



JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Examiners of Electrical Contractors

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
TELECOMMUNICATIONS EXEMPTION OF

PASQUALE ONOFRIO
t/a ECCOTROL, LLC
Telecommunications Exemption #34TC00212100

FROM THE LICENSE REQUIREMENTS
TO PRACTICE ELECTRICAL CONTRACTING
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey Board of Examiners of Electrical Contractors ("Board") 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. Pasquale Onofrio, ("respondent"), t/a "Eccotrol, LLC", received a telecommunications wiring exemption from the Board on January 12, 2012, pursuant to N.J.A.C. 13:31-4.1. The Board received a complaint from W.M., dated January 25, 2012, alleging that respondent is performing work outside the scope of his telecommunications wiring exemption. Specifically, the complaint alleged respondent was using his telecommunications exemption to install 24 volt solenoids at the South River New Jersey Highschool.

2. The Board sent a letter to respondent's address of record, dated March 16, 2012,

via regular mail. The letter requested that respondent provide a written response to the Board concerning the complaint received from W.M. The regular mail was not returned to the Board. Respondent failed to provide the requested written response to the Board.

3. The Board sent a second letter to respondent, dated May 21, 2013, via regular and certified mail, to respondent's address of record. Again, the letter requested that respondent provide a written response to the complaint from W.M. The certified mail was returned to the Board indicating "Unclaimed". The regular mail was not returned. Respondent failed to provide the requested written response to the Board.

CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's telecommunications exemption, pursuant to N.J.S.A. 45:1-21(e), in that respondent engaged in professional or occupational misconduct by failing to provide information requested by the Board in violation of N.J.A.C. 13:45C-1.3.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 14, 2015. A copy of the Provisional Order was forwarded to respondent's address of record, via certified and regular mail. The certified mail was returned to the Board indicating "Unclaimed." The regular mail was not returned to the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless respondent requested a modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

The Board finds that the Provisional Order of Discipline was sent to respondent's address of record. N.J.A.C. 13:31-1.8(b) provides that service of an administrative complaint or other process initiated by the Board, at the licensee or business permit holder's address of record shall be deemed adequate notice for the commencement of any inquiry or disciplinary proceeding against the licensee or business permit holder. Since the Provisional Order was served at respondent's address of record, the Board deems service to be effected. Respondent cannot evade process by failing to respond. As such, the Board determined that the Provisional Order of Discipline, entered on May 14, 2015, is to be finalized as written.

ACCORDINGLY, IT IS on this 4th day of November, 2015,
HEREBY ORDERED that:

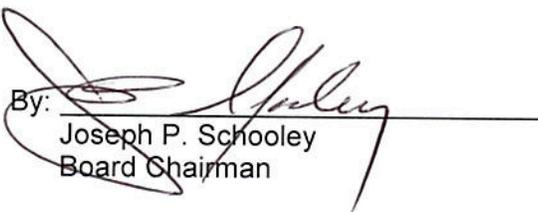
1. Respondent's telecommunications exemption (#34TC00212100) from the license requirements to practice electrical contracting in the State of New Jersey is hereby suspended until such time as respondent provides a written response to the Board concerning the complaint received from W.M.

2. Respondent is hereby reprimanded for his violations of N.J.S.A. 45:1-21(e), as stated above.

3. Respondent is hereby assessed a civil penalty in the amount of one thousand dollars (\$1,000.00), pursuant to N.J.S.A. 45:1-21(e), for engaging in occupational or professional misconduct by failing to provide a written response to the Board concerning the complaint received from W.M.

4. Nothing in this order precludes the Board from taking disciplinary action regarding the conduct detailed in the complaint received from W.M., dated January 25, 2012.

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

By: 
Joseph P. Schooley
Board Chairman