N.J.

Distinguished Commission members, on behalf of the New Jersey State Fire Prevention Association, I wish to extend the best wishes of our Association to you in attaining the worthy goal of increased fire safety to our citizens. During the past months which this Commission has conducted public hearings, the New Jersey State Fire Prevention Association has presented positions which have consistently supported the stated goals of this august body. We wish now to briefly summarize those aims.

First, this Commission must examine the adequacy of building and fire codes in our state. These codes reflect consensus opinions by fire experts in what constitutes adequate fire safety in buildings. The public, builders, building owners and government officials provide input into the code making process by defining what constitutes acceptable levels of risk from fire and determining what price they are willing to pay for the protection. However, the consensus codes recognize differing local conditions and are designed only as minimum measures. They are designed to allow a local jurisdiction to plan its outlay of capital to cover for code deficiencies.

A glaring need for review in the present state role for fire protection deals with the New Jersey Uniform Construction Code Law. The code writing, done by a national code writing body, is subject to significant changes each year at the annual code change meetings. Many of these changes affect our state adversely and because of the present law which does not recognize the problem New Jersey loses out on important code provisions which are subject to change by

special interests outside of our state. It should be noted that in the past some communities had different building regulations which led to the confusion of builders and designers, but since the uniform law was adopted that confusion has been transferred to enforcement officials who see buildings constructed in one manner this year only to have requirements change completely next year without any benefit to New Jersey residents. While there is some merit to the present system most fire service experts agree that there should be a method to ammend the construction code on the state level since New Jersey has its own peculiar needs. This could best be accomplished by convening a state committee to review proposed code changes at the national level and to determine what impact the proposed changes would have on New Jersey. If it is determined that the changes are not in the best interests of this state then the changes should be culled from subsequent editions of the code. On the other hand, if a code provision is deemed to be beneficial to our state, then there must be a built-in mechanism in which to keep such a provision as part of New Jersey's law and not allow that provision to ^{be} bartered away for reasons which are not beneficial to this state.

Second, once building and fire codes have been adopted by state and local jurisdictions, the public relies on enforcement officials to see that the prescribed levels of protection are built into buildings. Effective enforcement depends on three factors: (1) highly qualified and adequately trained enforcement officials, (2) sufficient authority to carry out responsibilities, and (3) fiscal courage to provide adequate monies and manpower to fulfill legislated mandates to fire officials.

Third, the Legislature must be made to realize that the continuation of lack of coordination, fragmentation and parochial concerns which prevail throughout New Jersey only serve the needs of a very few at the great and tragic expense of those who can least help themselves. Therefore, the need for a central fire focus becomes increasingly evident. There are certain fire protection systems which can only be provided effectively either directly by state government or by state assistance, direct or indirect, to local government. These functions are: water supply and distribution; communications beyond the local area; uniform regulatory functions; training and education of fire service personnel; fire protection in state owned properties; public fire education through the public school system; fire cause investigation and reporting; arson processing and prosecution; data collection and dissemination; statewide research and development programs; master planning for fire protection; personnel administration; interjurisdictional coordination; emergency/disaster services administration; and fire insurance administration. Each of these topics has been discussed previously by various interested individuals who shared the same goals as this Commission, the safety and well being of our citizens.

Now that these hearings are being concluded, the Commission has the arduous task of scanning all the material which has been submitted, to consider all views which were represented and to present its findings in a final report with its recommendations to the Legislature for consideration. It is this process which will produce for the citizens of New Jersey a new direction. A greater level of state commitment to the safety needs of our people is indeed a very noble task.

In summary the New Jersey State Fire Prevention Association would like to offer the following three items for your consideration:

- 1) At the State level, there should be some medium for a State Code change process other than the National Code change process we now employ. This code change process on a National level is cumbersome and bear in mind that a National Code change might not be beneficial to the residents of the State of New Jersey but as it stands now we must live with the changes.
- 2) At the State level there should be a fire coordinator's office that would coordinate all facets of the fire service.
- 3) Code enforcement has to be equal to the Code that is adopted and all means should be employed to attain the highest level of competency possible in code enforcement.

The New Jersey State Fire Prevention Association stands ready to assist in the achievement of this Commission's goals by extending the entire resources of our organization toward that end.

We wish you well.

FIRE SAFETY; EVERYONE'S RESPONSIBILITY

Firefighter Don M. Huber
State Delegate F.M.B.A.
Local # 14, Irvington

FIRE SAFETY; EVERYONE'S RESPONSIBILITY

INTRODUCTION

Fire safety can be approached from several angles. Adequate building inspections, effective legislation duely enforced, public information in the form of placards, signs, bumper stickers, and literature distributed through the mail and at fire safety presentations provided by the fire dept. and open to the public at large or specific community groups and functions (ex. Lions Club, senior citizens club, block associations, business groups, etc.) are all essential factors in a well-rounded fire safety program.

SPECIFICS

In addition to the aforementioned, and perhaps in some ways more important, is the concept of fire safety education in our schools. While occasional fire safety presentations are made available in various schools on all levels from our fire dept. personnel, I find this to be of limited value without the support of meaningful fire safety curriculum implemented in all schools, public and private, throughout the entire state. Utilizing the proper educational "tools," fire safety can be interesting, fun to learn, and of indisoutable value to students on all levels. Naturally, learning levels must be established by grades, so to effectively place students in their respective fire safety class, as different levels of fire safety training would be needed to accomodate the various grades. I strongly believe there are several major contributions which can be made through mandatory fire safety courses in our school systems.

(2)

OBJECTIVES

It must be realized that both the short and long term benefits of teaching our youngsters the vital elements of fire safety are indeed multi-faceted. While the immediate effect includes but is not limited to development of skills, knowledge, and awareness of such items as fire behavior, home fire hazards, smoke and heat alarms, proper methods of contacting the fire dept. to report a fire, the "stop, drop, and roll" technique, what to do (and what not to do) to escape fire, and planning EDITH (Exit Drills In The Home), other benefits are to be gained by the passing along of this information by the students to their parents et al through encouragement to do so by their teachers. Of course, the long range benefits of effective fire safety programs will do more than just inform. It is my contention that with overall awareness will come an overall attitude on the part of the students that will demonstrate their genuine concern and understanding for the need for fire safety in all aspects of life. Again, the contagious effect of their attitude will surely reflect on their parents and other people they are associated with such as friends, relatives, and eventually co-workers and employers. ATTITUDE is the key. And so it is vital that we provide in our educational system, fire safety training in such a manner as to motivate and develop positive attitudes toward fire safety. While I do not contend that this is the only way to institute fire safety in our state, it is certainly crucial if all other attempts to make New Jersey fire safe are to be successful.

CONCLUSION

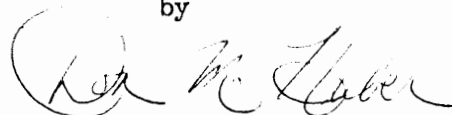
Briefly, those are my thoughts concerning fire safety. Surely it would be an enormous task to take on a project such as this, not to mention the cost factor and other obstacles to be encountered by the Dept. of Education. However, the end rewards would heavily outweigh the effort just by the amount of property that would go undestroyed as a result of fire safety. And in so far as the needless loss of life that would be prevented, who can truly put a dollar value on that? So even if the ideas that I have expressed on this paper present some obstacles, consideration of such an effort is not at all unfeasible. In any case, perhaps someday if the attitude we need for fire safety comes about on a large scale, papers such as this will need not be written at all.

ADDITIONAL INFORMATION

As indicated by the FIRE SERVICE TODAY (Oct. 1981) articles copied and attached, special consideration should be made for providing fire safety training for the handicapped and in preparing teachers to be competent on the subject of fire awareness.

Respectfully Submitted

by



Firefighter Don M. Huber
State Delegate, Local # 14
Irvington

THE SAFETY OF THE HANDICAPPED

David L. Douglass
Captain, Fire Safety Education Unit
Los Angeles City Fire Department, California

Standard fire safety education programs traditionally have been either unavailable to, or ineffective for handicapped young people, the majority of whom are outside the educational mainstream. In 1979, the Los Angeles City Fire Department (LAFD) addressed this problem by developing and implementing a fire and life safety education program for the handicapped.

To better understand the special needs of the handicapped and to help develop a curriculum, the fire department met with area educators and representatives of the Braille Institute and the Greater Los Angeles Council on Deafness. By the 1979-1980 school year, a new fire safety program designed specifically for the handicapped was ready for a trial run at the Marlton School for the Deaf and Hard of Hearing.

The program proved successful and, with the minor change of increased student participation, the course was implemented in the special education private schools and the special education sections of several public schools during the 1980-1981 academic year.

The department, meanwhile, continued work on a Spanish and English *Junior Firefighter Coloring Book* with accompanying poster. Two *Special Junior Firefighter Fire Safety Books*, one illustrated in large Braille image, and the other in large print, also were created. The cost of developing and printing the materials was offset by donations of time and money from public and private agencies.

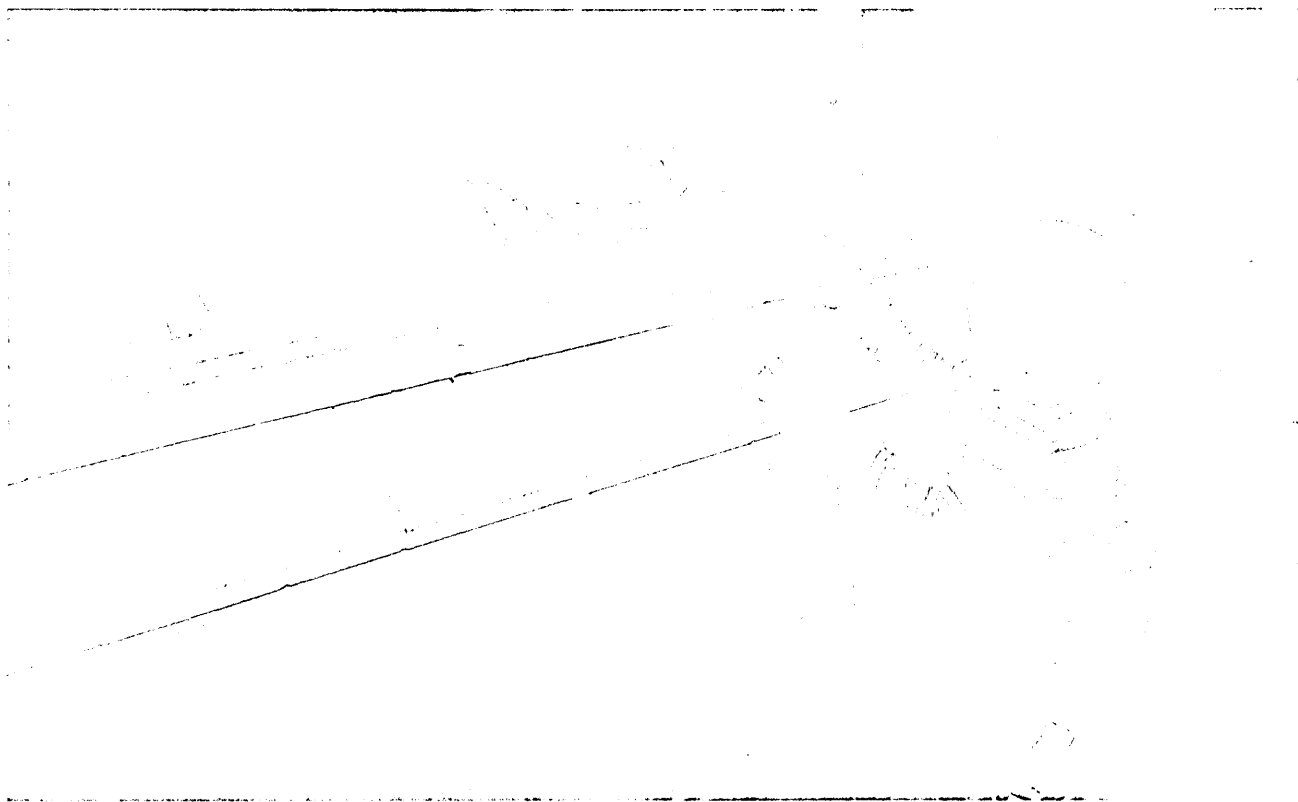
In the special education system, students are divided by lower, middle and upper learning levels instead of by grades and so the program is similarly structured.

While the basics of the fire safety program are the same as those presented in conventionally-structured schools, the LAFD program is modified to suit each particular level and handicap. Even students in the same learning level may require individual treatment because of differing needs.

To maintain a necessary one-on-one relationship with the handicapped student, and allow for variable attention spans and learning abilities, classes are held to a maximum of 15 students, and teaching sessions are limited to 45 minutes or less. Pantomime and sign language are used extensively as is student participation. The fire fighter/instructor demonstrates physical actions, such as "stop, drop, and roll," and the students repeat each action, with help, if necessary.

Before the classroom presentations, the fire fighter coloring and fire safety books are distributed, and letters are sent home with the students to announce the program and encourage parents to participate.

During the first visit, the lower level receives an introduction to the fire department, and a Los Angeles fire fighter dons and describes a turnout uniform. Basic fire behavior is explained; the dangers of matches and playing near stoves are illustrated by using large models of a match and matchbox. Stop, drop, and roll is introduced, and the Fire Hazard Home Inspection Checklist is sent home with the student.



Two visually impaired students practice the buddy system during a fire drill.

(Los Angeles City Fire Department photo)

Between the first and second visits, the class reviews fire dangers, practices stop, drop, and roll, and examines the completed home inspection checklists. Students then are asked to develop home escape plans with their families using their own basic home floor plan. In addition, the teachers may use the fire safety or coloring books for individual lessons.

The second fire department visit includes a lesson review and a home escape plan discussion. A practice fire drill is conducted: the need to alert others, feel the door for heat, and stay low in smoke is emphasized. The session ends with an eight-minute fire safety film which is interpreted in sign language to the deaf.

The same procedure is followed in the middle level with the following exceptions: a third classroom session is added; instruction on fire behavior is more detailed; and the fire triangle is introduced. Methods of notification, feeling the door for heat, and knowing the proper actions to take in a fire are emphasized. Again, the fire fighter demonstrates the actions and the students imitate them. The dangers of smoke are discussed and "staying low" is demonstrated and practiced. An additional film, "Learn Not to Burn," is interpreted for the deaf and discussed.

The upper level, which is comparable to high school, also has three sessions. They are similar to the middle level program, but with more in-depth information on fire behavior, home fire prevention, and general fire safety procedures. In addition to the "Learn Not to Burn" film, a Junior Fire Slide Program is presented. Near the end of the classroom schedule, a yard demonstration by the fire company gives the students from all three levels an opportunity to examine the

fire department's apparatus and equipment.

Subsequent to the training, a school assembly is held for each level at which special Junior Firefighter Lifetime Membership cards are awarded. The children must earn the awards by providing a home escape plan or by completing other program-related activities to the best of their abilities. The award ceremony is the culmination of the program, and its importance to the students and the success of the program cannot be overemphasized.

Conclusion

Those contemplating a similar fire safety program should keep in mind the need for a sign language instructor. In Los Angeles, the fire department hired a handicapped woman to fulfill this function. Special education teachers from the Los Angeles Unified School District also offered guidance and assisted in the early stages of the program.

Another point to consider is the fine line between learning levels in special education schools. The program may need modification from group to group. For example, students with serious learning disabilities may require presentations limited to recognition, notification and evacuation. For blind students, extra emphasis would be placed on the need for preplanning for evacuation. The hearing impaired would spend more time and effort on notification. And for students with restricted mobility, special attention would be given to evacuation methods.

In all cases, the buddy system should be encouraged and, at each level, preplanning should be heavily stressed because of the slower emergency reaction times involved with the handicapped.

William J. Raftery

Captain

Hartsdale Fire District, New York

Perhaps the greatest stumbling block to an effective fire safety school program is teacher inadequacy on the subject of fire awareness. Teachers, like the general public, often lack the initiative to become competent in that subject. With this in mind, the Hartsdale Fire Department, New York, in cooperation with the Greenburgh Institute for Teachers (GIFT), has launched a 14-hour course designed to help teachers do a better job of incorporating the National Fire Protection Association (NFPA) "Learn Not to Burn" Curriculum into the schools.

Through the GIFT program, teachers earn in-service credits and bonus money from the Greenburgh School District for extracurricular courses taken, creating an incentive for teachers to enroll. A Hartsdale Fire District officer with a bachelor's degree in Fire Science serves as course instructor. The course fee, which would normally pay for the instructor's time, goes instead for a "Learn Not to Burn" Curriculum for each participant.

The course has two goals: first, to give teachers the necessary information to be able to teach the Curriculum, and second, to provide practical experience in actual fire situations to enable teachers to evacuate students under difficult conditions, such as low visibility caused by smoke. Although the "Learn Not to Burn" Curriculum is designed primarily for K-8, high school teachers also are encouraged to take the course.

