

STATE FIRE PREVENTION COMMISSION
MINUTES
February 18, 2021

Members Present: Edward S. Tochterman, Chairman
Kevin Simmons, Vice Chairman
Douglas Alexander
Mark Bilger
Emily Devan
Michael Faust
Randy Sanger
Daniel Stevens
Stacy Welch

Members Absent: None

The Fire Prevention Commission held a virtual public meeting on February 18, 2021, at 9:30 a.m. The Pledge of Allegiance was recited.

Chairman Tochterman welcomed Randy E. Sanger, II, who was appointed February 15, 2021, to replace Commissioner K.C. Harrington as the at-large building contractor representative.

Commissioner Sanger briefed the Commission on his background. He joined the fire service at the age of 15 and was involved in the fire service full-time for ten years. He met his wife in the fire service. When he moved to Maryland he was not certified and started a remodeling/fire restoration business. Nine years ago he joined an Anne Arundel County command unit and has been active for two years. The fire service is part of his family's life.

FIRE MARSHAL REPORT

Fire Marshal Brian Geraci welcomed newly appointed Commissioner Sanger.

The Fire Marshal reported there have been eleven fire fatalities to date in 2021, one occurring in the past week. The year 2020 saw the lowest fire fatalities in the state on record at 51. This is a 21.5% decrease from 65 in 2019. Thirty-three 2020 deaths were in residential properties, a 37% decrease over 52 in residential properties in 2019. Prior to 2020 the lowest was 54 in 2012.

Members of the agency have begun COVID vaccinations through the Maryland State Police (MSP) or personal arrangements. The department is offering vaccines to both sworn and civilian employees. Several Commissioners reported they as well as members in fire departments with whom they are associated have gotten vaccinated with no significant adverse reactions. Chief Deputy State Fire Marshal (CDSFM) Greg Der reported the Fire Marshal's Office and the Maryland State Police will be making a joint video to encourage persons to get vaccinated.

The agency focused on Community Risk Reduction Week in January and will also be active for Burn Awareness Week in February.

The agency bomb squad assisted the Maritime Police Department and Secret Services with the presidential inauguration events. It will also assist with the State of the Union address.

The agency bomb squad also assisted in searching a Southwest Airlines plane that received a bomb threat.

The agency utilized its drone and assisted with origin and cause in Baltimore City with the explosion and fire at the BGE Building at 100 West Fayette Street where 23 people were rescued and 21 were transported to local hospitals. Crews located an active fire on the 16th floor and were present when the roof partially collapsed. An undetected natural gas leak was ignited by a welder's torch.

The agency assisted Baltimore County with a three-alarm fire in the New Windsor Mill area. Five apartment buildings were damaged and left uninhabitable. A fire in a chimney chase took roofs off all the buildings and burned downward.

Commission members expressed their thanks to the Fire Marshal for providing updates on investigations and are encouraged with the cooperation developing with Baltimore City and Baltimore County.

The agency investigated a total of 756 incidents in 2020, of those 590 were fire related and 125 explosive related. Thirty-five criminal cases were closed with the arrest of 81 persons. Twenty-two incendiary cases were closed by arrest resulting in a 22% closure rate. Throughout the state, 7,156 inspections were conducted and 1,570 plans were reviewed. Based on information obtained for fire investigation units statewide, 676 incendiary cases occurred in 2020, a slight increase from 674 in 2019.

Fire Marshal Geraci reviewed various legislation being proposed this session. With the COVID restrictions in place there are more written comments, less floor sessions, and limited on-line testimony. Legislation is moving through at a good pace.

- HB0696 Consumer and Display Fireworks – will allow persons aged 18 or older to purchase and discharge certain types of consumer fireworks with prohibitions for discharge in certain circumstances. It will be heard by the House Judiciary Committee this week.
- HB0989/SB714 911 Emergency Telephone System – will require that no prefix be required in commercial and residential properties to dial 911.
- HB1075/SB481 State Fire Marshal Investigations – will require the State Fire Marshal's Office to report to the Public Service Commission with an update of certain investigations within 90 days of the incident and provide updates until the case is concluded. The State Fire Marshal is opposed to it due to the agency being unable to comply with the requirements. The Metropolitan Police and the Public Service Commission (PSC) also oppose it. A hearing is scheduled for 1:00 p.m. today. This originated out of Baltimore City from the August townhouse explosion. Since the PSC is on fires where the potential for a public utility service may be involved, it seems to be a duplication of efforts.

The annual Fire Protection Engineer (FPE) review was approved with the FPE staff getting a substantial raise July 1, 2021. The FPE hiring exemption request was approved by the Department of Budget and Management and the two vacant positions will be advertised. A hiring exemption request has been submitted for the HQ Community Risk Coordinator and the contract Fire Safety Inspector.

