

**STATE FIRE PREVENTION COMMISSION
MINUTES
February 17, 2022**

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 public meeting February 17, 2022, at 9:30 a.m. at the Aberdeen Fire Department in Harford County.

Chairman Tochterman called the meeting to order. The Pledge of Allegiance was recited.

A full minute of silence was observed in remembrance of the three Baltimore City firefighters who lost their lives in the line of duty and the Carroll County firefighter who also lost his life in the line of duty.

Chairman Tochterman thanked the Aberdeen Fire Department for hosting the Commission at its new station. John Bender, Director of the Department, welcomed the Commission on behalf of the members and officers of the Aberdeen Fire Department. Mr. Bender expressed his respect for the work the Commission does. D.B. Smith, Sr., a member from Aberdeen, recently celebrated his 100th birthday. For this milestone occasion, Secretary Ritchie sent Mr. Smith a birthday card on behalf of the Commission. Mr. Smith served on the Fire Prevention Commission for 17-1/2 years, perhaps the second longest serving Commission member. He is a retired fire chief from the Aberdeen Proving Grounds. Mr. Bender introduced some members who were in attendance. John Landbeck, Jr. whose father was a Maryland State Trooper and Past President of the fire department and who has a brother that was also a State Trooper and another brother who was a firefighter in the Air Force. John served in the FBI, became a prominent attorney in town, and served as a District Court Judge. The family has a history of dedicated service to the community and country. Gordon Biscomb, who has been a long-time life member of the department and is very active on the Fire Prevention Committee. He was stationed at the Aberdeen Proving Grounds during his military service and retired as a Major. He has an identical twin brother that lives in his hometown of Kalamazoo, Michigan, and you cannot tell them apart.

FIRE MARSHAL REPORT

To date in 2022 there have been eleven fire fatalities, eight occurring in residential structures—one fire of which had multiple fatalities, two occurring in out buildings, and one in an outdoor setting. The most recent one occurred this morning in Aberdeen.

In 2021, there were fifty-eight fire fatalities, nine of which were children, and seventeen of which were senior citizens. Forty-nine were in residential structures, eight in vehicle collisions, and one in an outdoor setting. Seven deaths are still pending the Medical Examiner's report.

In January 2022 there were four line of duty deaths, one in Carroll County and three in Baltimore City. In 2021 there were six line of duty deaths, most due to COVID 19.

A contractual fire safety inspector has been hired for the Northeast Region. A fire protection engineer has been hired for the Southern Region. The Southern Region contractual inspector and the Headquarters administrative officer have resigned. Those positions will be advertised. Nine applications have been received for the Chief Deputy position, four from within the agency and five from outside the agency. One applicant is a female and one is an African American. Interviews will be scheduled for mid-March.

The Office of the Fire Marshal (OSFM) conducted 827 investigations in 2021—636 fire related, 121 explosive related, and 70 other type of incidents. A total of 65 cases were closed with the arrest of 86 persons; 38 incendiary cases were closed by arrest for a 33% closure rate which is well above the national 18-20% average. There was a 9% decrease in incendiary fires across the state in 2021. The agency conducted 10,317 inspections and reviewed 1,893 plans. The numbers were up from 2020 and personnel are doing a great job with getting back on track after the COVID emergency.

The agency generated \$3,622,648 in revenue over the last five years which went into the general fund—2017 \$808,409; 2018 \$876,947; 2019 \$716,076; 2020 \$438,377; 2021 \$782,839. The revenue comes from plan review fees, inspection fees, various licensing fees, and firework display permit fees.

The General Assembly opened on Wednesday, January 12, 2022. To date there have been over 2,300 bills submitted between the House and Senate. At the current time there are no bills affecting the OSFM or the Commission. The fire service is meeting every Friday in a virtual format and the Fire/EMS Coalition is meeting every Monday in a virtual format. The Fire Marshal has been working diligently with the two widows of the firefighters that were killed from Howard and Frederick Counties on House Bill 1052, the CSST Bill pertaining to corrugated stainless steel tubing used in the construction of gas piping in buildings. A hearing is scheduled for March 1st. Not too much opposition is expected but time is running short to get everything through.

