

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

**FIRE ALARM BURGLAR ALARM AND LOCKSMITH
ADVISORY COMMITTEE**

MINUTES OF MARCH 16, 2010

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 Chairman Robert Shoremount at 9:35 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
Keith Eaves
Arthur Fucetola
William Hartung

Charles Okun
Robert Shoremount
Jon Sprague
Walter Wargacki, Jr.

Others Present:

George DeLuca, Administrative Analyst
Lisa Marshall, Customer Service Representative
Angelica Guerrero, Clerk Typist
Joseph Donofrio, Deputy Attorney General

Committee member Richard Rible was unable to attend the meeting.

MEMBERS OF THE PUBLIC:

Christine Higgins, Joseph Parisi, Richard Trevelise
(As representatives of the New Jersey Burglar Alarm And Fire alarm Association)

INTRODUCTION OF NEW MEMBER

Administrative Analyst George De Luca introduced new Advisory Committee member Walter J. Wargacki, Jr. Mr. Wargacki, engaged in the alarm business and a member of the Automatic Fire Alarm Association, was appointed to the Advisory Committee by former Governor Corzine. Mr. Wargacki replaces J. Robert Boyer.

APPROVAL OF MINUTES OF JANUARY 19, 2010

Minutes for the January 19, 2010 meeting were not completed at the time of this meeting.

CHAIRMAN'S REPORT

A Chairman's report was not given at this meeting.

NOMINATIONS AND ELECTIONS FOR THE OFFICES OF CHAIRMAN AND VICE CHAIRMAN

Since there were no further nominations for the offices of Chairman and Vice Chairman, motion was made by Charles Okun and seconded by Jon Sprague to close nominations.

By unanimous votes, both Robert Shoremount and Robert Boyer were elected to successive terms as Chairman and Vice Chairman of the Advisory Committee.

REPORT FROM THE CONTINUING EDUCATION SUBCOMMITTEE

- Continuing Education Programs Submitted For Approval

The subcommittee approved the following continuing education programs:

Sponsor: Ingersoll Rand Security Technologies FBLSP #022

Title

- IP Based Access Control (2 Hours) Category Code TECES
- Intro To Biometrics (1 Hour) Category Code TECES
- Wireless Access Control (1 Hour) Category Code TECES

Kelley M. Buscetto, Michael S. Carney, Elizabeth Lenox, Gordon Malczewski, Larry Niedt, Michael Pennachio, James Stokes, Nolan Thorpe, Jeff Tock, Fred York, and Daniel Zurn were approved as instructors of the continuing education programs.

Sponsor: Clifford Shafer

Title

- Kaba Mas X-09 Factory Certification (6.5 Hours) Category Code TECLD
- Repairing High Traffic Entrances Utilizing The R2 VARYX Continuous Hinge (3 Hours) Category Code TECLD
- Basic Mechanical Combination Safe Lock Picking (6.5 Hours) Category Code TECLD

John Greenan, Clifford Shafer, and Kerry Sprick were approved as instructors of the continuing education programs.

Sponsor: Honeywell FBLSP #021

Title

- Basic WIN-PAK SE/PE (17 Hours) Category Code TECES
- Advanced WIN-PAK SE/PE (23 Hours) Category Code TECES
- Basic Pro-Watch (20 Hours) Category Code TECES
- Enterprise Edition Pro-Watch (15 Hours) Category Code TECES
- Max Pro VMS (16 Hours) Category Code TECES
- Video Enterprise Installation (20 Hours) Category Code TECES
- LobbyWorks 3.2 VMS (16.5 Hours) Category Code TECES
- Digital Video Manager (DVM) (20 Hours) Category Code TECES
- REACT Certification Course (13 Hours) Category Code TECES
- WIN-PAK Pro Central Station (16 Hours) Category Code TECES
- Pro-Watch Advanced Class (18 Hours) Category Code TECES

Linda Birnbaum, Maureen Bruen, Garth Dehoff, Robert Goldsworthy, Christopher Mack, Harrison Oliver, Jeffrey Schwartz, Ira Siegel, and Carrie Stowe were approved as instructors of the continuing education programs.

