



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



PHILIP D. MURPHY
Governor

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Lt. Governor

CARI FAIS
Acting Director

981st BUSINESS MEETING OF THE BOARD OF
EXAMINATIONS OF ELECTRICAL CONTRACTORS
(PUBLIC SESSION) - - - SEPTEMBER 13, 2023

Mailing Address:
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The Board Minutes of September 13, 2023, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of October 11, 2023, 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 September 13, 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/1612607326?pwd=UHRUTWxNa3RYWjkwS2ZPL3pOQU9Mz09>

Meeting ID: 161 260 7326
Passcode: 869028

- Dial by your location
- 833 435 1820 US Toll-free
 - 833 568 8864 US Toll-free

Any public comments were submitted by 2:00 P.M. on September 12, 2023, by e-mailing Philameana L. Tucker, Executive Director, at tuckerp@dca.njoag.gov. The Board made its best efforts to read any comments received during the meeting.

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.

The Board saluted the Flag.

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ROLL CALL

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

Also in attendance:

Joseph Donofrio, Deputy Attorney General, Division of Law
John Passante, Deputy Attorney General, Division of Law
Philameana L. Tucker, Executive Director
Kathleen Moran, Administrative Assistant
Sadiqa Roe, Government Representative
Koi Nivins, Administrative Assistant

There were seven (7) guests in attendance.

Mr. Schooley requested a moment of silence for those who died on September 11, 2001, and their families.

Motion made by Mr. James H. Flaherty and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve the Minutes of the 978th Open Session Business Meeting held May 10, 2023.

Motion made by Mr. Anthony L. Anzelone and seconded by Mr. James H. Flaherty, and unanimously passed, to approve the Minutes of the 979th Open Session Business Meeting held June 14, 2023.

Motion made by Mr. Gino Pasqualone and seconded by Mr. James H. Flaherty, and unanimously passed, to approve the August 14, 2023, conditional approval of (18) Initial Licenses which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. James H. Flaherty, and unanimously passed, to approve the August 14, 2023, conditional approval of (19) Initial Business Permits which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. James H. Flaherty, and unanimously passed, to approve the August 14, 2023, conditional approval of (7) Initial Business Permits Previously Expired effective August 14, 2023 to March 31, 2024. (#1, #3, #5, #6 #7, #8 and #9) are being held in abeyance pending further review).

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Motion made by Mr. Gino Pasqualone and seconded by Mr. James H. Flaherty, and unanimously passed, to approve the August 14, 2023, conditional approval of (3) Changes in Business Permits effective August 14, 2023 to March 31, 2024.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (15) Initial Licenses which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (18) Initial Business Permits which will expire on March 31, 2024.

Motion made by Mr. James H. Flaherty and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (1) of the (5) Initial Business Permits Previously Issued effective September 13, 2023 to March 31, 2024. (#2, #3, #4 and #5 are held in abeyance pending further review).

Motion made by Mr. James H. Flaherty and seconded by Mr. Anthony Anzelone, and unanimously passed, to approve (6) Changes in Business Permits effective September 13, 2023 to March 31, 2024.

Check in the amount of \$150.00 received from Todd Ciamei, License #16604, as the ninth 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 May 13, 2022 and the balance due is \$650.00.

The Board accepted the payment.

Checks in the amount of \$150.00 received from Kenneth Gorman, License #13786 t/a Gorman Electric LLC, as the thirtieth and thirty-first 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 \$350.00.

The Board accepted the payment.

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Checks in the amount of \$150.00 received from Steven T. Scotti, License #16987, t/a Trulite Electric, LLC, as the seventeenth and eighteenth 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 \$300.00.

The Board accepted the payment.

Checks in the amount of \$200.00 received from Anthony P. DiCataldo, License #16884, as the seventh and eighth 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 December 9, 2022 and the balance due is \$400.00.

The Board accepted the payment.

Checks in the amount of \$150.00 received from John P. Mitacek, License #15049, t/a JMCC Electrical Contracting, Corp., as the ninth and tenth 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 \$1,500.00.

The Board accepted the payment.

