

913th BUSINESS MEETING OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - DECEMBER 7, 2016

The Board Minutes of December 7, 2016, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of January 11, 2017, 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 December 7, 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. Gino Pasqualone
- Mr. James H. Flaherty

Mr. Constantinos Papademas and Mr. Arthur W. Jacobs, Sr. were 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 were Darren Reaman and David Whitlar, CEDIA; Eric DeGesero, NJIECA; Patrick Gianotto, Franklin Electric; Ryan Herd, One Sound Choice; Tom Curnin, Bravo AV; RJ Armbruster, Armbruster Communications, LLC; and Sal Anderton, Porzio Governmental Affairs, LLC

The Board saluted the Flag.

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Mr. Schooley requested a moment of silence in remembrance of Pearl Harbor.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to approve (4) Initial Licenses which will expire on March 31, 2018. (Licenses were issued from November 29, 2016 through December 1, 2016).

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (3) Initial Business Permits which will expire on March 31, 2018. (Permits were issued from November 10, 2016 through November 29, 2016).

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (4) Initial Business Permits Previously Expired which will expire on March 31, 2018.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (8) Changes in Business Permits which will expire on March 31, 2018.

Check in the amount of \$1,000.00 received from Charles McKeon, Unlicensed, as the first and final payment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9. Additionally, Mr. McKeon signed an agreement to cease and desist from engaging in the business of electrical contracting until such time as he becomes licensed.

The Board accepted the payment.

Two payments in the amount of \$500.00 each received on September 16, 2016 and October 13, 2016, from Edward Johnson, License #7469 (Revoked) for violation of N.J.S.A. 45:5A-9; N.J.A.C. 13:31-1.5(e); and N.J.S.A. 45:1-21(e). Balance due is \$29,000.00.

The Board accepted the payment.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Robert Tripplett, Penn-Del-Jersey Chapter NECA, requesting approval of new courses.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. James H. Flaherty, and unanimously passed, to approve nine (9) new courses and instructors. Mr. Tripplett will be advised that the course entitled "Perform Like the Boss" is disapproved pending receipt of a more detailed resume/curriculum vitae for Mr. Bittle. Additionally, the course entitled "2017 NEC 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".

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Donald Frangipane requesting approval of new courses.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve eight (8) new courses and instructors.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Tom Pernal, t/a Tom Pernal Electrical Seminars, LLC, requesting approval of new courses.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve two (2) new courses and instructors.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Fredric C. Smith requesting approval of new courses.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, that a letter be sent to Mr. Smith advising him that his request is being held in abeyance pending a more detailed breakdown and description of the course content.

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Letter dated October 21, 2016, received from Patrick Gianotto requesting a second six-month continuance of business under permit #5379 according to N.J.S.A. 45:5A-14. The licensee Patrick Gianotto, died on April 28, 2016 and the extension expired on October 28, 2016.

Mr. Giannotto stated his application was approved on September 7, 2016 and he will be scheduling his examination shortly.

Motion made by Mr. James H. Flaherty and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that the firm of Franklin Electric Maintenance Company, Inc. be granted a second six-month continuance of business under permit #5379. The Board approves Patrick Gianotto to qualify the business for the six-month period. The extension will expire on April 28, 2017.

E-mail dated November 5, 2016, received from Timothy H. Barry requesting additional time to continue the 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.

Motion made by Mr. James H. Flaherty and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Barry advising him that his request is denied. Once the extension expires on January 31, 2017, Mr. Barry can either make arrangements with a licensed electrical contractor, with an active business permit, to complete any unfinished jobs, or hire a licensed electrical contractor to endorse his/her business permit to the firm of East Coast Lighting & Energy, LLC.

The Board reviewed an application to Reactivate an Inactive Electrical Contractors License received from Gary D. Fenwick, License #11393 (Inactive).

Office files reflect Mr. Fenwick chose "Inactive" status on April 10, 2015.

The Board requested that Mr. Fenwick provide it with a copy of the Continuing Education Course certificates which indicate that he attended the nine hours of Code Changes and the One Hour of Laws, Rules and Regulations.

Mr. Fenwick provided a copy of the DCA/Rutgers certificates which indicate he attended the ten hours of NEC Changes.