Sponsor: Jeffrey Zwirn FBLSP #007

Title

- The Alarm Technician: Policies, Procedures... (2 Hours) Category Code TECBA
- Existing Systems And Takeovers (2 Hours) Category Code BUS
- Telephone Line Security Methodologies (5 Hours) Category Code TECBA
- Identifying Irregularities In Security System Design, Installation...(5 Hours) Category Code TECBA
- Burglar Alarm System Testing, Inspection and Maintenance...(5 Hours) Category Code TECBA
- Fire Alarm System Testing, Inspection And Maintenance... (5 Hours) Category Code TECBA
- Electronic Countermeasures...(3 Hours) Category Code TECBA
- The Alarm Contractors Policies, Procedures... (2 Hours) Category Code BUS
- Barrier Free subcode, NJ Uniform Construction Code, ADA (6 Hours) Category Code L/C

Jeffrey Zwirn has been previously approved as an instructor of the continuing education programs.

Sponsor: EtherWAN Systems, Inc.

Title

- Basic Switched Ethernet (2 Hours) Category Code TECES

Bob Martin and Sal Tassone have been approved as instructors of the continuing education program.

- Page 4 -

**Public Session Minutes
January 19, 2010**

Sponsor: Strandberg Consulting Group FBLSP #039

Robert Shoremount recused during the review of the continuing education programs

Title

- 2 Hr. Barrier Free CEU (2 Hours) Category Code L/C
- 2 Hr. ADA CEU (2 Hours) Category Code L/C
- 2 Hr. Uniform Construction Code CEU (2 Hours) Category Code L/C

Robert Shoremount has been previously approved as an instructor of the continuing education programs.

Sponsor: LINEAR, LLC FBLSP #032

The following continuing education programs were not considered for approval by the subcommittee:

Title

- Programming MDS-6A Keypads (2 Hours)
- Linear Music Distribution (2 Hours)
- PERS 3600B (2 Hours)
- Linear AXNET (2 Hours)
- Dual 824 (2 Hours)
- Raw Video Distribution (2 Hours)
- UL 325 & ASTM F2200 (2 Hours)
- Ins & Outs Of Digital Cable (2 Hours)

The elements of these continuing education programs would appear to be outside the scope of activities regulated by the Fire Alarm, Burglar Alarm and Locksmith Advisory Committee and may be wholly or partially within the scope of activities of electrical contracting to the extent the systems are permanently installed and operate in excess of 10 Volts;

It has been previously determined that PERS systems are outside the scope of activities regulated by the Advisory Committee, notwithstanding, should a contractor add a smoke detector, carbon

monoxide detector or burglar alarm device to the system, those activities without question are within the scope of of the Advisory Committee's regulations;

The Advisory Committee also notes that its basic knowledge of these systems confirms that they do operate in excess of 10 Volts and that wiring for these systems may or may not be permanently installed in a residence or other structure.

The Advisory Committee defers review of the continuing education programs to the Board of Examiners of Electrical Contractors.

- Page 5 -

Public Session Minutes
January 19, 2010

**Discussion Of Adopted Rule Amendment, Effective October 5, 2009,
Continuing Education Requirements, NJAC 13:31A-1.2C
Sunsetting of The Advisory Committee Rules**

NJAC 13:31A-1.12(c)

A licensee shall complete a minimum of two (2) continuing education credits in the Barrier Free Subcode, N.J.A.C. 5:23-7, two (2) continuing education credits in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, two (2) continuing education credits in the Americans with Disabilities Act Code, 36 CFR 1191 and two (2) continuing education credits in industrial safety per triennial registration period.

A licensee seeking renewal of a burglar alarm license shall complete a minimum of three credits of continuing education per triennial registration period in smoke detection systems. A licensee may take a maximum of 12 credits per triennial registration period in continuing education courses related to business and/or law. A licensee shall obtain the balance of continuing education credits in trade-related subjects.

The rule, previous to the amendment, required that licensees complete a minimum of one (1) continuing education credit in the Barrier Free Subcode, N.J.A.C. 5:23-7, one (1) continuing education credit in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, and one (1) continuing education credit in the Americans with Disabilities Act Code, 36 CFR 1191.

Since the rule was amended during the the current triennial licensing period, the Advisory Committee discussed whether to impose the new rule immediately, waive the rule until the next triennial licensing period, to provide an alternative for licensees who may have already completed the code seminars in compliance with the previous rule, or to allow licensees the alternative to complete the seminar in compliance with the previous rule, or, in compliance with the amended rule.

