

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

**BUSINESS MEETING  
November 19, 2013**

**PUBLIC SESSION MINUTES**

**1. CALL TO ORDER**

The meeting of November 19, 2013 was called to order at 10:25 A.M. by 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:*

Keith Eaves  
Charles Okun  
David Rible  
Robert Shoremount  
Walter Wargacki Jr.

*Also present were:*

Joseph Donofrio, Deputy Attorney General, Division of Law  
George De Luca, Administrative Analyst  
Kathleen-Ann Moran, Administrative Assistant  
Rachel Glasgow, Regulatory Analyst

*The following members were not present:*

Edward Card  
Arthur Fucetola  
William Hartung  
Jon D. Sprague  
Barry Starer

*Also not present:*

Joseph Cantalupo Liaison, Board Of Examiners Of Electrical Contractors

Acting Executive Director David Freed was unable to attend the meeting.

**2. Announcements**

Due to lack of a quorum, the meeting was conducted as a subcommittee. All decisions will be submitted as recommendations to the full Committee for review and approval at the next scheduled meeting.

**3. Chairman's Report**

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

**4. Executive Director's Report**

An Executive Director's Report was not provided at this Public Session.

**5. Approval Of Public Session Minutes**

Motion was made by Walter Wargacki, Jr. and seconded by David Rible to recommend approval of the October 15, 2013 Public Session minutes as amended.

**6. Rule Proposal**

Rules Implementing PL 2013, c.49 (Regulatory Analyst Rachel Glasgow)

Regulatory Analyst Rachel Glasgow appeared before the members in attendance to discuss new rules which give credit towards requirements for licensure for veterans with substantially equivalent training.

Ms. Glasgow stated that the language reflected in proposed rule N.J.A.C.13:31A.2.4 requests that the applicant present proof of relevant training, experience and education the applicant received in the military and that this training be determined by a Board or Committee whether it is substantially equivalent to what is required for licensure pursuant to N.J.A.C. 13:31A-2.1.

During the discussion regarding technical training, Charles Okun stated the courses taken by an the applicant in the military may not be equivalent to what is required to sit for a licensing examination. Deputy Attorney General Donofrio stated he is concerned the applicant will have the ability to disagree and say that the courses are substantially equivalent if the Advisory Committee is vague on what is required to qualify for examination.

Ms. Glasgow informed the Committee that it would still review an application and make a determination based upon what the applicant submitted. If an applicant does not provide documentation that meets the criteria for "substantially equivalent", the Advisory Committee would not have to approve the application.

Robert Shoremount stated that no other state has pre-licensure requirements similar to those in New Jersey laws. Therefore, it is likely there is nothing equivalent. Mr. Shoremount also stated that the Advisory Committee still reviews an application and determines whether or not an applicant's technical training and practical experience meet the Advisory Committee's requirements; that the Advisory Committee already reviews its applications in this manner; and, that there are a finite number of sites where an applicant can take the courses that are required before submitting the application.

Deputy Attorney General Donofrio stated that the Advisory Committee has the ability to determine whether or not a course is substantially equivalent. For instance, the State of Minnesota Construction Code would not be substantially equivalent to the New Jersey Construction Code.

The members in attendance unanimously recommended to accept the proposed language as drafted. However, due to lack of a quorum, the matter will be revisited with Ms. Glasgow at the Advisory Committee's next scheduled meeting.

## 7. Deputy Attorney General Report

IMO Danny E. Conde (Lic. No. 34BA00172400, 34FA00135600)  
Interim Consent Order Of Voluntary Surrender Of Licenses

Deputy Attorney General Donofrio informed members in attendance that Danny E. Conde, a licensee of the Advisory Committee has signed an Interim Consent Order and has agreed to voluntarily surrender Mr. Conde's licenses to engage in the fire alarm and burglar alarm businesses in the State of New Jersey pending resolution of the criminal charges and further order of the Advisory Committee.