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Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Gino Pasqualone, and unanimously passed, that a letter be sent to Mr. Fenwick advising him that his request to reactivate his License #11393 is denied until such time as he attends the One Hour of Laws, Rules, and Regulations.

Rachel Glasgow, Regulatory Analyst, appeared before the Board to discuss the petition received from Custom Electronic Design & Installation Association (CEDIA), petitioning the Board to amend N.J.A.C. 13:31-4.1 Limited Telecommunications Wiring Exemption.

Mrs. Glasgow stated that the Notice of Receipt of Petition for Rulemaking was published in the New Jersey Register on December 5, 2016. The Board has 60 days from that publication to either grant the request, deny the request or refer for 90 days for further deliberation; after which the Board can again grant, deny, or seek additional time for discussion.

Darren Reaman, CEDIA, thanked the Board for considering the petition. Mr. Reaman also stated his association represents over 91 companies and small businesses throughout New Jersey. Mr. Reaman further stated the telecommunications wiring exemption was created in 1993 for which there have been no changes. In an industry as dynamic as telecommunications changes must be made.

Mr. Reaman further stated according to the Board's statutes, the Board may grant an exemption from the license and business permit requirements such other activities of like character.

Mr. Reaman stated that this amendment represents the current home technology professional. The work of a home technology professional designs, installs, and integrates electronic systems throughout the home; such work would not really come under an electrical contractor's license. Mr. Reaman also stated that the old days of running cat three cable do not exist. The information is delivered in the form of voice, data, audio, and video systems which requires a well-trained home technology professional. The equipment is set up, wiring is plugged into bricks (electronic component) and the brick is plugged into an outlet.

DAG Donofrio asked who would install the thermostats.

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Mr. Reaman stated the HVAC contractor would install the thermostat and then the home technology professional would program the thermostat. Mr. Reaman also stated that the IT person does not want to perform electrical work, they want to install the wireless products. Mr. Reaman further stated the technology professionals will pair up with the electrical contractor.

Mr. Curnin stated all the work performed by the technology professional involves a brick which is plugged into an outlet which is installed by the electrical contractor. Whenever work is performed in a new home, and the owner wants speakers, receivers, and amplifiers installed, the technology professional would run the cables and perform the programming; the electrical contractor would perform the electrical work.

Mr. Flaherty stated it appears that the work described thus far would fall under the wiring exemption.

Mr. Reaman stated the exemption should be clarified so that there is not a gray area.

Mr. Schooley stated that the Board is here to protect the public, not the industry.

DAG Donofrio stated we have had instances of exempt telecommunications individuals performing alarm work.

Motion made by Mr. James H. Flaherty and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, the Board has determined that this matter be referred for 90 days so it may further deliberate and discuss the issue at hand.

Mrs. Glasgow stated she will draft a notice advising that the Board has determined to refer this matter for further deliberation.

The Board reviewed the Continuing Education Packet that is sent to the Continuing Education Sponsors that have been approved to teach the Nine Hours of Code Changes and the One Hour of Laws, Rules, and Regulations.

The Board requested that the following categories be added to the "Most Common Cases That Appear Before the Board".

1. N.J.S.A. 45:5A-15. "Transferability of license or business permit".
2. N.J.A.C. 13:31-3.3 "Pressure Seal and Signature Requirements".

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- 3. N.J.S.A. 45:5A-13 "Initial license or business permit; renewals; fees; applications; duration of license or permit; re-examination".
- 4. N.J.A.C. 13:31-1.8 "Notification of Change of Address or Business Name; Service of Process; Termination or Resignation of Qualifying Licensee".
- 5. N.J.A.C. 13:31-1.2 "Definition of Employee".

The Board reviewed and accepted the final Budget Report for Fiscal Year 2016.

Joseph Sciacca, License #16835, has failed to respond to the Provisional Order of Discipline filed March 9, 2016, ordering that Mr. Sciacca is provisionally reprimanded for violation of N.J.S.A. 45:1-21(f); License #16835 is provisionally suspended for two years which shall be stayed; and assessed a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:1-21(f) which shall be stayed.

Motion made by Mr. James H. Flaherty and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that Deputy Attorney General Joseph Donofrio finalize the Provisional Order of Discipline and issue a Final Order of Discipline ordering that Mr. Sciacca is reprimanded for violation of N.J.S.A. 45:1-21(f); License #16835 is suspended for two years which shall be stayed; and assessed a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:1-21(f) which shall be stayed.