Tests given prior to the course showed the educators lacked fire safety knowledge and, consequently, lacked the ability to teach it. This is despite the fact that New York State Education Law, Section 808, requires that fire safety be taught in the schools and has since 1947. The course's initial and final test questions are based on those found in *America Burning*, the 1973 Report of the National Commission on Fire Prevention and Control.

Course participants were evaluated not only on test scores, which showed great improvement upon course completion, but also on the number of actions they would take in emergency situations. Initial answers showed each participant averaged 3.2 actions that could have caused injury or death if they had been taken under actual fire conditions. After the course, the number of fatal mistakes was down to .21 per teacher.

Throughout the course, teachers learn background information on the 25 behavioral objectives of the "Learn Not to Burn" Curriculum to enable them to better integrate the program into their classrooms. The Curriculum undoubtedly can be called a boon to the public fire education field, and the Hartsdale Fire Department found that in-service training greatly added to the teachers' motivation and ability to impart effective fire safety education.

The NFPA recommends that the fire department and school district work together to implement the program most effectively. The Curriculum book has a section on Fire Safety Information, with general information and an excellent reference list. However, when a technical question is raised in class, teachers may not have this information at hand; teachers who are unaware of a technical problem could give improper advice to students, advice that con-

ceivably could cost a life. Hartsdale feels it can overcome such problems with an in-depth coverage of the "Learn Not to Burn" Curriculum.

To supplement classroom work, the Hartsdale fire officer brings teachers to the fire department's drill area where they experience actual fire situations. They watch a fire grow until it activates a smoke detector. Accompanied by the instructor, the teachers crawl low through the smoke, noting how long it takes to escape after the initial smoke detector warning. When conditions become untenable, the group retreats to a room where a door has remained closed during the demonstration; this room simulates the effects of a closed bedroom door during a home fire.

Seminar participants unanimously felt that this, or a similar course, should be required by state law for all teachers.

Hartsdale combines each facet of the course with similar demonstrations and practical experience. Through these the teachers gain knowledge of actual fire situations, knowledge they can use to adequately protect their children in the event of a school fire.

Only experience can tell them how much smoke will make a school hallway untenable, or what volume of fire can be knocked down with a fire extinguisher. And, only experience can prove that "Learn Not to Burn" is one of the most valuable subjects an educator can teach.

Seminar participants unanimously felt that this, or a similar course, should be required by state law for all teachers. One even went a step further, saying, "The only solution to the nation's fire problem is for every man, woman and child in America to crawl through smoke the way we did."

Teachers are not the only ones who benefit from such a course. The Hartsdale Fire Department used this course to evaluate its fire prevention programs, past and future. Thorough review of test results gave the department insight into the weak points of its public information programs. With this information, the department was able to target its public information programs to the community's needs. For example, "stop, drop, and roll" was found to be well known, while awareness of locating fire exits in public buildings was lacking.

As a result, the district's media campaigns, along with other fire prevention activities, have been upgraded to the "Look for an EXIT Wherever You Go" theme.

Hartsdale, of course, is not the first community to develop a teacher training program, and the department is grateful to those who previously established similar programs and shared their information. This article is written in that same spirit; it is only through sharing that public fire education programs can achieve their goal: the public . . . fire educated.

SENATOR JOHN P. CAUFIELD (Chairman): Good evening, ladies and gentlemen. Welcome to the last public hearing of the Fire Safety Study Commission. We are glad to see a good turnout tonight of some very interested people.

In view of the time situation, we will start right in with the witnesses. We have at least fifteen or so speakers listed as of right now. We are going to try to stay away from limiting people to any particular time. We may have to do that if the hearing runs too long. But I would ask your indulgence to try and make your remarks as concise as you can. At the same time, we want you to have your full say - whatever you have in mind.

First, we will start by having the people on the Study Commission introduce themselves.

(Those present are as indicated.)

William Kosakowski, President, State FMBA.

Robert Brody, representing the National Association of Industrial and Office Park Developers.

John W. Dries, President of the New Jersey Fire Prevention Association.

Senator John P. Caufield, Newark Fire Director.

Charles Schilling, representing the New Jersey Paid Chiefs' Association.

Donald M. O'Brien, Executive Vice President of the New Jersey Hotel and Motel Association.

John L. Jablonsky, American Insurance Association.

Wilbur H. Lind, Immediate Past President of BOCA.

Catherine Aratow-Harding, Secretary of the New Jersey Builders Association.

Alfred Pouzenc, President, New Jersey State Fire Chiefs' Association.

Bruce Scott, First Vice President of the New Jersey State Fire Chiefs' Association, alternate member.

SENATOR CAUFIELD: We will probably have a few more members come in before the evening is over.

Our first witness tonight is Steve Blader, New Jersey Department of Public Advocate.

STEVE BLADER: Thank you, Senator Caufield; and thank you, members of the Fire Study Commission.

I first would like to commend you for volunteering your time to address this very significant subject of fire safety in the State of New Jersey.

We in the Department of Public Advocate have also been concerned about this problem. But because of limited resources, we have been forced to restrict our areas of interest to two major areas. I would like to share the information we have gathered with you at this time.

The two areas of interest are: number one, the boarding homes in our State; and, number two, fire-fighting manning.

We first became involved with the issue of boarding homes back in 1978 when we worked with the Department of Community Affairs and the Department of Human Services in drafting the Boarding Home Act. At that time, a bureau was set up within the Department of Community Affairs to establish annual inspections of all boarding homes in our State. As you know, the recent onslaught of fires in our boarding homes and the numerous deaths demonstrate the need for a comprehensive prevention effort, especially of these boarding homes.

The problem that we have faced though is that this bureau was established through a very stringent statute seeking to have comprehensive inspections handled on an annual basis. But the bureau has suffered for lack of staffing. Right now,

there are only 10 physical inspectors for the entire State of New Jersey, number one. And, number two, we have only been able to identify 1500 boarding homes in the State of New Jersey. It has been estimated that there are anywhere from 3500 to 5000 boarding homes in the State. These homes are not being inspected. Since they are not being inspected, the most effective means of addressing the fire problem, fire prevention, is not being carried out.

The second critical means of addressing the fire problem in boarding homes is through early detection systems and sprinkler systems. Studies have shown that through a good early detection system, we can have a fire company on the scene within 6 minutes of a fire before the flash point, which can reduce loss to 40 percent. The problem in mandating sprinkler systems or early detection systems in boarding homes is that this State does not reimburse boarding home residents on a cost-related basis. In other words, there are standards set up for the operation of boarding homes. But there is no one saying that an operator requires x amount of dollars to fulfill those standards, as we have in nursing homes, for example. Therefore, the boarding homes in the State do not have enough money to adequately take care of the residents, let alone provide adequate life safety standards, including sprinkler systems and early detection systems.

There is presently a bill in the Assembly Health and Welfare Committee, Assembly Bill 3527, which I would like to recommend to you. This is a bill which authorizes the Housing Finance Agency to make loans to boarding home operators to make safety improvements to boarding homes; and, at the same time, it establishes a rental assistance fund to help residents pay for any increase in rents caused by such health safety improvements. The funding for this HFA loan fund and the rental assistance fund would be through casino revenues. We think this is probably the most cost-effective means of insuring the safety of the boarding home residents, as well as maintaining these boarding homes because we need these boarding homes as an alternative to institutionalization. We think the passage of this bill in this session is critical.

Let me move on to fire-fighting manning. Why do we get involved in fire-fighting manning is the first question I am usually asked. My simple answer is that I looked to a few statistics. For example, in 1980, for which there are the most recent statistics on the number of fires in the State of New Jersey, we had the largest number of reported fires that this State has ever had - over 76,000 fires. But, in doing further research, we noticed that since the enactment of the cap laws fire-fighting manning in this State dropped from 8,120 firefighters to 7,427, a loss of nearly 700 men, even though the number of reported fires has reached record levels.

SENATOR CAUFIELD: Can you give us those figures again?

MR. BLADER: Yes, surely. I can also give you the source. The number of reported fires is 76,241. That is from the New Jersey State Police Arson Reporting System. The number of paid firefighters in the State of New Jersey in 1977 - and it is mainly restricted to urban areas - was 8,120. And it dropped to 7,427 in 1980. Those statistics come from the U. S. Bureau of Census.

The significance of this loss of fire-fighting manning is that when you have fewer men on a rig, you either don't perform certain functions or you perform the functions less efficiently. For example, if a team of firefighters reports a fire and they are short one or two men, a function such as venting is not performed. Venting is punching a hole in the top of a roof of a building that is on fire to allow the gases to escape. It is a very simple procedure - well, not simple. It is a very hazardous procedure if you don't have sufficient manning. But if the procedure is not performed, the gases collect in the building, the heat in the building dramatically

rises, making it far more dangerous to the residents within the building and to the firefighters who are assigned to suppress the flames, as well as causing greater damage to the property, itself. Of course, if you have fewer men to perform the operations, the operations are done less efficiently and it takes more time to perform the operation, causing greater damage. This is no longer conjecture. In September of 1981 in "Fire Service Today," there was a report published which documented a study at the Los Angeles Fire Department, where they used a variety of manning levels to determine what amount of fire damage resulted from different manning levels. In a series of tests - this was by the Los Angeles Fire Department - it was concluded that a reduction of 5 men to 4 men resulted in increased property loss of one-third.

In 1969, there were also comprehensive tests run by the Dallas Fire Department with the same basic conclusions. I won't fill you full of statistics. With fewer firefighters reporting to a fire, they are less efficient, causing greater property damage. The basic conclusion is that having fewer firefighters or a dramatic drop in fire-fighting manning is just poor economics. From a political perspective, a city which is faced with cap laws lays off firefighters and it results in a reduction in its budget. But the bottom line is that the injury to the residents of that city far outweighs the savings in the manning bills.

The problem is that when there is increased damage to the residents of the city, it doesn't show up in the tax bills. There is no hue and cry to say, if we had 5 men on a rig instead of 4, the damage would have been 27 percent less or 13 percent less. People just take the loss and there are no political repercussions.

Our suggestion is that the manning decisions cannot be unilateral. There must be another voice in manning decisions. I am not suggesting the public because the public from my experience is not concerned about fires until they have one or until their neighbor has one. The only people, from my experience, who have a true day-to-day concern for firefighter manning for public safety are firefighters, themselves. They know that not only is a less efficient team, undermanned team, going to be able to perform less efficiently and thereby have less chance of rescuing people in the community and have less property damage from fires, but they also know that an undermanned team is more dangerous to the firefighters themselves. They have a vested interest in seeing that a team operates efficiently.

What we are suggesting is that firefighters have a formal mechanism for negotiating for safe and efficient manning standards and that a law be enacted at the earliest feasible date to mandate that firefighters have the right to mandatorily negotiate safe manning standards.

I am not suggesting that firefighters have the right to dictate manning standards that are not absolutely necessary to their safety and that are not absolutely necessary to providing minimal fire protection. But when firefighters can show that minimally acceptable fire-fighting manning standards are not provided, then they should be able to demand that those minimum standards be achieved. Firefighters cannot do that now. When firefighters go out to respond to fires and a man happens to be on vacation or a man is hurt, there is no necessity that the municipality replace that man. What happens is that 3 firefighters often end up doing the work of 5 or 6. Again, the result is greater injury to firefighters and greater injury to the public.

In conclusion, our two major recommendations are for the passage of A-3527 to provide financial backing for boarding home operators so that they can install sprinkler systems and early detection systems; and, secondly, to allow firefighters the right to mandatorily negotiate minimum manning levels through legislation. Thank you very much.

SENATOR CAUFIELD: I have a couple of comments and perhaps others have some questions.

First of all, on A-3527, I couldn't agree with you more. You know that was out the other day for discussion and it ended up back in committee. It is Dick Van Wagner's bill. It is an excellent bill. I think it is the only thing that we have at the moment that will enable us to get the kinds of things we want in boarding homes and rooming houses.

I intend to introduce an identical bill, with Dick's permission, in the Senate for the reason that we are limited now on how many sessions we have for the rest of this legislative season. If we introduce it in the Senate, we can move it through committee there and get it in position for a vote. Then when and if Dick's bill comes over, we can just substitute his bill for ours without losing another three or four days, which we can't afford. I think we only have something like eight or nine session days left.

If that bill were passed, I am sure that the Department of Community Affairs from my conversations with various people there would be very happy to make the sprinklers required in a much more stringent manner. Right now, we don't equate dollars with life. That is part of the problem, that more and more homes would be closing down. It is kind of a box that you find yourself in.

But we are pursuing A-3527. In fact, we had a conference today with people in DCA and some of our own fire people on that very subject.

On the other matter, there is no Fire Chief in the State of New Jersey - no Fire Director - who willingly has less people. I am sure you know we are in a dilemma. We have to operate within the constraints of the money made available to us and fight for what we can get above that. It is very difficult unfortunately. It is not a battle that we should give up, however. People keep talking about more policemen and they forget the very important people you mentioned - more firemen. We would love to see more firemen. I did want to set that straight. There is no Fire Chief or Fire Director in the State who is willingly and happily cutting down the number of men. I have been Fire Director of Newark for 20 years. I come from a fire family. I know what the situation is. It is kind of heart-breaking when you see less money and less firefighters all the time.

I agree with the conclusions you arrived at. I couldn't possibly differ with those. I guess, again, it points out that we are putting the fires out; but we are putting them out at a cost that we shouldn't have to pay. Thank god we have very fine, dedicated men in the paid service and thank God for the volunteers. They do a heck of a job.

Anybody have any questions?

MR. LIND: In this manning situation, has your department given any consideration, as you did on the other part in the Assembly Bill, on proposing any type of legislation which would give the municipalities some relief from the cap or in some way allow the municipalities to gain more money to better come up with a manning table?

MR. BLADER: There was a bill sponsored by Assemblymen Deverin and Lesniak of which I am particularly aware to allow a modification of the cap law if the municipality declares an emergency situation, either fire-fighting manning or police manning. But it would have to circumvent the local Finance Board. I don't know if that is really a good idea. There are a number of bills which would allow a municipality to circumvent the cap laws. But I think that is one-half of the pie. The other half of the pie is to allow the firefighters a voice in defining what are the safe levels. Senator Caufield is very knowledgeable about fire safety matters. Oftentimes, municipalities turn their backs on safe manning levels. And without the firefighter

having a voice in defining what the safe manning levels are, a municipality will not declare an emergency situation for a variety of reasons.

Number one, what we need are mandatory negotiations and then the opportunity to circumvent the cap law or, say, a municipality can reach the State cap --- The current municipal cap is 5 percent; the State cap is 8 percent. Possibly we could modify the cap when there is a fire manning emergency or a police manning emergency and allow the cap to rise to 8 percent to fulfill that emergency. But, yes, we are working on that. We are working with firefighters and legislators to come up with a minimum manning bill and we will try to work out some means of circumventing the cap laws when there is, in fact, an emergency.

MR. LIND: I think you have to do that realistically.

MR. BLADER: Yes, definitely.

MR. SCHILLING: Steve, I think we have to straighten the cap laws out first because municipalities can't survive with a 5 percent cap law. This is fact. As the Senator said, there is not a community in this State that can continue to service the people - and I am talking specifically about public safety. Nobody would like to see less than 5 men on an engine, so to speak, or whatever. We have engine companies running around the State with 2 or 3 men on.

MR. BLADER: That's right.

MR. SCHILLING: And unless there is relief financially, there is not going to be any increase in manning, whether they have a say in it or not.

MR. BLADER: The cap law has to be changed. The question is: Politically, how do you do it? The way may be to allow firefighters the right to mandatorily negotiate so they can establish, let's say, at least 3 men on a rig, to put the municipality in a bind. Then have the municipalities agree to supporting a modification of the cap laws. Right now, there is not a mass movement to modify the cap laws.

SENATOR CAUFIELD: I would tell you that there is a lot of sentiment for doing it in the Senate, at least. There are various bills introduced. I introduced one myself to exempt communities from pension payments which are mandated by the State, and what else? The one I had was on utilities and on the pension. There is another one on insurance. Insurance didn't affect the people that asked me to introduce the bill because they are self-insured.

MR. BLADER: But if this Commission would specifically focus in on the needs of firefighters and the concomitant needs to modify the cap laws when there is a fire emergency, I think that would probably be the most significant thing this Commission could do.

SENATOR CAUFIELD: The whole cap thing is out of whack right now.

MR. BLADER: It is out of whack. But if we could focus in on maybe one thing at a time, the fire safety angle, rather than trying to remedy the entire cap problem, we can probably be successful.

SENATOR CAUFIELD: Any other questions? (No questions.) Thank you very much.

Before we call the next witness, I would like to recognize Assemblyman Tom Cowan who just walked in.

