

**BOARD OF EXAMINERS OF ELECTRIC CONTRACTORS**  
**Fire Alarm, Burglar Alarm & Locksmith Advisory Committee**  
**March 19, 2013**

**PUBLIC SESSION MINUTES**

**1. CALL TO ORDER**

The meeting of March 19, 2013 was called to order at 10:10 A.M. by the Vice-Chairman, Keith Eaves.

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:*

Keith Eaves  
William Hartung  
David Rible  
Robert Shoremount  
Walter Wargacki Jr.

*The following members were not present:*

Charles Okun  
Edward Card  
Arthur Fucetola  
Jon D. Sprague  
Barry Starer  
Joseph Cantalupo, Electrical Board Liaison

*Also present were:*

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

**2. ANNOUNCEMENTS**

Due to lack of a quorum, the meeting was conducted as a Subcommittee. All recommendations made will be submitted to the full Committee for review and approval at the next scheduled meeting to be held on April 16, 2013.

**3. CHAIRMAN'S REPORT**

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

#### **4. EXECUTIVE DIRECTOR'S REPORT**

Acting Executive Director Freed stated that the Advisory Committee web site had been updated. New content includes a revised continuing education sponsor application, a revised continuing education sponsor overview and a new link, titled Continuing Education for Licensees. The new link combined and updated information found previously on two separate links which had listed sponsor names and contact information on one link and Committee-approved CE courses on another link.

Mr. Freed also stated that he had written a draft of a new document to be titled Overview of Requirements and Guidelines for Continuing Education Sponsors and Instructors. This document was written to replace the outdated document titled Mandatory Guidelines for Continuing Education Sponsors. The new content has been geared to meet the letter and spirit of the still-pending, amended regulations as applicable. Mr. Freed further stated that Charles Manning, Regulatory Analyst, had given verbal approval to this document's content. Lastly, Mr. Freed stated that this document will be disseminated to all CE sponsors upon final approval of the pending regulatory amendments by the Board of Electrical Contractors and will be included in future CE sponsor "acceptance packets" sent to newly approved sponsors.

#### **5. APPROVAL OF PUBLIC MINUTES**

Motion was made by William Hartung and seconded by Walt Wargacki Jr. to discuss proposed amendments to the February 19, 2013 Public Session minutes as presented for consideration. Motion carried.

Deputy Attorney General Donofrio suggested the following corrections be made:

**Page 2, ITEM 6      REQUEST FOR WAIVER OF SIX MONTH RULE FOR  
LICENSING EXAMINATIONS**

*Joel Farrington and Rayel Concepcion*

Add citation of N.J.A.C. 13:31A-2.3(b) and N.J.A.C.13:31A-1.11 as applicable to approval of examination waiver request for each.

**Page 4, ITEM 10      REVIEW OF APPLICATIONS FOR ALARM AND LOCKSMITH  
LICENSES**

*AT&T Digital Life, Inc.*

Add citation of N.J.A.C. 13:31A-3.7 as applicable with regard to potential business qualifier, Frederick Soviero.

Motion was made by Walt Wargacki Jr. and seconded by William Hartung to recommend approval of the February 19, 2013 Public Session minutes as amended. Motion carried.

#### **6. REQUEST FOR WAIVER, CONTINUING EDUCATION REQUIREMENT, 2010-2013 TRIENNIAL LICENSING PERIOD**

**Edward Trygar**, Locksmith Licensee.

**Bonnie Trygar**, Locksmith Licensee.

Correspondence, dated January 28, 2013, was received from Mr. Trygar requesting a hardship waiver from continuing education credit requirements, due at the time of renewal in 2010, for both himself and Bonnie Trygar. The waiver was requested pursuant to N.J.A.C. 13:31A-1.11 and 13:31A-1.12(g).

Mr. Trygar cited effects from Super storm Sandy, both material and financial, as a basis for his request. Additionally, Mr. Trygar's January 28, 2013 letter referred to previous correspondence related to the issue of continuing education requirements and to his understanding that the Committee had already granted the waiver being requested since he had received notice on September 15, 2010 that he could contact Prometric to order and pay for his updated photo ID.

Deputy Attorney General Donofrio stated that the September 15, 2010 correspondence was standard, sent to all licensees who had completed the renewal process as answering "No" to having completed the required CE credits does not prevent a licensee from renewing a license.

Acting Executive Director Freed stated that no waiver has been granted to Mr. Trygar and he recounted background information and prior correspondence between the Committee and Mr. Trygar relative to continuing education requirements. A review of office files had revealed identical letters were mailed by the Committee to Mr. Trygar on August 31, 2010 and September 7, 2012, advising him that applicable CE credits were still required. The Committee received no response to the letter dated August 31, 2010, but did receive a response letter from Mr. Trygar, dated September 20, 2012, relating financial difficulties.

Mr. Freed also stated that in Public Session at the Committee's October 16, 2012 meeting, Mr. Trygar's letter of September 20, 2012 was considered. Motion was made and carried to send correspondence to Mr. Trygar stating he must complete all continuing education requirements no later than April 1, 2013. This letter also gave notice that failure to meet the deadline for compliance may result in the suspension of his locksmith license and/or a penalty of up to \$10,000.00 may be assessed. This letter, dated October 18, 2012 was then mailed to Mr. Trygar.

