

Resolution No. 2009 - 1

TO OPPOSE THE ADOPTION OF SENATE NO. 2643, ASSEMBLY NO. 3795, AND ASSEMBLY NO. 3854 THAT WOULD REQUIRE A DESIGNATED FIRE COMMAND STRUCTURE INCLUDING DEPUTY CHIEFS AND BATTALION CHIEFS IN MUNICIPAL EMERGENCY OPERATIONS PLANS INVOLVING MUTUAL AID RESPONSES TO FIRES

WHEREAS, the Fire Service Resource Emergency Deployment Act (P.L. 2003, c.28) was adopted March 10, 2003; and

WHEREAS, the Legislature found that it was appropriate to establish a mechanism for the coordination of fire service resources throughout the State to facilitate a quick and efficient response to any emergency incident or situation that requires the immediate deployment of those resources in order to protect life and property from the danger or destruction of fire, explosion, or other disaster; and

WHEREAS, Homeland Security Presidential Directive-5 (HSPD-5) was signed February 28, 2003 directing, among other things, the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS) which system is to provide a consistent nationwide approach for Federal, State, and local governments to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, Governor Richard J. Codey signed Executive Order 50 on August 5, 2005, establishing an incident management system in New Jersey which is the National Incident Management System (NIMS) to be used for all emergency incidents in this State, including those first responders at the departmental, agency, county, and local levels; and

WHEREAS, the Fire Service Resource Emergency Deployment Act and the rules adopted by virtue of the law are consistent with HSPD-5 and Executive Order 50; and

WHEREAS, the National Training Curriculum developed by the National Wildfire Coordinating Group is the program adopted (N.J.A.C. 5:73-6) as the Incident Management training for the New Jersey Fire Service; and

WHEREAS, the Common Terminology described in the I-200 module of that curriculum includes the term "Position Titles," the definition including, "Those charged with management or leadership responsibility in ICS are referred to by position title such as Officer, Chief, Director, Supervisor, etc. This is done to provide a way to place the most qualified personnel in organizational positions on multi-agency incidents without confusion caused by various multi-agency rank designations;" and

WHEREAS, Senate No. 2643, Assembly No. 3795, and Assembly No. 3854 have been introduced in the current session of the Legislature; each requiring that deputy chiefs and battalion chiefs be included in the local and county fire mutual aid plans to respond to any emergency, to supply command support, or to be assigned to the command structure; and

WHEREAS, at a hearing conducted by the Assembly Homeland Security and State Preparedness Committee, on June 8th, Assembly No. 3795 and Assembly No. 3854 were combined and then released a substitute bill; and

WHEREAS, the designation of deputy chiefs and battalion chiefs to fill specific positions in the Incident Command System is contrary to NIMS and in some areas of the State the organization of local fire departments is structured so that there tends to be few deputy and battalion chiefs that would be available to fill the positions.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey State Fire Chiefs' Association at its annual membership meeting in Wildwood, NJ, this 17th day of September, 2009, that, for the reasons set forth in the preamble of this Resolution, this Association opposes the adoption of the substitute bill or Senate No. 2643; and,

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Assemblymen David P. Rible, David C. Russo, John S. Wisniewski, and Frederick Scalera and Senator Anthony R. Bucco, sponsors of the bills; Assembly Speaker Joseph Roberts; and Governor Jon S. Corzine.

Resolution No. 2009 - 2

TO OPPOSE THE ADOPTION OF ASSEMBLY NO. 2135 THAT
WOULD EXEMPT EXPERIENCED FIREFIGHTERS FROM A CER-
TIFICATION REQUIREMENT

WHEREAS, Assembly No. 2135 which would ensure that firefighters with five or more years experience would be able to engage in fire suppression, fire fighting, or fire rescue regardless of whether they have the proper certification was introduced on February 25, 2008 and referred to the Assembly Law and Public Safety Committee; and

WHEREAS, the Committee held a hearing on the bill on June 4, 2009; and

WHEREAS, all testimony presented at the hearing opposed its adoption but the Committee released the bill; and

WHEREAS, many fire departments have ordinance requirements, standing rules, or by-laws that require members to obtain New Jersey Division of Fire Safety Firefighter I Certification before engaging in fire suppression, fire fighting, or fire rescue; and

WHEREAS, local laws and rules cannot contradict State law and if Assembly No. 2135 becomes law, a fire department could not deny active membership, only based on its local requirements, to a firefighter who wishes to join it who does not have State certification but does have five years experience in another fire department; and

WHEREAS, the adoption of this bill would create an unsafe situation for firefighters who must work in crews and, therefore, rely of the training as well as the experience of each member of the crew when operating under unusual and dangerous conditions.

NOW, THEREFORE, BE IT RESOLVED, by the New Jersey State Fire Chiefs' Association at its annual membership meeting in Wildwood, NJ, this 17th day of September, 2009, that this Association opposes the adoption of Assembly No. 2135; and,

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Assemblymen John S. Wisniewski and Frederick Scalera, sponsors of the bill; Assembly Speaker Joseph Roberts; and Governor Jon S. Corzine.