Our next witness should be a representative of the New Jersey PMBA. I don't have his name.

W I L L I A M J. K O S A K O W S K I: Ladies and gentlemen of the Fire Study Commission: I would like to begin by commending the members of the Senate and the Assembly who voted for Senate Joint Resolution 21 which created this commission, and in particular, Governor Byrne for signing the bill into law.

I would like to thank each of you for serving on this commission and volunteering your time to assist us in finding solutions to this dreadful problem.

It is sad that it took a series of tragic multiple death fires to stir up enough emotion and interest to get the ball rolling. It was long overdue.

I would like to briefly tell you about the organization I represent. We are comprised of approximately 6,500 paid firefighters whose duties range from fire prevention at one end of the scale to fire suppression, control, and extinguishment at the other end.

These firefighters face, on a daily basis, all the problems and dangers that we have heard mentioned at previous public hearings before this Commission and more. Multiple death fires make headlines, and for a day or two get a lot of attention from the media, then they are quickly forgotten and usually swept under the rug. This time they were not, and we are pleased about that. However, every night and day people are dying or being severely burned as a result of fires. Some fires result in multiple deaths or injuries, but most result in the death of one or two individuals. These practically go unnoticed by everyone except the families and the firefighters who have to be involved in the fires which claim these lives.

We would like you to address yourselves to all of the fire related problems equally in the State of New Jersey, not just the nursing homes, out-reach mental health facilities, homes for the elderly, and so on. Please don't misunderstand what we are saying. Sure, the life threat in the multiple dwelling is greater than in a one or two-family home, but we have a responsibility to all of our citizens regardless of how many of them are housed in a particular building. Let us attempt to come up with some meaningful legislation that will mandate all buildings to become fire safe.

Speaking about legislation, new laws will be created as an end result of your recommendations to the Legislature. These laws will have to be enforced. My question is, "By whom"? Our local fire departments are being strangled by the 5 percent cap. Cutbacks in city budgets are causing cutbacks in the central services, and we must begin to tilt the balance of fiscal responsibility against the need for public and firefighter safety in the opposite direction -- in the direction of increased fire protection and prevention rather than decreased fire protection. Statistics show that since the inception of the Cap Law, fire department personnel has decreased and fire deaths and fire losses increased dramatically. Fire department manning has been depleted beyond the dangerous level in many towns. How can we expect local, or for that matter, state agencies to enforce laws that we create without the proper number of personnel?

Recently in Hoboken, there were seven deaths in a fire in a building that was considered a multiple dwelling. When city officials were asked why fire detectors were not present in the building, they said it would take about two and a half years to have the city's housing inspector check all multiple dwellings for compliance with the smoke detector law. By the way, you know that in most cases, except where local ordinances are adopted that say otherwise, the responsibility of smoke and heat detector inspections lies with the housing inspectors, not with the fire department. Firefighters go out on in-service inspection and are instructed to inspect the entire building from top to bottom for obvious fire and life hazards, but are not allowed to check to see if heat and smoke detectors are properly located and installed in those buildings. Another chief housing inspector in Hudson County claims it will take five years to inspect approximately 1,500 multiple dwellings in this district for smoke alarms. That is five years.

Perhaps in your recommendation you could address this problem and offer a companion solution to the problem of available enforcement personnel. Once again, there is no point in creating new laws if we don't enforce them properly.

One last point before I list our recommendations, and it is not intended to downplay the hazardous job of our brothers in blue, the police officers. However, it cannot go unsaid. Whatever reason, firemen traditionally conjure up visions of fat bald guys playing pinochle in the fire house, or occasionally wiping down apparatus while awaiting the next alarm. This is not the case. Sixty-three firemen died in the line of duty last year. Another 98 died as a result of occupational illness. Forty-six thousand, two hundred and sixty were reported injured during the year, and another 800 per year are forced into retirement by occupational sickness, which comes out to the highest death rate of any occupation in the country. If that many cops were killed in shootouts, a national emergency would be declared. Yet, few, if any, politicians - local, state, or federal - will ever put a plank in their platform in which they suggest they are willing to increase fire protection, but they will always manage to say they will support legislation to see that crime is reduced. We are involved in a silent epidemic and few care until it hits home.

That being said, we respectfully submit the following recommendations:

1. The statewide adoption of the BOCA Building and Fire Prevention Code.
2. All buildings, with no exception, should be made to comply with the law. There should be no grandfathering of old or existing buildings.
3. A uniform, central fire incident reporting system created and mandated by law insisting that every municipality in New Jersey be made to comply.
4. A system of follow-up to be created, including local, county and state government to ensure compliance with the law.
5. Establish a New Jersey Fire Prevention and Building Code Council consisting of proportionately appointed members from the volunteer and paid fire service and building code officials. Their objective would be to review and suggest changes in the BOCA Building and Fire Prevention Code when necessary.
6. Require automatic sprinkler systems and early warning detection devices which are directly connected to local fire or police headquarters in all boarding homes, out-reach, mental health facilities, homes for the elderly, and so on.
7. Amend NJSA 18A:6-2, which is that part of the law that refers to fire prevention instruction for our school children to read as follows: A continuing public school education fire prevention and safety program be taught on a continuing basis throughout the school year. We suggest that the NFPA's "Learn not to be Burned" curriculum be adopted. The time being devoted to this type of instruction is either nil or inadequate in most cases. Fire prevention and safety must be taught longer than just during Fire Prevention Week in October each year.

Again, thank you for this opportunity to express our views and suggestions and good luck with this most difficult job.

SENATOR CAUFIELD: Does anybody else have any questions? If not, take a look at Bill and see he is not a fat and balding man sitting in a fire house.

Thank you very much, Bill. Next we will have a representative or representatives of the Building Officials Association of New Jersey.

G E R A R D G A R O F A L O W: Good evening ladies and gentlemen. I represent the Building Officials Association of New Jersey.

The Building Officials Association of New Jersey recommends the adoption of the Uniform State Fire Prevention Code. The code that they recommend should be adopted would be the BOCA Basic Fire Prevention Code of 1981.

The BOCA Basic Fire Prevention Code is recommended due to its compatibility with the Basic Building Code which is adopted now in the State of New Jersey.

We also recommend that there should be licensing and training of fire inspectors to go along with it. We also recommend that it should be mandated on a municipality level, if not, then on a county level, and further it should stop at a state level, but it should be done. We also recommend that the BOCA Basic Building Code should come up with sections on existing buildings-- a complete new section. We recommend the adoption of the BOCA Basic Mechanical Code 1981 Edition. The reason for that is due to the fact that certain requirements have been removed from the BOCA Basic Building Code and put into the BOCA Basic Mechanical Code, such as heat producing devices and ventilation.

We also recommend that all buildings in the State of New Jersey conform to the 1981 BOCA Basic Building Code as a minimum for construction requirements, federal, state, hospitals, schools and institutions. We also recommend the outlawing of kerosine stoves and heaters in New Jersey -- illegal to sell and to install them. We also recommend outlawing of unrated interior finishes in the State of New Jersey -- illegal to sell or install, such as paneling or finishings. They should meet the flame-spread rating of the 1981 BOCA Building Code.

We also recommend that standby water charges in the State of New Jersey be illegal. We also recommend that retrofit sections of the 1981 Basic Building Code be put back in. More specifically, Section 604, Subsection 7051, Section 804, Subsection 15054, Section 1603, Section 2105 and Appendix A, which is the Basic Fire Prevention Code.

The Building Officials Association of New Jersey supports the fire service having a state fire director or commission.

Last, the Building Officials Association recommends that the fire director or commission be in the Department of Community Affairs with a director on the same level as a Deputy Director today.

SENATOR CAUFIELD: Thank you very much. Are there any questions?

You mentioned one thing I just have to comment on. First of all, the exemption of schools and various other buildings I think is absolutely ridiculous. If the codes are going to apply to buildings, they ought to apply to all buildings. I heard something recently. I was told last week that in the new prison they are building, they have already eliminated sprinklers. They can do that because that is under the present law. I think it is disgraceful that they do it.

MR. GAROFALOW: It is one of the biggest problems that building officials have in the State of New Jersey, that we cannot control the schools and other buildings in our own community.

SENATOR CAUFIELD: As far as the portable kerosine heaters are concerned, if there is any way we can do it, I sure would like to do it. We did it in Newark several years ago and every time I see those commercials on Channel 4, or whatever it is when they have Monday night football and so forth, I see the nice little priest out in Pennsylvania being very happy that he had one of these in every classroom -- I would be most unhappy if I had them in every classroom.

MR. GAROFALOW: Only last week or the week before out in Dover, there were three people, two children and an adult, burned to death by a kerosine heater; they couldn't speak English and they put gasoline in it and that was it.

SENATOR CAUFIELD: Again, thank you very much for your testimony.

Next, we have representatives of the New Jersey Society of Fire Service Inspectors. Is Ed McCormack here?

MEMBER OF THE AUDIENCE: Senator, I beg your indulgence. Will you call Larry Davis first? He has a plane to catch.

SENATOR CAUFIELD: Sure. We will call on Larry Davis who is the Chairman of the Volunteer Section, International Society of Fire Service Instructors.

LARRY DAVIS: Thank you, Senator. First of all, I would like to say it is truly a pleasure for me to be here. My only problem is I've got a flight and have to be at the airport at 9:30 so I would like to make this short and brief.

One thing I think you have to look at-- Just to give you some background on myself, I consider myself a professional firefighter - although I'm not paid for the job - and have been for about the last 18 years. I have done a lot of different things in my life. I have been a paid firefighter for a while; I have been a fire protection engineer for a number of years; and the one thing I kind of get the most feedback from and really get the biggest reward in life from is being a fire service instructor. I don't really envy you people too much. I sat back a number of years ago. In Pennsylvania we put together a statewide organizational design program. We found out no matter what we said we made somebody mad, so I'm sure all of you are going to make somebody mad; you just don't know who at this point.

The thing I have to look at-- I think an interesting point that just came up about the kerosine heaters is the fact that kerosine heaters of any type present a problem. We have a problem in the State of Connecticut in which I now live. But like it or not, I think we have to face it and the real world says that those units are out there. You can ban them in New Jersey but they will come to Pennsylvania to buy one. I think the thing that you have to address as a problem for a lot of people is that they violate a lot of our good principles of fire protection, but we have to face the fact that we have to educate the public so they are smart enough not to buy them. I think that is a fact that we really have to look at.

In talking about training and education, I represent the Volunteer Section of the International Society of Fire Service Instructors. Basically, through that section, I sit on the Board of Directors and of course we are an instructors' organization; we look at training and what a state fire focal point can do for a state. We looked at this in Pennsylvania back a few years ago. We are, in fact, now looking at Connecticut through a Sunset Review Commission that is trying to decide what to do with the Fire Administration. The fire chiefs are a little bit upset, the firefighters are upset, and the union is upset about certain things. But I think it is really up to people like you to take a hard look at where you get the biggest bang for the buck. And when it comes right down to it, it is through fire service training and education, not only on the part of firefighters and emergency response people, but in public ed. Like the gentlemen down here said, "learn how not to burn". Get it into the kids. The interesting thing is, I read some history back a while ago and I can remember when the International Association of Fire Chiefs was first formed. One of their key things, in fact, two key objectives were to standardize fire hose couplings in this state, or in this country, and to bring public education into the school systems. And, here we are in 1981, and those two objectives haven't been met yet. I think this is why you see such an emphasis at the state level to try and bring about those things.

I think when you come right down to it and take a look at it, you will find, as we find in Pennsylvania, you really get a lot more for your dollars through education and training. That is what it's all about. How do you get good building codes and things like that without that education and training?

So, we would just like to point out to you that fire fighting is a very hazardous occupation, whether you be paid or unpaid, or whether you be in a big city or rural area. I think the fire fighters of this state and the population of this state have to look towards that type of training. Fire fighting is a very technical and very highly sophisticated program, and I don't think the general public understands that. So I would just like to add my thoughts along the lines of what we find in other states, and I think you will find you really get the most for your money through this type of effort. I think within the State of New Jersey there is a very active state chapter, the International Society of Fire Service Instructors, and I am sure that through conferences and through seminars that they attend, they kind of echo some of the things that we have said.

Every state in the country has gone through this probably in the last few years, and I am sure many more will. There is no easy solution and I do not really envy you in your job. So, with that I would like to say thank you.

SENATOR CAUFIELD: Thank you. Are there any questions? If not, thank you very much, Larry.

We have from the New Jersey Society of Fire Instructors, Ed McCormack. Ed McCormack is a Secretary to the International Society of Fire Service Instructors.

ED M C C O R M A C K: Thank you, Senator and distinguished members of the Commission. It is, indeed, a pleasure to be in New Jersey. I am the Executive Director of the International Society of Fire Service Instructors, representing some forty-five hundred instructors throughout the world.

Fire instructors come in all sizes and shapes-- I'm living proof. I have a wide diversity of interest. We have college instructors, emergency medical service, industrial, federal, municipal, public educators, state instructors, state directors of fire training, and volunteers. With this diversity, we certainly wrestle with problems day in and day out over training and education at the local, state, and federal level.

Our organization and chapters - some thirty-five throughout the country, one of which is the New Jersey Society of Fire Service Instructors - come here and appear before you in support of their request for greater training and education efforts within the State of New Jersey. I feel I could just close my eyes and look back to June 18, 1965, making about this same presentation before a joint Senate and House committee in the State of Massachusetts.

Now, as we travel around the country, we hear a lot about training and education. We hear a lot of people saying New Jersey is all screwed up. They are the only state that doesn't have a state training program. Well, I don't think that is the case at all. I don't think New Jersey is any more goofed up than any other state. New Jersey has going on within it a whole lot of training and education that is of good quality, and what it needs to develop is a focal point, a division of fire prevention and control, a Bureau of training-- whatever you want to call it; it is "your call".

I don't think we have to take a lot of time; this is your fourth hearing. You have heard it all. There is nothing new I can say, except to try and appeal to your sense of responsibility as it relates to training and education for the Fire Service and the spinoff for the public, which has got to emanate from the Fire Service.

There are ways that you can go about it; there are ways that are going to cost you a little money -- a little now and a lot later. In Massachusetts in '65, the chairman of the Senate Committee said, "McCormack, go to "Voc Ed" and request \$17,000". I said, "Why \$17,000, Senator?" He said, "Well, we can only identify 17,000 firefighters in Massachusetts. There is a buck for each one of them". He said, "Then start your training program". That is how it started in Massachusetts. The state training program started with \$17,000, and a year and a half later had a \$600,000 budget, thanks in part to the insurance industry. And on we went to what I feel in Massachusetts is now a comprehensive state training program.

It doesn't usurp the local training efforts or the regional or the county. I don't know that in New Jersey you need a Taj Mahal central fire academy, but what you do need is a good leader, a leader of training and education that can develop programs for the volunteers, for the paid professionals, for everyone and see that these programs develop to meet the standards. There are already national standards out there to see that are implemented. That is going to do a lot for you. It is going to not only let the leaders of the fire service sleep easier, but it is going to let the citizens of the country also.

We're out there selling a false sense of security. We tell people, "Buy a smoke detector and put it up; it is going to save your life". Hogwash. Until we train them how to roll out of bed and crawl out of the door without knocking themselves out on the bureau and getting out of their building, we are not going to save lives. We can't convince people that the fire trucks we buy for \$120,000 with gold glitter and chrome, are going to save lives. We have heard of manning being a problem, codes and ordinances and everything else. I empathize with you on this Commission. You, indeed, have a wide range of responsibilities. I also know several members from the Commission: Chief Jack Dries, Don O'Brien, for a long time, John Jablonski. And as I heard the role call of the Commission, most all of you are either directly involved with the Fire Service, or are very closely allied to it.

I think the State of New Jersey is indeed fortunate to have a Commission of your caliber, because unless I miss my bet, this Commission is going to come out with some legislation; and with Senator Caufield heading it, I am sure it is going to be passed in both branches; and I am sure that there is going to be something meaningful come out of here.

I alluded to New Jersey as not having a state training program. There are, in fact, three other states that do not either: Hawaii, North Dakota or Vermont. And I am sure New Jersey is not going to be the last state in the country to have a unified and uniform state training program. A division of fire prevention and control, a bureau of fire training, whatever you want to call it, or whatever agency you want to put it into, make it high enough up and get the right person to run it so they can fight for an effective program for the firefighters and fire service and the citizens of the state. Thank you.

SENATOR CAUFIELD: Thank you. First of all, we appreciate your empathy. We also see this as being the best opportunity this state will ever have to really do something about the whole fire problem.

Are there any questions? If not, thank you very much, Ed.

We now have Charles Aughenbaugh, Jr. from the New Jersey Society of Fire Service Instructors.

