

STATE FIRE PREVENTION COMMISSION
MINUTES
August 21, 2014

Members Present: Timothy F. Dayton, Chairman
Charles D. Davis, Vice Chairman
K.C. Harrington
Mark F. Hubbard
Martin J. LePore
Anthony J. Spencer
Stacy Welsh
Richard L. Yinger

Chairman Dayton called the meeting to order at the Maryland Fire and Rescue Institute (MFRI) in College Park. The Chairman thanked Commissioner LePore for making arrangements to hold the meeting at MFRI.

PUBLIC HEARING ON REGULATIONS

A public hearing on amendments to COMAR 29.06.04 Fees for Fire Prevention Services as published in the Maryland Register on July 25, 2014, was held. No public comments were received. Written public comments will be accepted through August 25, 2014. The Commission will vote on or after September 9, 2014, on the proposed amendments after reviewing any public comments that may be received. If adopted, Secretary Ritchie recommended an effective date of November 1, 2014, to allow sufficient time to publicize the final notice in the Maryland Register.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci introduced Michael Hanson who was appointed Chief Deputy Fire Marshal (CDFM) on June 23, 2014. CDFM Hanson is a 30-year veteran of the Montgomery County Fire and Rescue Department, and has been investigating fires and explosions for over 12 years. He is a certified fire investigator and bomb technician and brings to the agency a wealth of knowledge and credentials. He has been an active member of the Frostburg Fire Department for over 35 years and a field instructor with MFRI for more than 18 years. The Commission members welcomed CDFM Hanson to the agency.

The Fire Marshal reported on the status of personnel for the Office of the State Fire Marshal (OSFM). Zachary Dell began employment as a Deputy Fire Marshal (DFM) yesterday. He is scheduled to begin police academy training in Sykesville in September. This leaves six remaining vacant positions: two DFMs, three Fire Safety Inspectors (FSI), and one Computer Specialist. Orientation and recruitment programs were held across the state in July with over 80 individuals participating. The recruitment process is on-going in order to maintain a current list of qualified candidates. Filling the remaining positions will be difficult due to the hiring freeze. Two Headquarters staff will be retiring this year: Research Analyst Kathleen Rose and Fee Program Coordinator Linda Neal.

As of this date the total fire fatalities for 2014 stands at 36 compared to 46 for the same period last year, a 21% reduction.

Hagerstown Fire Department provided the following report on their Community Risk Reduction activities. They contacted 2,259 occupants and 500 tested their smoke alarms; the fire department checked 420 alarms, installed 145 alarms, and replaced 17 batteries. The next scheduled event is October 18-19, 2014.

The Fire Marshal had a good meeting with the Department of Health and Mental Hygiene representatives on hoarding and treatment. Meetings will be held with county health departments in December to raise awareness of the problem and train employees on treatment.

Unfortunately the 4th of July holiday season resulted in several injuries in Carroll, Harford, Howard, and Garrett Counties and in Easton and College Park. The Easton and College Park injuries were the result of wind shifts and debris fallout at public professional shows. The Garrett County burn injury to a nine year old child was the result of a legal sparkler. In Howard County a person lost most of a hand from an illegal M-80 firework. It is unknown whether the item was purchased in-state. The cause of a fire in Oakland was the result of discarded fireworks.

The OSFM has been invited back to Dover Downs Raceway September 26-28, for the NASCAR event, in partnership with the Delaware State Fire Marshal and other public and private agencies. A side-by-side burn demonstration for residential sprinklers will be held on Sunday this year. Sunday race events typically are the most well attended. Many thanks to the Maryland State Firemen's Association (MSFA) which assisted with the purchase of a Pit Box, big screen television, and message display for Dover. This will be available for use at other events.

Domino's Pizza and NFPA will be teaming up for a 7th year to deliver fire safety messages and pizzas during Fire Prevention Week, October 5-11, 2014. Fire Departments are encouraged to join forces with their local stores. Over a one or two day period, for each hour a day, anyone ordering a pizza may be randomly selected to receive a surprise visit from Domino's and the local fire department. Fire department personnel will check the smoke alarms in the home and if they are functional, the pizza is free. If not, the batteries will be replaced or new alarms installed free of charge.

The OSFM has partnered with the Capital Region Fire Sprinkler Association to conduct training for all fire prevention personnel across the state. The first class scheduled for September 9th at MFRI College Park is already full.

The OSFM has proposed legislation for next year's General Assembly to address the sale of battery-operated smoke alarms, sprinkler retrofitting of high-rise structures, civil citations for fire code violations, and new or increased fees for various licenses and fireworks displays. The high-rise retrofit proposes a 10-year time frame for completion. Alternatives could be mist systems, sprinkler common areas only, or install residential hood extinguishers. Most residential fires occur in kitchens and residential hood extinguishers are easy to install. The agency has encountered some problems with non-water based system installers with one person already being charged and convicted. Commissioner Spencer recommended the agency also consider licensing fire alarm installers. The Fire Marshal has considered this and the need for additional staff to support any licensing programs. The Fire Alarm Association may be proposing a bill since it would like to see quality industry standards. Chairman Dayton stated fire alarm licensing has been discussed in the past and if any bill is proposed, the OSFM should be the licensing authority. Since it is the agency in charge of enforcing NFPA 72, it would provide a suitable means of checks and balances. The legislative proposal for fire code violation citations allows the Commission to establish fines. A proposal was submitted to increase the fine for illegal fireworks from \$250 to \$500. The Commission's proposal to eliminate the need to advertise hearings on regulations in a public newspaper was also submitted. It will be a difficult battle to get many of these items sponsored as departmental bills and the Fire Marshal has reached out to the Governor's legislative liaison to discuss further details.