Mr. Conde was arrested on July 15, 2013 and charged with Aggravated Sexual Assault (N.J.S.A. 2C:14-2a(2)(c)), a 1st degree offense, Sexual Assault (N.J.S.A. 2C:14-2c(4)), a 2nd degree offense, Aggravated Criminal Sexual Contact (N.J.S.A. 2C:14-3a), a 3rd degree offense, Endangering the Welfare of a Child by a Person Having a Legal Duty to Care for the Child (N.J.S.A. 2C:24-4a), a 2nd degree offense, Endangering the Welfare of a Child by Permitting a Child to Engage in a Prohibited Sexual Act (N.J.S.A. 2C:24-4b(3)), a 1st degree offense, and Endangering the Welfare of a Child by Knowingly Possessing a Photograph, Film, Videotape, Computer Program or File Depicting a Child Engaging in a Prohibited Sexual Act (N.J.S.A. 2C:24-4b(5)(b)), a 4<sup>th</sup> degree offense.

The Consent Order has been filed and has been posted on the Advisory Committee web site.

## 8. Continuing Education Subcommittee Report

NJESA (FBLSP 002)  
Stay Safe Enterprises (FBLSP 048)

The Continuing Education Subcommittee recommends the approval of the following:

NJESA, Sponsor FBLSP 002

<b><u>CLASS NAME(S)</u></b>	<b><u>CLASS CODE</u></b>	<b><u>HOURS</u></b>
Human Resources 101 Instructor: Melinda Lapan	Business (BUS)	4

Stay Safe Enterprises, Sponsor FBLSP 048

<b><u>CLASS NAME(S)</u></b>	<b><u>CLASS CODE</u></b>	<b><u>HOURS</u></b>
NJ Barrier Free Subcode American With Disabilities Act Instructor: Roy Pollack	Laws/Codes (L/C)	2
	Laws/Codes (L/C)	2

Motion was made by David Rible and seconded by Walter Wargacki, Jr. to recommend approval of the Continuing Education Subcommittee's recommendations. Motion carried. Robert Shoremount abstained.

## **9. Review Of Correspondence**

Checkpoint Systems Inc.

Inquiry Regarding Scope Of Practice, Whether A License Is Required For Installation Of Electronic Article (EAS) Systems

The Advisory Committee received an inquiry from Jennifer Cruz, a license administrator for Checkpoint Systems Inc. regarding whether the business is required to obtain a business license.

Checkpoint Systems Inc. installs Electronic Article Surveillance (EAS) Systems. The systems are the anti-theft antennas that are located on the inside of retail stores. The EAS Systems sound an alarm if someone attempts theft of an item from the store. The item has an anti-theft sensor tag attached to it. The systems are low-voltage systems (24 volts) and do not contact the local police department. The purpose is to prevent theft and make employees and or the manager of the store aware an attempted theft.

During discussion, Deputy Attorney General Donofrio stated that he does not believe that the provision of services by Checkpoint Systems Inc. requires licensure since the EAS System does not meet the statutory definitions of "Burglar alarm" or "Electronic security system", and the device does not signal a warning of intrusion.

Motion was made by Walter Wargacki, Jr. And seconded by Robert Shoremount to table the matter until the next scheduled meeting. Motion carried.

## **10. For The Advisory Committee's Information**

FY2013 Budget (Final)

The members in attendance reviewed and accepted the Fiscal Year 2013 Final Budget prepared by Darlene Kane, Budget Officer for the Division Of Consumer Affairs.

## **11. Review Of Applications**

### **Review Of Applications For Individuals Seeking Alarm And Locksmith Licenses**

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

Robert B. Ash (Burglar Alarm/Fire Alarm Applicant)

Jeffrey S. Baecht (Burglar Alarm/Fire Alarm Applicant)

Edward J. Joyce (Burglar Alarm/Fire Alarm Applicant)

Alexander Kovmir (Locksmith Applicant)

Theodore D. Rechner (Burglar Alarm/Fire Alarm Applicant)

Steven C. Swingler (Locksmith Applicant)

Stephen D. Wong (Burglar Alarm Applicant)

***The application for the following individual was held in abeyance:***

Michael D. DeFalco (Burglar Alarm/Fire Alarm Applicant)

**Review Of Applications For Alarm And Locksmith Business Licenses**

There were no applications for business licenses submitted for review by the Advisory Committee.

**12. Adjournment**

Motion was made by David Rible and seconded by Walter Wargacki, Jr. to adjourn the Public Session at 11:10 a.m. Motion carried.

Respectfully Submitted,

David Freed  
Acting Executive Director

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