Roundtable discussion was held regarding the April 1, 2013 compliance deadline for submission of required CE credits as part of the Committee's separate audit of all licensees who responded "No" to the CE requirement on their license renewal application in 2010. Bonnie Trygar is included in this audit.

Robert Shoremount stated that Mr. Trygar's letter dated January 28, 2013 appeared to indicate that he remained deficient for the CE credits required at renewal in 2010 and that no progress was being made in earning the additional credits which will be required by the upcoming renewal deadline of August 31, 2013. Mr. Shoremount also stated that Super storm Sandy, cited by Mr. Trygar, did not occur until approximately two years after the CE credits in question were required to have been earned.

Motion was made by Robert Shoremount and seconded by William Hartung to recommend correspondence be mailed to Mr. Trygar stating that he must demonstrate compliance with continuing education requirements for the 2010-2013 triennial license cycle and asking him what progress, if any, has been made in meeting the CE requirements for the 2013-2016 license triennial. Motion carried.

**Bernard Graff**, Burglar Alarm, Fire Alarm and Locksmith Licensee  
Correspondence, dated February 15, 2013 was received from Theodore H. Ritter, Esq., on behalf of Bernard Graff, requesting a general waiver or dispensation with regard to meeting continuing education requirements.

Deputy Attorney General Donofrio, referenced N.J.A.C. 13:31A-1.11 and 13:31A-1.12(g), and stated that the correspondence did not appear to provide either “good cause” or a substantiated hardship, therefore the granting of a waiver in this instance would likely contravene the purposes of the act. Deputy Attorney General Donofrio also stated that a licensee able to work in the field must take required continuing education credits regardless of age.

David Rible stated that while the correspondence from Mr. Ritter cited travel distance to CE courses as a “hardship” based on Mr. Graff’s age and place of residence, it also indicated that he has begun taking CE courses on-line and will continue to do so until the CE requirements are completed. Mr. Rible also stated that presently there is no regulatory limit to the number of CE credits which may be earned on-line.

Motion was made by Walt Wargacki Jr. and seconded by William Hartung to recommend correspondence be mailed denying Mr. Graff’s request for a general waiver or dispensation regarding continuing education requirements and advising that him that he must meet the CE requirements for both the 2010-2013 and 2013 to 2016 triennial license cycles. Motion carried.

**7. For Advisory Committee Discussion (Charles Manning, Regulatory Analyst)**  
*Proposed Rule Change, N.J.A.C. 13:31A-1.12(b) Requirement for Completion of Code Classes*

Charles Manning addressed concern raised by the Board of Examiners of Electrical Contractors to the Committee’s response to comment #2, received regarding the proposed rule change. The Board questioned the amount of content change mentioned in the committee’s response.

With approval of the Committee members present, Mr. Manning will re-state to the Electrical Board the Committee’s response to Comment #2 regarding code class requirements. He will cite required content as integral to the Alarm and Lock professions and that it may be of more value to the FB&L licensee than to the Electrical Contractor. Further, Mr. Manning will state that the Committee deems a thorough refresher necessary since many applicants for license lack the basics relative to permit applications, etc., and that licensees may go as long as five (5) years or more without revisiting this content since no CE are required of licensees for the triennial in which the initial license was issued.

Motion was made by Walt Wargacki Jr. and seconded by William Hartung to have Mr. Manning address the Board of Electrical Contractors, as outlined above, at its’ next scheduled meeting which is to be held on April 3, 2016. Motion carried.

**Deputy Attorney General Report**

*Draft Correspondence to City of Passaic (Municipal Code Requiring Licensure)*

Deputy Attorney General Donofrio reviewed draft correspondence which he recommends to be sent to the City of Passaic on behalf of both the Advisory Committee and the Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration.

The letter addresses concerns with Passaic’s municipal code requiring licensure for mechanical work which appears to conflict with N.J.S.A. 45:5-36, N.J.S.A. 45:16A-6 and N.J.S.A. 45:16A-11. The HVACR Board approved the proposed letter at it’s meeting on March 15, 2013.

Motion was made by Robert Shoremount and seconded by David Rible to recommend approval of the correspondence as proposed. Motion carried.

## 8. Disciplinary Orders Issued, Filed and Posted on the Advisory Committee Web Site

### ***This is informational only***

Trent Songhurst (Expired Licensee) Order of Summary Suspension

Walter J. Przybylowski (Expired Licensee) Final Order, Suspension of License. This order was modified to include restitution to the consumer in the amount of \$2,500.00 in place of a civil penalty of the same amount.

Motion was made by Robert Shoremount and seconded by William Hartung to move to Executive Session at 11:25 a.m. Motion carried.

Motion was made by Robert Shoremount and seconded by David Rible to return to Public Session at 12:00 p.m. Motion carried.

## 9. Continuing Education Subcommittee Report

**Honeywell Fire Systems Group (Sponsor FBLSP 043)** - Request for approval of two (2) new classes, one (1) new Instructor and three (3) previously approved Instructors.

