

Prepared by  
Rosemarie S. Baccile, Acting Executive Director

State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration (HVACR)  
Contractors

Meeting # 43 - Tuesday, December 6, 2016 - Public Meeting - Minutes

The Minutes of the Board meeting held on December 6, 2016 have not been formally approved and are subject to change or modification by the Public Body at its next scheduled meeting.

The notice of the December 6, 2016 meeting has been mailed to the Star Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of State, Trenton, New Jersey.

The Board meeting of December 6, 2016 was called to order at 9:00 am with the following Members in attendance:

Michael K. Maloney, Chairman, Mechanical Inspector 2

Dominic D. Demico, Jr. - Mechanical Inspector 1

Paul J. Mitchell - Master HVACR Contractor 3 - Board Secretary

Mary Pranzatelli - Public Member 2

Thomas C. Pitcherello  
Executive Branch of State Government Representative

Kevin S. Clark - Master HVACR Contractor 1

William C. Barham – Master HVACR Contractor 2 - absent

Daniel G. Danko, Jr. - HVACR Journeyperson - Vice-Chairman

Board Complement: (9):

As of this meeting date, one (1) vacancy remains for a Public Member with the resignation of Mr. Griffith.

Attendees:

Joseph A. Donofrio, Counseling Deputy Attorney General (DAG)

Rosemarie Baccile, Acting Executive Director, Jamie Hall, Agency Services Representative

Public Session Visitors:

Scott Bishop

George Morgan, Johnston supply

Kat Madaras, Fuel Merchants Assoc of NJ

Joe Crilley, Johnstone Supply

David Castner, SMWIA Local 22

Mike Fagan

Stephanie Biles

1. CALL TO ORDER
2. ROLL CALL
3. Licensed Master HVACR Contractors to date: 19HC00854500  
Licensing and processing continues on a daily basis.

A “Reinstatement” application is available at the Board Office for those who failed to renew for the 2016-2018 biennial. This application will be posted to the Internet once approved by the Division.

All “Grandfathered” applications have been reviewed by the Board, and deficiency notices sent to all applicants, either those not qualified, or those missing supporting documentation.

Rejection Notices are sent daily to those applicants who do not meet the qualifications for examination by HVACR regulations.

The Board will continue to review the applications submitted in the “Reciprocity” category by considering the licensure standards of the other States. The Board must insure that those licensure standards are equal to, or comparable with, those of New Jersey, in compliance with N.J.A.C. 13:32A-2.5. This review is scheduled with DAG Donofrio and Regulatory Analyst Charles Manning.

“Reciprocity” applications were received from the States of Delaware, Pennsylvania, New York, Florida, Ohio, Maryland, Tennessee, Texas, Illinois, and Alabama.

The Board also continues its review of criminal history files for HVACR applicants and Licensees who have reported crimes on their recent 2016-2018 biennial renewal.

4. APPROVAL OF THE NOVEMBER 1, 2016 MINUTES

A motion was made by Thomas C. Pitcherello and seconded by Paul J. Mitchell to approve the minutes of the November 1, 2016 minutes. A vote was taken and the motion unanimously passed.

5. CONTINUING EDUCATION  
WELCOMING CONTINUING EDUCATION SPONSORS

All Licensed Master HVACR Contractors were exempt from the Continuing Education (5) five hour requirement for their first biennial renewal of July 1, 2016 to June 30, 2018, according to N.J.A.C 13:32A-4.1 License Renewal; Continuing Education Requirement.

Licensed Master HVACR Contractors must complete the (5) five hour requirement CE requirement for their second biennial renewal:

July 1, 2018 to June 30, 2020

This requirement must be met before the next renewal date of July 1, 2018.

To assist Master HVACR Contractors with meeting the (5) hour Continuing Education requirement, the Board will continue to approve CE Sponsors and courses. That information is now posted at the HVACR website:

<http://www.njconsumeraffairs.gov/hvacr/Pages/default.aspx>

The following individuals submitted their requests and resumes for consideration to teach HVACR continuing education:

- A. Stephanie Biles, President, Biles Electrical & Mechanical, LLC.  
HVACR # 19HC00073100  
100 Summerhill Road  
Spotswood, NJ 08884  
[stef@bileselectric.com](mailto:stef@bileselectric.com)  
(732) 251-7070  
CE SPONSOR REQUEST

On December 6, 2016, Stephanie Biles was present to discuss her resume and request for approval as a CE sponsor. A motion was made by Daniel G. Danko, Jr. and seconded by Kevin S. Clark to approve Ms. Biles as a CE Sponsor. A vote was taken and the motion unanimously passed. Ms. Biles advised that she will be teaching in Middlesex and Monmouth Counties.

