

**BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS  
FIRE ALARM BURGLAR ALARM AND LOCKSMITH  
ADVISORY COMMITTEE  
MINUTES OF NOVEMBER 15, 2005  
PUBLIC SESSION**

The notice of this meeting was prepared in the Office of the Board and mailed to the Secretary of State, the Star Ledger, the Trenton Times and the Courier Post.

**CALL TO ORDER**

The meeting of the Fire Alarm, Burglar Alarm and Locksmith Advisory Committee was called to order by Vice Chairman Robert Boyer at 9:30 a.m. in the Hudson 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.

Attendees recited the Pledge of Allegiance prior to the roll call of members.

**ROLL CALL**

Committee Members Present:

Edward Bagniewski  
Robert Boyer, Vice Chairman  
Keith Eaves  
William Hartung Charles Okun  
Jon Sprague  
Barry Starer

Others Present:

Barbara A. Cook, Executive Director  
George DeLuca, Administrative Analyst  
Alok Jain, Personal Assistant for the Executive Director  
Sally Barletta, Senior Clerk Transcriber  
Joseph Donofrio, Deputy Attorney General

Committee members Richard T. Aicher, Arthur Fucetola, Richard Rible and Chairman Robert Shoremount were unable to attend the meeting.

Members of the Public:

Kurt Feinberg  
Jeff Davis  
Bruce C. Sumner  
Nick Hart  
Dan Rowan  
Robert J. Rutherford  
David Egorov

**APPROVAL OF MINUTES OF SEPTEMBER 20, 2005**

Upon the review of the minutes of the September 20, 2005 Public Session, motion was made by Charles Okun, seconded by Edward Bagniewski and unanimously passed to approve the Public Session minutes for the September 20, 2005 meeting.

## **EXECUTIVE DIRECTOR'S REPORT**

Executive Director Cook informed the Advisory Committee that 3,155 fire alarm, burglar alarm and locksmith licenses have been issued and 1,397 applicants are currently being processed through the licensing system.

### **INQUIRY TO THE ADVISORY COMMITTEE**

**Inquiry From Kenneth H. Heimstra, An Applicant For A Locksmith License Whether He Should Be Required To Obtain A License Through Examination**

The Advisory Committee reviewed and discussed an inquiry received from Kenneth H. Heimstra, an applicant for a locksmith license regarding whether he should be required to obtain a license through examination since he works exclusively with safes and vaults.

Motion was made by Keith Eaves, seconded by Barry Starer and unanimously passed to request that Deputy Attorney General Joseph A. Donofrio draft a response to Kenneth H. Heimstra with regard to the determination made by Advisory Committee that the services provided are within the scope of practice for which a license is required.

**Request From Theodore W. Hall For The Advisory Committee to Grandfather Himself And His Employees For Locksmith Licenses**

The Advisory Committee reviewed and discussed a request from Theodore W. Hall with regard to grandfathering himself and his employees for locksmith licenses.

Motion was made by Charles Okun, seconded by William Hartung and unanimously passed requesting that Deputy Attorney General Joseph A. Donofrio prepare correspondence to Mr. Hall to inform him that the Advisory Committee cannot waive the statutory requirement to grandfather himself and his employees for locksmith licenses.

**Inquiry From Dean Lee Evans, Forensic Locksmith, Whether The Scope Of Work he Performs As A Field Agent For An Insurance Company Requires A Locksmith License**

The Advisory Committee reviewed and discussed an inquiry received from dean Lee Evans with regard to whether the scope of work he performs as a field agent for an insurance company requires a locksmith license.

Motion was made by Keith Eaves, seconded by Barry Starer and unanimously passed to request that Dean Lee Evans provide additional information with regard to the work he performs as a field agent and whether he is self employed or is employed by an insurance business.

### **FOR THE ADVISORY COMMITTEE'S INFORMATION**

- Invitation From The New Jersey Burglar and Fire Alarm Association For The Advisory Committee To Participate During The Association's Convention On January 24, 2006

The Advisory Committee reviewed and discussed an invitation from the New Jersey Burglar and Fire Alarm Association for the Advisory Committee to participate in a panel discussion during the Association's Convention on January 24, 2006.

