

THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
767 BUSINESS MEETING
(PUBLIC SESSION) - - - NOVEMBER 5, 2003

The Board Minutes of November 5, 2003, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of December 3, 2003. All requirements of the "Open Public Meeting Act" have been complied with according to N.J.S.A.10:4-6.

The notice of the meeting has been mailed to the Newark Star Ledger, Camden Courier Post, and the Trenton Times, and also notice has been posted on the Bulletin Board at the office of the Secretary of State, Trenton, New Jersey.

Meeting of November 5, 2003, was called to order at 9:00 A.M.
The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Joseph F. Cantalupo
Mrs. Connie F. Calisti
Mr. Mitchell R. Malec
Mrs. Pushpavati Amin

Mr. Robert A. McCullough, Mrs. Gail Best, and Mr. James H. Flaherty were absent.

Barbara A. Cook, Executive Director, was present from 9:00 A.M. until the close of the meeting.

Marian Fiore, Sr. Management Assistant, was present from 9:00 A.M. until the close of the meeting.

Kathleen Moran, Secretarial Assistant, III, was present from 9:00 A.M. until the close of the meeting.

Susan Carboni, Deputy Attorney General, Division of Law, was present from 9:00 A.M. until the close of the meeting.

Also in attendance were Mr. James Bibbo, Central Jersey Electrical League; Mr. Gregory Summerlee, Public Electric; and Mr. David Regiec, License #11169.

The Board saluted the Flag.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, to approve the Minutes of the Special Meeting held September 17, 2003.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, to approve the Minutes of the 766 Meeting held October 1, 2003, with a correction in closed session.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, to approve (14) Initial Licenses effective November 5, 2003 to March 31, 2006.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Pushpavati Amin, and unanimously passed, to

approve (15) Initial Business Permits effective November 5, 2003 to March 31, 2006.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, to approve (8) Initial Business Permits Previously Expired effective November 5, 2003 to March 31, 2006.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, to approve (7) Changes in Business Permits effective November 5, 2003 to March 31, 2006.

Mr. Gregory Summerlee, Public Electric and Mr. David Regiec, License #11169, were present during the Open Session of the meeting. Mr. Regiec submitted the Change in Business Permit paperwork requesting to endorse his Business Permit #11169A to Public Electric, Inc.

Mr. Regiec stated that he is a full time employee of Public Electric.

Mr. Schooley advised Mr. Regiec, and Mr. Summerlee, that the municipalities wherein permits were obtained should be advised that Mr. Regiec will be taking over the jobs and change of contractor permits are to be obtained. Mr. Schooley also stated that the former licensee for Public Electric should be advised that Mr. Regiec will be taking over the jobs already in progress.

Check in the amount of \$25.00 received from Frank D'Arpa, License #8778, as the eleventh installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:5A-9 and N.J.S.A. 56:8-1 et seq. Payments started September 25, 2002 and the balance due is \$2,225.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Juan Vela, License #9471, as the third installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9 and N.J.A.C. 13:31-1.10 (recodified as 13:31-3.3(c)). Payments started September 3, 2002 and the balance due is \$1,000.00.

The Board accepted the payment.

Postal Money Order in the amount of \$250.00 received from Leo Anselmo, Unlicensed, as the third installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.S.A. 45:5A-9 and N.J.S.A. 56:8-1 et seq. Payments started July 25, 2003 and the balance due is \$1,750.00.

The Board accepted the payment.

Check in the amount of \$300.00 received from Jamil Bekhet, Unlicensed, as the first installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9. The balance due is \$1,200.00.

The Board accepted the payment.

Check in the amount of \$100.00 received from Tom Iaione, License #9256, as the second installment of a civil penalty in the amount of \$1,200.00 for violation of N.J.A.C. 13:45C-1.2. Payments started August 11, 2003 and

the balance due is \$1,000.00.

The Board accepted the payment.

Payment received from the Division of Revenue by Robert Zieniuk, License #7144 (Expired), as the eighth, ninth, and tenth installments (final installment) of a civil penalty, and costs, in the amount of \$3,400.00 for violation of N.J.S.A. 45:1-21(a, b, &e). Paid in full.

The Board accepted the payment.