CHARLES AUGHENBAUGH: Senator, Members of the Committee: I am Chuck Aughenbaugh. I am here representing the New Jersey Society of Fire Service Instructors; and Senator, with your permission, what I would like to do is give the clerk a copy

of the letter we submitted to Mr. Leonard Fisher, the City Editor of the Star Ledger, Newark, New Jersey, and a copy of the Volunteer Section Newsletter from the International Society of Fire Service Instructors to make them a public record; and due to the list of speakers that want to speak tonight, I would like to just read from some notes, briefly, to outline some of our points of view. (Items submitted can be found in appendix of this transcript.)

In our talks around the state concerning fire education and training, recently I talked to a volunteer fire chief in the southern part of the state. The population of his community was approximately 40,000 people. We talked about a proposed statewide fire prevention code. His firefighters in his community must go out and inspect business and industry. He admitted to me, and it was a truthful admission, that his firefighters were not trained correctly and in depth in the areas, especially of red label material, and in the storage and handling of those materials.

He also admitted that one or two months down the line, these same firefighters had to go back to the same businesses and industry and ask for a financial contribution to keep his fire company going for the year so they could buy equipment-- to buy a hose-- that could meet their insurance costs. And we both agreed that there is a conflict here, a conflict in the public interest. He supported the adoption of a statewide fire prevention code, and he gave me these reasons:

First, he would like to see a training and education requirement included in the statewide building code. And equally important, he wanted a tuition refund program like the State Construction Code has, so his people can take the opportunity and have the financial incentive to go to school and meet that education and training requirement, so they would have an opportunity to be a certified fire prevention inspector under the new code.

We also talked about many things in the fire service, and he agreed that the State of New Jersey needed a statewide central fire focus. We, the New Jersey Society of Fire Service Inspectors, support standards and education requirements be included in a statewide fire prevention code. With the Uniform Building Code, and hopefully a state fire prevention code, you will have two components, if you will, of an overall system, a fire safety system that New Jersey needs. The key to such a system is a state fire focus. The New Jersey Fire Education and Training Planning Council's statewide design suggests a division of fire safety be established in the Department of Law and Public Safety.

I understand that the Commission-- From the testimony before the Commission, it may be to the advantage of the Fire Service to move this focus to another state agency. However, I promised several people tonight I would keep my temper, but if I was a future governor of the state, I would change the name of that from the Division of Law and Public Safety to the Division of Law and Half of Public Safety. Put the other half of Public Safety in the other state department -- the better half in my point of view, of course that is from the Fire Service point of view -- that would take the fire service training.

Under this division of fire safety, or whatever state department it is going to be in, would be a bureau of fire education training which would establish standards for fire training, standards for the fire instructors who teach that training, and other standards that the bureau would come up with.

The key for the training program is its delivery system. Like the key is a central state fire focus for the overall safety program, the key for the training program is its delivery system.

Let us go, for example, to New York and Pennsylvania. New York and Pennsylvania have a statewide fire instructor system. Each instructor is assigned a county or a region -- several counties included. His responsibility is to go into that particular county and help the local fire departments develop training and educational programs. He supplies, through his office, the resources of the state. There is a two-way street here. If he goes into a fire department and finds or develops a local fire instructor and that fire instructor comes up with a slide program dealing with fire safety, or how to teach fire safety in a school, or a new procedure to get a man out of an elevator, or a procedure for ice rescue in the winter time, his responsibility then is to take that man's program, develop it, and develop that local instructor and bring him into the two-way street, into the state fire training program. And that can happen one of two ways. A local stipend can be given to that individual or he can be brought in as an adjunct faculty member, which also gives him that local stipend -- whatever that amount would be. And that individual would then be shared among the state fire instructors within the State of New York. He would go to other counties and teach his program. That is what the Fire Service is all about. Someone along the line throughout this whole country develops the programs and shares those programs with other people in the Fire Service. For example, the International Society of Fire Service Instructors is having a woman fire chief from the State of California put on a management seminar "Why"? Because she is an expert in management. She's a woman and she is a fire chief. Now that is something new in the fire service, I must admit. We are allowing more and more -- I shouldn't say allowing; excuse me. More and more women are becoming part of the Fire Service. I think they have a place in the Fire Service -- some people would say not in the combat arm. The leaders of the fire education section in our International Society and throughout the country are women. Nancy Dennistren, she's one of them -- an excellent educator.

The fire service has to broaden its horizons. It is not only the combat arm in a fire service or the suppression arm, we say that is the line function. Well, the line function is expanding now -- not only to the combat function, but also the code enforcement section, and that would be considered the line function, and then you would say the staff sections, which would be training and education, and a statewide fire reporting system, etc

The management of this training system will probably bring the training to the people in the volunteer fire department. It is wrong to have a man or a woman in our volunteer service volunteer his time, work one or two jobs, and find out that they have to travel over a hundred miles just to receive the basic training. It is wrong. It has to be corrected.

The management of the system may look at it and say, well, we have to take the career firefighters at a different level. It would be most cost effective if we brought in the small career fire departments and add one or two men a year to a central focus in training for career firefighters. That training would normally be based on 5 days a week, from 8 o'clock in the morning until 4:30 at night, to get a certain amount of hours of training. The management of this system for the volunteer fire service would be keyed towards the evening, the weekends, the holidays, and the summertime. However, there is a crossover in this system. It is not iron bound. If a member of the volunteer fire service wanted to come in and take part, or be a member of the training program where all career firefighters are being trained, that's fine. If there was an opening there, or they could put another class on, that's all well and good.

At the same time, because we have a statewide fire focus, the information would get around to the whole State of New Jersey.

The career firefighter might find out in Somerset County there is a special program going on on hazardous materials. And he would want to go down to be part of it because it is his job, the same thing as if it's his job for volunteer fire service.

We use this in our letter to Mr. Fisher, an example of which I would like to read to you. Let's talk about training first. There is no mandatory training for firefighters by state law in New Jersey. Let us use this example: If your son or daughter wanted to train for a beauty culture career, by New Jersey Administrative Code, Title 13, Chapter 28, he or she would have to complete 1200 hours of training before a license would be issued by the State of New Jersey. An interesting thing, part of the beauty culture training curriculum requires 30 hours in chemistry relating to cosmetology. Is there a chemistry requirement for firefighters in the State of New Jersey? The answer is "no".

We are a state that has a very high population density. We are a state that has a very high industry rate. We cannot do away with industry. For example, in a recent newspaper article -- I believe in the Star Ledger; I think that is one of the leading newspapers in the State of New Jersey -- it said that New Jersey was trying to bring in a "silicone valley" from California, a high technology industry. Well, that's all well and fine for a community that has a great zoning ordinance and fifteen acres for a one-family home, and where this high technology industry would be in a campus-like setting. But just think about our own homes -- the chemistry that we use in our homes. Look in our kitchens. The plastics. Look at the PDC, the sewer pipes -- the way our new homes are being constructed. There are no more cast iron vent pipes. There is no more copper being put in our homes, it is PDC. We need it because we are advancing as a society in technology.

For example, let us look at the extinguishers we used to use in the fire service and soda acid extinguishers. They were a non-pressurized cylinder. Yet, when we imported them to use them for a fire, they became a pressurized cylinder. With the technology at that point in time, we had to use that particular extinguisher. But they failed, they caused deaths and they have not been manufactured in this country since 1963. So, we have to move on to meet technology.

I would like, for a moment, just to go over this curriculum for the beauty culture career, and I notice at the top it says: "ten hours of training in state laws, rules and regulations for beauty culture." Now, I have been a career firefighter for 22 years and three years as a volunteer firefighter. I have never seen a prosecutor and member of the Attorney General's office, or even a panel of the Bar Association in this state, come in and give me a training program on state codes relating to the firefighting service. I have never seen that. I have never witnessed that. Maybe it has happened, but I have never had the opportunity to take advantage of such a program.

Naturally, I hope that the fire service training in the State of New Jersey, part of it would be in state codes to affect the fire service. We could use another example: Call your local hospital. Ask them about the training in the candy striper program. If your daughter or son wants to become a candy striper in a hospital, any hospital in the State of New Jersey, they have an orientation, a training program. Now I always use a dirty word, "mandatory", and everybody wants to wash my mouth out with soap. That's not what I am supposed to do, but I do it anyway. I asked, "Well, is your program mandatory?" The woman just didn't answer me. She said, "What do you mean?" I asked, "Well, is it mandatory; do you have to take it?" She said, "Well, we don't express it that way; it's an orientation and training program. If you don't take it, you can't

work on the floor". Well, the same thing, gentlemen, has to be applied to the fire service. To me personally, and I have to speak personally now, it is an act of criminal negligence for any firefighter, man or woman in the volunteer or career service, to be forced to ride a fire vehicle without receiving a proper training program, a standardized training program.

In the Planning Council Report, I would like to read a section of page 11 if I may: There is no mandate from the State of New Jersey for any specific amount of fire training. It is entirely possible that a person can be a civilian one day and an active firefighter the next. We are talking about a survey instrument here that -- how the Planning Council came up with their report.

In five percent of the survey responses, there was no listed requirement for basic training. You consider that with a figure on a projected statewide basis; one could expect to find at least six fire departments which require no basic training and prerequisite for active firefighting duties. Would it be logical to expect an untrained person to provide a reasonable level of effective fire protection? I think we all know that answer. We think no.

Even in those departments which have mandatory rules regarding training, the majority require less than 50 hours of training annually. Given the complex and dangerous nature of the field, a greater emphasis must be placed in the proper training of our firefighting courses.

I could not finish my remarks without expressing our support for a state fire incident reporting system. What is burning in the State? We really don't know. We really don't know in a comprehensive data form. Maybe one rural community could tell us, but as a statewide system, as a state entity to develop state policy, we really don't know what is burning. My pøeve, and I would have to say again, I am speaking personally-- Take a look at the fire reporting cards that each local department has. They come in as many sizes and shapes as there are municipalities in the State of New Jersey. I could never understand why years in the past the administrators of the courts of New Jersey, county assignment judges, the Attorney General, and even the Supreme Court, didn't come down and say, "Hey guys, this is a public record. At least just standardize the form". Judges I know in this state have -- and I have been a witness to this -- asked, "What does this piece of paper mean?" Well, this is a fire report. And the remark was -- and I can't remember the exact quotation, "This looks like Mrs. Henley's third grade report done by one of her students." So, we need a statewide fire incident reporting system that allows us, the State, its government and the fire service to use a comprehensive base, this comprehensive base for our report.

I want to thank you, Senator and members of the Commission for this privilege to come before you and let off some of my steam, in addition to giving you views from the New Jersey Society of Fire Service Instructors. Thank you very much.

SENATOR CAUFIELD: Are there any questions? Thank you very much.

We now have Richard O'Shaughnessy, Chief, Middletown Fire Department, representing the Mid-Monmouth Mutual Aide Chiefs Association.

R I C H A R D O ' S H A U G H N E S S Y: Ladies and gentlemen, thank you very much for the opportunity to appear before you. I would like to correct your record. I am not the chief of Middletown Township, I am the Assistant Chief. I happened to be --

SENATOR CAUFIELD: Wouldn't you accept the promotion?

MR. O'SHAUGHNESSY: I happen to be a retired professional fire chief, so it really doesn't make a difference anyway. I filled the rank before, and hopefully I will hold it again in the volunteer service.

You folks have a very, very difficult job. It is a necessary job, and I would like you to know that you have our support in the Mid-Monmouth Mutual Aide Association. We represent nineteen fire departments in the east-central section of Monmouth County consisting of about forty-five paid and volunteer companies. There are about 2,500 members in our association -- that includes Middletown Township, where I am the Assistant Chief, and it includes Red Bank and Long Branch. And between those towns alone, you've got twenty-five fire companies and three towns in Mid-Monmouth. So we do represent an appreciable portion of the fire fighting effort in the State of New Jersey.

The one thing that disturbs us in the Mid-Monmouth area is you folks are plucking the great plum that bureaucracy can look at and say, "boy here's a big nice slice of budget that I can get every year". Already state agencies are jockeying to take over, if you will, the fire service in the State of New Jersey. Everybody all of a sudden becomes an expert in the areas of fire fighting, fire control, or fire direction. If you ask them, they will tell you so. We saw it in Asbury Park, we saw it in Keansburg and we saw it in other places. In our views tonight, we will follow along that line. Some of my remarks may seem a little bit caustic. We feel we have good reason for the suspicion and mistrust that we have, and I hope you will bear with me.

I would like to state that your state and local fire authorities have operated with very little concern for what one or the other is doing. Times are changing and the need for your panel is evidence of that change. The coordination of effort at the state level becomes more urgent in these times of fiscal restraint, and the cap of course, has been oftentimes mentioned to you folks. However, there are major issues which we think need addressing before the fire community. We will enthusiastically support your recommendations.

Our purpose in being here tonight is to present the position and views of the Mid-Monmouth Mutual Aide Chiefs Association regarding these matters and the establishment of an effective office of the State Fire Marshall.

Concerning the fire prevention codes, we offer the following for your consideration: There are many existing fire codes that adequately address the various needs of the communities and structural complexes within our state. The BOCA Fire Prevention Code and the National Fire Prevention Association Standards are but two of these. All are well refined and in many legal opinions have been generally recognized as authoritative. The state should not be required to undertake the prodigious effort of reinventing the wheel. The expense alone is not justified. The time required would be but a continuation of an already tragic condition.

Regarding the establishment of regulatory and enforcement machinery, we would first like to offer a few thoughts we think greatly affect our opinions. You folks are well aware of the tragic events the coastal area experienced in the recent past. All too many were aged, helpless, and infirmed or injured or killed in these events. One result has been the formation of this panel. Another was a congressional hearing held at the Keansburg Fire House earlier this year. From testimony put forth at that hearing, it is obvious to the most casual observer that the state itself does not have its act together. Testimony revealed that various state agencies are at loggerheads regarding fire safety regulations and enforcement procedures. These agencies admitted that there were problems in ensuring effective public safety measures within higher levels of the state.

Our basic reaction has been: How can the state effectively guide us if they cannot agree to cooperate among themselves in such an important area as fire prevention?

It is a fact of life that many state agencies spend more time jealously guarding their prerogatives than they do trying to combine their efforts to increase efficiency. It is also a sad fact that none of them enthusiastically solicit support from the fire community. Interestingly we note that the various state agencies publish more than nine separate books governing, among other things, fire safety in state owned, leased or licensed buildings. Their reasons for the lack of cooperative uniformity was invalid. If the results of your efforts serve to continue the present proliferation and diversification of responsibility and authority at the state level, then the system will not work. Guidance must be consistent, and it must be from a central point.

Representatives of state agencies have further testified that they do not think the people at the local level are capable of doing an adequate job of fire prevention. It has maintained that, by and large, the locals are inept or unqualified. Conversely, for years, the locals have maintained that the state does not know who is on first.

There is a threat of validity in all of these feelings that are basically untrue. Yesterday's opinions and yesterday's situations are changing. The New Jersey State Fire College is updating and expanding its curriculum. County fire schools exist where they were not only a few years back. Many local departments maintain their own fire training sites manned by qualified and recognized instructor staffs. And might add some of these staffs are certified by the International Association of Fire Service Instructors whose representatives just testified before you.

State colleges offer degrees in the fire sciences. Attendance at these various facilities represent a significant number of both paid and volunteer fire service personnel. County community colleges have qualified hundreds of local personnel as fire protection inspectors. Most of these people subsequently have been licensed by the Department of Community Affairs to represent that agency in building code enforcement.

Qualifications at the local level are better than ever before and are continually improving. Recognition of these improvements will go a long way toward enhancing trust and respect both up and down and will dispell the myth that home rule implies confusion and disorder.

Yes, there is still room for improvement. Recognition for our capabilities at the state level will most certainly accelerate this improvement. Distrust will most certainly slow our progress and may even stop it where it stands.

Because of the many factors perceived, implied, and openly stated, an unfortunate feeling of distrust has permeated our mutual interests. To further complicate the situation, we find it is somewhat disturbing that our present executive officers have seen fit to subjugate the fire service to the police service. This appears to be reversal of a centuries' old tradition, reversal to which there seems to be no logical reason. The fire service must not be regulated by the state police director.

This opinion, incidently, is not considered as a put-down of the State Police, but just that we honestly feel we don't belong underneath the police service. We believe that the police community is no more qualified to supervise a fire community than we are qualified to do the reverse. Linguistic logic probably dictates that any fire prevention office should be in the Department of Law and Public Safety. However, the principle of the equality of the services must be maintained below that level. The emotional response to any other condition would preclude the operation of an effective fire prevention office for too long a time.

When a state code is adopted, it should be administered at the state level. Enforcement should be a workable combination of state, county, and local officials. We have previously indicated the conditions under which the state representatives have stated their low opinions of local qualifications. The fact that the Governor has placed the service under the control of the Superintendent of State Police, and the fact that the Governor has repeatedly vetoed bills -- legalizing the traditional authority of the fire chiefs, have but served to solidify the feeling of mutual mistrust.

