

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Fire Alarm, Burglar Alarm and Locksmith Advisory Committee

February 15, 2010

PUBLIC SESSION MINUTES

I. Call to Order

The meeting of the Fire Alarm, Burglar Alarm and Locksmith Advisory Committee was called to order by Chairman, Charles Okun, at 9:30 A.M. in the Somerset Conference Room, Sixth Floor, 124 Halsey Street, Newark, New Jersey. All parties were duly notified of the date, time and location of this meeting and pertinent material was provided to meeting participants.

All requirements of the Open Public Meetings Act have been complied with in accordance with 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. The notice has also been sent to the Secretary of State, Trenton, New Jersey.

The Board saluted the Flag.

The following members were present:

Keith Eaves

Charles Okun

Robert Shoremount arrived at 11:00 a.m.

Walter Wargacki, Jr.

Arthur Fucetola

Sgt. William Hartung

The following members were not present:

Edward Bagniewski

Richard Rible

Jon Sprague

Also, present were:

Howard Pine, Acting Executive Director

Joseph Donofrio, Deputy Attorney General, Division of Law

Lolly Merced, Administrative Assistant to the Deputy Director

Members of the Public that were present:

Brandon Pinkard, Esq., Verizon

Tito , Intern for the Division

II. Announcements

Acting Executive Director Pine informed the Committee members that Lisa Marshall is broke her foot and is going to be out for several weeks. Arrangements are being made for temporary clerical staff to continue the application process.

III. Chairman's Report

The Chairman did not have anything to report. He did however thanked the Acting Executive Director and Keith Eaves for all of their hard work in getting the continuing education process up to par.

IV. Approval of Minutes

A motion was made by Walter Wargacki, Jr. and seconded by Keith Eaves to approve the public minutes of January 18, 2011 as presented. After review and discussion of the minutes, there were some amendments recommended. A motion was made by Keith Eaves and seconded by Walter Wargacki, Jr. to approve the January 18, 2011 public minutes as amended. Motion carried. The minutes were accepted as amended.

V. Elections of Officers

Nominations for Chair and Vice-Chair were held at the January 18, 2011 meeting. A motion was made by Arthur Fucetola and seconded by William Hartung to re-elect Charles Okun as Chair of the Committee for one more year. Motion carried.

A motion was made by Arthur Fucetola and seconded by William Hartung to re-elect Keith Eaves as Vice-Chair of the Committee for another year. Motion carried.

A motion was made by Arthur Fucetoloa and seconded by William Hartung to close elections. Motion carried. Charles Okun will continue as Chair and Keith Eaves will continue as Vice Chair. Both Mr. Okun and Mr. Eaves were congratulated on their election.

VI. Continuing Education Subcommittee Report

The Continuing Education Subcommittee submitted its recommendations to the Advisory Committee's review and approval. After review and discussion by the Advisory Committee, a motion was made by _____ and seconded by _____ to accept the attached Continuing Education Subcommittee's Report of Recommendations. Robert Shoremount abstained. Motion carried.

The Advisory Committee received several q

VI. Report on Proposed Amendment to Continuing Education Rules

Maryann Sheehan, Regulatory Analyst, met with the Committee to review proposed amendments to the Committee's continuing education requirements in N.J.A.C. 13:31A-1.12. The proposed changes would require licensees to take 24 credits, instead of 36, per triennial renewal period. All licensees would be required to take 10 mandatory credits (2 in the Barrier Free Subcode, 2 in the Uniform Construction Code, 2 in the Americans with Disabilities Code, 2 in industrial safety, and 2 in New Jersey law and regulations). After further review, the Committee determined that additional changes under discussion, which would have permitted licensees to obtain credit for college courses and courses approved by the Board of Examiners of Electrical Contractors or the Department of Community Affairs, or for participation in committees of standard and code making bodies such as the American National Standards Institute and the International Code Council (ICC), should not be made. The Committee also agreed that the proposed changes should permit licensees to obtain a maximum of 8 credits for approved on-line courses. The Committee agreed that existing rule 13:31A-1.12 should be repealed and a new rule, incorporating these changes, should be proposed, in order to ensure clarity. A revised draft of the changes will be presented to the Committee for continued discussion at the January 2011 meeting.