Letter dated October 16, 2003, received from John W. Paulikas, Jr., Vice President, requesting a six-month continuance of business under permit #4283. The licensee, John W. Paulikas, died on October 1, 2003.

John W. Paulikas, Jr., License #14441, stated that the extension is needed until such time as he can forward the business permit paperwork to endorse his business permit #14441 to Cyn-Jon, Inc.

Motion made by Mrs. Pushpavati Amin and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to John W. Paulikas, Jr., License #14441, advising him that the Board has granted the firm of Cyn-Jon, Inc., a six-month continuance of Business Permit #4283 according to N.J.S.A. 45:5A-14.

Letter dated October 7, 2003, received from James J. Brown requesting a six-month continuance of business under permit #4009. The licensee, James H. Brown, died on October 1, 2003.

Mr. Brown stated that he has worked with his father since 1968 and is requesting the extension on behalf of his own son, James R. Brown, who will be retaking the examination in January 2004.

Motion made by Mrs. Pushpavati Amin and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to James R. Brown advising him that the Board has granted the firm of Whip Electrical Contractors a six-month continuance of Business Permit #4009 according to N.J.S.A. 45:5A-14.

Letter dated October 28, 2003, received from Robert Mehan, License #11884 requesting a six-month continuance of business under permit #758. The licensee, Walter O'Neill, Jr., died on October 23, 2003.

Mr. Mehan stated that the extension is needed until such time as he can forward the business permit paperwork to endorse his business permit #11884 to Walter O'Neill, Jr., Electrical Contractor.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Robert Mehan advising him that the Board has granted the firm of Walter O'Neill, Jr., Electrical Contractor a six-month continuance of Business Permit #758 according to N.J.S.A. 45:5A-14.

The sub-committee reviewed the application for Continuing Education Course/Seminar Approval received from Richard Napier requesting approval of new courses.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Napier advising him that his request is being held in abeyance. Mr. Napier will be asked to provide a more detailed course outline for the four hour and eight hour course. As submitted, both courses are

exactly the same. Additionally, Mr. Napier will be advised that he must indicate whether or not a course is one hour in length or two hours in length; not one to two hours.

Maryann Sheehan, Regulatory Analyst, met with the Board to review and discuss comments received concerning the proposed new rule N.J.A.C. 13:31-3.4 Supervision of Electrical Work.

Mrs. Sheehan stated that the first comment was received from Joseph Matone, New Jersey Electrical Contractors Association, who expressed support noting that the rule will benefit the public in making sure that the work will be performed under the National Electrical Code. The Board will thank Mr. Matone for his comments.

Mrs. Sheehan stated that the second comment was received from Thomas P. Thackston, Senior Attorney, Public Service Electric & Gas Company, stating that the proposed revisions are not intended to apply to work exempt from the Board's jurisdiction; therefore, PSE&G does not oppose the proposal.

Mrs. Sheehan stated that the commenter is correct in that the rule does not apply to any of the exemptions. The Board will thank Mr. Thackston for his comments.

Mrs. Sheehan stated that the third comment was received from Roger M. Schwarz, New Jersey State Electrical Workers Association, stating that the Association opposes the amendments as proposed. The Association feels that the proposed amendments under 3.4(a) and (b) are curiously phrased and unnecessarily repetitious.

Mrs. Sheehan stated that Mr. Schwarz will be advised that the Board is not undermining the exemption of the utilities by referencing 18(e). The Board will thank Mr. Schwarz for his comments.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Pushpavati Amin, and unanimously passed, that the Board approves the adoption of N.J.A.C. 13:31-3.4 Supervision of Electrical Work.

The Board reviewed applications for the written examination to be administered by Experior Assessments, LLC. Two (2) applications were approved.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie F. Calisti, and unanimously passed, that the Board go into Executive Closed Session to consider and to review consumer complaints, investigative reports and other information received pursuant to the Board's investigative authority in order to determine whether violations of the law, including Board regulations have occurred. The results of the deliberations will be made known when and if the Board determines to initiate disciplinary action or other law enforcement action.

Meeting adjourned at 1:00 P.M.

A Business Meeting is scheduled for December 3, 2003, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director