Regarding existing high-rise buildings, Montgomery County has identified about 80 buildings and are working with owners and management. They sent letters out to get agreements signed to sprinkler the buildings. Rockville City has reached out to the two buildings they have, both condominiums. They have spoken to the condominium associates and presidents who are working on a funding plan. Baltimore County has three buildings, one owner of which has reached out to legal counsel. The Fire Marshal has not heard from the Apartment and Office Building Association for several months. The New York apartment building fire that killed nineteen persons may have impacted their direction. Prince George's County is compiling a list of buildings and plans to mail out letters. They are looking for compliance by 2033 to get the buildings sprinklered. NFPA 101 has requirements for existing high-rises to be sprinklered by January 1, 2033. With the Commission's previous vote that all non-sprinklered residential high-rise buildings are an inimical hazard, the NFPA 101 code requirement would be enforceable. The National Fire Sprinkler Association is helping the various jurisdictions on how best to approach high-rise owners.

At the request of the Chairman, the Commission went off record to discuss the Stricker Street fire that claimed the lives of three Baltimore City firefighters; the fire at the Maryland Reception, Diagnostic, and Classification Center, a state detention center located in Baltimore City; and a shopping center fire at a Family Dollar store in Chestertown. The Stricker Street and detention center fires remain under investigation.

As reminders, the Fire and Life Safety Information Exchange Program website is www.mdlifesafety.org and the OSFM blog site is <http://mdosfm.wixsite.com/blog>.

CHIEF FIRE PROTECTION ENGINEER REPORT

CFPE Kenneth Bush reported the fire wall at the Family Dollar Store in Chestertown worked. Two tenant spaces were lost, one was the Family Dollar Store and the other an adjacent nail salon. The row of stores on the other side of the fire wall were all saved. So that is good news to support the use of passive fire protection construction features.

As a follow-up to previous meeting discussions regarding the Stadium Authority and public school projects, the Stadium Authority is in the process of meeting with individual local school boards to develop a plan to resolve issues as to who will handle the inspections.

CFPE Bush was pleased to report that a fire protection engineer has been hired for the Southern Regional Office and introduced Nick Henni. He is a long-time resident of Calvert County and was looking to relieve himself of shift work and also to work locally. Mr. Henni provided a brief background. He graduated from the University of Maryland in 2010 with a degree in Fire Protection Engineering. He worked for the Department of Defense at the Naval Facilities Engineering Command for about a year. He did two internships during college at the Calvert Cliffs nuclear power plant where his father was an engineer. He started a career there as their fire protection engineer for a big transition project for light water pressurized reactors. At the end of that two-year project he went into operations doing shift work. His wife, a nurse, also worked shift, and having no children at that time it worked out well. He was an equipment operator for two years and then went to license class and became a senior reactor operator and control supervisor. When the fire protection program manager position opened in 2000 he received the opportunity to do that for about a year and a half. It was more of a program management position instead of fire protection engineering so he went to Cove Point in hopes of becoming a manager there. But when he saw the OSFM FPE position which was very close to where he grew up in Calvert County, he applied for it. He no longer has to work shift and now has two boys ages five and two and a half years and is able to spend more time with the family. He appreciates the opportunity to return to doing fire protection engineering work. Chairman Tochterman and members welcomed him aboard. CFPE Bush reported that once FPE Henni completes his orientation, the currently assigned Southern Engineer

FPE Derek Murgatroyd (currently in the Southern Region) will be transferred to Headquarters to work on Department of General Services and other State agency metropolitan area projects in and around Baltimore City. He will also assist with some of the Western Maryland projects, who still does not have a full-time permanent fire protection engineer. The part-time contractual Western FPE Larry Iseminger will be retiring in March. The other part-time contractual Western FPE Dan Hoang intends to continue to work for a while longer. There have been some inquiries into the open Western positions but nothing serious. A University of Maryland student in his last year has expressed interest. He will be graduating in May and based on information from the Department of Budget and Management, the hiring process cannot be started until after he graduates since he would not qualify to apply for the position until after graduation.

