

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Fire Alarm, Burglar Alarm and Locksmith Advisory Committee

July 20, 2010

PUBLIC SESSION MINUTES

I. Call to Order

The Meeting of July 20, 2010, was called to order at 9:35 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, 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:

Edward Bagniewski
Keith Eaves
Arthur Fucetola
Sgt. William Hartung
Charles Okun
Robert Shoremount
Walter Wargacki, Jr.

The following members were not present:

Richard Rible
Jon Sprague
Joseph Cantalupo

Also, present were:

Joseph Donofrio, Deputy Attorney General, Division of Law
George DeLuca, Administrative Analyst
Lisa Marshall
Angelica Guerrero
Howard Pine, Legal Specialist
Lolly Merced, Administrative Assistant to the Deputy Director

Also, present from the public were:

Anthony Agnello, ADT

Eileen Davis, ADT
Mark Bouchad, ADT

II. Announcements

DAG Donofrio announced that there was a specific request made to the Committee from Dorell and Sons Locksmiths 34LX00003600 requesting a waiver from the continuing education requirements due to financial hardship that the company was experiencing. The company requested either waiving the completion of the CE upon renewal of licenses of their five (5) employees, or a waiver to extend the due date of CE completion for six (6) months.

After discussion in closed session, a motion was made by Edward Bagniewski and seconded by Sgt. William Hartung to extend the time from August 31, 2010 to September 30, 2010 for completion of the 36 required CE credits. The late renewal fee of \$50.00 will be waived for all five (5) licensees employed by Dorell and Sons Locksmiths for renewing late. Keith Eaves abstained. Motion carried.

The Committee also reviewed other requests for waivers regarding the completion of the 36 CE credits by August 31, 2010 made by the following licensees. These requests were received by the Committee Office in response to a letter that the Committee Office sent to each licensee that answered "no" to the question on the renewal form that asked if the licensee completed the mandatory 36 CE credits at the time of renewal of license. A letter was sent to each licensee that answered "no" asking for an explanation.

John Ocejó – 34FA00020100 – A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. Orejo that his request is denied and remind him that he has until August 31, 2010 to complete the 36 CE credits. Motion carried.

Russell R. Halloran – 34LS00056300 -- A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. Halloran that his request is denied and advise him that there are numerous CE courses both on-line and in person that the Committee has approved. He has until August 31, 2010 to complete the required 36 CE credits. Motion carried.

John Zimmerman – 34BA001263600 & 34FA00129500 -- A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. Zimmerman that his request is denied; no hardship demonstrated. He has until August 31, 2010 to complete the required 36 CE credits. Motion carried.

Thomas Guaglianone, Sr. – 34BA00025500 - A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. Guaglianone that his request is denied; no hardship demonstrated. He has until August 31, 2010 to complete the required 36 CE credits. Motion carried.

Michael A. Schell – 34LS00051300 -- A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. Schell that he needs to complete the required 36 CE credits by August 31, 2010. Motion carried.

Raymond St. Louis – 34BA00059600 & 34FA00050300 -- A motion was made by Edward Bagniewski and seconded by William Hartung to advise Mr. St. Louis that he has until August 31, 2010 to complete the required 36 CE credits. Motion carried.

III. Chairman's Report

A motion was made by Edward Bagniewski and seconded by Sgt. William Hartung to cancel the scheduled August 17, 2010 Committee meeting due to a lack of quorum. Motion carried.

A subcommittee meeting of the Committee will be held. Walter Wargacki, Robert Shoremount, Keith Eaves and Charles Okun will attend.

IV. Approval of Minutes

The Board Minutes of June 15, 2010, have not been prepared in time for review at this meeting.

V. Continuing Education Subcommittee Report

Review of Continuing Education Programs

The Committee reviewed the CE Committee Report recommending approval of specific courses and hours.

After discussion by the committee, a motion was made by Walter Wargacki and seconded by Keith Eaves to accept the CE Committee Report from July 13, 2010, as submitted. Robert Shoremount abstained. Motion carried. (Report is attached.)

Rapid Response

The Committee also reviewed a waiver request submitted to increase class size by Rapid Response. After discussion by the Committee, a motion was made by Keith Eaves and seconded by Walter Wargacki to accept/approve the waiver request submitted by the New Jersey Burglar Alarm and Fire Alarm Association because the Committee has waived such requirements in the past to accommodate large groups. Robert Shoremount abstained. Motion carried.

Report on Proposed Amendments to Continuing Education Regulations

Maryann Sheehan, Regulatory Analyst attended the Meeting to discuss N.J.A.C. 13:31A-1.12 continuing education requirements. The Committee reviewed

recommendations from the continuing education subcommittee to amend N.J.A.C. 13:31A-1.12. The suggested amendments included decreasing the total number of required continuing education credits from 36 to 24 credits for each license category, and requiring all licensees to take 2 credits per triennial period in a law course covering the Committee's law and regulations. The subcommittee also recommended permitting licensees with multiple licenses to double count up to 12 credits for each license they hold. This 12 credit carry-over would include the mandatory 10 credits all licensees must take in Barrier Free, UCC, ADA, industrial safety and law, plus 2 elective credits. The subcommittee also recommended expanding the list of permissible continuing education sources to include courses approved by the Electrical Board and the Department of Community Affairs, and participation at meetings of certain code-setting entities. These recommendations were accepted by the Committee and will be presented at the September meeting for further discussion. The subcommittee's recommendation to require unlicensed employees to complete continuing education was tabled. After a lengthy discussion, it was decided that Regulatory Analyst Sheehan will attend the September Meeting with an amended draft of the regulations.

VI. Correspondence, Scope of Practice Inquiry – Whether a Business License Is Required

FleetKeys – Todd Bilius, Northeast Regional Manager

The Committee reviewed additional information submitted by Todd Bilius from FleetKeys inquiring whether their employees need to be licensed in order to perform two specific tasks - making copies of car remotes and car keys primarily for used car dealerships. After discussion by the Committee, a motion was made by Arthur Fucetola and seconded by Robert Shoremount that a letter be sent to FleetKeys informing them that based on their written request and information submitted to the Committee, employees of FleetKeys who make copies of car remotes and car keys for used car dealerships do not need a license in order to perform these two specific tasks. Motion carried.

VII. Public Comments

Representatives from ADT - Anthony Agnello, Eileen Davis, and Mark Bouchad addressed the Committee. They wanted to discuss the application process, specifically applications being sent in large quantities and applications being returned because they are incomplete. Mr. Bouchad asked how ADT could assist the Committee to facilitate the application process. One way was to add and total the hours on the transcript of each applicant. It was agreed that ADT would submit approximately 20 applications per month. They also asked the Committee what license number is placed on the permit applications, individual or business? And, who is responsible? The Committee responded that it depends on the municipality. However, it is usually the business permit. The qualifier of the business is responsible for any work performed.

Mr. Bouchad also asked for clarification regarding work that can be performed under supervision and work that can be performed unsupervised. For example, he asked does the mounting of a panel or camera need to be performed under the supervision of a licensee? The Committee asked the representatives to put their specific questions in writing to the Committee for review at their meeting. The questions they were asking were too broad. ADT will send in a written request.

VIII. Adjournment

A motion was made by Walter Wargacki and seconded by Edward Bagniewski. Motion carried. Meeting adjourned at 2:00 p.m.