Resolution No. 2009 - 3

TO SUPPORT THE ADOPTION OF CODE CHANGES REQUIRING
THE INSTALLATION OF FIRE SPRINKLERS IN TOWNHOUSES
AND ONE- AND TWO- FAMILY DWELLINGS

WHEREAS, Proposal Number PRN 2009-280 to amend the New Jersey Uniform Construction Code including a requirement for fire sprinklers in townhouses and one and two family dwellings was published in *The New Jersey Register* on September 8th; and

WHEREAS, data compiled by the National Fire Protection Association shows there were 2900 civilian fire deaths in structural fires in the United States in 2008; and

WHEREAS, home fire sprinklers are a proven way to protect lives and property against fires at home; the risk of dying in reported home fires decreases by about 80 percent when sprinklers are present; and

WHEREAS, in the report, *Home Fire Sprinkler Cost Assessment*, released by the Fire Protection Research Foundation, the cost of installing sprinkler systems averaged \$1.61 per sprinklered square foot including design, installation, permits, additional equipment, and increased tap and water meter fees; and

WHEREAS, in a recent study conducted by Newport Partners, it is reported that the enactment of sprinkler ordinances does not cause any detrimental effect on housing supply and costs; and

WHEREAS, sprinklers do more than save lives; they also protect property from destruction by fire, offer residents valuable time to get to safety, and offer protection to firefighters from major structural failures like collapsing beams and floorboards; and

WHEREAS, notwithstanding the national average costs for installing sprinkler systems, there is a concern that some water utility companies are charging connection fees and annual standby fees for fire sprinklers in townhouses and one- and two-family dwellings, none of which are justified, by reason of costs to the utility above a normal water service connection.

NOW THEREFORE, BE IT RESOLVED, by the New Jersey State Fire Chiefs' Association at its annual membership meeting in Wildwood, NJ, this 17th day of September, 2009, that this Association urges the Commissioner of the Department of Community Affairs to amend the Proposal to prohibit connection fees and annual standby fees for fire sprinklers in townhouses and one- and two-family dwellings; and

BE IT FURTHER RESOLVED that this Association urges the Commissioner to adopt the amended Proposal Number PRN 2009-280 for the reasons set forth in the preamble; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Michael L. Ticktin, Esq., Chief, Legislative Analysis, Department of Community Affairs, for inclusion in the comments on the Proposal; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Honorable Charles A. Richman, Acting Commissioner of the Department of Community Affairs; and

BE IT FURTHER RESOLVED that the members of the Association and their Departments are encouraged to submit letters of support for the Proposal during the comment period.

Resolution No. 2009 - 4

TO SUPPORT THE INCREASE IN APPROPRIATIONS FROM THE "9-1-1 SYSTEM AND EMERGENCY RESPONSE TRUST FUND ACCOUNT" TO THE MEET THE COSTS OF OPERATING AND UPGRADING THE NEW JERSEY 9-1-1 SYSTEM

WHEREAS, P.L. 2004, c.48, an Act imposing a fee on mobile telecommunications customers and telephone exchange customers for funding certain costs of the 9-1-1 system, was enacted creating, among other things, the "9-1-1 System and Emergency Response Trust Fund Account"; and

WHEREAS, in a local grant program established in 2005, Enhanced 9-1-1 county and municipal grants, administered through the Office of Emergency Telecommunications Services (OETS) and funded by the 9-1-1 surcharge, were made to provide financial aid to New Jersey PSAPs (Public Safety Answering Points) to purchase, upgrade, maintain, and operate the technology necessary to provide a state-of-the-art emergency communications system; and

WHEREAS, in the September 2008 report, "A Policy Maker Blueprint for Transitioning to the Next Generation 9-1-1 System," OETS concluded that the evolution of emergency calling beyond the traditional voice 9-1-1 call has caused the recognition that our current E9-1-1 system is no longer able to support the needs of the future. Next Generation 9-1-1 (NG9-1-1) networks replace the existing narrowband, circuit switched 9-1-1 networks which carry only voice and very limited data. Currently there are difficulties in supporting such things as text messages for emergencies, images, and video (including support for American Sign Language users), and easy access to additional data such as telematics data, building plans, and medical information over a common data network; and

WHEREAS, historically, only about 20 percent of New Jersey's 9-1-1 fees have gone toward 9-1-1 services, this year, that would have resulted in about \$25 million, with about half that paying for the statewide 9-1-1 emergency telephone system and the state office supporting it, while the other half would have funded grants for County and local 9-1-1 call centers; and

WHEREAS, none of the estimated \$137 million collected this year from New Jersey telephone subscribers for the state's "9-1-1 System and Emergency Response Trust Fund" will go to local and Countywide 9-1-1 call centers. Instead, the state will spend the money on several public safety initiatives, with most of the money going toward State Police operations. This elimination of local and county grants is occurring at the same time units of government are restricted by the Local Government Cap Law from increasing local budget appropriations; and

WHEREAS, firefighters safety and ability to effectively perform rescues and fire suppression has a direct relationship on receiving alarms from a variety of communications systems promptly and with locatable addresses; and

WHEREAS, these cuts in funding the primary objectives of the 9-1-1 surcharge are being made irresponsibly when considering the increased risk to the public and the responders.

NOW THEREFORE, BE IT RESOLVED, by the New Jersey State Fire Chiefs' Association at its annual membership meeting in Wildwood, NJ, this 17th day of September, 2009, that this Association urges the Governor to recommend and the Legislature to appropriate in future State Budgets a larger percentage of the appropriations from the "9-1-1 System and Emergency Response Trust Fund Account" to the costs of operating the Office of Emergency Telecommunications Services, the cost of operating the 9-1-1 Commission, costs associated with implementing any requirement of the Federal Communications Commission concerning 9-1-1 service that is not otherwise eligible for reimbursement, costs associated with planning, designing or implementing an automatic location identification technology that is not otherwise eligible for reimbursement, costs associated with planning, designing, or acquiring replacement equipment systems related to the enhanced 9-1-1 network, and specifically restoring the funded grants for County and local 9-1-1 call centers; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Governor Corzine, Louis D. Greenwald, Chair of the Assembly Budget Committee, and Barbara Buono, Chair of the Senate Budget and Appropriations Committee; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Office of Emergency Telecommunications Services.