Subsequent to discussion, the Advisory Committee determined, due to the date of the adopted

rule and it's potential impact on the completion of required continuing education for the renewal of licenses on August 31, 2010, that the completion of one (1) continuing education credit in the Barrier Free Subcode, N.J.A.C. 5:23-7, one (1) continuing education credit in the New Jersey Uniform Construction Code, N.J.A.C. 5:23, exclusive of the Barrier Free Subcode, and one (1) continuing education credit in the Americans with Disabilities Act Code, is acceptable for renewal of a license;

The Committee asked that correspondence be sent to continuing education sponsors regarding the determination;

Information with regard to the determination will be posted on the Advisory Committee web site as an "Alert".

Motion was made by Keith Eaves, seconded by Charles Okun and unanimously passed to accept the recommendations made by the Continuing Education subcommittee.

- Page 6 -

**Public Session Minutes
January 19, 2010**

PUBLIC COMMENTS

There were no comments from the public at this meeting.

Motion was made by Charles Okun, seconded by Robert Boyer, and passed unanimously to adjourn the Public Session and proceed in to Executive Session at 11:00 a.m.

Motion was made by Charles Okun, seconded by Robert Boyer and unanimously passed to adjourn the Executive Session at 12:00 p.m. and proceed into Public Session.

REVIEW OF APPLICATIONS FOR ALARM AND LOCKSMITH LICENSES

The Advisory Committee reviewed the applications of individuals seeking alarm and locksmith licenses at this meeting.

REVIEW OF APPLICATIONS FOR ALARM AND LOCKSMITH BUSINESS LICENSES

The Advisory Committee reviewed the applications of businesses seeking alarm and locksmith business licenses at this meeting.

ADJOURNMENT

Having no further business, motion was made by Keith Eaves, seconded by Jon Sprague and unanimously passed to adjourn the Public Session at 12:30 p.m.

The minutes reflect actions and decisions taken by the Advisory Committee at this meeting.

Robert Shoremount
Chairman

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BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

**FIRE ALARM BURGLAR ALARM AND LOCKSMITH
ADVISORY COMMITTEE**

MINUTES OF JANUARY 19, 2010

EXECUTIVE 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 Chairman Robert Shoremount at 9:40 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:

Robert Boyer	Robert Shoremount
Keith Eaves	Jon Sprague
Charles Okun	

Others Present:

George DeLuca, Administrative Analyst
Angelica Guerrero, Clerk Typist
Lisa Marshall, Customer Service Representative
Nancy Costello Miller, Deputy Attorney General

Committee members Edward Bagniewski, Arthur Fucetola, William Hartung, and Richard Rible were unable to attend the meeting.

Deputy Attorney General Joseph Donofrio was unable to attend the meeting.

MEMBERS OF THE PUBLIC:

There were no members of the public present at this meeting.

APPROVAL OF MINUTES OF DECEMBER 15, 2009

Minutes for the December 15, 2009 meeting were not completed at the time of this meeting.

CHAIRMAN'S REPORT

A Chairman's report was not given at this meeting.

FOR ADVISORY COMMITTEE REVIEW

- IMO Professional House Doctor, Unlicensed, Response To A Cease And Desist Order

At the December 15, 2009 meeting, the Advisory Committee reviewed the response received from Reuel Topas, Esq., attorney for Professional House Doctor, with regard to a Cease and Desist Agreement sent to Sender Baumrind, owner, for alleged unlicensed practice of providing locksmith services.

In his response, Mr. Topas contended that Professional House Doctor provides services which are not defined within the regulatory definition of "Locksmithing services" (N.J.A.C. 13:31A-1.3). Mr. Topas also contended that Mr. Baumrind is essentially a handyman who installs prefabricated locksets and doorknobs for residential clients.

After review and discussion, motion was made by Jon Sprague, seconded by Arthur Fucetola, and passed unanimously that Deputy Attorney General Donofrio contact Mr. Topas and inform him that the Advisory Committee has determined once again that Mr. Baumrind, on behalf of Professional House Doctor, is engaged in the unlicensed practice of providing locksmith services.

The matter was revisited at this meeting. After further review of Mr. Topas' correspondence, motion was made by Charles Okun, seconded by Robert Boyer, and passed unanimously to send correspondence to Mr. Topas, accepting accept the explanation with regard to the scope of services provided by Mr. Baumrind, on behalf of Professional House Doctor and withdraw the previously issued Cease and Desist Agreement if Mr. Baumrind removes any references to locksmithing in his advertising. Also the Advisory Committee suggested that Mr. Baumrind, on behalf of Professional House Doctor, apply for a Home Improvement Contractor certification.