Check in the amount of \$500.00 received from William K. Graetz, License #14135, t/a Schwier Electric, LLC, as the six 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.

Checks in the amount of \$300.00 and \$200.00 received from Anthony W. Silva, License #16837, t/a AMK Electrical LLC, as the third, fourth, and fifth 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 \$1,900.00.

The Board accepted the payment.

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Checks in the amount of \$400.00 received from Brad T. Kleinman, License #17747, t/a Electric Doctor, LLC, as the fourth and fifth 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 January 18, 2023 and the balance due is \$1,000.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Keith R. Byard, License #17241, t/a Plug It In 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 on April 20, 2023 and the balance due is \$1,400.00.

The Board accepted the payment.

Money Orders in the amount of \$200.00 received from Joseph Gornicz, License #16039, t/a Mid-State Services, Inc., as the eleventh, twelfth, and thirteenth 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 \$1,400.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Christopher P. Arnhold, License #16458, t/a Arnco Electric LLC, as the eighth 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.

Check in the amount of \$300.00 received from Daniel M. McGaw, License #18019, t/a DMG Master Electric, LLC, as the tenth 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 \$1,200.00.

The Board accepted the payment.

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Postal Money Order in the amount of \$150.00 received from Robert A. Gramlich, License #12898, t/a Robert A. Gramlich Electric, as the twelfth 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). Payments started January 9, 2020 and the balance due is \$2,250.00.

The Board accepted the payment.

Online payment in the amount of \$1,600.00 received from Jeffrey M. Jacoby, License #10893, as the 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.

On-line payments totaling \$2,400.00 received from Anthony D. Holcomb, License #16067, t/a SG Electrical, LLC, towards 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 May 10, 2022 and the balance due is 600.00.

The Board accepted the payment.

Check in the amount of \$550.00 received from Raymond G. Welsh, License #9993, as the fifth 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 \$1,175.00.

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 tenth 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.

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Checks in the amount of \$200.00 received from Robert Fatovic, License #12131, t/a Teski Electric, LLC, as the fifth, sixth and seventh 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 March 10, 2023 and the balance due is \$3,600.00.

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 ninth, tenth, and 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 November 4, 2022 and the balance due is \$800.00.

The Board accepted the payment.

Check in the amount of \$1,500.00 received from Vincent R. Maiello, License #17336, t/a North Jersey Electric and Power, LLC, as the first and final payment of a civil penalty in the amount of \$1,500.00 for violation of N.J.A.C. 13:31-3.3(c)(1).

The Board accepted the payment.

Check in the amount of \$500.00 received from Arnold R. Dumalagan, License #15479, t/a Arnold Electrical & Instrumentation Contractor, as the first and final payment of a civil penalty in the amount of \$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 \$2,000.00 received from Robert P. Mortka, License #16424, t/a Plaza Professionals, Inc., 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.

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Check in the amount of \$1,000.00 received from Lloyd R. Smith, License #17764, 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 \$1,000.00 received from Nicholas Krontiris, License #14267, 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.

On-line payments received from Keith E. Rodgers, License #13191, totaling \$2,700.00 for violation of N.J.A.C. 13:31-3.3(c) (1). Payments started March 26, 2021 and the balance due is \$3,300.00.

The Board accepted the payment.

Mr. Schooley stated the Board is not obligated to notify licensees that it is their duty to return the Board issued seal. Continuing Education course instructors should be informing licensees that it is their responsibility to return the seal when the license is expired or placed in inactive status, or when the business is closed, inactive, or expired.

Board to review an Application to Reinstate Expired Electrical Contractors License #12094 received from Ronald K. Ross.

Office files reflect that Mr. Ross' License #12094 expired on March 31, 1997.

Office files further reflect that Mr. Ross never held a business permit.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reinstate Mr. Ross' License #12094 as he has demonstrated to the Board's satisfaction that he meets the requirement for reinstatement.

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Mr. Constantinos Papademas recused himself from the following discussion and motion.

The Board reviewed an Application to Reactivate Inactive Electrical Contractors License #8364 received from Richard L. Sauter.

Office files reflect that Mr. Sauter's License #8364 was placed in Inactive status on February 16, 2006.