The MSP audit of the agency is complete and a copy of the report will be forwarded to Chairman Tochterman. The Fire Marshal is preparing a response which is due April 1, 2021. Several steps have been taken to correct issues found during the audit. There is a need for more funding and inspectors.

As a reminder, the Maryland Fire and Life Safety Information Exchange Program website is www.mdlifesafety.org.

In response to inquiries from Commission members, the Fire Marshal reported: There is no news on his reappointment or a line item budget for the commission; A budget hearing is scheduled for February 22, 2021; There have been no significant changes to the proposed budget; Vehicles continue to be an issue and efforts are being made to keep overtime down; There should be news in the near future as to whether the Johns Hopkins facility will be available for the annual Mid-Atlantic Life Safety Conference.

CHIEF FIRE PROTECTION ENGINEER REPORT

CFPE Ken Bush welcomed Commissioner Sanger.

The Code Update Committee held its first meeting and is up to the door section in NFPA 101 Chapter 7. Meetings will be scheduled for the second and fourth Thursdays of each month through March. The three-hour meetings are held virtually. Good input is being received from the various members. The Commission members are welcome to join any of the meetings. CFPE Bush reviewed some NFPA changes that will be upcoming for discussion:

- All new bars and restaurants with occupant loads of 50 or greater will require automatic sprinkler protection.
- All day care centers will require automatic sprinkler protection.
- Type 4 construction, laminated wood beams pertaining to health care occupancies
- Low frequency alarms in apartments and hotels
- All existing high-rise buildings must be sprinklered by January 1, 2033.
- Public signage to warn if a high-rise building is not sprinklered
- Oxygen enrichment at cannabis growing facilities
- 3D printing operations

FPE Bush thanked the Commission for its efforts and support to improve the FPE salaries. The salary increase will follow through in future years. This will hopefully improve recruitment to fill the vacancies. Even with the vacancies, the FPEs have been doing a great job doing reviews, correspondence, and some field work when necessary. Some reviews are being done electronically and some inspections are being conducted virtually.

CHAIRMAN REPORT

For the benefit of newly appointed Commissioner Sanger:

- The Chairman briefly reviewed the difficulty the agency has had in hiring FPEs due to the low salary in comparison to other jurisdictions and the private sector.
- The Commission sent a letter of congratulations to Colonel Jones when he was appointed and invited him to attend the meetings. He has not yet attended any meetings.

Chairman Tochterman had a virtual meeting with CFPE Bush, FPE Linero, and Administrative Specialist Nicodemus regarding future changes to the fee collection process and the need to amend the fee schedule. The agency is currently exempt from switching to the new process and no deadline has yet been given; however, Fire Marshal Geraci noted the need to be prepared. He suggested consideration of flat rate fees or the elimination of fees. Currently no fees are being charged for 13D related reviews or inspections. During the agency audit, fee issues were cited. All collected monies go to the general fund and not directly to the agency. FPE Bush suggested until specific issues are identified and there is a better understanding of the new collection system, it may be difficult to determine what needs to change. He will contact Ms. Nicodemus to see if there is any new information. Fees are required to be collected by law. Assistant Attorney General Susan Baron stated prior to eliminating the fees, the statute will need to be reviewed. Legislation would also need to be proposed and passed to change the statute.

The Chairman reminded members to file their annual financial disclosure if they have not already done so.

The Chairman entertained motions to approve the December minutes. Motion by Commissioner Alexander, second by Commissioner Faust, and unanimously carried.

OTHER BUSINESS

The members all individually welcomed Commissioner Sanger, who thanked everyone for their warm welcomes.

Commissioner Bilger commented he has read several releases from Colonel Jones who speaks highly of different sections of the State Police, but does not mention the Fire Marshal's Office. Fire Marshal Geraci assured him the Colonel does speak highly of the office in many emails and reports he sends internally and does recognize the agency. The Fire Marshal, CDSFM Der, Colonel Jones, and his Chief of Staff have standing meetings every other week.

Commissioner Alexander, who is also a Trustee of the Maryland State Firemen's Association (MSFA), reported that the Trustees of the MSFA have received notifications from three firefighters burned in a fire in Cecil County on February 9, 2021. Two of the firefighters have short term recovery time (one to two months), and one will have a significant recovery time due to skin grafting and therapy.

Commissioner Welch invited Commissioner Sanger to contact her any time should he need anything. She expressed her delight in hearing that the FPE salary increase has been approved. She thanked CFPE Bush and Heidi Ritchie for chairing and providing secretarial support, respectively, to the Code Update Committee. Hearing different views from the various jurisdictions is interesting.

Next Meeting – April 15, 2021 – 9:30 a.m. As Governor Hogan has encouraged all public schools to reopen, Chairman Tochterman would like to hold the meeting at a live location. Anyone having issues attending a live meeting should contact him after today's meeting.

Respectfully submitted,



Heidi Ritchie, Secretary