

STATE FIRE PREVENTION COMMISSION
MINUTES
December 12, 2017

Members Present: Charles D. Davis, Chairman
Joseph L. Scheffey, Vice Chairman
Mark A. Bilger
Edward Tochterman, Jr.
Stacy Welch (via teleconference call-in)

Members Absent: K.C. Harrington
Mark F. Hubbard

Chairman Davis called the meeting to order at the Maryland Fire and Rescue Institute in LaPlata, Charles County.

A moment of silence was observed for Maryland Deputy Chief State Fire Marshal Sander Cohen and Federal Bureau of Investigation Special Agent Carlos Wolff who were killed in the line of duty in Rockville on December 8th.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci thanked the Commission members for its support and condolences. The law enforcement officers were struck by vehicles while on the side of I-270 following a one-vehicle crash involving Special Agent Wolff. Funeral services will be held Thursday. Appreciation was extended to the Maryland State Police for their assistance with the arrangements and all the other agencies, departments, and organizations who have offered their support.

At the current time, the Office of the State Fire Marshal (OSFM) has four sworn and four civilian vacancies. Physical fitness testing is ongoing for the sworn positions which had a good turnout of candidates. A Deputy II/Bomb Tech position has been advertised for the opening on the bomb squad. There will probably be two more vacancies on the squad in the next few months. The Fire Protection Engineer candidate for the Lower Shore is proceeding. Part of the candidate list for the Upper Shore inspector has been exhausted so the agency is proceeding to the next set of candidates on the list. There is a potential candidate for the contractual inspector position in Southern Maryland. Joseph Goodrich, a volunteer firefighter in Washington County, has been hired to fill the Fire Safety Inspector position in the Western Region, giving that region two full-time merit inspectors and one contractual inspector. The Fire Marshal hopes to continue to separate the investigation and inspection divisions as more personnel are hired. Approval has also been obtained for a contractual engineer position. Two qualified candidates, both agency retirees, have applied. A second contractual engineer has been requested. The engineer position in the Western Region has been vacant since October 2017, leaving the engineering staff struggling to keep up with plan reviews. It is hoped that position can also be filled.

Fire fatalities for the year stand at 66 compared to 66 for the same period last year. Typically December is a bad month but hopefully there won't be a significant increase. Two victims remain hospitalized with their prospects of survival unknown at this time. A county breakdown of fatalities was distributed.. The Fire Marshal introduced Administrative Aide Penny Doty who compiles the fatality and burn injury reports and commended her for the good work.

The Mid-Atlantic Life Safety conference held on September 26th had over 200 participants. Kimberly Hart-Smith from Riviera Beach received the first John C. Spiker Public Fire Safety Educator Award. She was very humbled since John was at Riviera Beach for many years and was a mentor to her with regards to public safety education. The award name was changed this year in honor of John for all his efforts on fire prevention and public fire safety education.

On November 1st the annual Delmarva smoke alarm event was held, with 1,300 alarms donated for use on the Eastern Shore. The Fire Marshal thanked Commissioner Bilger for attending the event representing the Commission and the Maryland State Firemen's Association.

Effective January 1, 2018, the battery-only smoke alarms can only be replaced with the ten-year lithium sealed battery alarms. Chairman Davis noted that on the Washington area local television channels, the new law has gotten a lot of coverage. The OSFM has been sending out press releases and doing news conferences to get the message out. Due to the events this week the Fire Marshal was unable to attend a scheduled interview on the Baltimore news. Pete Peringer from Montgomery County and Neal Zipser from Kidde attended in his place. Since the department cannot submit any departmental legislative bills this session, the Fire Marshal has contacted a senator regarding a proposal to prohibit the sale of nine-volt battery smoke alarms in Maryland.

The Carcinogen Reduction Plan has been written with a focus on the wearing of issued personal protective equipment (PPE), cleaning of PPE, decontamination, laundering uniforms/clothing, storage/transportation of PPE, biannual physicals, documentation of exposures, and tobacco cessation. The plan is being reviewed by several other agencies and The Bureau of Alcohol, Tobacco, and Firearms. Some additional equipment needs to be purchased to implement the plan. Civilian personnel who smoke or chew tobacco are encouraged to participate in the cessation plans offered throughout the state. Sworn personnel are covered under the cancer presumption laws. Recently a retired Deputy Chief lost his life to brain cancer and another retiree is suffering from cancer as well. The Fire Marshal has contacted the Maryland's International Association of Fire Fighters president to see if there is any interest in pursuing adding other types of cancers to the law. Brain and testicular cancers are not covered and there is a question if colon cancer is covered. The law refers to rectal cancer.

