



New Jersey Office of the Attorney General

Division of Consumer Affairs
Board of Examiners of Electrical Contractors
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982nd BUSINESS MEETING OF THE BOARD OF
EXAMINATIONS OF ELECTRICAL CONTRACTORS
(PUBLIC SESSION) - - - OCTOBER 11, 2023

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The Board Minutes of October 11, 2023, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of November 8, 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 October 11, 2023, meeting of the Board of Examiners of Electrical Contractors was held virtually as permitted by the OPMA and began at 9:00 A.M. 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 A.M. and was accessed by the public via the (now inactive) link:

Join ZoomGov Meeting

<https://njoag.zoomgov.com/j/1609696382?pwd=QW50cHpvdzIzK1MrK1M1THpOeVMvQT09>

Meeting ID: 160 969 6382

Passcode: 555862

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 October 10, 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 notice has been posted on the Bulletin Board at the office of the Secretary of State, Trenton, New Jersey.

The Board saluted the Flag.

October 11, 2023

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

Eleven (11) guests attended the meeting.

Mr. Schooley requested a moment of silence for the people fighting the war in Israel and for those people who have lost their lives and their families.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve the Minutes of the 980th Open Session Business Meeting held July 12, 2023.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (13) Initial Licenses which will expire on March 31, 2024.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (10) Initial Business Permits which will expire on March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve (3) Initial Business Permits Previously Expired effective October 11, 2023 to March 31, 2024.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (2) of the (4) Changes in Business Permits effective October 11, 2023 to March 31, 2024. (#1 and #4) are being held in abeyance pending further review).

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Payment in the amount of \$1,550.00 and \$50.00 received from Carl J. Swenson, License #4309, S Swenson & Son, Inc., as the thirteenth and fourteenth installment of a civil penalty, costs, attorney's fees and interest in the amount of \$4,974.56. Payments began on December 16, 2002 and the balance due is \$7.39.

The Board accepted the payments.

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

The Board accepted the payment.

Check in the amount of \$200.00 received from Robert Fatovic, License #12131, t/a Teski Electric, LLC, as the eighth 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). The balance due is \$3,400.00.

The Board accepted the payment.

Check in the amount of \$150.00 received from John P. Mitacek, License #15049, t/a JMCC Electrical Contracting, Corp., 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 November 2, 2022 and the balance due is \$1,350.00.

The Board accepted the payment.

Checks in the amount of \$150.00 received from Todd Ciamei, License #16604, as the tenth and eleventh 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 \$350.00.

The Board accepted the payments.

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Check in the amount of \$150.00 received from Kenneth Gorman, License #13786, t/a Gorman Electric LLC, as the thirty-second 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.

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

The Board accepted the payment.

Checks in the amount of \$300.00 received from Kevin R. Lyle, License #16297, t/a Lyle Electric, as the thirteenth and fourteenth 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 December 2, 2021 and the balance due is \$1,000.00.

The Board accepted the payments.

Check in the amount of \$2,000.00 received from Michael Cappello, License #15561, t/a Freedom Electrical and Data of New Jersey, LLC, 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.

Payment in the amount of \$362.03 received from James P. Brown, License #11842 (Suspended), as the eighth and final payment of a civil penalty in the amount of \$5,000.00 for violation of N.J.S.A. 45:5A-17(b); N.J.A.C. 13:31-3.2(c); and N.J.A.C. 13:45C-1.2.

The Board accepted the payments.

Cashier's check in the amount of \$2,500.00 received from Patrick M. Woodworth, License #14344, t/a Centrifugal Electric, 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).

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The Board accepted the payment.

Payment in the amount of \$1,500.00 received from Robert A. Diggs, Jr., License #12266 (Suspended) as the first installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:45C-1.3. Balance is \$500.00.

The Board accepted the payment.

Postal Money Order in the amount of \$2,500.00 received from Juan C. Romero Lima, License #16783, t/a New York Solar Maintenance, LLC, as the first and final payment of a civil penalty in the amount of \$2,500.00 for violation of N.J.A.C. 13:31-3.3(c)(1).

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 ninth 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 \$150.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Jamey Ruggiero, License #14967, t/a Skylite Electric, LLC, 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). Payments started September 20, 2023 and the balance due is \$1,800.00.

The Board accepted the payment.

The Board reviewed an Application to Reinstate Expired Electrical Contractors License #12236 received from William J. Thomas.

Office files reflect that Mr. Thomas' License #12236 expired on March 31, 2000.

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

October 11, 2023

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to reinstate Mr. Thomas' License #12236 as he has demonstrated to the Board's satisfaction that he meets the requirement for reinstatement.

The Board reviewed an Application to Reinstate Expired Class A Journeyman Electrician License #1526 received from Fritz Pierre Louis.

