

**BOARD OF EXAMINERS OF ELECTRIC CONTRACTORS
FIRE ALARM, BURGLAR ALARM AND LOCKSMITH
ADVISORY COMMITTEE**

**BUSINESS MEETING
February 25, 2014**

PUBLIC SESSION MINUTES

1. CALL TO ORDER

The meeting of February 25, 2014 was called to order at 10:30 A.M. by Committee Chairman Charles Okun. 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
Arthur Fucetola
David Rible
Robert Shoremount
Walter Wargacki Jr.

Also present were:

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

The following members were not present:

Keith Eaves
William Hartung
Jon D. Sprague

Also not present:

Joseph Cantalupo Liaison, Board Of Examiners Of Electrical Contractors

2. Announcements

There were no announcements made at this Public Session.

3. Chairman's Report

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

4. Executive Director's Report

Acting Executive Director David Freed reviewed issues regarding the recent regulatory changes relating to Requirements for Licensure and Requirements for Continuing Education.

Mr. Freed advised the Committee that N.J.A.C. 13:31A-1.10(5) "Qualifications for Licensure for Applicants Licensed in Other States" had not been changed to mirror N.J.A.C. 13:31A-2.1 and 3.1 which pertain to Requirements for Locksmith and Alarm Licensure. He added that discussions had been held with Regulatory analyst Rachel Glasgow regarding the need to correct this omission and that Ms. Glasgow would address the Committee on this topic.

Mr. Freed expressed concerns that limited course offerings were currently in place to allow for compliance by applicants and licensees with the new requirement to obtain two hours of training in New Jersey law and rules governing the provision of burglar alarm, fire alarm, and locksmithing services. Further, he discussed the status of needed revisions and completed/pending web site posting of relevant items, including: Application for Alarm License Through Examination; Application for Locksmith License Through Examination; FB&L Reinstatement Application for Individuals; Frequently Asked Questions; Continuing Education Sponsor Overview; Continuing Education for Licensees.

Roundtable discussion was held regarding the following topics: appropriate processing of pending applications received before/after the regulatory changes took effect; training courses for applicants do not require Committee-approval as do continuing education offerings for licensees; a few Committee-approved offerings appear to be in place which will meet the new, two-hour law and rules training requirement for applicants and licensees; Mr. Freed will solicit applications for additional course offerings which will meet this new requirement in future correspondence to existing continuing education sponsors.

Following input from Deputy Attorney General Joseph Donofrio, Ms. Glasgow, and various Committee members, there will be no variance from the requirement that all applications received after the amended regulatory effective date of December 16, 2013, must include documentation of two hours of training in New Jersey law and rules governing the provision of burglar alarm, fire alarm, and locksmithing services. Mr. Freed will draft correspondence to be sent to those individuals whose applications were received at the Committee's offices after this date while lacking this documentation.

5. Approval Of Public Session Minutes

Motion was made by Walter Wargacki Jr. and seconded by Arthur Fucetola to approve the January 21, 2014 Public Session minutes as amended with minor typographical corrections. Motion carried.

6. Nominations And Elections For the Offices Of Chairman and Vice Chairman

Motion was made by Walter Wargacki Jr. and seconded by Robert Shoremount to nominate Charles Okun for the office of Advisory Committee Chairman. Motion carried.

Motion was made by Walter Wargacki Jr. and seconded by David Rible to nominate Keith Eaves for the office of Advisory Committee Vice chairman. Motion carried.

As no further nominations were put forth, motion was made by David Rible and seconded by Robert Shoremount to close the nominations. Motion carried.

Elections for the two offices were tabled to allow for Mr. Okun and Mr. Eaves to be present to accept the nominations above.

7. Review Of Draft Rule Amendment

N.J.A.C. 13:31A-1.10(5) Qualifications for Licensure for Applicants Licensed in Other States (Regulatory Analyst Rachel Glasgow)

Regulatory Analyst Rachel Glasgow advised the Committee that a draft regulatory amendment has been prepared for N.J.A.C. 13:31A-1.10(5) in an effort to once again ensure uniform training requirements for applicants. Specifically, the amendment would require applicants licensed in other states to have obtained two hours of training in New Jersey law and rules governing the provision of burglar alarm, fire alarm, and locksmithing services.

The draft language is identical to that found in N.J.A.C. 13-31A-2.1(a)(7) Requirements For Locksmith Licensure and N.J.A.C. 13:31A-3.1(a)(7)(l) Requirements for Burglar Alarm or Fire Alarm Licensure.

Motion was made by David Rible and seconded by Walter Wargacki Jr. to accept the draft amendment, without change, as presented by Ms. Glasgow. Motion carried.

