



New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Examiners of Electrical Contractors
124 Halsey Street, 6th Floor, Newark NJ 07102



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975th BUSINESS MEETING OF THE BOARD OF
EXAMINERS OF ELECTRICAL CONTRACTORS
(PUBLIC SESSION) - - - FEBRUARY 8, 2023

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CALL TO ORDER

Due to the current state of emergency, the February 8, 2023 meeting of the Board of Examiners of Electrical Contractors was not held at 124 Halsey Street, but remotely. Pursuant to OPMA, N.J.S.A. 10:4-9.1, notice was provided electronically within 48 hours of the scheduled meeting. The meeting began at 9:00 and was accessed by the public via the (now inactive) link:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1614238326?pwd=eWZ2RjYUGJLcktKcXFZbi9vVDR0Zz09>

Meeting ID: 161 423 8326
Passcode: 890256
Dial by your location
833 435 1820 US Toll-free
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The agenda was provided below to the extent known at the time of this notice. The meeting was limited to urgent matters and those related to the COVID-19 pandemic.

Any public comments were submitted by 2:00 P.M. on February 7, 2023, by e-mailing Philameana L. Tucker, Executive Director, at tuckerp@dca.njoag.gov. The Board made its best effort to read any comments received during the meeting.

The Board saluted the Flag.

ROLL CALL

Mr. Joseph P. Schooley, Chairman
Mr. Constantinos Papademas
Mr. Gino Pasqualone
Mr. Anthony L. Anzelone

Mr. James H. Flaherty was absent.

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Also in attendance:

Joseph Donofrio, Deputy Attorney General, Division of Law
Philameana L. Tucker, Executive Director
Lycette Nelson, Regulatory Analyst, Division of Consumer Affairs
Kathleen Moran, Administrative Assistant
Sadiqa Roe, Government Representative
Marcy Jones, Administrative Assistant

There were also ten (10) guests in attendance.

Mr. Schooley asked for a moment of silence for Bernadette Flaherty who passed away this weekend.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the Minutes of the 973rd Open Session Business Meeting held December 14, 2022.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (7) Initial Licenses which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded Mr. Constantinos Papademas, and unanimously passed, to approve (8) Initial Business Permits which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to hold in abeyance (2) Initial Business Permits Previously Expired.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (13) of the (16) Changes in Business Permits effective March 15, 2023 to March 31, 2024. (#1, # is being held in abeyance pending further review).

Check in the amount of \$200.00 received from Monica E. Merel, License #15260, t/a Clean Energy Electric & Solar, LLC, as the seventh installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started June 2, 2022 and the balance due is \$600.00.

The Board accepted the payment.

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Check in the amount of \$150.00 received from John P. Mitacek, License #15049, t/a JMCC Electrical Contracting, Corp., as the third installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started November 2, 2022 and the balance due is \$2,550.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Robert K. Bryant, License #15293, t/a Bryant Construction & Electrical Contracting, LLC, as the third installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started November 2, 2022 and the balance due is \$1,400.00.

The Board accepted the payment.

Check in the amount of \$150.00 received from Kenneth Gorman, License #13786 t/a Gorman Electric LLC, as the twenty-fourth installment of a civil penalty in the amount of \$5,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started February 12, 2021 and the balance due is \$1,400.00.

The Board accepted the payment.

Check in the amount of \$150.00 received from Steven T. Scotti, License #16987, t/a Trulite Electric, LLC, as the eleventh installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13-31-3.3 (c)(1). Payments started April 22, 2022 and the balance due is \$1,350.00.

The Board accepted the payment.

Check in the amount of \$150.00 received from Daniel M. McGaw, License #18019, t/a DMG Master Electric, LLC, as the sixth installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started July 28, 2022 and the balance due is \$1,950.00.

The Board accepted the payment.

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Check in the amount of \$150.00 received from Joseph F. Kiss, License #15304, t/a L B Electric Inc., as the eighteenth installment of a civil penalty in the amount of \$5,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1). Payments started June 17, 2021 and the balance due is \$2,300.00.

The Board accepted the payment.

Check in the amount of \$100.00 received from George Isabella, License #14732, t/a George Isabella Electrical Contractor, as the forty-seventh and final installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.A.C. 13:31-3.3 (c)(1).

The Board accepted the payment.