Office files reflect that Mr. Louis' Journeyman License #1526 expired on December 31, 2021.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to reinstate Mr. Louis' Class A Journeyman Electrician's License #1526 as he has demonstrated to the Board's satisfaction that he meets the requirement for reinstatement.

The Board reviewed an Application to Reinstate Expired Electrical Contractors License #17672 received from Harold A. Selander.

Office files reflect that Mr. Selander's License #17672 expired on March 31, 2021.

Office files also reflect that Mr. Selander's Business Permit #17672 expired on March 31, 2018. Office files further reflect Mr. Selander failed to return the pressure seal issued to HAS Electric, LLC.

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 #15017 received from Jared D. Oxendine.

Office files reflect that Mr. Oxendine's License and Business Permit #15017 were placed in Inactive status on April 10, 2009.

Office files further reflect that Mr. Oxendine returned to the Board office the pressure seal issued to Dox Enterprises, Inc. on September 18, 2023.

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

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The Board reviewed an Application for Continuing Education Course/Seminar approval received from Ed Sofield requesting approval to teach two (2) new courses and two new instructors to teach previously approved courses.

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

The Board reviewed an Application for Continuing Education Course/Seminar approval received from Anna Keating, United Inspection Agency, requesting approval to teach three (3) new courses.

Motion made by Mr. Gino Pasqualone and seconded by Mr. Anthony L. Anzelone, and unanimously passed, to approve three (3) new courses and one (1) new instructor.

Letter dated July 10, 2023, received from Miriam R. Butler, Assistant Executive Director, Northern New Jersey Chapter, NEC and Joseph Knecht, Jr., Chapter Manager, Southern New Jersey Chapter, NECA, requesting the Board delay the implementation of the licensing law for electricians, apprentices, and wiremen. Ms. Butler and Mr. Knecht state their member contractors vary in size and may employ anywhere from 3 to 150 journeyman in a single year meaning thousands of qualified journeymen throughout the state will need to be licensed. The Work Experience Certification requires contractors to audit their payroll records to verify the exact employment dates of the applicant and explain in detail the electrical experience gained while in that contractors employment. This is an incredibly burdensome and complex process for contractors who are already facing labor shortages and are struggling to meet the demands of their project, many of which have already been delayed by the Covid-19 pandemic.

Ms. Butler and Mr. Knecht further state that the impending implementation of these licenses will cause a surge of applications, which is likely to overwhelm the existing governmental infrastructure and inevitably lead to significant delays in processing times.

DAG Donofrio stated the regulations have not been published in the New Jersey Register. DAG Donofrio also stated the Board has discussed taking a slow approach once the regulations are adopted and understands this will be a huge undertaking and overwhelming process not only for the Board but for the contractors as well.

October 11, 2023

Letter dated September 7, 2023, received from Robert W. Reed, Jr., President, Essex County Electrical Contractors Association, stating the association opposes any regulations, which would allow swimming pool installers to perform any electrical work in connection with pool installations and maintenance including replacing pool pump motors and associated equipment.

DAG Donofrio stated this is a concern of the Committee and pool and spa installers will not be allowed to install the electrical systems. The Committee hopes to have the regulations approved by the next swimming pool season.

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

Jordon Toth, Vice President of the Union County Electrical Contractors Association, stated the members oppose any regulations that would allow pool contractors to replace pumps. Mr. Toth also stated their members find the wiring of pumps, when installed by non-electrical contractors, is not sized correctly and the installation creates a hazard. Mr. Toth further stated it is irresponsible to rely on someone that does not know the importance of those systems.

DAG Donofrio asked Mr. Toth provide his comments during the sixty (60) day comment period when the proposal is published in the New Jersey Register. DAG Donofrio also stated that the Pool and Spa Committee is taking the position that it is very difficult to get electrical contractors on site to service the heaters; therefore, for the safety of the consumer, please provide your comments at that time.

Mr. Menafro stated the 2020 NEC code was adopted in September 2022 and we cannot update the code for three years. Mr. Menafro also stated the only way to correct this would be to actually skip a code and wait until 2026; however, this not a good idea.

Mr. Menafro stated the DCA is hoping to begin using electronic submission in November 2023. Therefore, the Board needs to have a discussion on how it plans to move forward and can seek guidance from the Board of Engineers.

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The Board reviewed an e-mail received from Anthony Menafro, Construction Official, asking if electrical contractors are allowed to install complete LP gas systems for generators, which includes the LP gas piping as well as underground LP gas tanks with all of the necessary regulators.

Mr. Papademas stated that electrical contractors can only install the gas piping, not the system.

DAG Donofrio stated that the Board's position has been that a licensee cannot install these tanks. DAG Donofrio also stated with the proper training, the electrical contractors could tie into the existing system to power the generator.

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 2:00 P.M.

A Zoom Appointment and Business Meeting is scheduled for Wednesday, November 8, 2023 at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director