- B. Joseph W. Crilley, Technical Service Manager, Johnstone Supply Company  
HVACR # 19HC00767400  
44 Buttonwood Drive  
Parlin, NJ 08859  
[jwcrilley@gmail.com](mailto:jwcrilley@gmail.com)  
(732) 887-3286  
CE SPONSOR REQUEST

On December 6, 2016, Joseph Crilley was in attendance to discuss his resume and request for approval as a CE sponsor. A motion was made by Daniel G. Danko, Jr. and seconded by Dominic D. Demico, Jr. to approve Joseph Crilley as a CE Sponsor. A vote was taken and the motion unanimously passed. Mr. Crilley advised that he will be providing CE for the Counties of Middlesex, Ocean, Monmouth, Union, and Essex.

- C. George Morgan, Branch Manager, Johnstone Supply Company  
HVACR #19HC00016500  
17 Bryce Canyon Road  
Howell, NJ 07731  
[george.morgan@johnstonenj.com](mailto:george.morgan@johnstonenj.com)  
(732) 762-0762  
CE SPONSOR REQUEST

On December 6, 2016, George Morgan was in attendance to discuss his resume and request for approval as a CE sponsor. A motion was made by Paul J. Mitchell and seconded by Kevin S. Clark to approve George Morgan as a CE Sponsor. A vote was taken and the motion unanimously passed. Mr. Morgan advised that he will be providing CE for the Counties of Middlesex, Ocean, Monmouth, Union, and Essex, teaching together with Joseph Crilley.

6. DISCUSSION  
WAIVERS FROM HVACR REGULATIONS

EMAIL: NOVEMBER 09, 2016  
FROM: WILLIAM C. BARHAM – HVACR # 19HC00010600

William Barham provided an update as to his current business interests.  
William Barham will no longer serve as the BFR for multiple companies.

The Board acknowledged Mr. Barham's correspondence without comment.

7. DISCUSSION:

BILL REGARDING OCCUPATIONAL LICENSING LAWS  
EMAIL: NOVEMBER 1, 2016

PRIETO SPONSORED BILL JUST INTRODUCED  
BILL NO. A-4317

This bill provides that any person, firm, partnership, corporation or other legal entity that has been found to have worked or provided services as a Master Plumber, plumbing contractor, or Master HVACR Contractor without a license, or advertised in any manner or used any title or designation associated with Master Plumbers, plumbing contractors, or Master HVACR Contractors without a licensee is guilty of a crime of the fourth degree. A crime of the fourth degree is ordinarily punishable by a term of imprisonment of up to 18 months or a fine of up to \$10,000, or both.

On December 6, 2016, DAG Donofrio explained that the above legislation would serve to criminalize the unlicensed practice of HVACR work.

A vote was taken with (6) members in favor and Member Paul J. Mitchell opposing the bill.

8. DISCUSSION:

REQUEST TO BE GRANDFATHERED (HARDSHIP ISSUE)  
LETTER: OCTOBER 08, 2016  
FROM: SHEREEN R. YOUSSEF, ESQ - FOR COMMUNITY HEALTH LAW PROJECT  
RE: MR. YOUSSEF BOTROS

On December 6, 2016, the Board discussed this matter with DAG Donofrio, and concluded in a motion made by Dominic D. Demico, Jr. and seconded by Paul J. Mitchell, to schedule an Investigative Inquiry to address the ADA concerns expressed by the attorney for Youssef Botros. A vote was taken and the motion unanimously passed.

The Board will schedule this matter for the next available calendar date.

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9. DISCUSSION:

RESPONSE TO BOARD'S REQUEST DATED OCTOBER 7, 2016 FOR INFORMATION REGARDING HVACR SERVICES PROVIDED  
LETTER: OCTOBER 20, 2016  
FROM: ANTHONY GARDNER, DIRECTOR, AMERIPOD

On December 6, 2016, the Board discussed this matter and the response dated October 20, 2016 from Anthony Gardner, Director of Ameripod. Members noted that Ameripod corresponds to state that they follow codes and inspections, but they do not mention a "contact person." The Board is not clear as to the authorized inspector, and the "3<sup>rd</sup> party inspector" is not identified.

Members agreed that the best course of action would be to schedule an Investigative Inquiry inviting Mr. Gardner attend a meeting to address some of the Board's concerns. This matter should be scheduled for the February, 2017 meeting.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Dominic D. Demico, Jr. and seconded by Paul J. Mitchell, to proceed into Executive Closed Session to review consumer complaint matters, conduct investigative inquiries, discuss unlicensed advertisements, unlicensed practice matters, consider administrative closings, investigations of possible violations of applicable law, pending or anticipated litigation, matters under investigation, the DAG caseload, and review matters within the attorney-client relationship exception to the Open Public Meetings Act.

The subject of this discussion shall remain confidential until such time as the reasons for having this matter in Executive Closed Session are no longer applicable. A vote was taken and the motion unanimously passed.

Submitted by,

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Rosemarie S. Baccile, Acting Executive Director