Check in the amount of \$5,850.00 received from Frank Berkey, License #14261, as the second and final installment of a civil penalty in the amount of \$6,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1).

The Board accepted the payment.

Check in the amount of \$1,000.00 received from Bervin W. Miller, License #18312 as the first and final payment of a civil penalty in the amount of \$1,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1).

The Board accepted the payment.

Check in the amount of \$800.00 received from Steven Mennitt, Unlicensed, as the second and final payment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9.

The Board accepted the payment.

Check in the amount of \$3,000.00 received from Darryl H. Cuttell, License #18157 as the first and final payment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13:31-3.3 (c)(1).

The Board accepted the payment.

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Check in the amount of \$497.00 received from Alfredo Oristanio, License #14835, as the twelfth and final payment of a civil penalty in the amount of \$4,000.00 for violation of N.J.A.C. 13:31-3.3 (c) (1).

The Board accepted the payment.

Checks in the amount of \$1,000.00 and \$500.00 received from Bruce Gordon, License #6633, t/a Bruce Gordon Electrical Inc., as the sixteenth and seventeenth installment of a civil penalty in the amount of \$12,125.00 for violation of N.J.A.C. 13:31-1.7. Payments started July 1, 2021 and the balance due is \$3,000.00.

The Board accepted the payment.

Checks in the amount of \$200.00 received from Kyle J. Shurack, License #17854, t/a KJS Electric, LLC, as the third installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13:31-3.3 (c) (1). Payments started November 4, 2022 and the balance due is \$2,400.00.

The Board accepted the payment.

Money Order in the amount of \$200.00 received from Joseph Gornicz, License #16039, t/a Mid-State Services, Inc., as the sixth installment of a civil penalty in the amount of \$4,000.00 for violation of N.J.A.C. 13-31-3.3 (c) (1). Payments started August 19, 2022 and the balance due is \$2,800.00.

The Board accepted the payment.

Check in the amount of \$150.00 received from Raymond G. Welsh, License #9993, as the second installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13-31-3.3 (c) (1). Payments started November 17, 2022 and the balance due is \$2,850.00.

The Board accepted the payment.

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Check in the amount of \$150.00 received from Raymond P. Gearhart, License #16403, t/a R P Gearhart Jr. Electrical Contractor, LLC, as the first installment of a civil penalty in the amount of \$3,000.00 for violation of N.J.A.C. 13-31-3.3 (c)(1). The balance due is \$2,850.00.

The Board accepted the payment.

The Board reviewed an Application to Reinstate Expired Electrical Contractors License #17496 received from David K. Hartpence.

Office files reflect that Mr. Hartpence's License and Business Permit #17496 expired on March 31, 2021.

Office files also reflect that Mr. Hartpence paid to renew his business permit on January 12, 2021; however, he failed to pay his license renewal fee.

Pressure seal issued to Power Stream Electric Contractors, LLC returned to the Board office on November 23, 2022.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that this matter be discussed in Executive Session.

The Board reviewed an Application to Reactivate Inactive Electrical Contractors License #7217 received from Peter Nagy.

Office files reflect that Mr. Nagy placed License and Business Permit #7217 in inactive status on April 2, 2018.

Office files also reflect that the pressure seal issued to Peter Nagy Electrical Contractor was not returned to the Board office.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that this matter be discussed in Executive Session.

The Board reviewed an Application to Reinstate Expired Electrical Contractors License #9472 received from Paul N. Vitale.

Office files reflect License #9472 expired on March 31, 2009.

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Office files also reflect that Mr. Vitale closed the business and returned the pressure seal issued to P C Electrical Contractor on January 8, 2001.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reinstate Mr. Vitale's License #9472 as he has demonstrated to the Board's satisfaction that he meets the requirement for reinstatement.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Kim Good, EC&M Workplace Learning Center, requesting approval to add an instructor to an approved course.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the instructor to teach the 16 hour course. Ms. Good will be advised that breaks and lunches cannot be included in the instructional hours.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Neil D. Nagy, Father Time Seminars, requesting approval to teach two new courses.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Nagy asking him to explain the relationship between propane tank placement and the practice of electrical contracting.

E-mail received from Ted Kitchmire, Electrical Subcode Official, Gloucester Township, asking for the Board's guidance concerning homeowners requesting they be allowed to perform electrical work in a home they own but do not yet occupy.

