

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Fire Alarm, Burglar Alarm and Locksmith Advisory Committee

January 18, 2011

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 10:00 A.M. in the Hudson 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
Walter Wargacki, Jr.
Sgt. William Hartung

The following members were not present:

Edward Bagniewski
Richard Rible
Jon Sprague
Art Fucetola

Also, present were:

Howard Pine, Acting Executive Director
Joseph Donofrio, Deputy Attorney General, Division of Law
Lisa Marshall, Customer Service Representative

Members of the Public that were present:

None

II. Announcements

Acting Executive Director Pine informed the Committee that the complaint process continues to improve, increasing the Committee's ability to review complaints in a more expedited fashion. Further, minutes for all meetings are now up-to-date and viewable on the website. In addition, Vice-Chair Eaves provided the members with a free Conference Call set-up should the Committee need to discuss issues in an expedient manner.

III. Chairman's Report

The Chairman commended Vice-Chair Eaves for his work on streamlining the Continuing Education process. The Advisory Committee decided to make contact with Department of Community Affairs in order to elicit their help in informing municipalities that in order for locksmiths as well as burglar and fire alarm installers to provide their services to public entities by law they must have a business license to receive the legal permit to do so. The Advisory Committee acknowledged that because of the lack of uniformity among municipalities, this is difficult to enforce. However, DCA in tandem with the Advisory Committee must make clear that enforcement begins at the local level.

IV. Approval of Minutes

A motion was made by Walter Wargacki, Jr. and seconded by Sgt. William Hartung to approve the public minutes of December 21, 2010 as presented. After review and discussion of the minutes, there were some amendments recommended. A motion was made by Sgt. William Hartung and seconded by Walter Wargacki, Jr. to approve the December 21, 2010 public minutes as amended. Motion carried. The minutes were accepted as amended.

V. Nominations for the Offices of Chairman and Vice Chairman

Motion was made by Sgt. William Hartung and seconded by Walter Wargacki, Jr. , and unanimously passed, to nominate Charles Okun to a successive term as Chairman of the Advisory Committee. There were no other nominations for Chairman. Robert Shoremount and Sgt. William Hartung closed the nominations.

Motion was made by Walter Wargacki, Jr. and seconded by Sgt. William Hartung, and unanimously passed, to nominate Keith Eaves to a successive term as Vice-Chairman of the Advisory Committee. There were no other nominations for Vice-Chairman. Robert Shoremount and Sgt. William Hartung closed the nominations.

Nominations will be re-opened and elections held at the Advisory Committee meeting on February 15, 2011.

VI. Report From Continuing Education Sub-Committee

The Continuing Education Subcommittee submitted **it's** recommendations **for** the Advisory Committee's review and approval. After review and discussion by the Advisory Committee, a motion was made by Sgt. William Hartung and seconded by Walter Wargacki, Jr.

to accept the attached Continuing Education Subcommittee's Report of Recommendations. Robert Shoremount abstained. Motion carried.

Discussion also took place regarding number of continuing education credits that could be taken through an online source, including the use of webinars. Currently, there are no restrictions on the number of credits permitted through this method. Regulatory changes to occur in the future may limit this number.

VI. Report on Proposed Amendment to Continuing Education Rules

Maryann Sheehan, Regulatory Analyst, discussed 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). The proposed changes would also permit licensees to obtain a maximum of 8 credits for approved on-line courses. Existing rule 13:31A-1.12 will be repealed and a new rule, incorporating these changes, will be proposed, in order to ensure clarity. A revised draft of the changes will be presented to the full Committee for review and approval at the February 2011 meeting.

The Committee also reviewed a draft of a new rule which would permit a business to continue operating following the death or disability of the qualifying licensee. The proposed rule mirrors the Electrical Board rule requirements on this topic. Under the proposed rule, a business would be permitted to operate for six months, provided a person with adequate experience assume responsibility for the work to be performed by the business. The business may also request an additional six month extension of this period, for good cause shown. The draft will be presented to the full Committee for further discussion and approval at the February 2011 meeting.

VII. Correspondence

Dent Wizard, an automotive locksmithing business, requested clarification as to whether they fell under a statutory exception for auto dealers (N.J.A.C. 13:31A-1.1c5iii). After review and discussion of the information provided, a motion was made by Keith Eaves and seconded by Walter Wargacki, Jr. to request the appearance before the Board of a Dent Wizard representative in order to elicit further information regarding its business operations so that the Advisory Committee can make a full determination regarding its request. The motion carried.

Consumer/Sponsor Concerns: Questions regarding the nature of the locksmith exam with respect to the allegation of non-locksmith related material found on the exam were discussed. Further inquiry will be performed by the Committee.

Two general questions were asked of the Advisory Committee regarding scope of practice for locksmithing. A motion was made by Robert Shoremount and seconded by Walter

Wargacki, Jr. to approve DAG Donofrio's responses to the questions on the Advisory Committee's website FAQs. The motion carried.

VIII. Public Comments

No members of the public attended the meeting.

IX. Review of Applications for Alarm and Locksmith Licenses

Review of Applications for Alarm and Locksmith Business Licenses

The Committee reviewed applications for examinations and business addresses.

X. Adjournment

A motion was made by Keith Eaves and seconded by Walter Wargacki, Jr. to close the public session and go into executive session to discuss confidential matters. Motion carried. Public session was adjourned at 11:15 A.M.