Motion was made by Barry Starer, seconded by Edward Bagniewski and unanimously passed to accept the invitation from the New Jersey Burglar and Fire Alarm Association.

The Advisory Committee selected the following individuals to attend the New Jersey Burglar and Fire

Alarm Association's Convention on January 24, 2006:

Chairman Robert Shoremount  
Vice Chairman Robert Boyer  
Deputy Attorney General Joseph A. Donofrio  
Charles Okun  
Barry Starer  
Edward Bagniewski

Executive Director Cook and staff will also attend the convention.

#### Listing of Advisory Committee Meeting Dates For Calender Year 2006

The Advisory Committee received the listing of meeting dates for calender year 2006. Motion was made by Edward Bagniewski, seconded by Charles Okun and unanimously passed to approve the Advisory Committee meeting dates for calender year 2006.

The scheduled meeting dates for CY 2006 are as follows:

January 17  
February 21  
March 21  
April 18  
May 16  
June 20/July 18  
August 15  
September 19  
October 17  
November 21  
December 19

#### Notice Of Readoption Of N.J.A.C. 13:45C, Duty To Cooperate

The Advisory Committee acknowledged the notice of re-adoption of N.J.A.C. 13:45C, Duty to Cooperate Regulation.

#### **PUBLIC COMMENTS**

Kurt Feinberg, 1-800-USLOCKSMITH,

Mr. Feinberg asked whether the Advisory Committee could extend the Locksmith Grandfathering provision, which expired on September 15, 2004. Vice Chairman Boyer informed Mr. Feinberg that the provision was established by the New Jersey legislature and cannot be amended unless done so by the legislature.

Also, Mr. Feinberg asked whether the Advisory Committee could make an exception with regard to licensing for automotive locksmithing. Mr. Feinberg was informed that automotive locksmithing is defined in the statute as locksmithing services, therefore, cannot be exempted unless action is taken by the New Jersey legislature to do so.

Nick Hart, a locksmith licensee and a member of the North Jersey Master Locksmithing Association inquired how a complaint may be filed. Vice Chairman Boyer advised Mr. Hart that all complaints must be submitted to the Advisory Committee in writing for its review.

Jeff Davis, a locksmith licensee, questioned whether the Advisory Committee will provide a list of business

licenses. Vice Chairman Boyer informed Mr. Davis that once business licensing is initiated, verification of businesses that hold licenses will be available on the Advisory Committee's homepage. Also, Mr. Davis asked if the Advisory Committee employs individuals to investigate locksmiths and locksmith businesses which may be unlicensed or engaged in misconduct. Mr. Boyer informed Mr. Davis that the Division of Consumer Affairs employs investigators who may be utilized should the Advisory Committee determine it is necessary to further investigate complaints against its licensees.

Bruce C. Sumner, a licensed locksmith and a member of the Associated Locksmith's of America (ALOA) and the International Association of Investigative Locksmiths (IAIL) briefed the Advisory Committee with regard to a Life Safety Code seminar sponsored by the National Fire Protection Association (NFPA) which he recently completed. Also, Mr. Sumner commented that he continues to observe locksmithing services being performed by unlicensed individuals who are employed "big box" stores.

## **REVIEW OF CRIMINAL HISTORY SUMMARIES OF APPLICANTS FOR LICENSURE**

The Advisory Committee reviewed and discussed criminal history summaries for eleven (11) applicants. Of the eleven (11) applicants, two (2) applicants will receive a Demand for Statement in Writing Under Oath from Deputy Attorney General Joseph Donofrio. Nine (9) applicants were approved for licensure.

Motion was made by Edward Bagniewski, seconded by Jon Sprague and unanimously passed to proceed into Executive Session at 11:00 a.m.

At approximately 1:30 p.m., a motion was made by Barry Starer, seconded by Edward Bagniewski and unanimously passed to close Executive Session and proceed into Public Session.

DAG Joseph Donofrio orally issued advisory opinions after consultation with Division of Law supervision on the outstanding regulatory issues with regard to the pending licensing of alarm and locksmith businesses.

## **ADJOURNMENT**

Having no further business, motion was made by William Hartung, seconded by Barry Starer and unanimously passed to adjourn the Public Session at 3:00 p.m.

Respectfully Submitted,

Barbara A. Cook  
Executive Director