DAG Donofrio stated pursuant to N.J.S.A. 45:5A-18 (n) work performed by a person on a dwelling that is occupied solely as a residence for himself or for a member or members of his immediate family is considered exempt and shall not be included within the practice of electrical contracting so as to require the securing of a business permit.

The Board requested that a letter be sent to Mr. Kitchmire advising him that the work must be performed by the owner occupying the home pursuant to N.J.S.A. 45:5A-18 (n).

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Lycette Nelson, Regulatory Analyst, appeared before the Board concerning Senate Bill 2497. Ms. Nelson stated that the Board was asked to take a position on this bill which would allow fire and burglar alarm licensees to list their internet address in all forms of advertisements, but not their license number. The Bill would require that the license number be listed on their website.

Ms. Nelson also stated the bill passed and was signed by the governor.

Ms. Nelson stated that the draft of the new regulations for journeymen, wiremen, and apprentices did not include the rules for reciprocity or the temporary 30 day license.

Ms. Nelson also stated this Board has never had reciprocity and can, in its discretion, grant reciprocity to an individual living in another state, if that state has equal requirements.

Ms. Nelson further stated pursuant to 13:31-2.9, the Board may grant a license without examination to an applicant who holds an electrical contractor license in good standing from another jurisdiction, provided that jurisdiction in which the applicant is licensed provides equal reciprocity for an electrical contractor licensed in New Jersey and the Board determines that the qualifications and examination for an electrical contractor licensed in the jurisdiction are substantially equivalent to those required for an electrical contractor license in New Jersey.

Ms. Nelson stated that the language for reciprocity for the Class A Journey under 13:31-5.8 is similar with slight variations.

Ms. Nelson also stated that journeymen and wiremen will be required to satisfy 15 hours of continuing education.

Ms. Nelson further stated that pursuant to 13:31-5.9 a one-time temporary 30 day license can be granted to a Class A Journeyman. If the applicant intends to work as the Class A Journeyman for more than 30 days, the applicant must apply for the Class A Journeyman Electrician license. Only one temporary 30 day license can be issued in a triennial period. The temporary licensed individual must be supervised.

Ms. Nelson stated that the language under 13:31-6.6 for reciprocity granted to a Class B Wireman is basically the same.

Ms. Nelson also stated pursuant to 13:31-6.7 the Board may grant a temporary 30 day Class B Wireman License to an individual from another state or jurisdiction to perform electrical work corresponding to the wireman's level of training and experience as a W-2 employee under the supervision of a licensed electrical contractor or Class A journeyman electrician in the state for not more than 30 days.

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Ms. Nelson stated pursuant to 13:31-7.5 the Board may grant a Class A Electrical Apprentice license to an applicant holding an electrical apprentice license in good standing from another state or territory of the United States or the District of Columbia provided that the jurisdiction in which the applicant is licensed provides equal reciprocity to Class A Electrical Apprentice licensed in New Jersey.

Ms. Nelson stated pursuant to 13:31-7.6 the Board may grant a temporary 30-day Class A Electrical Apprentice license to an individual from another state or jurisdiction who is enrolled in a four-year electrical apprenticeship program accredited and approved by the United States Department of Labor ("USDOL").

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the proposed draft of amendments to the Electrical Contractors Regulations.

Roll call vote on the motion:

- Gino Pasqualone - Yes
- Anthony L. Anzelone - Yes
- Constantinos Papademas - Yes
- Joseph P. Schooley - Yes

Motion carries.

Eric DeGesero, New Jersey Independent Electrical Contractors Association, stated he would like to bring to the Board's attention activity of the Board of Public Utilities in a proposal dated December 23, 2022, recommending to the commissioner of the BPU a shared responsibility which would allow for the wiring of various medium and heavy duty charging stations.

Mr. DeGesero also stated that the proposal defines the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of EVSE, including but not limited to, Level Two EVSE and DC Fast Chargers. Make-Ready includes expenses related to service panels, junction boxes, conduit wiring, etc., necessary to make particular location able to accommodate EVSE on a plug and play basis.

Mr. DeGesero also stated the NJ-IEC has sent a letter opposing the straw proposal.

Mrs. Tucker stated that she has nothing to report.

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Motion made by Mr. Anthony L. Anzelone 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 3:30 P.M.

A Zoom Appointment and Business Meeting is scheduled for Wednesday, March 15, 2023 at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director