- IMO USA Locksmith (Prestige Business Solutions), Response To A Provisional Order Of Denial (Aaron J. Solomon, Esq.) (Tabled From The December 15, 2009 Meeting)

The Advisory Committee reviewed the response received from Aaron J. Solomon, Esq., attorney for USA Locksmith. Since Deputy Attorney General Donofrio prepared the Provisional Order, the Advisory Committee tabled the matter until the February 16, 2010 meeting, since Mr. Donofrio is expected to be present.

- Absolute Security, Alarm Business, Unlicensed, Failure To Respond To A Cease And Desist Order; Alan F. Konkus, Kyle A. Konkus, Failure To Renew Licenses On August 31, 2007 (Tabled From The December 15, 2009 Meeting)

The Advisory Committee was informed that a response was not received with regard to a Cease and Desist Agreement sent to the business on June 30, 2009 although a certified mail return receipt was received at the Advisory Committee office. It is also noted that both Alan F. Konkus and Kyle A. Konkus failed to renew their licenses for the current triennial licensing period.

Motion was made by Charles Okun, seconded by Robert Boyer, and passed unanimously to refer the complaint to the Enforcement Bureau.

REVIEW OF COMPLAINTS (Tabled From The December 15, 2009 Meeting)

- Rible vs. Dependable Frank Locksmith (Unlicensed)

Motion was made by Charles Okun, seconded by Jon Sprague, and passed unanimously to refer the complaint to the Enforcement Bureau.

- Rible vs. Ocean County Locksmith (Unlicensed)

Motion was made by Charles Okun, seconded by Keith Eaves, and passed unanimously to refer the complaint to the Enforcement Bureau.

- Madigan vs. QT Locksmith (Unlicensed)

Motion was made by Charles Okun, seconded by Keith Eaves, and passed unanimously to refer the complaint to the Enforcement Bureau.

- Rausch vs. Intruder Alert Security (Unlicensed)

The Advisory Committee reviewed confirmation in the form of correspondence from Intruder Alert Security to Mr. Rausch that it will no longer seek payment from Mr. Rausch for his cancellation of a service agreement prior to its expiration. It was also noted during discussion that Intruder Alert Security has submitted an application for a business license and the application is pending approval at this meeting.

Motion was made by Keith Eaves, seconded by Jon Sprague, and passed unanimously to close the matter and to issue a business license to Intruder Alert Security should its application be

acceptable.

- Page 4 -

**Executive Session Minutes
January 19, 2010**

RESPONSE TO COMPLAINT AND CEASE AND DESIST ORDER

Skurbe vs. Security Surveillance Systems, LLC (Unlicensed)

The Advisory Committee reviewed the response received from Michael Hersh, owner of Security Surveillance Systems, LLC, as a result of a Cease and Desist Order sent to the business in December 2009. After discussion, the Advisory determined Mr. Hersh's advertising of services he offers implies he is engaged in the alarm business, therefore, a business license is required. motion was by Keith Eaves, seconded by Jon Sprague, and passed unanimously to send a revised Cease and Desist Order sent to the business and withhold the previously assigned penalty of \$2,500 should Mr. Hersh acknowledge and sign the attached agreement to cease engaging in the alarm business.

REVIEW OF CRIMINAL HISTORIES

The following determinations were made with regard to review of Criminal History summaries:

Fred V. Caracciola, Applicant for alarm licensure
Approved for Examination

William M. Cenneno, Applicant for locksmith licensure
Referred to Deputy Attorney General Donofrio

David W. Halinski, Locksmith licensee
Referred to Deputy Attorney General Donofrio, Demand for Statement Under Oath

William Jones, Alarm licensee
Request for disposition of arrest and charges

Jeffrey M. Joy, Applicant for alarm licensure
Approved for Examination

Christopher Malles, Applicant for alarm licensure
Request for disposition of arrest and charges

Daniel Neri, Applicant for alarm licensure
Request for disposition of arrest and charges

- Page 5 -

**Executive Session Minutes
January 19, 2010**

ADJOURNMENT

Having no further business, motion was made by Keith Eaves , seconded by John Sprague and unanimously passed to adjourn the Executive Session at 12:30 p.m.

The minutes reflect actions and decisions taken by the Advisory Committee at this meeting.

Robert Shoremount
Chairman

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