

932nd BUSINESS MEETING OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - SEPTEMBER 12, 2018

The Board Minutes of September 12, 2018, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of October 10, 2018, 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 September 12, 2018, was called to order at 9:00 A.M.
The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Constantinos Papademas
Mr. Gino Pasqualone

Mr. Joseph F. Cantalupo and Mr. James H. Flaherty 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 Sam Weinstein, NJESA; Eric DeGesero, NJ-IEC; Sal Anderton, CEDIA; Chris Schippnick.

The Board saluted the Flag.

Mr. Schooley requested a moment of silence for the victims of the September 11, 2001 terrorist attacks.

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Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (12) Initial Licenses which will expire on March 31, 2021.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (13) Initial Business Permits which will expire on March 31, 2021.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (9) Initial Business Permits Previously Expired effective September 12, 2018 to March 31, 2021.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (3) Changes in Business Permits effective September 12, 2018 to March 31, 2021.

Minutes of the 931st Open Session Business Meeting held July 11, 2018, were not sent to the Board for approval.

Payment in the amount of \$1,400.00 received on August 15, 2018, from Louis Garron, Unlicensed, as the first and final payment of a civil penalty and costs in the amount of \$1,400.00 for violation of N.J.S.A. 45:5A-9.

The Board accepted the payment.

Payment in the amount of \$2,500.00 received on July 17, 2018, from Anthony Fontana, License #9914, t/a Anthony Fontana Electrical Contractor, as the first and final payment of a civil penalty in the amount of \$2,500.00 for violation of N.J.A.C. 13:45C-1.2.

The Board accepted the payment.

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Payment in the amount of \$167.00 received on July 12, 2018, from Dean A. Pesarini, License #11825, as the first 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). The balance due is \$1,833.00.

The Board accepted the payment.

Payment in the amount of \$439.49 received on July 17, 2018, from Carl J. Swenson, License #4309, S Swenson & Son, Inc., as the tenth installment of a civil penalty, costs, attorneys fees and interest in the amount of \$4,974.56. Payments began on December 16, 2002 and the balance due is \$2,046.89.

The Board accepted the payment.

Two payments in the amount of \$1,000.00 each received on June 18, 2018 and July 17, 2018, from Edward Johnson, License #7469 (Revoked), as the nineteenth and twentieth installment of a civil penalty in the amount of \$30,000.00 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). Payments began on November 16, 2016 and the balance due is \$9,000.00.

The Board accepted the payment.

Payment in the amount of \$2,000.00 received on June 27, 2018, from John V. Lane, License #5657, as the first and final payment of a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:31-3.3 (c) (1).

The Board accepted the payment.

Three checks in the amount of \$167.00 each received on July 11, 2018, August 3, 2018, and August 10, 2018, from Barry J. Yeslow, License #9340, as the first, second, and 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). The balance due is \$1,499.00.

The Board accepted the payment.

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Check in the amount of \$800.00 received on July 23, 2018, from David Hinton, License #11267, t/a Hinton and Son Electric, LLC, as the seventh installment of a civil penalty in the amount of \$2,000.00 as reflected in the Final Order of Discipline filed October 5, 2016, ordering Mr. Hinton to pay a civil penalty in the amount of \$2,000.00 for violation of N.J.S.A. 45:1-21 (e). Payments began on November 29, 2016 and the balance due is \$200.00.

The Board accepted the payment.

Checks in the amount of \$200.00 and \$50.00 received on July 27, 2018, from George Isabella, License #14732, t/a George Isabella Electrical Contractor, as the first 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). Balance due is \$2,250.00.

The Board accepted the payment.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Meghan Holt, Mike Holt Enterprises, Inc., requesting approval of a new course and new instructors.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve one (1) new course and instructors.

Mr. Constantinos Papademas recused himself from the following discussion and motion as he is listed as one of the instructors.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Briana Gdanitz, Warshauer Electric Supply, requesting approval of new courses and a new instructor.

The Committee unanimously recommended to approve six (6) new courses and an instructor.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Claudine Oleskin, Cook College Office of Continuing Professional Education, requesting approval of a new course and instructor.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve one (1) new course and an instructor.

The Board reviewed an Application to Reactivate an Inactive Electrical Contractors license received from Scott C. Brouwer, License #14872, Inactive.

Office files reflect Mr. Brouwer chose Inactive status for his license on January 28, 2006.