The effective operations of any organization depend on mutual respect and mutual trusts. Without these, a successful accomplishment of any assigned mission will be extremely difficult, if not, impossible.

You folks have a tremendous opportunity to start us toward a successful effort to protect the citizens of our state from the ravages of fire. Having stated our opinions, may we now offer a few suggestions for your consideration:

A commission or panel should be established to oversee enforcement of the fire prevention codes and to consider requests for changes or exceptions thereto. It is vitally important that any enforcement chain include the local level. If the state continues to tell local fire service personnel that they do not trust us to enforce their regulations, then the system will not work.

The commission must reflect the needs in these areas of both the business and residential community. It must be representative of the fire service with proportionate membership for the volunteer sectors, and it should be attached to the Department of Law and Public Safety for administrative support. Without such a composition, it cannot realistically reflect the capabilities and needs of our communities and their fire prevention activities.

All agencies, state, county, local, and private, must be subject to the commission when formulating exceptions or revisions to the fire prevention code regardless of the extent of their applicability.

The office of the state fire marshall should be a separate division of the Department of Law and Public Safety. Supervision of code enforcement should be a responsibility of the state fire marshall, and notice I use the word "supervision". The office of the state fire marshall be tasked with the enforcement of uniform fire safety regulations within state agencies. It is time that the safety of state employees and wards supercede the bureaucratic philosophy of "you can't look in my door, and I won't look in yours". We think this would be a tremendous step forward in convincing the fire community that there is truly a genuine concern for the fire safety at the state level.

To expedite time of response to local needs, appeal boards should be established at county levels. Their composition should reflect that of the state panel.

Inspections should be accomplished at the local level. State inspectors should function only in an advisory and supportive capacity.

Qualifying, training and/or experience should be specified and realistic.

These requirements should be responsive to the needs of the job and not imposed merely for their own sake or to justify the needs for additional administrative positions. If the state cannot agree on applicable fire prevention needs and procedures -- if it continues to let several of its departments or division foster disjointed and redundant regulations in the area of fire safety, then the state will find it very difficult, if not possible, to enjoy the confidence and the trust of the fire community.

In closing, we might add that the Mid-Monmouth chiefs generally support the position of the Monmouth County Fire Prevention Association. You won't find our views too divergent.

Second, we feel your effort is one that has been too long in coming. Our wishes for successful conclusion go with you. Again, thank you very much for this opportunity, ladies and gentlemen.

SENATOR CAUFIELD: Are there any questions?

MS. ARATOW-HARDING: You mentioned in one of your recommendations an appeal board. What would be the function of that appeal board?

MR. O'SHAUGHNESSY: I think that you will find there are many generalities and codes that do not necessarily apply to all communities. Take for instance the installation of your metal chimney flues. In most of the State of New Jersey, they are fine and dandy and they should be allowed. But, if you go down around the Jersey shore where you have a high salt content in the air, these things rot out very quickly. There should be an exception made in this section, that through experience, they won't be permitted. They have to have special instructions more often than a normal chimney installation.

No one regulation is all things to all people, and that is one of the problems with the building code. There are cases when you have to have exceptions in the name of safety. These appeal boards should hear these because they are more familiar with the local needs than the state would be. It could be that the state would review their findings before they become applicable -- to make it possibly apply to the whole state. But there should be recognition for specific local needs.

MS. ARATOW-HARDING: Within the code that they adopt?

MR. O'SHAUGHNESSY: That is right.

ASSEMBLYMAN DRIES: Chief, you are specifically referring now to the Uniform State Construction Code.

MR. O'SHAUGHNESSY: This is true. But there may be exceptions in the fire prevention program along the same line.

ASSEMBLYMAN DRIES: We have discussed a uniform fire safety act which will include a fire prevention code -- it will be a minimum standard code. In other words, the local municipality would be able to make the necessary changes to fit their unique set of circumstances.

MR. O'SHAUGHNESSY: I would hope they would because under the building code, local authorities, no matter what they know or don't know, cannot make changes to that code.

ASSEMBLYMAN DRIES: Only on a national level?

MR. O'SHAUGHNESSY: That is right. It is not responsive to the local needs. Any code that we adopt should be responsive to local needs.

ASSEMBLYMAN DRIES: Thank you, sir.

MR. O'SHAUGHNESSY: Thank you.

SENATOR CAUFIELD: Thank you very much, Chief.

Next we have Edward J. Kennedy -- a good friend of all firemen -- he is the Chairman of the Legislative Committee of Volunteer Firemen in New Jersey.

E D W A R D J. K E N N E D Y: Senator Caufield, people on the panel, ladies and gentlemen: I am here on behalf of the volunteer firemen. Most of the organizations I cover in the twenty-one counties-- In fact, I have paper work, letters from twenty of them.

We are opposed to a state fire marshall. We have a reason for it in our community. I will read some of the stuff that has been sent to me by at least seventy percent of the counties which I visit and represent:

To Whom it May Concern: For over twenty-three years, I have proved there is no state or federal fund for a state fire marshall. A minority group of people think so. I have letters from the following group of people who oppose the state fire marshall. I don't want to mention any names; I don't want to put anybody on the spot.

Most of the firemen believe in home rules and are opposed to a state fire marshall. We are the only state in the fifty states that have a burial fund for our firemen, paid and volunteered -- a firemen's home for our brother firemen in Boonton, New Jersey and the New Jersey State Firemen's Association office in East Orange, that keeps records for all the firemen of our state.

In our 501 release associations for all the firemen who qualify for benefits, a fireman must be between the age of nineteen and forty years of age. He must have seven years and make sixty percent of fires and drills. To be an exempt fireman, he must be in the quarter to claim the death benefit.

We are not interested in what other states do. We are only looking out for New Jersey and what is best for the people who serve our taxpayers' benefits. There are 56,000 volunteer firemen and 9,000 paid in New Jersey. They should run the firemanic service themselves. If you want me to represent your fire company or exempt association or anything in the fire organization, let me know by saying yes or no.

I also have a letter -- For over twenty-six years, someone tried to create a state fire marshall's office and failed. Now, it seems in this day and time, someone has an idea to create a state fire marshall again. I am sure all the firemen in the twenty-one counties in New Jersey do not know what is going on with the minority group or organizations who are small in number. The major group of organizations in New Jersey are opposed to what they are trying to do. Let the 65,000 firemen in the State of New Jersey stand up and talk for themselves and be heard. Don't let a handful of statewide organizations decide for all the firemen in the State of New Jersey. That way you will get the right answer from all firemanic organizations. As we the firemen of Middlesex County are strongly opposed to any move to create a position of a state fire marshall -- any position that can involve a similar duties the following are our reasons:

First, the volunteer firefighters in New Jersey now perform on a high professional level with modern fire equipment. Excellent maintained fire schools operate all over New Jersey where the most modern methods of fire fighting are taught, all without a state fire marshall.

Number two, the benefit which the people in New Jersey received from the state fire marshall cannot compensate the cost and tax dollars.

Three, a paid state fire marshall could cause much resentment in the volunteer fire companies throughout the state.

Four, retain what we have and don't open the doors to a bureaucracy. After all, our system of paying relief and burial benefits is 104 years old and still proves to be an excellent system. Why interrupt something that is old and working for all firemanics. All we ask is the volunteer firemen have an opportunity to continue our good work unhampered by a state fire marshall to serve the people of New Jersey.

Please help the taxpayers and the people in New Jersey and the volunteer firefighters to fight against the state fire marshall. What is really needed is a commission known as a fire bureau of safety, headed by both the volunteers and the paid. Think about it. Yours in firematics, Edward J. Kennedy, Legislative Committee of the Volunteer Firemen of New Jersey.

As you know gentlemen, this fire marshall bill was started way back in the year 1955. It was started by the New Jersey State Firemen's Advisory Council and a man by the name of Thomas J. Malone was the chairman at that time. Now this bill has been around for the last twenty-six years. I do have the cost of the bills back in 1947 which was to create a state fire marshall in the State of New Jersey, and the costs would take in forty-six men. I will read some of the costs:

The State Fire Administrator's salary at that time was \$30,000. A Deputy Fire Administrator was \$22,000. In the Bureau of Education and Training, it was also \$22,000. The Bureau of Research Program's Supervisors, two at \$15,000 a piece, \$30,000; Field Representatives, six at \$12,000, for a total of \$72,000; Research Assistants, two at \$12,000, for a total of \$24,000; Accountant, \$11,000; Secretarial Assistant, \$11,000; Principal Clerk Stenographer, two at \$9,000, for a total of \$18,000; Senior Typist, two at \$7,000, for a total of \$14,000; Clerk Typist, two at \$6,000, for a total of \$12,000. This amounts to a total of \$273,000 for salaries.

Operation within office: material, \$12,000; service, telephone, rent, central motor pool, staff training, computer programs, and so on, amount to \$30,000; maintaining and replacing equipment, \$8,000; development training standards certificate, unexpected balance, and reappropriation, \$30,000; an addition of four cars, \$3,000 a piece for a total of \$14,000; office equipment, six for a total of \$20,000. That makes a grand total of \$120,000. For the whole operation it totals \$39,000.

I do have letters from fifty states -- they told me how they operate the state fire marshall. We had two letters this week. One came from the International Fire Companies, casting a slur on the volunteers. They call them "scabs". I don't know why, it doesn't seem fair.

I think the most important part of my bargain with the people that I represented in the last twenty-three years I have been going to the State House, twice a week, is, I do what the people want. I do only what they tell me to do, and that is to support bills that they think are all right, and bills that are not. At this time, if anybody wanted to see any kind of literature I have, I am willing to show it. I have traveled all over. I have traveled these twenty-one counties, I have traveled three or four other states, in fact, I went to Washington about four years ago and I sat down with Mr. Tipit and a few others and he said to me: "Is there any other man in Middlesex County or in New Jersey that is as dedicated as you are to the fire service?" I want to tell you, gentlemen, I have been in the fire service, in all branches -- quite a few of them -- for fifty-two years. I am seventy-seven years old and I intend to keep up and do what I can do for this fight -- for my brother firemen. Thank you.

SENATOR CAUFIELD: I have just a couple things. First of all, I have never heard anybody on this Commission yet say they favor a fire marshall. What they are looking for is a state coordinating office, someplace where you can get the statistics you need and, answers to the questions that come up various times. It certainly is not aimed at doing any harm or violence to anybody, most of all, not to volunteer firemen. You will find, whether it is Bill Kosakowski who represents the EMBA in the state, or I think anybody else on this Commission we all have great respect for the volunteer service. I indicated before-- I think I said, "God bless

or thank God for the volunteers". I reiterate "thank God." So there is no effort on behalf of this Commission to do some of the things that you apparently have a misapprehension about. Certainly that is not our design.

MR. KENNEDY: Well, I'll tell you. Most of the firemen that I represent are volunteers. They are worrying about the 2 percent because in other states, they told me how the 2 percent insurance is being used.

SENATOR CAUFIELD: The only observation I can make-- First of all, we're not interested in doing anything about the 2 percent, but I certainly wouldn't put the 2 percent above fire safety in this state. We are not interested in that. We're not even moving any way in that direction. I don't think that should be a reason for us not to include the fire service in the State of New Jersey. But we have no intention of even going near that 2 percent. It has never been mentioned at any Commission meetings that we have had, and that certainly is not our intent.

MR. KENNEDY: If it is not the intention of this Committee to harm the volunteers in any way, maybe they would be willing to go along with it.

ASSEMBLYMAN DRIES: Mr. Kennedy, did you make a recommendation -- something about a commission, or did you mention a commission's name? -- about a fire service volunteer and paid service forming a Commission? Did you make that recommendation?

MR. KENNEDY: Did I make it up?

ASSEMBLYMAN DRIES: Did you know it's on the bottom of one of your letters there?

SENATOR CAUFIELD: You mentioned that there should be one manned by the paid and volunteer service.

MR. KENNEDY: Yes. If we are going to set up a commission, I think it should be set up with the volunteers and the paid and they should be the ones that would handle it. That's what I mean.

ASSEMBLYMAN DRIES: That is in the form of a recommendation from you?

MR. KENNEDY: Yes, that is a recommendation; yes.

MR. SCHILLING: I have one other question. I heard you mention, as the Senator mentioned, relief and firemen's homes. I have been in the fire service a few years. Would you say that the biggest problem you have with the people you represent is that they are afraid of losing the two percent? Is that the only reason -- the only objection, would you say?

MR. KENNEDY: Yes, in a way; yes.

MR. SCHILLING: To a central agency of some kind?

MR. KENNEDY: Yes, they are afraid if they lose their burial benefit and things like that --

ASSEMBLYMAN DRIES: I remember an incident. There was a bill introduced by Senator Dodd. Could you tell me what happened to that?

MR. KENNEDY: Yes sir, I have it right here.

ASSEMBLYMAN DRIES: What happened to it?

MR. KENNEDY: I hope to destroy it.

ASSEMBLYMAN DRIES: Who destroyed it?

MR. KENNEDY: Well, here is a letter from Senator Dodd telling me about ---

ASSEMBLYMAN DRIES: Did not the fire service rally and destroy --

MR. KENNEDY: Did they help me? Yes. I agreed with John.

ASSEMBLYMAN DRIES: No further questions, Ed. Thank you very much.

SENATOR CAUFIELD: We now have Frank Bender from the Society of Fire Protection Engineers, New Jersey Chapter.

F R A N K B E N D E R: Senator, I would like to delay my comments until this meeting ends.

SENATOR CAUFIELD: Okay, we'll try Frank.

MR. DE PALMA: Can I have his place, Senator?

SENATOR CAUFIELD: Not until all the other people before you are heard.

MR. DE PALMA: Am I on the agenda, Senator? Joseph DePalma?

SENATOR CAUFIELD: You are coming up.

MR. DE PALMA: Thank you very much.

SENATOR CAUFIELD: We now have Stanley Sickels, Monmouth County Fire Prevention Association.

S T A N L E Y S I C K L E S: Mr. Chairman, members of the Commission: In lieu of what was just said, I would like to say I also serve as Secretary of the Monmouth County Firemen's Association and the Monmouth County Chief's Association. The objections that were made to a state fire marshall bill several years ago, were to the bill itself and not the idea of the state fire marshall.

I represent the Monmouth County Fire Prevention Association, a subsidiary or affiliate of the New Jersey State Fire Prevention Association. We recently organized -- we represent fifty members from thirty municipalities. Most of our members are licensed fire protection or electrical or plumbing subcode officials who also serve as fire prevention inspectors in their municipalities.

As Secretary of the Monmouth County Fire Prevention Association, I am here to offer the recommendations we feel are needed to correct confusion at the state level concerning fire safety. We had no idea when we became volunteer firemen a couple years ago, that there were so many books to find out exactly what the fire laws were in the State of New Jersey. I walked into a day care center one day, and a person said, "Okay, are you here from the state inspection? Do you have to check the smoke detectors?" I said, "What state inspection? What smoke detectors? I don't know what you are talking about". Well, here is a manual, a day care standards manual. I never saw it before.

I went to a group home. There is a group home standards manual -- Department of Human Services. I never saw it before. Now we have a boarding home manual, Department of Rooming and Boarding House Standards, and a Hotel and Multiple Dwelling Law. The local fire people can't make heads or tails of it.

The Monmouth County Fire Prevention Association at the hearing in Asbury Park made the following recommendations. I would like to go over them again with you here.

Number one: Establish a standing commission from the Department of Law and Public Safety. In other words, make it your full Public Safety Department to be known as the State Fire Safety Commission. The Commission would promulgate and review, as often as the need arises, laws and regulations, new and existing, pertaining to fire safety in the state. The commission would be made up of a majority of fire service people. In other words, let the fire people who understand fire safety promulgate and review fire laws.

Number two: The current office of the state fire marshall, which now exists, should be moved from the State Police and placed under the control of the "Fire Safety Commission".

Number three: The BOCA Fire Prevention Code and International Codes be adopted as the state fire prevention code and an appeals process be established. We should have a state standard - something that we can refer to.

Number four: Enforcement of the State Fire Prevention Code including collection of permit fees, etc., be assigned to and/or left with local fire officials with consideration given to local conditions. An example: the problem with pre-fabricated metal chimneys that Mr. O'Shaughnessy pointed out to you before.

We realize that these four recommendations within themselves will not be the total answer to the problems of fire safety within the state. But the principles they represent -- a state commission of a majority of fire service people reviewing and promulgating fire safety regulations, the state fire marshall under the control of the fire safety commission, and a state standard for fire regulations and local enforcement are essential to give fire safety in this state the attention it requires and deserves.

I would like to provide the Commission with a copy of Article 38 (a) of the fire laws of Maryland which deals with the creation of a fire prevention commission and fire marshall in the state -- in that state it may be useful to the Commission members as a guide.

