

**BOARD OF EXAMINERS OF ELECTRIC CONTRACTORS
Fire Alarm, Burglar Alarm & Locksmith Advisory Committee**

January 15, 2013

PUBLIC SESSION MINUTES

1. CALL TO ORDER

The meeting of January 15, 2013, was called to order at 9:30 A.M.

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, Courier Post and the Trenton Times. The notice has also been sent to the Secretary of State, Trenton, New Jersey.

The Committee saluted the flag.

ROLL CALL

The following members were present:

Charles Okun
Keith Eaves
David Rible
Robert Shoremount
Edward Card
Jon D. Sprague
Sgt William Hartung
Walter Wargacki Jr

The following members were not present:

Arthur Fucetola Jr
Barry Starer
Joseph Cantalupo, Liaison, Board Of Examiners Of Electrical Contractors

Also present were:

David Freed, Acting Executive Director
Joseph Donofrio, Deputy Attorney General, Division of Law
George De Luca, Administrative Analyst
Kathleen Moran, Administrative Assistant
Charles Manning, Regulatory Analyst
Rachel Glasgow, Regulatory Analyst

The following members of the public were present:

Gerard Duffy, Spectrum Cable & Alarm Systems Inc, New Jersey Burglar Alarm & Fire Alarm Association

2. Announcements

Mr. Freed stated that Finalized Uniform Penalty Letters can now be reflected on the website as public actions taken by the Committee.

3. Chairman's Report

A Chairman's Report was not provided at this Public Session.

4. Executive Director's Report

An Executive Director's Report was not provided at this Public Session.

5. Approval Of Public Session Minutes

Motion made by Walter Wargacki Jr. and seconded by Edward Card to approve the Public minutes of October 16, 2012. Motion carried.

Motion made by Robert Shoremount and seconded by David Rible to approve the Public minutes of November 20, 2012. Motion carried.

Motion made by Walter Wargacki Jr. and seconded by Jon D. Sprague to approve the Public minutes as amended of December 18, 2012. Motion carried.

6. Nominations And Election For The Offices Of Chairman And Vice Chairman

In accordance with N.J.S.A 45:5A-5, motion was made by Keith Eaves and seconded by Sgt. William Hartung to nominate Charles Okun for Chairman for the period of January 2013 to December 2013. Motion carried.

In accordance with N.J.S.A 45:5A-5, motion was made by Walter Wargacki Jr. and seconded by Sgt. William Hartung to nominate Keith Eaves for Vice Chairman for the period of January 2013 to December 2013. Motion carried.

Mr. Okun was unanimously re-elected as Chairman. Mr. Eaves was unanimously re-elected a Vice Chairman.

7. Adoption To Advisory Committee Rules

Charles Manning, Regulatory Analyst, and Rachel Glasgow, Regulatory Analyst, appeared before the Committee to provided a review of the Committee's responses to the comments received on the proposed amendments for N.J.A.C. 13:31A-1.12; N.J.A.C. 13:31A-1.16; N.J.A.C. 13:31A-2.1 and N.J.A.C. 13:31A-3.1.

Motion made by Jon D. Sprague and seconded by Keith Eaves to adopt the proposed language without changes. Motion carried. Robert Shoremount abstained.

8. Correspondence

Scope Of Practice, Licensing Jill Walsh, Esq., ANSA/ASSUNCAO LLP

Deputy Attorney General Joseph Donofrio stated that a letter was sent to Ms. Walsh advising that the business she represents does not need a license as long as the alarm company is not engaging in the practice of burglar alarm, fire alarm, or locksmithing services as defined by the Advisory Committee Statute and Regulations.

Municipal Licensing Fees Rick Sylvestro, Triad Security Systems

Rick Sylvestro, Triad Security Systems, inquired whether it is appropriate for the City of Passaic to require licensing fees for contractors whose work is subject to the provisions of the mechanical code. Deputy Attorney General Donofrio indicated the Board of Examiners of Heating, Ventilation, Air Conditioning and Refrigeration (HVACR), during their November 29, 2012 meeting, considered the matter and agreed on a joint response.