Office files also reflect Mr. Brouwer never held a business permit.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reactivate Mr. Brouwer's License #14872 as he has demonstrated to the Board's satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application to Reactivate an Inactive Electrical Contractors license received from Joseph B. Varga, License #10041 (Inactive).

Office files reflect Mr. Varga chose Inactive status for his license on June 1, 2012.

Office files also reflect Mr. Varga never held a business permit.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reactivate Mr. Varga's License #10041 as he has demonstrated to the Board's satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application to Reactivate an Inactive Electrical Contractors license received from Charles K. Alter, License #14163 (Inactive).

Office files reflect Mr. Alter chose Inactive status for his License and Business Permit on March 31, 2006.

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Office files also reflect Mr. Alter returned the pressure seal issued to Alter Electric on April 27, 2006.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reactivate Mr. Alter's License #14163 as he has demonstrated to the Board's satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application to Reactivate an Inactive Electrical Contractors license received from Ronald B. Fein, License #15367 (Inactive).

Office files reflect Mr. Fein chose Inactive status for his license on March 16, 2009.

Office files also reflect Mr. Fein never held a business permit.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reactivate Mr. Fein's License #15367 as he has demonstrated to the Board's satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application for Reinstatement of a license received from Christopher A. Gibbons, License #15222 (Expired).

Office files reflect License #15222 expired on March 31, 2015.

Office files also reflect Business Permit #15222 expired on March 31, 2012.

Pressure seal issued to Adept Electric and Design Services LLC returned to the Board office on March 28, 2018.

The Board requested that Mr. Gibbons provide a more detailed description of his responsibilities while working for the Market Street Mission; his employment since December 1, 2017; and copies of medical documentation.

Letter received from Mr. Gibbons describing his responsibilities while with the Market Street Mission.

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

George E. De Wan, Jr., License #5885, t/a All Right Electric, Inc., was granted a six-month extension in which to take his Continuing Education Courses pursuant to N.J.S.A. 45:5A-13.4.

The Board requested that Mr. De Wan provide it with a more detailed description of his employee's experience in the electrical field; copies of W-2 income tax records for the past five years for his employee; names of his employee's past employers; and whether or not his employee works for another electrical contractor while working part time for All-Right Electric, Inc.

Mr. De Wan provided copies of his Continuing Education Course Certificates totaling 34 hours for the 2015 triennial renewal period.

In response to the Board's request, a letter dated June 7, 2018 was received from Mr. De Wan.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that no further action be taken. Mr. De Wan will be reminded to forward to the Board office copies of his continuing Education Course certificates totaling 34 hours for the 2018 triennial renewal cycle.

Letter dated July 21, 2018, received from Pasqualino Chianetta, License #6899, t/a Pat Electric, LLC, requesting a waiver of his Continuing Education Courses pursuant to N.J.S.A. 45:5A-13.4.

Mr. Chianetta has provided a copy of his ten hour code class (nine hours of code changes and one hour of Laws, Rules and Regulations). Mr. Chianetta stated he has made arrangements with an instructor to take the remaining hours.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, that Mr. Chianetta's request for a waiver be denied. Mr. Chianetta will be granted a six month extension in which to complete his continuing education courses.

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Letter dated May 10, 2018, received from Nelson Morales, License #6974 (Expired), in response to a Provisional Order of Discipline filed April 11, 2018, ordering that Mr. Morales' License and Business Permit #6974 shall be suspended until he cooperates with the Board's request for information; shall cease and desist from engaging in the business of electrical contracting; and pay a civil penalty in the amount of \$5,000.00 for violation of N.J.A.C. 13:45C-1.2.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to go into Executive Closed Session to receive advice of counsel from Nancy Miller, Deputy Attorney General, Division of Law.

After discussion in Closed Session, the Board returned to Open Session.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that the Provisional Order of Discipline be finalized and a Final Order of Discipline be issued ordering that Mr. Morales' License and Business Permit #6974 shall be suspended until he cooperates with the Board's request for information; shall cease and desist from engaging in the business of electrical contracting; and pay a civil penalty in the amount of \$5,000.00 for violation of N.J.A.C. 13:45C-1.2.