The OSFM Public Information Officer Teresa Crisman has an intern who is a junior fire protection engineering student. He may be able to also serve in some engineering functions. CFPE Bush has not spoken to him and is not familiar with his background.

The transition to the One Stop Portal for sprinkler licensing has transitioned well. Any new or renewal license applicants will now all go through the portal.

The proposed amendments to the Fire Prevention Code are still awaiting approval from the Administrative Executive Legislative Review Committee. They have been submitted but during the legislative session when it gets reviewed is up to that Committee.

There has been no change in the way invoices and fees are processed and collected other than the agency now accepts credit card payments.

CHAIRMAN REPORT

Chairman Tochterman reported that Secretary Ritchie expressed appreciation for everyone's contribution to her Christmas gift.

Members are reminded to file their annual financial disclosure statements with the Ethics Commission.

Commission expenses for the Fiscal Year 2022 second quarter (October 1-December 31, 2021) totaled \$1,076.91 with Hunt Reporting services being the largest expense.

Vice-Chairman Simmons was requested to provide Secretary Ritchie with the specifics on the location for the April 21st meeting. Originally it was planned to be at the firehouse but with the appeal hearings a more appropriate location on the compound is being finalized. Any special protocols for those attending will be provided once the location is determined. Assuming the three appeal hearings remain on the schedule, it may be a lengthy meeting. Based on the advice of legal counsel, the Commission members and she will plan on eating lunch separately from the appellants, OSFM staff, and any others that may be in attendance. While the meeting and hearings are open for anyone to attend, each appeal will be heard as a separate case. The Commission's deliberations are not open and will only be attended by Commission members and its legal counsel. Based on how the appeals were originally scheduled and the timing of when the two postponements for the originally scheduled February appeals were received, the first appeal to be heard will be 21-03, the second 21-01, and the third 21-02. The business meeting will begin at 9:30 a.m. and the appeal hearings will begin at 10:30 a.m. Commissioner Faust advised he is scheduled to return April 21st from a long-planned vacation with his mother and seven family members. His return flight will be landing at BWI and he plans to get to the meeting as soon as possible.

OTHER BUSINESS

Commissioner Bilger reported he has contacted the City of Annapolis representative suggested by Vice Chairman Simmons and she is anxious to be part of the Mid-Atlantic Conference Steering Committee. The next committee meeting will be virtual on March 15th. The program is being finalized. Some information has been provide regarding interactions with first responders and persons who they may need to treat or transport who have service dogs—e.g. how to interact with the dog while they are interacting with the patient, who to contact about taking care of the service dog when the handler is unable to do so, etc. CFPE Bush will provide an update on fire code amendments. Richard Brooks will be the Master of Ceremonies. Invitations will be sent to Governor Hogan, State Police Colonel Jones, and the Howard County Color Guard asking them to participate in the program. Retired committee members Jim Brown, Becky Spicer, and Karen Haje will also be invited to present them with some type of recognition for their many years of service on the committee. Last year there were 166 attendees, 111 of whom were from Maryland. If everything continues as is, it will be an in-person conference at the Johns Hopkins facility. With the retirement of Jim Brown who handled the media, Chris May who has worked with the Maryland State Firemen's Association and Howard County, has been contacted to provide assistance. OSFM Deputy Joseph Walters is also helping with some of the tasks that need to be done.

Commissioner Alexander is making arrangements for the upcoming fall meetings. The June meeting will be in Ocean City.

Motion by Commissioner Bilger, second by Commissioner Faust, and unanimously carried to approve the December 2021 minutes.

Next Meeting: Thursday April 21, 2022 9:30 a.m.
Location: Baltimore-Washington Thurgood Marshall Airport
Exact location to be determined

There being no further business, motion by Vice Chairman Simmons, second by Commissioner Sanger, and unanimously carried to adjourn the meeting.

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



Heidi Ritchie, Secretary