

912th BUSINESS MEETING OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - NOVEMBER 2, 2016

The Board Minutes of November 2, 2016, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of December 7, 2016, or soon thereafter as it may be considered. All requirements of the "Open Public Meetings Act" have been complied with according to 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, and also notice has been posted on the Bulletin Board at the office of the Secretary of State, Trenton, New Jersey.

Board meeting of November 2, 2016, was called to order at 9:00 A.M.
The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Joseph F. Cantalupo
Mr. Constantinos Papademas
Mr. Gino Pasqualone
Mr. James H. Flaherty

Mr. Arthur W. Jacobs, Sr. was absent.

Philameana L. Tucker, Executive Director, was present from 9:00 A.M. until the close of the meeting.

Joseph Donofrio, Deputy Attorney General, Division of Law, was present from 9:00 A.M. until the close of the meeting.

Kathleen Moran, Administrative Assistant, III, was present from 9:00 A.M. until the close of the meeting.

Kerrie Shahan, Government Service Representative, was present from 9:00 A.M. until the close of the meeting.

Also in attendance was Kathleen Madaras, New Jersey Independent Electrical Contractors.

The Board saluted the Flag.

November 2, 2016

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (7) Initial Licenses which will expire on March 31, 2018. (Licenses were issued from October 20, 2016 through October 26, 2016).

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (6) Initial Business Permits which will expire on March 31, 2018. (Permits were issued from October 25, 2016 through October 26, 2016).

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (3) Initial Business Permits Previously Expired which will expire on March 31, 2018.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (4) Changes in Business Permits which will expire on March 31, 2018.

Check in the amount of \$1,500.00 received from Mark S. Russo, Unlicensed, t/a Russo Bros. & Co., as the first and final payment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9.

Additionally, Mr. Russo signed an agreement to cease and desist, without admissions, from engaging in and/or advertising his availability to engage in the unlicensed practice of electrical contracting.

The Board accepted the payment and signed cease and desist agreement.

Check in the amount of \$1,500.00 received from Patrick L. Porzio, III, License #10375, t/a Vital Electric, LLC, as the first and final payment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-15.

The Board accepted the payment.

November 2, 2016

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Dina Pomarico, Phoenix Safety & Associates, requesting approval of new courses.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve ten (10) new courses and instructors.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Naomi Yencich, t/a TCP Trainco, requesting approval of new courses.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve one (1) new course and instructors. Ms. Yencich will be advised that this course is not to be taught until January 2017. Licensees attending this course will not receive credit for having attended the "Nine Hours of Code Changes and One Hour of Laws, Rules, and Regulations" (CODE AND LAW - CL - 15). Additionally, the Board does not allow breaks, lunch, and registration to be part of the instructional hours.

Letter dated October 3, 2016, received from Barry Wexler, Education Supervisor, Electrical and Electrical Systems Technology Program (EEST), stating Lincoln Technical Institute offers a one year 1080 hour program in Electrical and Electronics System Technology. Mr. Wexler stated he would like to speak with the Board to discuss approving this program for half of the 576 educational hours required by the Board.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Wexler advising him that the Board does not have jurisdiction over the curriculum taught at vocational schools. However, an applicant who has attended a vocational school and is issued a certificate indicating they have acquired a minimum of 576 classroom hours of related instruction in electric light, heat and power will be accepted by the Board pursuant to N.J.A.C. 13:31-5.1 "Registration as Qualified Journeyman Electrician" an applicant must submit proof of having acquired 8,000 hours of practical experience working with the tools in the installation, alteration, repair of wiring for electric light, heat or power and who has had a minimum of 576 classroom hours of related instruction.

November 2, 2016

Mrs. Glasgow, Regulatory Analyst, appeared before the Board to discuss the petition for rulemaking received from Darren Reaman, Director of Government Affairs, Custom Electronic Design & Installation Association (CEDIA).

Mrs. Glasgow stated the Board has 60 days within receipt of the October 14, 2016 petition to either deny the petitioner and provide a reason for denial; grant the petition; or defer the matter for further deliberation by requesting a 90 day extension.

Mrs. Glasgow also stated that the petitioner is proposing to amend N.J.A.C. 13:31-4.1 and create a new section under "c" to exempt the design, installation, integration, erection, repair, maintenance, or alteration of products that transport voice, video, audio, and data signals in residential premises.

Mr. Flaherty stated this Board clearly understands that the technology is growing and on-going. Home automation controls temperature, fire alarms, audio, video and CCVT.

Mr. Schooley stated that the Board had already established a sub-committee prior to receiving the petition. Mr. Schooley also stated one of the many questions of the Board is whether or not the exemption would impact other disciplines; and if so, a meeting should be set up to discuss this matter with the members of the other boards.

Mr. Schooley further stated that the Board is not able to make a decision at this time and will again discuss this matter at the December 7, 2016 meeting.

Mrs. Glasgow stated she will submit a Notice of Receipt of Petition for Rulemaking.

Rachel Glasgow, Regulatory Analyst, appeared before the Board concerning Assembly Bill A-4273. Mrs. Glasgow stated the bill provides active supervision of professional or occupational licensing boards if the membership of the Board is comprised of a majority of active market participants, or if the Board's membership would be comprised of a majority of active market participants but for a vacancy or vacancies in membership. The Bill requires the regulatory officer to review any regulation, action, or decision made by a board that is under the regulatory officer's purview and authorizes the regulatory officer to amend, repeal, or set aside any regulation, action, or decision made by that Board that is determined to have the potential to displace competition and that is inconsistent with and does not further or promote clearly articulated affirmatively expressed State policy of the inherent, logical, or ordinary result of that policy.

