

BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

Fire Alarm, Burglar Alarm and Locksmith Advisory Committee

December 13, 2011

PUBLIC SESSION MINUTES

I. Call to Order

The Meeting of December 13, 2011, was called to order at 9:50 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:

Charles Okun
Keith Eaves
Edward Card
Sgt. William Hartung
David Rible
Robert Shoremount
Jon Sprague
Walter Wargacki, Jr.

Joseph Cantalupo - *Electrical Board Liaison*

The following members were not present:

Arthur Fucetola
Edward Bagniewski

Also, present were:

Joseph Donofrio, Deputy Attorney General, Division of Law
Howard Pine, Acting Executive Director
Maryann Sheehan, Regulatory and Legislative Analyst
Lolly Merced, Administrative Assistant to the Deputy Director

II. Announcements

No announcements

III. Chairman's Report

Nothing to report.

IV. Approval of Public Minutes October 13, 2011

A motion was made by Robert Shoremount and seconded by Walter Wargacki, Jr. to approve the October 13, 2011 Public Minutes as presented. Motion carried.

V. Continuing Education Subcommittee Report

After review and discussion of the Continuing Education Subcommittee's recommendations, a motion was made by Walter Wargacki, Jr. and seconded by Jon Sprague to approve the attached Continuing Education Subcommittee's recommendations of approved Continued Education courses. Robert Shoremount abstained. Motion carried.

VI. Review of Applications for Alarm and Locksmith Licenses Review of Applications for Alarm and Locksmith Business Licenses

The Advisory Committee reviewed applications for individual and business licenses. A motion was made by Robert Shoremount and seconded by Jon Sprague to move three business applications into Executive Session for further discussion. Motion carried.

VII. Miscellaneous

A. Howard Blackman, 1st Security, Llc. Scope of Practice question

The Committee reviewed a letter from Mr. Blackman. 1st Security is a company located in Maryland. They are an authorized dealer with Guardian Protection Services. 1st Security sells, installs and monitors security systems. They are currently licensed in Maryland, Virginia and the District of Columbia. 1st Security wants to expand its marketing business nationwide via the internet. 1st Security will not install, service or maintain security systems in New Jersey. 1st Security only wants to market, take orders and coordinate the installation with a New Jersey licensed alarm company. Once the system is installed, account ownership will be transferred to Guardian Protection Services for their maintenance and monitoring. Mr. Blackman is asking the Committee to approve 1st Security to be able to market, sell and

coordinate the installation of their alarm systems in New Jersey. After review and discussion by the committee, it was decided that additional information was needed. The fact that the company has the word “security” in its name may violate the Committee’s regulations. A motion was made by Robert Shoremount and seconded by Walter Wargacki, Jr. a letter be sent to Mr. Blackman referring him to the statute, N.J.S.A. 45:5A-25(a) which outlines the requirements for advertising alarm businesses in New Jersey. He should also be advised that if he feels that he is not engaging in the alarm business, he needs to explain his practice further, either in writing or he can request to come before the committee in person. Motion carried.

B. Correspondence from Franca Bruno

The Committee reviewed a letter submitted by Mr. Bruno. Mr. Bruno knows an alarm company not licensed in New Jersey who is moving towards acquiring a company that currently has one-half of its client based in New Jersey and would like to service/maintain this client base in New Jersey. The question Mr. Bruno is asking is, would it be permissible to hire a licensed subcontractor in New Jersey to assist with the client maintenance until such time as the company acquires a New Jersey license? It was decided that further information is required in order to answer his question. It was the decision of the Committee that Mr. Bruno be sent a letter reiterating that a business license is required along with a licensed qualifier in order to practice in New Jersey. Mr. Bruno needs to submit additional information either in writing or in person. Mr. Bruno can request to appear before the Committee.

C. Licensing information submitted to the NJ Department of Labor

George DeLuca provided to the New Jersey Department of Labor licensing statistic information that was obtained from the Committee’s licensing system. It was public information.

D. Correspondence from David Webber

The Committee reviewed a letter submitted by Mr. Webber requesting for information specifically regarding registering and/or licensing requirements for the monitoring burglar and fire alarm accounts in New Jersey. Specifically Mr. Webber is requesting to be approved to monitor already-existing ABC accounts in the State of New Jersey. They have no intention of doing any installations, just monitoring. A motion was made by Robert Shoremount and seconded by Walter Wargacki, Jr. to send Mr. Webber a letter requesting additional information. Specifically ask for details of the activity that the company will perform to establish that the company will not violate N.J.S.A. 45:5A-25(a). Motion carried.

The Committee further discussed the possibility of proposing a regulation similar to the Electrical Board concerning subcontracting of licensed work. Regulatory Analyst Sheehan will be invited to the January 17, 2012 monthly meeting to discuss this issue.

VIII. FY2011 Budget Report (Final)

The Final Budget Report for FY11 was submitted for informational purposes.

IX. Public Comments

No one from the public was present.

X. Adjournment

A motion was made by Jon Sprague and seconded by Robert Shoremount to adjourn the Public Session and go into Executive Session. Motion carried. Public session was adjourned at 11:10 A.M.