It is interesting that a small state like Maryland thought enough of fire safety to establish a state fire prevention commission. It is time for New Jersey to create such a commission to let fire service people determine what fire laws are needed and let local fire officials safeguard their communities through inspection and preventative activities.

I would like to thank the Commission members for giving me this opportunity to address the Commission.

SENATOR CAUFIELD: Thank you very much. Are there any questions? Thank you very much. If you leave those there, we will distribute them.

We now have Gustave Johnson, Senior Staff Engineer, AFA Protective Systems.

GUSTAVE JOHNSON: Thank you, Senator and members of the Commission:

First of all, I would like to say for a moment that everybody receives some kind of award in their life. I think the proudest one that I earned is my Exempt Fireman's Certificate. So, one of the things I am proud of is being here as a fireman.

However, I am here representing the Central Station Alarm Industry, which is a private business. Many of you haven't heard of what we do for a living. Originally, we started out -- My company, for instance, is 109 years old. We started before many of the professional fire departments were even in existence. In fact, we really didn't work with fire departments; we worked for insurance companies. Originally, the central fire business called the insurance company to tell them one of their buildings was on fire, and they should have their fire department run down and put out the fire.

One of the more interesting letters in our archives, a request from the New York City Fire Department, was: "Look, as soon as you call the insurance company, would you call us, because we'd like to go too"? So we have that letter on file.

The Central Station Protection industry is a monitoring service that monitors fire-activated devices in most commercial buildings, although there are residences that are getting this through new technology -- mostly smoke detectors and heat sensors. These services are available under a very interesting program provided by the insurance industry. That is called credits and discounts. We survived because the insurance

industry wants fire reported properly, wants the fire systems maintained. Now the insurance industry -- they are pretty shrewd cats. They don't trust the owner of the building any more than some of us do. And what the purpose of the central station business was, was to be a third party watching the building for the insurance company so they wouldn't burn it down and collect the money. That was really what the thing was originally started for.

However, large companies and small companies throughout the state in many states -- my company serves twelve states -- provide this service, which also includes some of the most important parts of fire protection. It does no good to have a tremendous sprinkler system installed in a building and have the gate shut in. So one of the things we usually monitor is gates, the PIV's that are in front of the buildings, the OS and Y's, and so forth, inside the buildings, and by regular testing maintain a reasonable assurance that the fire device will work. The firemen presenting before me again made the claim, and it is very true, that you've got to have a properly manned fire department responding; you also have to have a fireman there as rapidly as possible. I think their phrase is, "The first five minutes are more important than the next five hours".

I think the intention of everybody in this room is to use this Commission as the door to opening up into a world where New Jersey will eventually come to a point where there will be zero death fire. My wife's brother was killed as an active fireman in New York City in an unsafe building, in a building that was not protected by any fire devices, and it comes home to me to find people in the fire service hurt and killed in the process of a fire.

I think we should encourage Central Station Service monitoring. New York City, Philadelphia, Boston, people like the Port Authority, require private monitoring. This may be something you might look at as part of your cap problem, and this may relieve some of the expense that would be taken out from tax dollars, this can be provided by private services. If this would be of any assistance to the cap problem, I am sure the industry, would be very happy to help. I think in New Jersey there are thirteen or fourteen fairly large central stations. Mr. Reed, who is sitting here, I believe he is also on the program, also represents a private fire service. We are protecting about four billion dollars worth of property in New Jersey right now, and I think that our inspection program is adding to the safety and the protection of the property to a very, very large degree. I think we operate -- well, we do operate -- under national fire protection rules, the NFPA rules, Part 73, 72 and 74 for central station services. I think you should include in your report and your legislative recommendation central station coverage for all critical buildings.

Other states around you require all hospitals, nursing homes to be central station connected, not because we are any more reliable than a policeman sitting at a board, but with our contracts come the inspection. That is the assurance of the systems working. And with that inspection, we, as private people, can do it; whereas the government people do not have the funds to provide that kind of inspection service. So, I think you have a better inspection service with the Central Station running it, and I think our support of the fire service and also the security service is very important to the fire protection in the State of New Jersey. Thank you very much for your time and I appreciate the opportunity to have been here.

SENATOR CAUFIELD: Does anybody have any questions? Thank you very much.

(Recess)

J O S E P H D e P A L M A: Senator, members of the Commission, ladies and gentlemen. I had prepared a statement, but I would like to defer reading the statement and just talk off the cuff. One of the reasons I changed my mind, or course of action, is because of the many statements I have heard. I would like to dispel at least a few myths, and hopefully, without appearing as though I am talking down my nose, straighten out the fire department also.

First, we all know that the sprinkler system was designed and implemented by the insurance companies to save and protect their premium dollar, their profits. The sole intent, almost 100 years ago, was to protect property and contents of property, and that was all.

At this point, I would like to stop for a moment and give you a little background. I spent some 17 years with the various insurance companies, such as Factory Mutual, which is considered the Tiffany of insurance companies; Zurich American; Crum and Foster, where I wrote the standards for them in boilers, pressure vessels, machinery, etc.; and Continental Insurance Company. During this time, I asked the same question of all the so-called pundits in the fire protection departments: "Tell me about the phenomenal fire. I don't understand it." At least they were honest to say they didn't understand it either.

There is a difference in doing research on the phenomena of fire and being a firefighter. However dedicated a firefighter may be, the private sector develops the hardware and the technology that the fire departments use to do their work so efficiently.

Backing up a little bit, I spent twelve years at sea on tankers only. I worked for many other companies under foreign flags, the American flag, etc. I was a wise kid at 15. I was then 18 and went to sea before my time. I got stuck in the Pacific for twelve and one-half years at sea. That gave me a little more experience with fires, explosions, etc. And, even during that time when I asked the question: "Tell me about fire" - I was always fascinated with fire - they didn't know.

When I decided to go to work for the insurance companies, I then again went to professors. I have a litany of professors in this country who had originally agreed to assist in my research, because then I decided to go into research since there was a lack. They didn't understand the characteristics of fire. We spent -- or at least I did -- the first nine years in research and development, and we developed new information on the state of the art. We also extended the existing information. And, what do I precisely mean by this in terms of solutions? We can stay here all year and give suggestions. They are not solutions.

A very recent example was in Maple Shade, New Jersey. On December 23rd of last year there was a devastating fire, which can be attested to by the fire department and the people who own the four eight-story apartment high-rises. The fire occurred in building B, in the garbage collection area, which is collected through a thirty inch square shoot from the eighth floor, on grade to a steel container. As I said, there was devastating damage. They called us in on the 24th of December and said, "We heard about your new technology, etc. Please come down and do what you have to do with the buildings because of Christmas and New Years." We obliged and on April 17th of this year at 1:00 P.M. -- again, attested to by the fire department -- there was a fire in the same building, B. It was extinguished in thirty seconds and there was no property damage, let alone damage to any of the occupants of the building, which numbered 153 families. That is a very significant event, using a new technology.

Now, I have spoken to fire departments, Fire Chiefs Associations, and fire

departments as a group, presenting certain aspects of the technology that does not deal with the financial aspects, but only with what we believed was of importance to the fire department to protect their lives. We did research, with no monetary return, but which was of interest and of necessity to the fire departments. You can't disseminate this information. Nobody cares. I made several attempts to go to the Fire Academy in Mahwah and the Director pushed me off and pushed me off. This is the way it goes with the entire fire community. They will not take from the private sector.

Now, there was one Chief who, in conjunction with fourteen Chiefs in the Wilton, Connecticut area, heard about us. They sent for us. We presented two seminars. In our seminars we only show research films. There is no sales pitch involved; they are pure research films. We show them three films where we can extinguish, automatically, a fully involved fire. And, thank God I don't have to explain the terms to you gentlemen as I normally do at my seminars -- the terms simmering or smoldering fires. We extinguish a fully-involved fire in thirty seconds, one that contains a mixture of class B material and substantial class A material. They considered this very significant. They said to us, "Well, we are firemen. We appreciate what you have shown us, but we want to see the real thing." Here is what we have done: We have obtained a one-family, wood-frame house, scheduled for demolition. They have given us permission to do whatever we wish with it. They said: "We would like you to design a fire that we tell you to design." I said: "No problem." They said: "We would like you to tell us how long it would take to extinguish the fire in the environment we are talking about." I said: "No problem. All I have to see is the environment." They said: "This is where we are going to have a problem. We don't wish you to see the environment until the day of the demonstration." This is not an easy thing. They simply didn't want us to have any prior knowledge or time to prepare, fabricate, or contrive, so that the end result would be known in advance. They said: "Above all, you are not to touch anything on the premises when you arrive. You meet with us. We will tell you specifically. We want a fully involved fire on one level of this wood-frame house", which, dimensionally, measured, in the bedroom, eleven foot by fifteen foot, and which had new wallpaper. The living room was seventeen foot wide by thirty-three foot long. It had a missing rear door, which creates an induced draft. Of the ten windows, two in the front were broken completely. There was an active fireplace which also creates an induced draft.

We were told that it was acceptable to use normal heptane in two pound coffee cans, to which were attached wires, and from four different windows the fourteen cans would be simultaneously tilted so that a fully-involved effect would be created.

The point is, this house, fully involved, was extinguished in thirty-two seconds. This has been documented by Mr. Wilson from the Fire Insurance Association, a Fire Marshal, Don Barrington - who is also the Fire Chief - and his associates. We have the documentation in black and white.

After this first, very significant event - thirty-two seconds - they said: "We are not too happy." Remember, this hadn't been done anywhere in the world. I said: "Don, what's the problem?" He said: "The problem is you have never done this before." I said: "Okay, Don, what are we getting at?" He said: "Well, the boys and I have been talking and we would like you to do it again." I said: "Absolutely. Just tell us when to come down and we will do it again." He said: "No, you must do it now." Now, the people in the fire community will appreciate the problems involved here. We discussed it amongst our people and we accepted the challenge. We even

offered to make the second ignition far greater than the first ignition. Please appreciate that we do not do these things without proper prior discussions concerning backup protection.

Without going into the details of what we did in order to increase the flames and the ignition, the second fully-involved fire in the same house was extinguished automatically in seventeen seconds. Think about that -- seventeen seconds. The technology is available, but the fire community is reluctant to accept it.

Now, I speak from experience because I go from coast to coast; I have been around the world ten or twelve times; I have spoken to people in Canada, Israel, Pakistan, and many other countries.

Let me give you a classic example. Everything I have heard tonight involves water sprinkler systems. First of all, you cannot find your solution in the application of the water sprinkler systems. Why? Because if we accept progress, we have very sophisticated materials which are in the classification called "Class B." These are the materials that do not respond to water when it is used as an extinguisher. However, it should be clearly understood that the fire departments do have equipment that can fight a Class B fire, but this is in the fire community. We are talking about installed sprinkler systems. They can't do it. The majority of materials found in the environment today consist of Class B materials rather than Class A materials. This is why it is impractical to think in terms of sprinkler systems.

Another factor is, the emphasis on water sprinkler systems as a solution is discriminatory. You have options. You have CO2 systems. You have dry chemical systems. You have Halon systems. These are never considered, yet -- let me back up again -- we hear about such things as the BOCA Code. Let's straighten that out once and for all. The BOCA Code is a subcode that is added to your existing code at a cost. You purchase that. You don't get it for nothing. You purchase the services in order to use the BOCA subcode and all its information. The fact is, everything contained in the BOCA subcode already exists. You don't really need it. If you would only read your existing codes -- building codes, fire codes, etc. -- they clearly state the environments that must be protected.

Take a classic example in all your communities. You have body shops, you have gas stations, you have dry cleaners, all unprotected and there is no enforcement even attempted. Yet, when someone applies to open a small business, he must have a sprinkler system. Just recently, a couple of months ago, the local code enforcement official said to a prospective restaurateur: "I insist that you have water sprinkler systems in the store rooms." We will just overlook the hood and duct system, which is mandatory. We understand the reasons for that, so we won't really go into it. But, the owner wanted to put in our technology. The code enforcement official said: "No, no, I want water sprinkler systems. You can't do it; besides, you are not BOCA approved." So, taking into account that I could be his father, I said: "Young man, listen to me carefully. One, you have no legal authority to tell anyone to put in a sprinkler system. That's number one. Number two, it won't do the job. Number three, BOCA does not approve anything whatsoever in this State or any other state, and it is about time that the code enforcement officials know this and practice this." He wouldn't accept this, so I said: "Well, I am not going to waste your time. Here is what I will do, Assemblyman Hollenbeck and a couple of other Assemblymen, Fire Marshal McQuade of the State of New Jersey, the State Attorney General's Office in the State of New Jersey, Commissioner LeFante, Commissioner Horn, and everybody and his brother involved with the fire service has given me written documentation

that I am right." Yet, they continue to do the same thing.

You have a mishmash in this State, not just a lack of leadership. You are trying to get your leadership from a community that doesn't have it. The fire department needs education itself. To educate the fire departments is the first line of defense, and we ignore that. We must consider fire in the light of present day technology and approaches. Water is not the answer. There has been no proof that you can solve your problem with water.

Now, before I read my letter -- I could go on for hours and hours -- I am going to make one more point.

SENATOR CAUFIELD: Please, Mr. DePalma, you just broke the record by two minutes.

MR. DE PALMA: Thank you. You all are very familiar with the Las Vegas fires? I have said this before and I will say it again: I doubt if there is a man in this room that was contacted concerning them. This young man was. They contacted me. They asked me to come down to Las Vegas, and I met, in March, with the leading casino owners and the key officials of the City of Las Vegas at a private meeting. I know I can say this now because I could care less. After listening to my presentation and documentation, that retrofitting with sprinklers is not going to solve their problem, they all agreed, including the officials. They interrupted the seminar presentation to ask the officials if this new technology were implemented in Las Vegas would they accept it. The officials stated, absolutely -- regardless of the fact that it is UL listed, and so forth, and they were all elated. Three weeks later the phone call comes: "We are not going to use your technology." And, the cost is seventy percent less than retrofitting with sprinklers. Why? We are back to the God Almighty dollar and fiefdoms. They told me clearly they are losing gamblers and the only way to get them back is to remove the paranoia. They will not go above the third floor. They are fearful of fires. "We will put in the sprinkler systems when the Governor of Nevada tells us to, regardless of what you have proven to us because we need the gamblers back." So, what does it come down to? The dollar again.

To digress again, you must look to the private sector for your leadership until within the fire community they can develop their own leadership to qualify. There isn't a man within the fire community that has the qualifications and background to implement the type of organization and leadership that you need with the programs that you need.

Yes, sir?

MR. KOSAKOWSKI: Are you going to give us the bottom line with this secret extinguishing agent?

MR. DE PALMA: There is no secret. I think I made it clear. The technology is clear.

MR. KOSAKOWSKI: What's the technology?

MR. DE PALMA: The technology is, you have fixed fire protection systems since the year one. You have your first line of defense which are hand portable fire extinguishers. The logical empirical development was a portable fire protection system that could be put anywhere at any time, with the capability not only of extinguishing a fire every time but preventing reignition. We hold the patents on that technology of preventing reignition. Dr. Joseph Clark, in 1975, from the National Bureau of Standards, acknowledged that. That is as far as it went there also.

What I am saying to you is, the new technology to solve your nursing home problems, your boarding home problems, your one and two family home problems for fire protection exists, but it does not lie with the water sprinkler.

SENATOR CAUFIELD: Well, what is it?

MR. DE PALMA: It is a dry chemical automatic technology. I thought that was clear. (laughter) Oh, okay.

SENATOR CAUFIELD: Mr. DePalma, will you try to bring your remarks to a conclusion? We have five more witnesses plus a committee meeting to go through yet.

MR. DE PALMA: All right. Everytime-- I started out at five o'clock this morning and it took me two and one-half hours to find this place -- two and one-half hours.

Okay, let me read this.

MR. BRODY: Why don't you introduce it into the record?

MR. DE PALMA: I would like to read it.

SENATOR CAUFIELD: How many pages it is, Mr. DePalma?

MR. DE PALMA: I believe in what I have said. Everybody else read it, let me read it.

SENATOR CAUFIELD: Just a moment, let me chair the meeting, okay?

MR. DE PALMA: Okay.

SENATOR CAUFIELD: How many pages is it?

MR. DE PALMA: Double spaced, not single spaced, there are five pages.

SENATOR CAUFIELD: Five pages?

MR. DE PALMA: You know, I'll tell you, quite frankly--

SENATOR CAUFIELD: Can you summarize the document for the record?

MR. DE PALMA: Okay, I'll summarize it. The point is, whether it is on the State level or on the community level, they will not recognize technological advances unless they come from their own little fiefdoms, and this is where the problems lie. They have to relinquish this super sacred cow attitude.

SENATOR CAUFIELD: You know, you have said this several times now.

MR. DE PALMA: It bears saying.