November 2, 2016

Mrs. Glasgow also stated that the bill is intended to provide antitrust immunity to professional and occupational licensing boards consistent with federal law, specifically the recent decision made in the North Carolina State Board of Dental Examiners' ruling.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, that the Board supports Assembly Bill A-4273. However, the Board is concerned about the delay in board actions as the bill requires the review of same; the bill does not specifically provide for indemnification of the individual members if they were to be sued under the anti-trust law; because all Board members are not active market participants, would active supervision apply even if there are vacancies.

Ms. Tucker stated that there is nothing to report to the Board.

The final Budget Report for Fiscal Year 2016 report was not provided to the Board in its entirety. Therefore, this matter will be presented to the Board at its December 2016 meeting.

Letter dated October 26, 2016, received from Scott Haldane, President, East Coast Lighting & Energy, LLC, requesting a "third" continuance of business under Permit #9829 according to N.J.S.A. 45:5A-14. The licensee, Richard Partusch, died on September 17, 2015. The current extension expires on January 31, 2017.

The Board directed that a letter be sent to Mr. Haldane advising him that his request is denied. Should Mr. Haldane choose to continue the business after the extension expires on January 31, 2017, Mr. Haldane should make arrangements with a licensed electrical contractor, with an active business permit, to complete any unfinished jobs. A second option would be to hire a licensed electrical contractor to endorse his/her business permit to the firm of East Coast Lighting & Energy, LLC.

The Board reviewed applications for the licensing examination to be administered by PSI Services, LLC. Fifteen (15) applications were approved.

November 2, 2016

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, to go into Executive Closed Session to consider and to review consumer complaints, investigative reports and other information received pursuant to the Board's investigative authority in order to determine whether violations of the law, including Board regulations have occurred. The results of the deliberations will be made known when and if the Board determines to initiate disciplinary action or other law enforcement action.

Meeting adjourned at 3:00 P.M.

An Appointment and Business Meeting is scheduled for Wednesday, December 7, 2016, at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director

INITIAL LICENSES APPROVED BY THE BOARD NOVEMBER 2, 2016

1. 18206 Chase Van Arsdale
2. 18207 Salvatore Iacopelli
3. 18208 Rodney F. Ciafre
4. 18209 Steven E. Drejman
5. 18210 James R Doyle
6. 18211 Eric D Richardson
7. 18212 Charles R Held

INITIAL BUSINESS PERMITS APPROVED BY THE BOARD
NOVEMBER 2, 2016

1. JMO Mechanical LLC - (Rodney Ciafre) - Limited Liability Company - 28 Indian Trail Run - Cape May Court House, New Jersey 08210 - License #18208
2. Power Play Electric LLC - (Steven E Drejman) - (Limited Liability Company) - 75 Durant Avenue - Holmdel, New Jersey 07733 - License #18209
3. PPJ Electric LLC- (James R. Doyle) - (Limited Liability Company) - 121 Glenview Avenue - Bellmawr - New Jersey 08031 - License #18210
4. Always On Electric LLC - (Eric D. Richardson) - (Limited Liability Company) 1119 royal Avenue - Franklinville, New Jersey 08322 - License #18211
5. Select Electrical Contractors Inc - (Charles R Held) - (Corporation) - 240 Baylawn Avenue - Copiague, New York 11726 - License #18212
6. Townsquare Electric Inc - (David J Szot) - (Corporation) - 101 Route 94 - Blairstown, New Jersey 07825 - License #11583

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED
APPROVED BY THE BOARD NOVEMBER 2, 2016
EFFECTIVE NOVEMBER 2, 2016 TO MARCH 31, 2016

1. Basciani Electric LLC - (Louis Basciani) - (Limited Liability Company) - 117 Sooy Place Road - Tabernacle, New Jersey 08088 - License #13923A
2. Ocean Tech Electric LLC - (Miguel Gallegos) - (Limited Liability Company) - 419 Morris Blvd. - Toms River, New Jersey 08753 - License #16883A
3. J. Bishop Construction Inc. - (Richard S Watkins) - (Corporation) - 2348 Millville Avenue - Millville, New Jersey 08332 - License # 8050A

CHANGES IN BUSINESS PERMITS APPROVED
BY THE BOARD NOVEMBER 2, 2016
EFFECTIVE NOVEMBER 2, 2016 TO MARCH 31, 2016

1. MGK Electric LLC - (Mark Shendock) - (Limited Liability Company) - Formerly - Mark Shendock Electric Contractor LLC - (Limited Liability Company) - 409 Bloomfield Drive Unit 5 - West Berlin, New Jersey 08091 - License #12732A
2. Clear Way Electrical Services Inc - (Steven B Goehringer) - (Corporation) - Formerly - Clearway Electrical Services LLC - (Limited Liability Company) - 539 First Street - Atco, New Jersey 08004 - License #17998A
3. County Electrical Contractor Inc - (Mayer Weber) - (Corporation) Formerly - Metro Electrical Contractor Inc - (Corporation) - 100 Beard Street - Brooklyn, New York 11231 - License #17748A
4. Eagle Eye Technologies LLC - (Bob Roberts) - (Limited Liability Company) - Formerly - Liberty Electrical Contracting LLC - (Limited Liability Company) - 53 N. Railroad Avenue - Pedricktown, New Jersey 08067 - License #10234B