For the first three quarters of the year, 688 incidents have been investigated, 517 of which were fire related; 58 criminal cases were closed with 85 individuals arrested; 9,234 inspections conducted; and 1,163 plans reviewed. In response to an inquiry from Commissioner Bilger as to whether the vacant engineer and inspector positions have affected the numbers, Fire Marshal Geraci reported that inspections between 2016 and 2017 are down 2.2%.

Fire Marshal Geraci and Deputy Chief Caryn McMahon met with the Executive Director of the Department of Budget and Management (DBM) which oversees personnel classifications. The purpose was to explain the difference in salaries between fire safety, elevator, building, amusement ride inspectors, etc. Amusement ride inspectors are paid three times more than OSFM fire safety inspectors and the fire safety inspectors at BWI Airport are also paid higher. Although the conversation didn't extensively involve other jurisdictions' salaries, DBM was provided with some information on that. The Fire Marshal requested that DBM review all the various inspector classifications and salaries. The Department of State Police has 100+ civilian vacancies so hopefully some funds can be found to improve the fire safety inspector salaries.

The OSFM blog site has been updated. Fire departments receiving MSFA fire prevention grants are required to document the placement of installed smoke alarms. Departments or agencies can now request OSFM participation in public education events such as the bomb squad, K-9, pit box unit, etc.

Commissioner Bilger inquired when the fee regulations will be reviewed again as it was his understanding there is a statutory requirement for review. Chairman Davis was unsure but stated the amendments to the sprinkler licensing regulations will have a public hearing at the February meeting. Fire Marshal Geraci and Chairman Davis both felt that it was best to keep fees at the current rates. Fees charged by the OSFM for services such as plan reviews, inspections, and fire protection system tests can now be paid by credit card at the OSFM website.

Several fire companies still have not submitted all MFIRS reports for Fiscal Year 2017. These companies can be found at the OSFM website. Funds will be withheld to the counties with departments missing reports.

The Fire Marshal requested the Chairman form a workgroup within the Commission and Chief Fire Protection Engineer (CFPE) Ken Bush to study high-rise residential sprinkler retrofits and present a report by the end of March. Chairman Davis will solicit volunteers. Fire Marshal introduced Mr. Ronald Wineholt who represents the Apartment & Office Building Association of Metropolitan Washington and who continues to be involved in discussions with the Fire Marshal on this issue. The residential sprinkler demonstration that was scheduled for Thursday will be rescheduled due to Deputy Chief Cohen's funeral.