SENATOR CAUFIELD: It also bears saying that we don't agree with you when you say that we don't use outside agencies. We use the New Jersey College of Technology. We use all the industry that will work with us.

MR. DE PALMA: The thing about that is, the institutions you were talking about discriminate just as bad. Unless you are a bona fide, accredited teacher, with teaching credentials, they won't accept you.

SENATOR CAUFIELD: We have such people in the room.

MR. DE PALMA: Well, we are getting away from the point. You said you go to colleges. I have gone to the same colleges that you have gone to and asked them to let me conduct a seminar and they won't accept it. Princeton University did and they also bought the technology. Bergen Community College bought the technology and do you know why? They have exposures that water sprinklers can't attune themselves to.

SENATOR CAUFIELD: Boarding homes and rooming houses have things that water will not apply to?

MR. DE PALMA: Absolutely.

SENATOR CAUFIELD: Like what?

MR. DE PALMA: Like your furniture, your boiler room, your gases -- they carry gases for patients, such as oxygen.

SENATOR CAUFIELD: I am sure there is not a fire service official in this room tonight that wouldn't feel one thousand percent better if he knew every rooming house, boarding house, and allied buildings were equipped with fire sprinkler systems

with water right now. (applause)

MR. DE PALMA: Let me make one last point and then I will conclude. I mentioned earlier that when I give seminar presentations to fire departments, we try to select material that will benefit them. Hand portable fire extinguishers of the stored pressure type are pressure vessels that have been known to, and have been documented to, explode the same as hand grenades, and this is what you people allow in boarding homes; this is what the fire inspectors overlook; and this is what the entire community continues to overlook. Yet, we have documented this fact and we bring in samples and show what happens when a hand portable extinguisher is exposed to a fire. You have been telling people for one hundred and fifty years to put fire extinguishers in the the hazardous areas. This is wrong. You should never have any protection of that nature in a hazardous area.

SENATOR CAUFIELD: Who told you we tell them that? We don't tell them to put them in a boiler room. We tell them to put them outside the boiler room.

MR. DE PALMA: Well, you are responsible. The point now is that we show them what happens and we further show them that when you send a man into a premises after it has been vented and you find the source of ignition, you don't know how hot those hand portable fire extinguishers are. A man can go in with a scott pack and breathing apparatus and play water on a hot surface and he explodes it. These things are not documented, but we know them to happen. Why do we know them to happen? After seventeen years with the insurance companies, I made those statistics available to me. They are not going to make them available to you or anyone else. That's one of the reasons.

I was asked a question today by one of the biggest corporations in the world concerning the insurance companies. You are not going to get the assistance from them because if they were to comply with the information you want, they wouldn't be making the money they are today.

Anyway--

SENATOR CAUFIELD: Thank you very much. Are there any questions?

MR. O'BRIEN: I would still like to know what his system is.

MR. BRODY: Why don't you leave literature on your system, sir. We are not here to approve--

MR. DE PALMA: They keep telling me it is commercial.

MR. BRODY: I have listened to you for twenty-five or thirty minutes, sir; just wait a second. You were pretty long. Why don't you leave literature concerning the product. There are ways of getting a product licensed through insurance agencies and underwriters, I would presume, that will allow it to be substituted for sprinkler systems, as haylon is allowed to be substituted in certain instances.

MR. DE PALMA: It has all been done in the State of New Jersey and in the other forty-nine states. Again, let me digress for half a second, otherwise I won't feel happy. You talk about "smoke detectors". There is no such animal. The sooner you learn not to use that phrase, the better off we are all going to be. Does that sound strange?

MR. BRODY: No. You are selling a product, sir.

MR. DE PALMA: No. I have nothing to do with the so-called smoke detector industry. The fact of the matter is, it is an early warning detection device, and I doubt if anyone in this room knows exactly how it functions, because the people that manufacture it--

SENATOR CAUFIELD: Just a moment, sir.

MR. DE PALMA: Listen to me carefully. You can go out-- (commotion in room) This is what happens when a little enlightenment comes along. Pray tell

me why would the Vice Counsel of Israel ask me to go to Israel and teach this technology in the university there? I go through this every time.

SENATOR CAUFIELD: Thank you. In all fairness to the visiting firemen and to the other people who are here and who want to speak, will you bring your remarks to a close in the next four minutes?

MR. DE PALMA: The point is, the technology exists. You have options, not just dry chemical and haylon. You have options. You have early warning detection devices that can be interfaced with any existing system to extinguish a fire in a second. We do it in as little as nine seconds. And, you are still talking about water sprinkler systems being the solution. It will never happen. That's why when you use water you still get reignition. You leave men on the scene because you have to guard against reignition.

Does anybody know why reignition occurs in Class A material?

SENATOR CAUFIELD: Oh, I'm sure that a few people here know.

MR. DE PALMA: I will give you an answer. I would like to hear an answer. The fact of the matter is, unless you are properly educated and have been taught and trained why it happens in the chemistry of fire, there is nobody in this room that knows the phenomenon, believe me. That's our problem.

SENATOR CAUFIELD: Thank you very much.

MR. DE PALMA: You refuse to listen. You make a mockery of what I am trying to say.

SENATOR CAUFIELD: We didn't make a mockery of it.

MR. DE PALMA: You are certainly making a mockery.

SENATOR CAUFIELD: You have been talking for twenty-nine minutes.

MR. DE PALMA: That's not the point. Don't make a mockery of what I am presenting. I am telling you that the phenomenon of why water causes reignition is not known to the fire community.

SENATOR CAUFIELD: Thank you very much.

MR. DE PALMA: Thank you. (statement on page 1x)

SENATOR CAUFIELD: If I really believed everything you have just said, I would ask the Attorney General to indict every fire department in the State of New Jersey.

MR. DE PALMA: You know, you say you are not making a mockery. Isn't that a mockery, Senator? Isn't that a mockery?

SENATOR CAUFIELD: John Garcia.

MR. DE PALMA: You ought to be ashamed of yourself, saying a thing like that. I have been out since five o'clock this morning to make this meeting.

SENATOR CAUFIELD: Mr. Garcia, please.

J O H N G A R C I A: Senator Caufield, ladies and gentlemen. It is very difficult to follow some of my colleagues that have been up here tonight. This is the fourth hearing, and I know that you have heard just about everything there is to be said. I can't add too much more to it.

I would like to take this opportunity to address you this evening on the role of the local fire inspector in code enforcement. I'd like to venture into the sacrosanct world of the fire inspector. For the last ten years I have been proud to have the opportunity of providing fire protection services to the general public, first as a firefighter, and more recently as an inspector.

Gentlemen, to be out in the community and see the violations that go unnoticed is appalling. Builders and owners are trying to take shortcuts in order to save money. They give absolutely no thought to fire safety. That is one of

the prime reasons for the fire inspector doing a diligent job of inspecting. I, personally, am tired of risking my life in buildings that are not fire safe.

I have fought fires and taken bodies out from building fires that could have been prevented by proper inspections during construction. There are inspectors that think they are doing a good deed by not having the builder correct violations because of cost factors. How much does a life cost? This is not the proper way of handling a situation.

There are builders in the State of New Jersey that should be aware of the fact that the BOCA Building Code is the law in this State. I have come across builders who have no regard for this Code. They feel it is there for everyone else.

The Department of Community Affairs is trying, and accomplishing, getting fire inspectors licensed. Unfortunately, the local fire inspector and/or subcode official is not properly fulfilling their duties, that is, enforcing the codes. I have observed violations that go unabated. In some instances this is because the local fire inspector wishes to leave it up to the State inspector. The unnecessary risk to human life is uncalled for in this day and age. The State of New Jersey has promulgated requirements for buildings and inspectors alike. We need to ensure that the licensed inspectors are doing their job correctly.

I would like to suggest that all fire inspectors should come under the auspices of the Fire Prevention Bureau. By this measure, there would be accountability, not only for new construction but for maintenance inspection as well. Adoption by the State of the BOCA Fire Prevention Code would give the inspector another tool to ensure fire safety for the general public. The tools of the trade for the fire inspector are not only the codes, but mandatory education to interpret the codes.

The Department of Community Affairs is to be commended for its efforts in conducting licensing courses and required updates. This training is of paramount importance to the inspector who has to put his reputation on the line with every building that he inspects.

Gentlemen, I would have you believe that during the 1980's public fire education is the road to travel. Fire inspectors are enlightening builders every day to fire safety hazards that buildings contain. These inspectors use the roadmap of the code book to plot their way through the community. I commend the inspectors who place public fire safety ahead of their own comfort. An inspector's life is not an easy one to lead. Many an inspector is thought of in a dark light.

Gentlemen, I thank you for allowing me the opportunity to voice my opinion before such a distinguished group. Thank you.

SENATOR CAUFIELD: Thank you very much, John. John, where are you from?

MR. GARCIA: Jackson, New Jersey.

SENATOR CAUFIELD: Abe Barrack, Woodbridge Tenant's Association.

A B E B A R R A C K: Senator Caufield, since the last time I was here we have improved on the multiple dwelling. Many of them have put in their hallways -- since I talked to you and the gentlemen here -- the electrical smoke alarm systems. But, many of them haven't gotten them yet. And, as far as the regular smoke in the rooms and in the boiler rooms, there isn't any at all yet.

Now, this Rahway fire was caused because there were no smoke alarms in the tenants apartments or in the hallways. They had fifteen tenants that were there for ninety days. According to Community Affairs, they should have had smoke alarms from January 11, 1981, not ten months later after we had the fire. We lost one life. One man is still in the hospital in intensive care. Eleven or twelve are still injured.

SENATOR CAUFIELD: Was this the YMCA?

MR. BARRACK: Yes, the YMCA, sir. Now, Deputy Chief Heller was the Chief Fire Inspector and he knew about the violations. I don't know if he knew the code, but as of January 11, 1981 they were supposed to put in the smoke alarms. Some say it was supposed to be after the next five-year inspection, which is a false statement.

Inspector Robert Cotty is the housing inspector. I have no use at all for any housing inspector because they haven't done anything for the firemen whatsoever. The firemen suffer because of the housing inspectors. They hold back the firemen -- the fire inspectors.

Now, I would like you to send this speech up to the Attorney General for investigation on this Rahway fire because there should never have been loss of life in that fire if they had the smoke alarms and the electric alarms. That was a tinder-box anyway. It was built in 1919 and they never improved the thing whatsoever. They were going to improve it some time next year.

One Star Ledger reporter spoke to five arson investigators on these smoke alarms. This was a union, by the way. They all said the same thing: "When the next five year inspection is made by Community Affairs, that is when the smoke alarms have to be put in." That is a false statement. They didn't know what they were talking about on these things. I notified the Star Ledger that they didn't know what they were talking about. I think she got in touch with Community Affairs and got them straightened out on that.

What I really came down for is, we still have these fire hazards in the multiple dwellings. None of them has improved, even where I live. Part of it has improved, the Woodbridge Village. There are about ten or twelve of them, and every one of them is a fire hazard. I spoke to you on this before, sir. In fact, the last one -- the Millbrook-Edison -- is three years old. In the laundry room, right next to the boiler room, there is a wire fence separating it. Imagine that. There is a wire fence separating it. Isn't that surprising? Instead of a fire wall separating, there's wire. I think that is against the law. Am I right, sir?

SENATOR CAUFIELD: I don't know the circumstances.

MR. BARRACK: Well, I will show you the pictures on it.

SENATOR CAUFIELD: Yes, but I don't know why the wire fence is there.

MR. BARRACK: Well, we know that they are supposed to have a fire wall. That is what I understand. Maybe I am wrong. I am not an expert on this.

Anyway, what I would like to do -- I need your help again on these other multiple dwellings -- is to get the fire inspector or a fire prevention official to inspect these multiple dwelling boiler rooms -- not the apartments, the boiler rooms and the storage rooms where we have all these fire hazards. Because to go through all the homes is a tremendous job, I know that. But, I would like them to go through these. I know you can do it, because if you notify them, they will do it. If I notify them, it is no. Don't laugh, sir, you have a lot of pull.

SENATOR CAUFIELD: No, that's not a laugh. I wish I did have that power.

MR. BARRACK: You have that power, believe me, Senator Caufield. They would never have put those electric alarms in there if it weren't for you, believe me when I tell you that. You didn't. But, we need more help from you, sir, a lot more.

John Garcia just spoke about the inspectors. That's true. I have spoken to a tremendous amount of firemen throughout the State. By the way, I am an individual. I am the only one. I hate fires. I hate to see a fireman lose his life, or a policeman lose his life because of an inspector -- housing or fire -- who passes these things off when they are not supposed to. If I give you the names, sir, would you

see they are inspected?

SENATOR CAUFIELD: I can make that request.

MR. BARRACK: I would appreciate that very much.

SENATOR CAUFIELD: Do you want to put the names on the record?

MR. BARRACK: Greenfield Apartments, Edison, New Jersey. Millbrook Apartments, Edison, New Jersey. Cloverleaf Gardens; Woodbridge Village Gardens; Colonial Gardens; Florida Grove Gardens, in Woodbridge. Then we have the Hilltop Estates, Edison Village and Trafalgar Gardens in Edison, New Jersey.

SENATOR CAUFIELD: You're giving us two week's work, Abe.

MR. BARRACK: Well, I want to tell you something: I'd rather see them do the two weeks work and save one life. One life. I think I told you I am 64, and I want to live to be 84 or 104. I don't want to die in a fire. Actually, I know what to do because I had a good consultant -- he happened to be John Garcia, who knows his business -- and he taught me whatever I know about this business.

London Terrace, in Old Bridge, and Carteret Gardens in Carteret, which is a real fire hazard -- tremendous. That's it, sir. I appreciate it very much that you have listened to me, sir.

SENATOR CAUFIELD: Can you give the stenographer a copy of that?

MR. BARRACK: I will make a list up and give you a copy of it.

Gentlemen, thank you very much.

SENATOR CAUFIELD: Are there any questions? (no questions) Thank you very much, Mr. Barrack.

SENATOR CAUFIELD: Francis X. Donovan -- Chief F. X. Donovan. Frank, that has to be Francis Xavier, right?

F R A N C I S X. D O N O V A N: Mr. Chairman, and ladies and gentlemen of the State Fire Commission, my main purpose in coming here tonight was primarily to acquaint the members of the Commission -- those of you who have not been made aware of it already -- with the New Jersey Planning Council Fire Education and Training. I am not going to go through everything that I have prepared. I just want to go through the general summary of the Statewide Organizational Design for Fire Education and Training in New Jersey, which was developed out of a grant from the National Fire Academy. There are three or four pages, I believe.

This document is the end result of a most unique effort. Through funding provided by the National Fire Academy, the statewide fire service organizations in New Jersey have developed a proposed new approach to delivery of fire education and training. In a State which treasures its home rule tradition, the recommendations which are to follow will doubtless stir some controversy, but that disagreement must be met and surmounted if New Jersey is to provide the best possible product for its firefighters.

While the conclusions reached by the New Jersey Planning Council for Fire Education and Training are purely advisory in nature, they are nevertheless issued with the strongest possible recommendation that they be implemented as quickly as possible. The conclusions reached during the course of this grant program are the product of an ad hoc committee, whose watchword was and is "consensus." We have portrayed the fire education and training network in New Jersey as it currently exists. We have also developed a prescription for the future, one reached by the members of the Planning Council, acting in concert for the betterment of all fire training and education in the State.

Let me skip down here. The Planning Council would like to stress that it is imperative for the application to be made immediately to the Academy Planning

Assistance Program Five Year Plan in order to develop a statewide fire educational training plan, as detailed in this organizational design grant program.

The Planning Council further strongly recommends that a Division of Fire Safety be Organized in the Department of Law and Public Safety to implement the following recommendations of the Planning Council:

A single fire focus point for fire education and training must be a part of the suggested Division of Fire Safety. This would be accomplished by a Bureau of Fire Training under the auspices of the Division.

Standards must be developed to ensure that firefighters receive the best possible level of training.

An instructor development program must be developed to provide a cadre of knowledgeable individuals, well versed in the proper methodology for efficient knowledge transference.

The newly-created Bureau of Fire Training must ensure that sufficient courses of high caliber exist to give everyone who desires it the chance to receive quality fire training and education.

Specialized courses of instruction must be developed for the areas of expertise outside of the hands-on, fire-ground arena. Such programs as fire investigation, officer training, fire prevention, fire administration, and a number of others are needed.

A properly designed delivery system, employing a series of prerequisite courses, must be developed to allow for an orderly receipt of knowledge by the individual firefighter. He should proceed from the basic to the advanced in a logical, sequential pattern.

There must be a sufficient number of high-quality courses available at all times, compatible with the schedules of all fire service members, both paid and volunteer, and a sufficient number of degree, advanced degree, and non-degree certificate programs to meet the needs of the fire service in every part of the State. They must also be of appropriate high quality.