The Mid-Atlantic Life Safety Conference is scheduled for September 23rd at the Johns Hopkins Applied Physics Lab in Laurel. Commission members wishing to attend should submit their registrations to Secretary Ritchie. The OSFM will pay for registration. The Fire Marshal will be unable to attend since he will be at an NFPA meeting in Boston. CDFM Hanson also will be unable to attend since he will be in comparative compliance training to re-instate his law enforcement

certification.

The Maryland Youth Fire Intervention Coalition, the Fire and Life Safety Information Exchange Program, and the Fire Administration's Fire is Everyone's Fight Initiative continue to progress in their efforts. Please continue to support them and visit the websites for the latest news and information: www.mdflifesafety.org; www.usfa.fema.gov/fireiseveryonesfight.

Fire Marshal Geraci stated his first year in office has been a good one. Headquarters' staff restructuring has gone smoothly with greater support available to the regional offices. The hiring of DCFM Hanson to oversee field operations will be a tremendous help. DCFM John Wagner has been assigned as the Administrative Chief and Senior DFM Michael Guderjohn has been helpful as the Executive Officer in assisting with various projects. Unfortunately the agency will probably be losing him in another month to the Bureau of Alcohol, Tobacco, and Firearms. The two DFMs assigned as liaisons to ATF and Prince George's County will probably have to be re-assigned to regional field offices due to the hiring freeze. Some personnel in the Eastern Shore regions will also be re-assigned.

CHAIRMAN REPORT

Chairman Dayton welcomed DCFM Hanson. DCFM Hanson stated it was a pleasure to be on board and he is proud to serve as the third DCFM hailing from Western Maryland. Former DCFM Robert Shimer and DCFM Robert Thomas, Jr. were both from Allegany County. Having only recently retired from Montgomery County on July 1st, he was a bit hesitant but honored the Fire Marshal selected him for the position. He is pleased the Fire Marshal is working towards getting all the DFMs their Certified Fire Investigator credentials.

Chairman Dayton reported that Commissioner Eugene Jones has officially submitted his letter of resignation to the Governor's Appointments Office. Commissioner Jones served as the Metropolitan region/industry representative.

The Chairman recently received a letter from the Governor's Appointments Office advising that he should continue to serve until replaced as re-appointments and new appointments will not be made until after the new governor is sworn in. Chairman Dayton's second term officially expired June 30, 2014. He intends to serve until replaced but will relinquish the Chairmanship.

OTHER BUSINESS

Commissioner Welch inquired as to the status of sprinkler retrofits for college campus student housing. FM Geraci stated DCFM Flanagan is working with Salisbury University on the Eastern Shore and DCFM Mowbray has made progress with inspecting the off-campus housing units around Frostburg University in Allegany County. There is an extensive list of them. FM will follow-up with the DCFMs on the progress. He intends to meet with University of Maryland representatives regarding on-campus dormitories and housing units.

Commissioner Yinger expressed his concerns that ground-based sparkler sales trailers and tents give the impression to the public that all fireworks are legal in Maryland. FM stated he is aware there is a perception issue and the OSFM strives to educate the public on the Maryland fireworks laws. Personnel make every attempt to confiscate and educate when they observe illegal activity but frequently the courts are very lenient with fines and punishment. Chairman Dayton suggested that perhaps the persons or parents of children who have been injured by fireworks—whether legal or illegal types—may want to participate in public education programs. FM stated he will reach out to them. DCFM Hanson stated enforcement can be very difficult because it's hard to patrol large areas. Local law enforcement agencies are typically too busy to assist us with policing illegal fireworks because they are responding to rowdy parties, loud noises, and other disturbances.

Commissioner Hubbard, who serves on the Governor's Emergency Management Advisory Council, reported it is still working out issues between the U.S. Department of Transportation, Maryland Department of Environment, and rail carriers regarding notification requirements to local first responders when hazardous materials are being shipped through the State. There are some issues with the transportation of crude oil and some legal and security issues with divulging too much information to the public through Freedom of Information Act requests. It is very important however that first responders are properly prepared to respond to incidents and prevent tragedies. Another meeting to discuss remaining issues is scheduled in December. Vice Chairman Davis thanked Commissioner Hubbard for his service on the Council.

Motion by Commissioner Yinger, second by Commissioner Spencer, and unanimously carried to approve the minutes of the June 17, 2014 meeting.

Motions were entertained for nominations of a new Chair. Commission Yinger motioned to nominate Vice Chairman Davis to the position of Chairman, second by Commissioner Spencer, and unanimously carried. Motions were then entertained for nominations of a new Vice-Chair. Commissioner LePore motioned to nominate Commissioner Hubbard to the position of Vice Chairman, second by Commissioner Spencer, and unanimously carried. The newly elected officers accepted their new positions. On behalf of the membership, Commissioner LePore thanked outgoing Chairman Dayton for his leadership, time, and efforts in heading the Commission for many years.

MEETING SCHEDULED

The next meeting has been scheduled for
Thursday, October 16, 2014 – 9:30 a.m.
Maryland Fire and Rescue Institute
Headquarters Building
First Floor, Classroom #2
4500 Paint Branch Parkway
College Park, Prince George's County

Respectfully submitted,



Heidi Ritchie, Secretary