The Fire Marshal introduced Fire Protection Engineer (FPE) C.J. Giblin who serves on the Mid-Atlantic Life Safety Conference Steering Committee. FPE filled in as Chairman of the committee after Deputy Bouch retired from the agency. FPE Giblin reported that the Commission is required to hold at least one seminar, conference, workshop or meeting a year to inform the public and firefighting personnel of the latest techniques in fire prevention, programs, procedures, life safety measures, changes in the State Fire Prevention Code, and development of improved fire safety goals. It is FPE Giblin's understanding that the conference was formed to satisfy this requirement. The committee has been trying to diversify the workshop offerings to community risk reduction, health care, firefighter cancer prevention, and other topics that may not explicitly be covered by what is required. The committee would like to continue in this direction to aid in increasing the participants since the conference is costing money each year and not breaking even. The committee would like direction on how to fill the chair which in the past few years was chaired by Deputy Bouch and prior to that by CFPE Bush; should the committee select its own chair or would the Commission like to appoint the chair? Chairman Davis inquired if FPE Giblin would like to chair the steering committee but he declined at this time due the shortage of engineering staff in the OSFM. Chairman Davis requested for this year, that CFP Giblin asked the committee to select its own chair with the understanding it will be re-evaluated in the future. Fire Marshal Geraci stated that eventually the position vacated by Deputy Bouch will be filled, then more OSFM staff would be available as a potential chair. FPE Giblin also reported that much of the financial and services-in-kind come from the State Fire Marshal's Office, Maryland Fire and Rescue Institute (MFRI), Maryland Emergency Management Agency, Maryland Institute for Emergency Medical Services Systems, Department of Health and Mental Hygiene, Maryland State Firemen's Association, and several fire departments. A lot of the funding and resources come from MFRI and due to retirements or transfers to other jobs, the committee will be losing all the MFRI representatives. In the coming months, MFRI will also be getting a new director, so its continued support is unknown. MFRI has been doing all the printing at their own expense so that could potentially be an increase in cost to other state agencies. The other agencies provide personnel support. Currently there is no funding in the OSFM budget for the conference. In response to an inquiry from Commissioner Bilger, FPE Giblin advised that the Fire and Burn Safety Coalition of Maryland processes the registration payments and transfers it to the conference but it does not provide any supplemental funds. This year the conference was approximately \$600 shy of breaking even. Commissioner Bilger recommended the Commission refer to legal counsel regarding the scope and the Commission's actual responsibility for the conference. A meeting with the interim or new MFRI director may also be beneficial to determine its future participation. Vice Chairman Scheffey noted the language in the requirement is fairly broad in terms of workshop subjects to offer. He commended the committee on having an excellent conference this year with a nice balance of topics. He inquired about charging for lunch. FPE Giblin reported that most comments from participants deal with the food. Lunch costs approximately \$45 per person and the committee has no choice of caterers. The cost to use the facility is less than \$1,000 which is very reasonable and it would be difficult to find another facility with the breakout classrooms and large auditorium. CFPE Bush stated it used to be called the Governor's Conference on Life Safety but that was changed about 15 years ago. CFPE Bush questioned if possibly any SAFER grant money could be used. Commissioner Bilger stated he would ask its committee but that would only be for a short term. After September 2018 it has to come up with an additional \$600,000 to \$700,000 in its budget to continue doing the different programs through SAFER. Fire Marshal Geraci thought SAFER funds were earmarked for recruitment and retention but Commissioner Bilger stated the Fire Chief side has been doing a lot of training for recruitment and retention so it may be a possibility. Ultimately since annual seminar is the Commission's responsibility, there needs to be a long term solution or a refocus of workshop offerings. FPE Giblin felt that if there is too drastic a change in workshop offerings attendance would drastically drop off.

CHIEF FIRE PROTECTION ENGINEER REPORT

CFPE Bush reported that a polygraph has been arranged for the Eastern Shore engineer candidate and an interview panel is in the process of being assembled. The candidate has been very responsive to all requests for information so it looks promising.

The first meeting of the 2018 Code Update Review Committee will be held January 9th in Frederick. Frederick County has graciously allowed use of a classroom at its training facility which is centrally located for most committee members. Some NFPA 1 and 101 code books have been received and CFPE Bush will ensure they get distributed to Commission members and the Legislative Committee in Annapolis as needed.

The fire protection curriculum at the University of Maryland is doing a Christmas tree burn demonstration this evening which will be broadcast on WBAL news in Baltimore as part of its 5:00 p.m. news.

The International Code Council has made a proposal for a maximum height of 20 stories (270 feet) for heavy timber buildings, including residential, business and assembly. Although you typically would not have an assembly building that tall, there is the potential to have restaurants or conference rooms on the upper floors. There has been some initial resistance from the fire service community. Another consideration is how to protect these buildings during construction. Commissioner Bilger saw a recent Maryland Public Television program on high-rise wood construction and the cost benefits compared to concrete or other materials. He found it informative.

CHAIRMAN REPORT

Chairman Davis reported there has been no update on the filling of Commission vacancies. Mr. John Rekus, present at today's meeting, a retired forty year career employee in Occupational Safety and Health, has applied to fill the public at-large vacancy of former Commissioner Spencer.

The public hearing on amendments to COMAR 29.06.05 Fire Sprinkler Contractor Licensing Regulations will be held at the February meeting, followed by a presentation by Craig Beyler on a Science Advisory Workgroup to provide feedback on fire investigations.

OTHER BUSINESS

Motion by Commissioner Tochterman to approve the October minutes, second by Vice Chairman Scheffey, and unanimously carried.

MEETING SCHEDULED

The next meeting has been scheduled for
Thursday February 15, 2018 – 9:30 a.m.
Taylor Avenue Fire Station, Upper Classroom
620 Taylor Avenue
Annapolis, Anne Arundel County

There being no further business, the meeting was adjourned.

Respectfully submitted
(as summarized from transcript provided by Hunt Reporting),


Heidi Ritchie, Secretary