Office files also reflect that Mr. Sauter never held a business permit.

Motion made by Mr. James H. Flaherty and seconded by Mr. Anthony L. Anzelone, and passed, to reinstate Mr. Sauter's License #8364 as he has demonstrated to the Board's satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application to Reactivate Inactive Electrical Contractors License #11705 received from William M. Hade.

Office files reflect that Mr. Hade's License #11705 was placed in Inactive status on March 9, 2009.

Office files further reflect that Mr. Hade never held a business permit.

Motion made by Mr. James H. Flaherty and seconded by Mr. Gino Pasqualone, and unanimously passed, to reactivate Mr. Hade's License #11705 as he has demonstrated to the Board satisfaction that he meets the requirement for reactivation.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Mair Malfara, The Electrical Association of Philadelphia, requesting approval to teach four (4) new courses and two (2) new instructors.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve four (4) new courses and two (2) new instructors.

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The Board held in abeyance the approval of the course entitled "Safety Principles of Insulate, Isolate, and Personal Protective Grounding" submitted by Robert Triplett, Penn-Del-Jersey Chapter, NECA. The Board requested that the instructor provide a more detailed resume to substantiate his qualifications to teach this course.

Mr. Triplett provided the detailed resume for Mack Turner and requested that the Board also approve Jim Vaughn to teach the course entitled "Safety Principles of Insulate, Isolate, and Personal Protective Grounding".

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve Mack Turner and Jim Vaughn to teach the course entitled "Safety Principles of Insulate, Isolate, and Personal Protective Grounding".

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Nick A. Fabiano, Jr., Construction Code Resources, LLC, requesting approval to teach eight (8) new courses; one (1) new instructor; and four (4) previously approved instructors.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve seven (7) new courses and five (5) instructors.

The course entitled "Various Construction Work Types Modules" is held in abeyance. The Board requests that Mr. Fabiano clarify whether he is requesting approval of one thirty (30) hour course or thirty (30) one (1) hour courses.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Michael Lennon, The Tri-M Group, LLC, requesting approval to teach two (2) new courses.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve two (2) new courses and three (3) previously approved instructors.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Marilyn Becker, Samson Electrical Supply, requesting approval to teach two (2) new courses.

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Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve two (2) new courses and one (1) new instructor.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Michael McLaughlin, IBEW Local 456, JATC, requesting approval to teach two (2) new courses; one (1) new instructor, and previously approved instructor.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve two (2) new courses and one (1) new and one (1) previously approved instructor.

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Bruce M. Rockwell requesting approval to teach eleven (11) new courses. Mr. Rockwell also stated he would like to be issued a new continuing education sponsor number under his individual name as he is no longer associated with Bruce M. Rockwell P.E. a/k/a American Electrical Training School, ECSP 191.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve eleven (11) new courses and one (1) previously approved instructor.

The Board reviewed Assembly Bill A-4892, which exempts licensed master plumbers in the State from certain business permit requirements under the law governing electrical contractors concerning certain electric water heaters and air conditioning units.

Phil Bufis, Secretary, on behalf of the Passaic County Electrical Contractors Association, requested that the following comments be included in the public portion of the Minutes concerning Assembly Bill A-4892. Mr. Bufis requests that the Board reconsider passing this bill into law.

In accordance with the proposed change in this bill, the changes proposed would allow plumbers and HVAC contractors the ability to disconnect and reconnect power to water heaters, A/C condensers and air handler units without having to file for a business permit. While the intent of this proposed change is aimed at relieving homeowners and property owners of the burden of additional expenses by hiring a licensed electrician to perform this work, it does not

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take into consideration the abilities of a plumbing or HVAC contractor and/or their employees to make the proper disconnects, install replacement parts, and make reconnections of electrical equipment. Making any assumptions that a licensed plumber or HVAC contractor has these abilities would be a wrong decision by the Board in our opinion.