Letter dated April 29, 2018, received from Mohammed B. Abdulai, License #15507, t/a ABM Electric Company, in response to the Provisional Order of Discipline filed April 11, 2018, ordering that Mr. Abdulai pay a civil penalty in the amount of \$10,000.00 (\$5,000.00 for violation of N.J.S.A. 45:5A-15 and \$5,000.00 for violation of N.J.A.C. 13:31-3.1 and N.J.A.C. 13:31-1.2).

After discussion in Closed Session, the Board returned to Open Session.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that the Provisional Order of Discipline be modified and a Final Order of Discipline be issued reducing the amount of the civil penalty to \$5,000.00 for violation of N.J.S.A. 45:5A-15; N.J.A.C. 13:31-3.1; and N.J.A.C. 13:31-1.2.

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The Board reviewed a draft of the notice of pre-proposal concerning power over the ethernet.

Mrs. Glasgow stated in October 2016, the Board received a petition for rule making from CEDIA requesting to amend the telecommunications wiring exemption to add a new exemption for the design, installation, integration, erection, repair, maintenance, or alteration of products that transport voice, video, audio, and data signals in residential premises.

Mrs. Glasgow also stated in May 2018, the Board denied CEDIA's petition for rule making. The Board noted that pursuant to N.J.A.C. 13:31-4.1 Power Over the Ethernet does not meet the requirements of the telecommunications wiring exemption and an electrical contractor's license is required to perform this work.

Mrs. Glasgow further stated the Board did note perhaps it should seek further comment from the public as to whether or not it should exempt the installation of power over the ethernet. Mrs. Glasgow stated the Board has the authority to exempt such electrical activities of like character and welcomes comments to establish whether or not power other the ethernet is of similar character.

DAG Donofrio asked if the pre-proposal will ask for examples.

Mrs. Glasgow stated that the pre-proposal was broadly written; however, we could add language to request specific language and/or examples from the commenters. Mrs. Glasgow also stated that the pre-proposal is not limited to just residential installations.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to accept the pre-proposal with the amendment to seek specific language and/or examples of rule language.

Mr. Anderton thanked the Board for giving CEDIA the opportunity to comment.

Mrs. Glasgow stated on September 4, 2018, the Electrical Board's fees increases were adopted and published in the New Jersey Register.

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Letter received from James P. Leckie, License #15077, t/a Innovative Electrical Contracting, Inc., stating until the licensing of HVACR Contractors, electrical contractors were allowed to run gas piping for generators under a home improvement contractor's license. However, a plumbing inspector recently advised that electrical contractors were again allowed to run gas piping.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Leckie advising him that the installation of gas piping is not within the jurisdiction of electrical contracting.

Joseph M. Anton, License #14663, has failed to respond to the Provisional Order of Discipline filed April 11, 2018, ordering that he pay a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:45C-1.3 and \$2,500.00 for violation of N.J.A.C. 13:45C-1.2. Additionally, Mr. Anton's License and Business Permit #14663 will be suspended until such time as he appears before the Board concerning the complaint received.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, 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. Anton pay a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:45C-1.3 and \$2,500.00 for violation of N.J.A.C. 13:45C-1.2. Additionally, Mr. Anton's License and Business Permit #14663 will be suspended until such time as he appears before the Board concerning the complaint received.

Mrs. Tucker stated that she has nothing to report to the Board.

The Board reviewed applications for the licensing examination to be administered by PSI Services, LLC. Seven (7) applications were approved.

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Motion made by Mr. Constantinos Papademas 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, October 10, 2018, at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director

INITIAL LICENSEES APPROVED BY THE BOARD SEPTEMBER 12, 2018
EFFECTIVE SEPTEMBER 12 2018 TO MARCH 31, 2021

1. Adam J. Schipani
2. Joseph F. Nigro
3. Frank J. Obermeier
4. Rudy T. Persaud
5. Peter J. O'Brien
6. Adam P. Liguori
7. Matthew Pepe
8. Jeffrey Marinello
9. Sean M. DeBlasio
10. Clint J. Kyllonen
11. Raleigh Lee Veney
12. Albert A. Hernandez