Signed cease and desist agreement received from Glen M. Rance, Home Improvement Contractors Registration #13VH07596200, t/a Rance Home Improvements and Repairs, LLC.

The Board accepted the signed cease and desist agreements.

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

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The Board reviewed applications for the licensing examination to be administered by PSI Services, LLC. Eight (8) applications were approved.

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 2:00 P.M.

An Appointment and Business Meeting is scheduled for Wednesday, January 11, 2017, at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director

INITIAL LICENSES APPROVED BY THE BOARD DECEMBER 7, 2016

1. 18213 Michael S Fabian
2. 18214 Anthony V Hogan
3. 18215 Michael J Kadelski
4. 18216 Joseph P Caliguari

INITIAL BUSINESS PERMITS APPROVED BY THE BOARD DECEMBER 7, 2016

1. 1st Light Energy Inc - (Fabian W Wika) - (Corporation) - 1869 Moffat Blvd. - Manteca, CA 95336 - License #18203
2. Automated Installations Inc - (Michael S Fabian) - (Corporation) - 268 North Berks Street - Boyertown, PA 19512 - License #18213
3. Integrated Automation Systems LLC - (Michael Kadelski) - (Limited Liability Company) - 21 Coffman Street, Suite D - Malvern, PA 19355 - License # 18215

INITIAL BUSINESS PERMITS PREVIOUS EXPIRED
APPROVED BY THE BOARD DECEMBER 7, 2016
EFFECTIVE DECEMBER 7, 2016 TO MARCH 31, 2018

1. Corey M Coleman - t/a - Corey Electrical Contractors - (Individual) - 130 Hawthorne Avenue - Newark, New Jersey 07112 - License # 10961A
2. Freedom Electrical & Data Inc - (Aris Zorgios) - (Corporation) - 20 Engert Street - Staten Island, New York 10309 - License #16138B
3. Michael A Toner - t/a - Toner Electric and Construction Co. - (Individual) - 401 E franklin Avenue - Beverly, New Jersey 08010 - License #14287A
4. True Tech Services LLC - (Marcin Mazur) - (Limited Liability Company) - 30 Western Drive - Howell, New Jersey 07731 - License #17291B

CHANGES IN BUSINESS PERMITS APPROVED
BY THE BOARD DECEMBER 7, 2016

1. Pro Custom Solar LLC - dba Momentum Solar - (Matthew E Franz) - (Limited Liability Company) - Formerly - Franz Electric Inc - (Corporation) 325 High Street -Metuchen, New Jersey 08840 - License #15913A
2. Monse Electric LLC - (Monserrare Echevarria) - (Limited Liability Company) - Formerly Monserrate Echevarria Electrical Contractor - (Individual) - 21 North Street - Dover, New Jersey 07801 - License #12888A
3. Trademark Electric and Security LLC - (Israel Thaler) - (Limited Liability Company) - Formerly - Circuit Electrical Corp. (Corporation) - 5 Crocus Street - Lakewood, New Jersey 08701 - License# 16781B
4. Johnston G P Inc. - (John J Sloan) - (Corporation) - Formerly - J J Sloan Electric - (Individual) - P O Box 390 - Kearny, New Jersey 07032 - License #7481A
5. Sunrise Electric Consulting LLC - (Scott T Murphy) - (Limited Liability Company) - Formerly - Sunrise Electric Inc - (Corporation) - 213 Van Houten Avenue - Wyckoff, New Jersey 07481 License #7440A
6. Cyprium Solutions, Inc - (Keith B Fuddy) - (Corporation) - Formerly - Integra Ted System & Security Technologies Inc - (Corporation) - 6069 Main Street - East Petersburg, PA 17520 - License #12893C
7. Revolution Electric LLC - (Anthony Kyle) - (Limited Liability Company) - Formerly - Robert Legere Companies Inc dba Front Electric & AV - (Corporation) - 249 Frankfort Avenue - Neptune, New Jersey 07753 - License #15259B
8. Pow-R Electrical Construction LLC - (Albert E Mancini) - Limited Liability Company) - Formerly - Pow - Electrical Construction - (Individual) - 127 Cedar Road - Mullica Hill, New Jersey 08062 - License # 8846A