As I am sure you all know, requirements for us as electricians mandate that we have at least five years of working experience in installing wiring, electrical equipment, making proper connections and earning 34 hours of continuing education credits every three years for our trade. Plumbers and HVAC contractors are not subject to the same requirements as they pertain to the electrical trade. In addition, if by chance, an existing installation has an NEC Code violation, the question arises - "Would plumbers and/or HVAC contractors have the ability or knowledge to bring that installation up to current Code requirements"? Do they have the abilities to change circuit breakers or add convenience receptacles either outdoors or in attics? Unless they have proven themselves to be qualified and/or also hold an electrical license and business permit, I do not believe they would.

Finally, I would like to add that granting plumbers and HVAC contractors allowances like this one is only the beginning of the diminishing our trade. Does it end here? Are we also going to allow alarm contractors, carpenters, and other contractors the same freedoms? Electrical work for electricians will slowly begin to be reduced to new work only. Renovation and service work will no longer be a source of income for our tradesmen. If these other trades lobby the Board for additional allowances, are we someday going to allow them to do new electrical installations? Once we go down this path, I do not believe we can go back.

Mr. Schooley stated the Board has voiced their strong opposition to this bill in e-mails dated July 27, 2023, to the division's regulatory analyst.

Mr. Flaherty commented in his e-mail that the requested electrical work exemption far exceeds a simple "remove and replace" of a water heater. The Bill indicates that the "exemption" would allow electrical work up to 240 volts, installing disconnects and electrical wiring on the load side of the distribution equipment as well as required grounding. In addition, air conditioning condensers, which is HVAC work, not plumbing work, is similarly "exempted".

Mr. Flaherty also indicated in his e-mail that at a time when it is now necessary to license all electrical workers with ongoing continuing education, this added electrical scope to plumbers and HVAC technicians is too broad and frankly unsafe for these electrically untrained individuals.

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Mr. Schooley stated that Assembly Bill A-4892 has not come out of committee.

DAG Donofrio stated the bill is intended to exempt licensed master plumbers, but it does not specifically mention this in the statutory language. Presumably, home improvement contractors may be allowed to perform this work.

Mr. Schooley stated that master plumbers can replace, connect, and reconnect the water heater; they cannot perform electrical work and cannot replace the whip. The plumber cannot install a new disconnect and can only disconnect the condensing unit and can only disconnect the whip and then reconnect the whip.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Anthony L. Anzelone, and unanimously passed, the Board strong opposes Assembly Bill A-4892.

Mr. Schooley stated that the Board is reviewing the Pool and Spa Committee's request to perform certain electrical work such as replacing a pump motor and the electric or gas heaters for the swimming pool.

Mr. Schooley also stated if the pool and spa contractors are repairing a pump motor, the contractor must obtain a permit and request an inspection. The pool should not be utilized until after passing inspection.

Mr. Schooley also stated the pool and spa contractors can repair the motor, but are not allowed to do the grounding.

DAG Donofrio stated any concerns the Board may have about this being safe, will have an opportunity to review the regulatory language proposed by the Pool and Spa Committee.

Mrs. Tucker stated that she has nothing to report to the Board. Executive Director's Report.

Anthony Menafro, DCA, stated he wished to remind the Board about electronic submissions.

Mr. Menafro also stated he was not able to attend the July meeting concerning the Board's decision regarding LPV gas tanks.

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DAG Donofrio stated that the statutory language allows licensed electrical contractors to run the gas piping; however, the licensed electrical contractor cannot install the system.

Mr. Schooley stated electrical contractors can only install the gas piping, not the tank and not the system.

Mr. Menafro stated the language does not indicate an existing system; therefore, contractors feel they can install the system.

Mr. Menafro requested that the Board send him a letter regarding this matter.

Mr. Menafro stated in regards to the Board's comments concerning the requirement of obtaining permits on certain work performed by pool and spa contractors, the DCA cannot enforce such a requirement if not required by regulation.

DAG Donofrio stated the regulatory language would indicate that permits would be required pursuant to the DCA regulations.

Mr. Menafro stated that in regards to Bill A-4892, he is disheartened a licensed master plumber would not be able to do certain work.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, 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.

A Zoom Appointment and Business Meeting is scheduled for Wednesday, October 11, 2023 at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director