The Passaic Municipal ordinance violates N.J.S.A. 45:5A-36, which states "No municipality or county shall enact an ordinance or resolution or promulgate any rules or regulations relating to the licensing or registration of locksmiths or alarm businesses. The provisions of any ordinance or resolution or rules or regulations of any municipality or county relating to the licensing or registration of locksmiths or alarm businesses are superseded by the provisions of this act. Nothing in this section shall be construed, however, to prohibit municipal regulation of door-to-door vendors or salespersons of burglar alarm, fire alarm or electronic security systems nor shall anything in this section be construed to prohibit or restrict municipal consideration of alarm business service proposals in consent proceedings under the "Cable Television Act," P.L.1972, c.186 (C.48:5A-1 et seq.).

9. Advisory Committee Review

Motion made by Robert Shoremount and seconded by Walter Wargacki Jr. to consider responses from licensees for Proof Of Completion of Continuing Education for the 2010-2013 Triennial Licensing Period be moved to the Executive Session. Motion carried.

10. Continuing Education Subcommittee Report

Honeywell Fire Systems, FBLSP 043

Motion made by Walter Wargacki Jr and seconded by David Rible to approve the submission of continuing education as recommended by the Continuing Education Subcommittee. Motion carried. Robert Shoremount abstained.

ELITE CEU, FBLSP 008, Requirements for Attendance Verification (On-line Classes)

Motion made by Walter Wargacki Jr and seconded by Jon D. Sprague that correspondence be sent to advise Elite that their concerns have been noted by the Committee. Amended Regulations have been recently approved by the Committee to which, when adopted, all Sponsors must adhere. Motion carried. Robert Shoremount abstained.

11. Public Comments

Gerard Duffy stated that he has been asked by members of the New Jersey Burglar Alarm Association to ask the Committee's Opinion regarding radio and television advertising of licensed contractors, does the license number need to be disclosed and does a transcript need to be kept?

Deputy Attorney General Joseph Donofrio stated he is unsure if the licensee must list their license number on radio advertising, Mr. Duffy should send his question to the Board in writing.

Mr. Okun suggested that the alarm association submit their questions in writing directly to the Committee.

Mr. Duffy asked how should licensees, who are also continuing education instructors, maintain their records so that they can apply their own courses towards continuing education credit for the renewal of their license.

Deputy Attorney General Joseph Donofrio stated that pursuant to N.J.A.C. 13:31A-1.12 (F 3) a licensee shall maintain the curriculum, location, date and time of course and a letter from the sponsor confirming that the licensee has taught the course.

12. Review Of Applications For Alarm And Locksmith Licenses

The following applicants were approved for the licensing examination, pending completion of a criminal history background review:

Jozsef Katzler, Locksmith License
Michael H. Marine, Locksmith License

Review Of Applications For Alarm And Locksmith Business Licenses

The following business were approved for a business license:

Jass Security Systems Inc., Burglar Alarm Business License
Mako Heating & Air Conditioning Inc., Burglar Alarm Business License
Secure Force LLC, Burglar Alarm Business License
Versatile Marketing Solutions Inc. (dba Alliance Home Protection), Burglar Alarm Business License

13. Adjournment

Motion made by Robert Shoremount and seconded by Walter Wargacki Jr to close the Public Session of this meeting. Motion carried.

14. Addendum, Disciplinary Orders Issued By The Advisory Committee

The Advisory Committee issued the following disciplinary orders. The disciplinary orders will be filed and posted to the Advisory Committee web site:

- IMO Michael Di Cicco, Licensee, Provisional Order Of Discipline
- IMO Elvis L. Holden, Licensee, Order Of Summary Suspension
- IMO Jersey Locksmith (American Locksmith), Unlicensed, Uniform Penalty Letter
- Michael J. Sgrosso, Licensee, Order Of Summary Suspension

William J. Wilson, Unlicensed, Final Order Of Denial Of Licensure

Respectfully Submitted,

David Freed
Acting Executive Director