The Committee also discussed proposing a rule concerning the death of a business qualifying licensee, similar to the rule currently in place for the Board of Examiners of Electrical Contractors. A draft will be present for the Committee for review and discussion at the January 2011 meeting.

VII. Report on Legislation - Third Quarter, Calendar Year 2010

The Third Quarter Report on Legislation was submitted for informational purposes.

VIII. Public Comments

Robert Napoli, President, Security World, Inc. took the day off for the purpose of addressing the Advisory Committee. He wanted to advise the Advisory Committee of the unlicensed practice by alarm companies in New Jersey. He is very concerned about surveillance systems being installed by unlicensed business. He is also concerned with the illegal use of unlicensed personnel being the for bidding to be state contractors for the installation and monitoring of surveillance systems. There are no licensed state contractors used for the installation of surveillance systems. There were over 30 installations that occurred in New Jersey public buildings that were performed by unlicensed businesses. He shared a specific incident that a town in New Jersey asked for a RFP for the installation of surveillance systems. He was the only bidder that was licensed.

Mr. Napoli was informed by the Advisory Committee that it reviews and investigates all complaints that it receives, including unlicensed practice complaints. Mr. Napoli was asked why he never filed a complaint against any of these public bids being submitted by unlicensed personnel. He stated that this specific incident was being investigated by another Department involving fraud.

The Chairman encouraged Mr. Napoli and anyone else to file complaints with the Advisory Committee against anyone who is performing work without a license in order for the Advisory Committee to investigate the matter and determine if disciplinary action is required.

Mr. Okun thanked Mr. Napoli for bringing his concerns to the Advisory Committee and reiterated that the Committee investigates and considers all complaints submitted, including unlicensed practice.

Mr. Martin Arnold, a former member, came to wish the members of the Advisory Committee a happy holiday. He wanted to share some of the concerns that the members of the Locksmith Association have against unlicensed individuals preying on the public. The Association is seeking the assistance from the Advisory Committee to get Google to stop advertising locksmiths that are not licensed. These unlicensed locksmiths overcharge the public, especially seniors. The Advisory Committee advised Mr. Arnold it is aware of this issue and continuing to address it.

Mr. Arnold was thanked for bringing this matter to their attention.

The members of the public left the meeting at 10:15 A.M. The Advisory Committee discussed the sending out of notification letters to Google and other search mechanisms advising them that licensure is now a requirement in order to practice locksmithing in New Jersey. One of the requirements for advertising should be that all licensees are required to include their license numbers next to their names. Deputy Attorney General Donofrio suggested to send Google the same letter the Advisory Committee previously sent to Verizon.

Further discussion led to the Advisory Committee requesting to meet with the Department of Community Affairs, the Department of Education and the League of Municipalities. A letter should be sent to these three entities informing them that installation and monitoring of surveillance systems is now licensed in New Jersey. The Advisory Committee also wants to meet with each of these three entities to request their assistance in ensuring that only licensed professionals are allowed to perform security surveillances.

IX. Review of Applications for Alarm and Locksmith Licenses Review of Applications for Alarm and Locksmith Business Licenses

Due to time constraints, the Advisory Committee did not review any applications for licensure.

X. Decisions made in Executive Session

Paul Kerth appeared before the Advisory Committee to answer questions pertaining to the provisions of a Final Order of Discipline. A motion was made by Robert Shoremount and seconded by Arthur Fucetola that this matter is now considered closed. No further action is necessary. Motion carried

XI. Adjournment

A motion was made by Jon Sprague and seconded by Sgt. William Hartung to close the public session and go into executive session to discuss confidential matters. Motion carried. Public session was adjourned at 12:30 P.M.