***Integrating CO and Emergency*** - TECES-13(43)CO27 (2 hrs.)

***Understanding Emergency Communications Systems*** - TECES-13(43)CO028 (2 hrs.)

*Phiphop Sengchanh - FBLSP043-08*

*Shawn Burke - FBLSP043-09*

*Michael Rizzotti - FBLSP043-10*

*Brian Brownell - FBLSP043-12 (New)*

**The Greater Philadelphia Locksmiths Association (Proposed New Sponsor, Sponsor# FBLSP076 pending)** - Request for approval of two (2) new classes, three (3) new Instructors and one (1) previously approved instructor.

***Lock Cylinder Impressioning*** - TECLD-13(76)-C001 (7.5 hrs)

*Clifford L. Shafer - FBLSP076-01 (also previously approved as FBLSP052-01)*

*Michael E. Nimmo - FBLSP076-02 (New)*

*Joseph R. Reustle - FBLSP076-03 (New)*

***Basic Safe Drilling*** - TECLD-13(76)-C002 (7.5 hrs.)

*Sven K. Hellwig, Sr. - FBLSP076-04 (New)*

**Luxul (Proposed New Sponsor , Sponsor# FBLSP077 pending)** - Request for approval of one (1) new class and two (2) new Instructors.

***Networking Basics for the Custom Integrator*** - TECES-13(77)C001 (2 hrs.)

*Kevin Hansen - FBLSP077-01 (New)*

*Brannon Young - FBLSP077-02 (New)*

**Slayton Solutions Ltd. (Proposed New Sponsor, Sponsor# FBLSP078 pending)** - Request for approval of one (1) new class and one (1) new Instructor.

***Retrofit Rampage: Upgrading Old CCTV Systems with IP Video Solutions*** - TECES-13(78)-C001 (2 hrs.)

*David J. Engbretson - FBLSP078-01 (New)*

**Bedrock Learning Inc. (Proposed New Sponsor, Sponsor# FBLSP079 pending)** - Request

for approval of twelve (12) new classes and one (1) new Instructor. Eleven of the 12 classes are to be on-line offerings. Only "The Connected World-Digital is Everywhere" is proposed as a live offering.

***Make More Money with Referrals - BUS-13(79)C001 (1 hr.)***

***Alliances: How To Get Leads Handed To You - BUS-13(79)C002 (1 hr.)***

***Cold Calling: How To Book Appointments and Increase Sales - BUS-13(79)C003 (1 hr.)***

***Home Networking for Technicians - TECES-13(79)C004 (8 hrs.)***

***Security and Access Control - TECES-13(79)C005 (8 hrs.)***

*Helen Heneveld - FBLSP079-01 (New)*

***The Connected World-Digital is Everywhere - Outside Scope of Practice***

***Introduction to the Digital Home - Outside Scope of Practice***

***Home Theater Design and Installation - Outside Scope of Practice***

***Whole House Audio Technology and Distribution - Outside Scope of Practice***

***Project Management for Residential Installation - Outside Scope of Practice***

***Residential Lighting Control - Outside Scope of Practice***

***Fundamentals for Electronic Systems Technicians (ESTs) - Request to be made for further information as portions of content are applicable and other portions are outside scope of practice.***

Motion was made by Walter Wargacki Jr. and seconded by William Hartung to recommend approval, with exceptions as noted above, all sponsors, classes, and instructors submitted for consideration. Motion carried. Robert Shoremount abstained.

## **10. Public Comments**

There were no comments provided at this Public Session.

## **11. Review of Applications for Alarm and Locksmith Licenses**

*The following individuals were provisionally approved to sit for examination:*

Keith P. DeBurgo - Burglar Alarm license application

Thomas J. Bracciale - Locksmith license application

George W. DeStories - Burglar Alarm license application

David K. Hill - Burglar Alarm license application

Stephen R. Miller - Locksmith license application

Scott M. Palmucci - Burglar Alarm license application

Jesse L. Tracy - Burglar Alarm license application

Sterling S. Wilkes III - Burglar Alarm license application

Stephen A. Zane - Burglar Alarm license application

*Application for the following Individual was held in abeyance:*

Michael L. Dausinger - Burglar Alarm license application was held in abeyance pending receipt of documentation that experience and knowledge requirements for licensure in other state(s) are equal or greater to those required by New Jersey, pursuant to N.J.A.C. 13:31A-1.10(a)(1). Correspondence to be mailed to applicant requesting said documentation.

*The following businesses were provisionally approved for business licenses:*

AT&T Digital Life Inc. - Burglar Alarm Business  
Affiliated Monitoring LLC - Burglar Alarm Business  
Atlantic Alarm Systems and Services LLC - Burglar Alarm Business  
Talon Fire & Security Systems - Burglar Alarm & Fire Alarm Business  
Versatel LLC - Burglar Alarm & Fire Alarm Business  
Whiztech - Burglar Alarm Business

**12. ADJOURNMENT**

Motion was made by David Rible and seconded by Walter Wargacki Jr. to close Public Session.  
Motion carried.

Respectfully Submitted,

David Freed  
Acting Executive Director