

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF EXAMINERS OF  
ELECTRICAL CONTRACTORS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

Administrative Action

JOSEPH PITTIUS  
License No. 12926

FINAL ORDER  
OF DISCIPLINE

TO PRACTICE ELECTRICAL  
CONTRACTING IN THE STATE OF  
NEW JERSEY

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey and has been a licensee at all times relevant hereto.

2. In a complaint from Anthony J. Agugliaro, an electrical inspector in the Township of Woodbridge, the Board was informed that respondent had signed and sealed a permit from JPD Electrical Co. to perform work at 20 Windsor Lane, Colonia, NJ, although his business permit had expired in 1997.

3. Respondent, in reply to an inquiry from the Board, indicated to the Board in an undated letter that he had not renewed his business permit because of some confusion caused by a divorce. He indicated that his license had been renewed through his full-time employer.

4. Respondent also indicated in this letter that he never received any correspondence from the Board during this period, inasmuch as his correspondence presumably was not conveyed to him by his wife, and he had not notified the Board of any change of address.

5. Respondent admitted in this letter that he had not returned his pressure seal.

6. In a statement in writing under oath dated October 31, 2001, respondent admitted that he had signed and sealed a permit for electrical work at 20 Windsor Lane, Colonia, NJ.

7. Respondent also indicated in his statement that he had signed and sealed "approximately three or four" other permits to perform electrical work since his license had expired.

#### CONCLUSIONS OF LAW

1. Respondent's signing and sealing of permits at a time when his business permit had expired constitutes multiple violations of N.J.S.A. 45:5A-1.

2. Respondent's failure to notify the Board of a change of address within ten days constitutes a violation of N.J.A.C. 13:31-1.14.

3. Respondent's failure to return his pressure seal after his license had expired constitutes a violation of N.J.A.C. 13:31-1.10.

4. Respondent is therefore subject to sanctions pursuant to N.J.S.A. 45:1-21(h).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on January 11, 2002, imposing a civil penalty in the amount of \$2000 for violation of N.J.S.A. 45:5A-9, and requiring respondent to return his pressure seal to the Board. A copy of the

Order was served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied by asking for lenity in a letter dated January 22, 2002, based on the fact that he had never knowingly broken the law, and he had been unaware that his business permit had expired. He indicated that because of this lack of awareness, he had never returned his seal. Respondent also stated that he had not been using his license for full time employment. With regard to respondent's failure to notify the Board that his address of record had changed, he explained that his address of record had been the marital residence, which was sold in November of 2001. He indicated that it had been unclear as to whether he would return to the marital residence previously, because he and his wife were trying to reconcile. Respondent had already returned his seal .

Respondent's submission was reviewed by the Board, and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted material merited further consideration, as respondent did not dispute the Findings of Fact or Conclusions of Law.

ACCORDINGLY, IT IS on this *6th* day of *May*, 2002,

ORDERED that:

1. Respondent is hereby assessed a civil penalty in the amount of \$2000 for violation of N.J.S.A. 45:5A-9. This payment is to be sent within fifteen (15) days following the issuance of this Order, in the form of a certified check or money order made payable to the State of New

Jersey, and forwarded to the attention of Barbara A. Cook, Executive Director, Board of Examiners of Electrical Contractors, P.O. Box 45006, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

2. Respondent is hereby directed to return his pressure seal to the Board as required by N.J.A.C. 13:31-1.10. (Respondent having already returned his seal to the Board, this term of the Order has already been satisfied.)

STATE BOARD OF EXAMINERS OF  
ELECTRICAL CONTRACTORS

By: \_\_\_\_\_

Joseph P. Schooley  
Board Chairman

123C Davis Station Rd  
Cream Ridge, N.J. 08514

#34

January 22, 2002

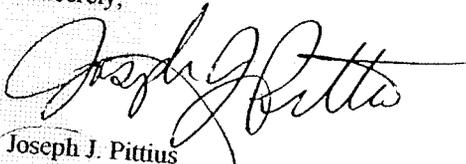
P.O. Box 45006  
124 Halsey St. Sixth Floor  
Newark N.J. 07101

Dear Ms. Cook:

I have received the findings of the Board of Examiners of Electrical Contractors and I must say I am truly disappointed in the outcome. Throughout these proceedings, I have been very honest and cooperative and I feel the circumstances warrant a more lenient penalty, if one at all. I have never knowingly been involved in any activity that would break the law. As you can see in my letter to the board, I was unaware of my business permit being expired. Because of this, I never thought to return my pressure seal. Also stated in my letter is the fact that I did not use my license for full time employment. It was something that I thought was being kept for a rainy day. I had just begun doing some work to help with my finances as that rainy day came. As soon as I became aware of the situation, I stopped the small amount of work I was doing. I would also like you to review the issue of changing my address. The marital residence, 725 Rabbit Run, Brick, was sold in November of 2001. This was the address on record with the board. As my wife and I were trying to reconcile, it was unclear if I would be moving back in or not. I know the law states 10 days, but with what I was going through it never even crossed my mind.

I am asking you to please review the case and reconsider the penalty.

Sincerely,

  
Joseph J. Pittius

reaffirm

21C

no seal

October 2, 2001

As stated in my letter to the Board of Examiners of Electrical Contractors, I sometimes do not receive mail from my previous residence. I just received this letter Saturday Sept. 29, 2001. I apologize for the delay. Please forward any correspondence to 123 C Davis Station Rd. Cream Ridge, N.J. 08514

#1. Yes I did sign and seal a permit taken out for 20 Windsor Lane, Colonia, N.J. for electrical work. The permit was signed and sealed in March and given to RTI Builders for submission with his package.

#2. I had just begun to do small jobs for RTI builders as stated in my letter to the board, so it was approximately 3 or 4.

#3. The same amount as above, 3 or 4.

#4. No, I have not had any employees.

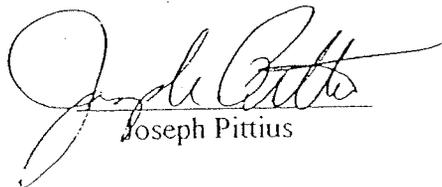
#5. From Sept. 1995 to April 1997 I worked for DMC / Honeywell as a supervisor. From April 1997 until present, I have worked for Johnson Controls starting as a maintenance mechanic and working my way up to my present position of Engineering Manager.

#6. Johnson Controls, 80 Stults Rd., Dayton, N.J. 08810

#7. Since April, 1997.

#8. I am currently the Engineering Manager in charge of the maintenance department.

#9. My immediate superior is Bob Lubitz, Plant Manager.

  
Joseph Pittius

  
KIMBERLY A. KENDALL  
NOTARY PUBLIC OF NEW JERSEY  
Commission Expires 3/27/2005

I certify Joseph Pittius  
signed & acknowledge before  
this 31st day of October, 2001