INITIAL LICENSEES APPROVED BY THE BOARD SEPTEMBER 12, 2018
EFFECTIVE SEPTEMBER 12, 2018 TO MARCH 31, 2021

1. Giuzappes Electric LLC - (Joseph F Nigro) - (Limited Liability Company) - 715 S Harding Hwy - Buena, New Jersey 08310
2. Frank J. Obermeier - t/a - Obermeier Electric - (Individual) - 726 W. Madison Avenue - Magnolia, New Jersey 08049
3. Excel Electrical Contractors - (Rudy T. Persaud) - (Limited Liability Company) - 14 Drake Road - Somerset, New Jersey 08873
4. Litespeed Electric of New Jersey - (Peter J. O'Brien) - (Corporation) - 240 South main Street - South Hackensack, New Jersey 07606
5. Island Electrical Services Corp. (Jeffrey Marinello) - (Corporation) - 76 Kerrigan Street - Long Beach, New York 11561
6. Sean De Blasio Electric LLC (Sean De Blasio) - (Limited Liability Company) - 408 Princeton Blvd. - Wenonah, New Jersey 08090
7. Swinerton Builders - (Clint J. Kyllonen) - (Corporation) - 260 Townsend Street, 5th Floor - - Legal - San Francisco CA 94107-1719
8. Petro - Mechanics, Inc - (Thomas Farrelly) - (Corporation) - 18 Prices Lane - Lafayette, New Jersey 07848
9. Marsden and Sons Inc - (William H. Marsden) - (Corporation) - 354 Route 47 South - Cape May Court House , New Jersey 08210 - License # 15543
10. Maximum Electrical Services LLC - (Raleigh Lee Veney) - (Limited Liability Company) - 515 West Hummock Lane - Newark, DE 19702
11. Absolute Power Electric LLC - (Albert Hernandez) - (Limited Liability Company) - 212 Dogwood Road - Edgewater Park, New Jersey 08010
12. Solar Landscape - (David Norman) - (Limited Liability Company) - 44 Highway 35 North - Neptune, New Jersey 07753
13. Best Choice Electric LLC - (David Davydov) - (Limited Liability Company) - 30 Sherwood Road - Parlin, New Jersey 08859 - License #17801

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED APPROVED
BY THE BOARD SEPTEMBER 12, 2018
EFFECTIVE SEPTEMBER 12, 2018 TO MARCH 31, 2021

1. Absolute Electrical Services LLC - (Ronald Stampe) - Limited Liability Company) - 8 Dey Hill Trail - Totowa, New Jersey 07512 - License #12678A
2. Kenneth J. Millman - t/a - KJM Electric - (Individual) - 61 Fist Street - Somerset, New Jersey 08823 - License #15890A
3. Electrical Dynamics, Inc. - (Paul McEvoy) - (Corporation) - 86 Willow Road - Metuchen, New Jersey - License # 12303A
4. A D Yeager Electric LLC - (Arvine D. Yeager) - (Limited Liability Company) - 420 Tuckerton Road - Medford, New Jersey 08055 - License - #14889
5. Antonio Velez, Jr. - t/a Velez Electrical Contractors - (Individual) - 250 Main Street Apt # 25 - Spotswood, New Jersey 08884 - License # 14711
6. Dimarco Electric LLC - (Joseph M. Dimarco) - (Limited Liability Company) - 913 5th Street - Ocean City, New Jersey 08226 - License #16009A
7. RG Electrical Contracting LLC - (Richard George) - (Limited Liability Company) - 713 20th Avenue - Lake Come, New Jersey 07719 - License # 16095A
8. Colonial EP LLC - dba Colonial Generators - (Christopher M. Fields) - 473 S Henderson Road - King of Prussia, PA 19406 - License # 14641A
9. All Phase electric Ent, Inc - (Paul White) - (Corporation) - 75A Lake Road Suite 179 - Congers, New York 10920 - License # 13918C

CHANGES IN BUSINESS PERMITS APPROVED BY THE BOARD SEPTEMBER 12, 2018
EFFECTIVE SEPTEMBER 12, 2019 TO MARCH 31, 2021

1. Complete Solar Inc - (Marcin K. Kosierb) - (Corporation) - Formerly - Jet Industrials Services Corp. - (Corporation) - 1850 Gateway Drive Suite 450 - San Mateo, CA 94404 - License # 17112C
2. KG Solar & Renewable Energy, LLC - (Matthew T. Sullivan) - (Limited Liability Company) - Formerly - Sullivan's Electric LLC - (Limited Liability Company) - 133A Dermarest Road - Sparta, New Jersey 07871 - License # 18241A
3. Struble Electric LLC - (Darrell Struble) - (Limited Liability Company) - Formerly - Struble Electric - (Individual) - 18 W Crisman Road - Columbia, New Jersey 07832 - License # 16945A