8. Continuing Education Subcommittee Report

Due to the recusal of Robert Shoremount from consideration of matters pertaining to Continuing Education, a quorum of the Committee was not available to make determinations with regard to pending C.E. applications. As a result, applications received from Leviton Security & Automation (proposed new sponsor), Axis Communications (FBLSP075) and Slayton Solutions, Ltd. (FBLSP078) were necessarily tabled.

9. Review Of Correspondence

- *Correspondence and Petition Received From Elite CEU (FBLSP008)*

Request to Rescind the Limitation of 10 Credits in Each Triennial Period for Internet-Based Courses

Correspondence received from Mr. Kaleb Brashear, President of Elite CEU, cited various factors in opposition to N.J.A.C. 13:31A-1.12 governing Continuing Education Requirements. Of specific concern was the triennial registration limit of 10 on-line C.E. credits per Committee-issued license held.

Rachel Glasgow stated she had reviewed all formal submissions received during the public comment period while the regulatory amendments were pending. She noted further that no similar objections were included in the comments which were received during that standard 60-day window of opportunity.

Roundtable discussion topics included the overall reduction of the continuing education burden on licensees and the comparative number of C.E. credits which must be earned in person vs. on-line if an individual holds one, two or three Committee-issued licenses.

Committee staff will send a written response to Mr. Brashear on the Committee's behalf.

- Inquiry Regarding Scope of Practice, Whether a License is Required

Duplication of Keys for Automobile Dealerships, Precision Locksmith Co., LLC

Correspondence was received from Mr. Fred Stokley, Operations Manager of Precision Locksmith Co., LLC which is based in Harrisonburg, VA. The company conducts business in Pennsylvania, in addition to Virginia, and is inquiring as to whether a license would be required for duplicating keys for vehicles at car dealerships in New Jersey.

Motion was made by Walter Wargacki Jr. and seconded by Robert Shoremount to send correspondence to Mr. Stokley citing potential regulatory exemptions and advising that if the scope of work to be performed is not covered then licensure would be required. Motion carried.

- Request for Waiver of Examination

William Kilcher, Applicant for Burglar Alarm and Fire Alarm Licenses

Mr. Kilcher, Service Manager and part-owner of Alarm and Communication Technologies, Inc., exchanged e-mail correspondence with Administrative Analyst George DeLuca in which he detailed his alarm industry experience dating back to 1987.

Mr. Kilcher has failed to pass the Electronic Security section of the licensing examination on three occasions and, as a result, pursuant to N.J.A.C. 13:31A-3.2(b)(3) he is required to retake all sections of the examination. In light of this circumstance, based on his lengthy experience, Mr. Kilcher requested a waiver of the examination requirement.

Motion was made by David Rible and seconded by Arthur Fucetola to deny the request for waiver of examination. Motion carried.

10. Review Of Applications

The following individuals were provisionally approved to sit for examination:

Deren M. Alvarez - Burglar Alarm license application

Michael D. DeFalco - Burglar Alarm & Fire Alarm license applications

Joseph E. Fiscella - Burglar Alarm & Fire Alarm license applications

Matthew S. Hamerman - Burglar Alarm license application

Ledon L. Jackson - Locksmith license application

February 25, 2014 Public Session
Page 5

Demetrios Papafagos - Burglar Alarm license application
Robert Petro - Burglar Alarm license application
Junior Saltibus - Burglar Alarm & Fire Alarm license applications
David A. Wood - Burglar Alarm license application

Applications for the following individuals were held in abeyance pending receipt of additional supporting documentation:

Michael D. Laterza - Burglar Alarm & Fire Alarm license applications
Dennis Muller - Burglar Alarm license application
Michael S. Wilbur - Burglar Alarm license application

The following businesses were provisionally approved for business licenses:

Adtron Systems Inc. (dba Intelligent Technology Group) - Burglar Alarm Business
Home Protection Solutions LLC - Burglar Alarm Business
Intertech Security, LLC - Burglar Alarm & Fire Alarm Business
Modern Security Solutions - Locksmith Business
NS Security & Fire LLC - Burglar Alarm & Fire Alarm Business
RAD Communications, Inc. - Burglar Alarm & Fire Alarm Business
Security System Solutions LLC - Burglar Alarm, Fire Alarm & Locksmith Business
Shore Security Technologies LLC - Burglar Alarm & Locksmith Business
Special Security Technician Co. - Locksmith Business
White Tail Lock & Security - Locksmith Business

Applications for the following business licenses were held in abeyance pending clarification and receipt of additional information:

Monitronics Security LP - Burglar Alarm & Fire Alarm Business
Tech Force National LLC - Burglar Alarm & Fire Alarm Business

11. Adjournment

Motion was made by Robert Shoremount and seconded by Arthur Fucetola to adjourn the Public Session at 12:15 p.m. Motion carried.

Respectfully Submitted,

David Freed
Acting Executive Director