There are no half measures, if followed to the letter in their implementation, that can point the way to the top for fire education and training in New Jersey. Fire fighting is a dangerous activity, best accomplished by highly-trained persons. To give our firefighters anything less than the best, we do them grave injustice. To adopt the above recommendations will ensure a far better chance of attaining a high level of training in our State.

Make no mistake. We in New Jersey have a long road ahead to catch up with the rest of the nation in this area. But, the trip has been shortened immeasurably by the hard work and the dedication of the New Jersey Planning Council for Fire Education and Training.

I just want to point out that the Planning Council was made up of representatives of thirteen statewide fire service organizations, and acting with a seventeen member advisory committee which included the Governor's office, the Department of Community Affairs, Higher Education, the Department of Civil Service, The State Fire marshal's Office, the Forest Fire Management Bureau, the Division of State Policy, Rutgers University, Division of Government Services, a consortium of county and community colleges, the New Jersey Association of County Freeholders, the New Jersey Association of Building Officials, the New Jersey League of Municipalities, the Insurance Service Office of New Jersey, the New Jersey First Aid Council, the New Jersey Society of Architects, and the Vulcan Volunteers of New Jersey.

The findings that we came up with are in no small way due to the cooperation of the Department of Community Affairs, which was assigned by Governor Byrne to be the recipient of the grant in the name of the Council because apparently the State of New Jersey's Constitution does not permit federal grants to private, individual organizations, such as we had.

Copies of the program are in rather short supply now, having been distributed quite widely, but I do have four copies that I will leave here with the Commission. Thank you very much.

SENATOR CAUFIELD: Thank you.

Raymond Welch, Vice President, Middlesex County Fire Prevention Association.
R A Y M O N D W E L C H: After all the eloquent speakers you have had this evening, I am almost embarrassed to come up here with my couple of comments.

SENATOR CAUFIELD: They will probably be very worthwhile.

MR. WELCH: My name is Raymond Welch. I am a fire inspector/fire subcode official for the township of Piscataway in Middlesex County. I hold an H.H.S. license, Class 1 Construction Official, Fire Subcode Official, and Fire Protection Inspector. I have been a full-time inspector for the past eleven years.

I am going to just briefly make a couple of comments that will not be too time consuming. Approximately eight months ago, we in Middlesex County did a survey because there were some comments about a lack of interest in what is going on in the State of New Jersey, and we found that out of the twenty-five municipalities, over fifty percent of us were using the BOCA Fire Prevention Code. Twenty-three of these towns have fire inspectors, twelve of which are part-time and eleven of which are full-time.

After the recent tragedies that happened in South Jersey, there was one thing that occurred, and I don't believe it was covered, only by Channel 4, WNBC TV in New York, and that was a fire that happened in a nursing home where the nurses went into the room and took the patients out of a burning bed. This building had automatic sprinklers in it and it was only because of these sprinklers that these people were allowed to enter the room. I just bring that up because of all the discussion about sprinklers that has gone on here. I have attended all of these meetings, and you are well aware of what sprinklers, at this point, can do the job.

Last spring I attended a meeting, along with some of my colleagues who are present in the room tonight, with the Department of Health. We were down there for an hour and one-half and we tried to convince these people that automatic sprinklers could be the answer, or should be the answer, in nursing homes, boarding homes, etc. Well, after an hour and one-half it didn't work. They were still convinced that one and one-half, two and one-half, up to four hours construction was the answer. We are not sure that we convinced anybody there, but we believe that this is the answer and can be the answer.

We have talked about places of assembly, institutions, boarding homes, health care centers, but we have yet to address the area where most of our citizens are dying, and that is in the single family and multi-family housing. I don't believe there are very many fire prevention codes that address this problem. The problem is generally addressed by a local fire inspector, and that is through information that gets to the residents in the communities, and that is by a good fire prevention program.

At the last public meeting in Asbury Park there was an elderly gentleman who I hope this Committee listened to very carefully. He told you where the bottom

line is, and that is with the local fire inspector. He is the one that enforces the codes, puts on the programs, makes the inspections, issues the violations, and does a lot of the other work that nobody knows about. It is an enormous task, and depending on the size of the community and with the support of the local government he can do the job. The bottom line is money and priorities, and that is at the local level. I know when I leave here and I go back to my community, I have to work at my job and do what I can. Without the support of the government, the job is non-existent.

I can see us passing all the laws we want, but without the local fire inspector and the support of his government there will be no code. The code will sit on the shelf and collect dust. So, somewhere along the line it has to be in the local communities, and if they are too small you can go to a regional inspector. I don't know how it is going to be done, but the answer is the local guy. It comes down to him.

I would like to, briefly, make you aware of my input into a nursing home which is being constructed in our community. During the last week of October of '81 I received a telephone call from the Department of Health. They stated they could not release the construction plans until they had my approval in writing concerning the location of a manual air shutdown switch. I asked the gentleman on the telephone, "Why are you asking for my input on this switch at this time"? He informed me that it was a courtesy. When I asked what his reason was, he stated: "You are the people who have to fight the fires." Well, I rest my case for that to be the extent of our input into this area. By the way, the nursing home is going to be completely sprinklered, have smoke detectors, and what have you. It is really going to be an exceptionally good nursing home. But, I bring this point out because we are having these problems where you have the Board of Education, the Department of Health, and some of these other agencies which are exempt from the building codes and from the building inspectors and it makes it hard on us.

Let me give you the Board of Education as an example. I have three small children -- well, they are not small any more, but I had three small children -- that were going to a battle of the bands and it was at a high school. Now, our jurisdiction in schools is not too great, to say the least. I took them up there and decided to go in and see what was going on. There were about eight or nine hundred kids in this building and every door in the building was chained. There were eight police officers on duty for those who were going to be smoking those "funny" cigarettes or drinking, or what have you. So, I went up to the individual who was in charge and told him if he didn't remove the chains I was going to shut the place down. He said: "You don't have that kind of authority." I said: "Well, I will find it some place" and he cooperated. I was lucky. It doesn't always work that way.

We have talked a lot about the State Fire Marshal. I don't happen to agree with my senior colleague, and I do believe there should be a central agency. When I have a problem with the fire prevention code on an interpretation, I have to call another inspector, another fire subcode official, or fire inspector, if you will, to see if his interpretation is the same as mine. There is no one in the State agency that I can call under the fire protection. There is John McQuade, but he is with Institutions and Agencies.

In closing, yesterday I received a phone call from the Plainfield Fire Prevention Bureau and they told me that the water company was going to shut down the sprinkler system in a big complex, which we share. I said: "Why"? They said: "Non payment." I said: "Non payment"? He said: "Yes, they owe \$3,000 and they haven't paid it, so we are going to shut the water off." I said: "Gee, I'd better get down there

and find out what is going on." Well, by the time I got down there and found out what was going on, the gentleman evidently made a payment so they didn't shut the water off -- and this was part of the standby fee that you have discussed, and a number of people have discussed in the past.

That's about it. I don't have any other comments. I do have one thing, and that is, as Secretary to the State Fire Prevention Association I have three papers that were read, and I have a summary of those with me, which I have been asked to distribute tonight to you. I will give them to you. I have them over on my chair.

SENATOR CAUFIELD: Okay. Are there any questions? (no questions) All right, Ray. Thank you very much.

MR. WELCH: Thank you.

SENATOR CAUFIELD: Ed Reid, NFPA Committee on Detection Devices, Director of the Automatic Fire Alarm Association, President of the Fire Alarm Service Corporation. EDWARD REID: Thank you very much, Senator, ladies and gentlemen. I am from the private sector, but I don't intend to give any commercials.

I would just like to briefly lend our support to some of the other comments I have heard this evening. I will be very brief about it.

First, we feel that a State Fire Marshal, or equivalent, is a very real necessity because we, in the private sector, who are also helping to protect the buildings, multiple dwellings and nursing homes and so forth, would like to do a better job, and we would like to have help from someone, such as we get from John McQuade and his organization, presently, with the State buildings that we serve.

My second point is that even with the existing laws that we have, we in the business find that there is a lack of uniform enforcement, and those of us who are very concerned about it would like to find some way to get assurance that any additional laws or codes that are written are properly enforced. The degree of enforcement that we are most concerned with in the application of fire and smoke detectors becomes somewhat technical and probably the problems that we are seeing are due to lack of education of the local officials. So, we do support an increase in that education, and any authority that needs to be given to local officials to properly do their job in that direction.

We would like to say "amen" to the comments that were made earlier regarding the use of existing codes and standards where possible, and particularly those written under NFPA jurisdiction, because there have been a lot of man hours spent in developing them and we don't feel it is necessary - as the gentleman said earlier - to reinvent the wheel.

I would like to offer, as one of the active participants on an NFPA Committee, our willingness to work with anyone in helping to apply these and to devote our time and effort in doing so.

The other point that I think is worth mentioning is the desirability of having third party responsibility for testing, maintenance, and making sure that systems are properly kept in order. Mr. Johnson mentioned that earlier, and we feel it is the only way there can be assurance, because the private companies who are given that responsibility have to be available at all times to make sure the systems are operating. So, if there is some way provisions can be made for that, I think that would be one way of assuring that the things you do in the first instance are kept working and workable. Thank you very much.

SENATOR CAUFIELD: Thank you very much.

John Fay, Ombudsman for the Institutionalized Elderly. John?

JOHN FAY: Thank you, Senator and members of the Commission. Since I was one of your first witnesses, I want to apologize for coming back, but I do have an addendum to offer since I was last here, and there is an interim report being sent in. I am seeking Senator Caufield's support because I know the Governor is making a high priority of the loan bill. I think it is very important and very basic that this priority and Senator Caufield's and bipartisan - if not unanimous - support should be accompanied by a mandatory bill. This loan bill is a very needed one and it is also a very generous one.

Another thing I would just like to comment on is that I noted the first witness here today was from the Department of the Public Advocate, and he mentioned the financial problems. I think one of the great unknowns in the boarding home industry is that there haven't been any real, strong, legitimate audits. You are dealing with a wide spectrum -- a boarding home with three people; a boarding home with one hundred and forty-three people. The boarding home industry has gotten a great windfall within the last two years with those energy checks. After twenty some years in politics I shouldn't blanch easily, but in the last two years three million dollars have come into New Jersey with no audits, and no accountability. They were mailed to every SSI recipient in the State, and many of these were in boarding homes.

With the loan bill, and with the mandatory bill as a corollary to it, there should be a rating of the very good people, the very decent people. By the way, there are boarding homes in the State right now that have sprinklers. They have been operating with sprinklers and with the safety we are looking for for the other eighty-five percent of the industry. There should be this kind of a rating and this kind of awareness before we start handing out loans and these kinds of motivators.

I am jaded. I only deal with most of the bad ones. The excellent people in this industry should be considered first, those with a very good record. Again, to repeat, we have to have one standard. We have to have the highest standard. The highest standard of the Department of Community Affairs should bring in those State Department Board of Health boarding homes, along with the new C license. I know this is parochial, but it is where I feel I speak from seven years experience.

Since I spoke to you last, we had two old men and two old women nailed into a room up in East Orange. It would only have taken one cigarette butt and fifteen minutes of smoking and the death toll from the boardings homes wouldn't have been 63, it would have been 67, without half trying. There was no fire escape.

MR. SCHILLING: That couldn't happen in East Orange, John.

MR. FAY: I'm sorry to say it did, and this is what I am saying about rating these people. This woman makes Ilsa Kotch look like Mary Poppins as far as the type of people we have had at the lower levels. There has to be a kind of reward and punishment.

You know, I am proud of what we have been doing in the last year or two in this State. I am proud of this Commission. There is no other Commission like this kind of blue ribbon, highly-qualified, professional Commission in the country. There is no law like the new Boarding Home law in the country. So, this is a beginning.

Now, from those hearings in Keansburg -- with all due credit to Congressmen Florio, Rinaldo, and Fenwick -- there now is a national, Federal Commission on Boarding Home Safety and Standards, and they are looking to us. I have given more input to them on what we are doing, what we have done, than anywhere else in the country. Starting in January there are going to be regional hearings on boarding home safety.

So, there is a kind of realization, and I think there is a kind of movement towards this. From the evidence of the POC, who testified at your last meeting,

I think this has been a windfall for the utilities for years and years. I find no hard evidence that this is unquestionably a proper rate. Most certainly, the Public Advocate's Rate Setting Committee -- the people who work for the Public Advocate on rate setting -- should be studying and reporting that we should consider legislating this. Starting with the boarding homes, both the C licenses and the State Department of Health boarding homes and the nursing homes, this has gone on too long, this feeling of "No, that is the way it is." Oh, really? Who said so? It is just like saying the boarding home industry isn't lucrative. Oh, really? Where are these hard figures showing us that they are not? I don't know of any testimonials, or of anybody running bingo to keep these boarding homes going. I know very few who have gone out of business. The Department of Community Affairs has put more of them out of business in the last three months than any economic reason I know of in the last seven years.

So, this is really my update to you. I know, Senator Caufield and Assemblymen Cowan and Villane, that there might still be questioning amongst the legislators. I stand ready with our documented files and with the documented cases, and this should be the minimal movement of this - if you will pardon the expression - "lame duck" administration. I have resumes on me here to prove it is a lame duck administration.

But, this on-going Commission is most important and most basic. You are hearing from experts on no matter what code we are talking about. I wouldn't dare comment on those kinds of professional and technical things. I am saying there should be recognition, no matter what the code is - and we are talking about 100,000 people -- that these are disabled people. They wouldn't be getting SSI if they weren't disabled. They are physically disabled and mentally confused. The most eloquent witnesses to this were the survivors at Keansburg -- that they wouldn't have heard a smoke alarm; they wouldn't have heard many alarms; and the sprinkler would have saved many lives. Every fireman, every expert, everyone I have talked to professionally has said, yes, they will save lives. To me that is enough.

We have Assemblyman VanWagner, who, in his wisdom, is going to hand the bill to the Legislature, and the corollary mandatory bill is also a major breakthrough, a major accomplishment. Thank you.

SENATOR CAUFIELD: I have a couple of things, John, before you leave. You said there were regional hearings on the Boarding Home Safety Act that were going to be held.

MR. FAY: On boarding home safety, yes.

SENATOR CAUFIELD: Would you be nice enough to let us know when they are going to be held in case we miss them?

MR. FAY: They are going to be held in January in California. (laughter) I volunteered. I said: "If you insist, I will go."

SENATOR CAUFIELD: When is it being held in East Orange or some place local?

MR. FAY: It is in California, Kansas City, Missouri, and Atlanta, Georgia, that I know of, in January and February.

SENATOR CAUFIELD: John, you also said some boarding homes have sprinklers.

MR. FAY: Yes.

SENATOR CAUFIELD: Did you indicate that was about fifteen percent of them?

MR. FAY: That is really a rough number that I am using. Again, we are still dealing with the great unknown out there. The unlicensed are still the great unknown; but of the licensed, some of the better ones are sprinkled already, and have been sprinkled for a few years. I can get the names of those boarding homes we know are sprinkled to the Commission.

SENATOR CAUFIELD: Okay. I think you did indicate, rather strongly I think, that you did support the VanWagner bill?

MR. FAY: Very strongly, with that corollary of yours that it is going to be mandatory, and with the strong recommendation that we reward those who do and have been running good homes, as opposed to those who have very bad records and very poor records in many, many ways. There should be this kind of a qualification before a loan is granted to them.

SENATOR CAUFIELD: Just one other thing. You don't have to answer this if you don't care to. Could you tell me what the position of the senior citizen's groups is on that bill?

MR. FAY: Some of the major senior citizen groups are opposed to it, that I know of. They have contacted me and said they are opposed to it. They raise the question about the monies that they feel were pledged for other reasons. They have a variety of reasons for being opposed to it, but some of them are. This is why the bill has been so long in coming out of Committee, because of opposition.

SENATOR CAUFIELD: On the other side, are some in favor of it?

MR. FAY: Some are in favor of it. I think those who have become more aware of how serious and how badly needed this is are in favor of it.

SENATOR CAUFIELD: It is also not money being taken all the time from the fund. It does go back.

MR. FAY: It, unfortunately, became a football among some of the senior citizen groups -- a political football -- and they got somewhat emotional about it. Some, I think, were being baited. But, I think in the long run they will see the wisdom of this as the only way to bring about this breakthrough.

SENATOR CAUFIELD: And with no loss of money to their fund.

MR. FAY: Yes.

SENATOR CAUFIELD: Are there any other questions? (no questions) Thank you very much, John.

MR. FAY: Thank you.

SENATOR CAUFIELD: Well, finally, I think, we will hear from Frank Bender.

MR. BENDER: No comment, Senator.

SENATOR CAUFIELD: I think we ought to give a round of applause to Frank Bender. (applause)

That concludes our public hearing.

(hearing concluded)

