

895<sup>th</sup> BUSINESS MEETING OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - FEBRUARY 4, 2015

The Board Minutes of February 4, 2015, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of March 4, 2015, 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 February 4, 2015, was called to order at 9:00 A.M.  
The following members were present:

Mr. James H. Flaherty, Acting Chairman  
Mr. Constantinos Papademas  
Mr. Arthur W. Jacobs, Sr.

Mr. Joseph P. Schooley, Mr. Joseph F. Cantalupo, Mr. Gino Pasqualone and Ms. Susan C. Michielli were absent.

David Freed, Acting Executive Director, 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.

Marian Fiore, Senior Management Assistant, was present from 9:00 A.M. until the close of the meeting.

Joseph Donofrio, Deputy Attorney General, was present from 9:00 A.M. until the close of the meeting.

Also in attendance were Mark Snyder and John O'Donnel, Seton Hall School of Law.

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The Board saluted the Flag.

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Note: A quorum was not present. However, Mr. Schooley participated by telephone during the Open Session portion. Actions not ratified during this meeting are to be ratified at the Board's next meeting to be held on March 4, 2015, or soon thereafter.

February 4, 2015

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (11) Initial Licenses effective February 4, 2015 to March 31, 2018.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Arthur W. Jacobs, Sr., and unanimously passed, to approve (7) Initial Business Permits effective February 4, 2015 to March 31, 2018.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (2) Initial Business Permits Previously Expired effective February 4, 2015 to March 31, 2018.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Arthur W. Jacobs, Sr., and unanimously passed, to approve (2) Changes in Business Permits effective February 4, 2015 to March 31, 2018.

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Motion made by Mr. Constantinos Papademas and seconded by Mr. Arthur W. Jacobs Sr., and unanimously passed, to approve the Minutes of the 892<sup>nd</sup> Open Session Business meeting held November 5, 2014.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve the Minutes of the 893<sup>rd</sup> Open Session Business meeting held December 3, 2014.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Doug Chapman, HalfMoon Education, Inc., requesting approval of one new course.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Joseph P. Schooley, and unanimously passed, to approve one (1) new course and instructor.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Wyatt Nease, The Snell Group, requesting approval to teach new courses.

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The Board directed that a letter be sent to Mr. Nease requesting he provide a more detailed description of the courses to be taught.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Wayne Beach requesting approval to teach new courses.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Arthur W. Jacobs, Sr., and unanimously passed, to approve two (2) new courses and instructor.

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The Board reviewed additional information received from Richard Paredes, Local Union #164 IBEW, requesting approval of two new courses.

The courses entitled "Foremanship Concepts" and "Medium Voltage Splicing Class" were held in abeyance pending receipt of a more detailed breakdown and description/format of the courses to be taught.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Arthur W. Jacobs, Sr., and unanimously passed, to approve two (2) new courses and instructors. Mr. Paredes will be reminded that licensed electrical contractors must attend all 21 and 40 hours respectively in order to receive a certificate for the renewal of their license.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Greg Chontow, IAEI - Skyland Division, requesting approval to teach new courses and previously approved courses.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Arthur W. Jacobs, Sr., and unanimously passed, to approve twenty (20) new courses and instructors and previously approved courses.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Cindi Wair, National Technology Transfer, Inc., requesting approval of one new course.

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Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Ms. Wair requesting a detailed breakdown of the course hours. The application requests approval of a 32 hour course; however, the course outline reflects a three day twenty-four hour course.

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Letter dated February 3, 2015, received from Dylan G. Alexander, Vice President, Diamond Technologies, LLC, requesting a second six-month continuance of business under Permit #13892 according to N.J.S.A. 45:5A-14. The licensee, James S. Diamond, died on August 30, 2014.

The current extension granted to Diamond Technologies, LLC expires on February 28, 2015.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantino Papademas, and unanimously passed, that the firm of Diamond Technologies, LLC be granted a second and final six-month continuance of business under permit #13892 according to N.J.S.A. 45:5A-14. The Board approves Dylan G. Alexander to qualify the business for the six-month period.

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Letter dated January 6, 2015, received from Paul Pairo, Pairo Electrical Contractors, Inc., requesting a second six-month continuance of business under Permit #785 according to N.J.S.A. 45:5A-14. The licensee, Paul Pairo, died on May 7, 2014.

The current extension granted to Pairo Electrical Contractors expired on November 10, 2014.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantino Papademas, and unanimously passed, that the firm of Pairo Electrical Contractors, Inc. be granted a second and final six-month continuance of business under permit #785 according to N.J.S.A. 45:5A-14. The Board approves Paul Pairo to qualify the business for the six-month period.

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Rachel Glasgow, Regulatory Analyst, appeared before the Board to discuss Assembly Bill No. 4052 which provides for licensing of pool and spa service contractors, and pool and spa builders and installers under the Board of Examiners of Electrical Contractors.

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Mr. Flaherty stated that he does not support this proposal. The Division licenses electricians, plumbers, and HVACR contractors. Under this Bill, individuals not licensed and not qualified will be able to perform electrical work on pools and spas. Therefore, there is a safety issue.

Mr. Flaherty also stated that the Division should license building contractors, not just register them. The Board receives many complaints alleging builders are engaging in electrical contracting and it is difficult to take disciplinary action against them.

Mr. Papademas stated the pool and spa contractors must have knowledge in branch circuit wiring, bonding, and the National Electrical Code, as well as knowing the hazards of doing such work.

Mr. Flaherty stated that the installation of the pump may be hard wired and some may need a receptacle. Pool installers do not have the knowledge or qualifications required to perform such electrical installation, repair, or service of a pool or spa. If the meter is not installed or wired properly, there is a life safety issue as the pool or spa will eventually contain water.

Motion made by Mr. Arthur W. Jacobs, Sr. and seconded by Mr. Constantinos Papademas, and unanimously passed, that the Board does not support Assembly Bill No. 4052 for the reasons stated above.

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Rachel Glasgow, Regulatory Analyst, advised the Board that its regulations will expire on February 19, 2015. The Board approved the adoption notice which had been filed and awaiting approval by the governor's office. Mrs. Glasgow also stated that the governor's office has raised questions about three of the amendments. The Board initially responded to the commenters after the rule was proposed concerning the telecommunications wiring exemption in 4.1, which the Board only clarified the language; the solar panel amendment in 3.8 as well as the LED driver amendment in 4.3.

Mrs. Glasgow stated because the time for expiration is very close, the Division is requesting an alternate motion from the Board. If the governor's office does raise additional questions or need clarification, and because the Boards next meeting is not until March, it is requested that the Board make a motion not to adopt the amended language in 3.8, 4.1, and 4.3 at this time so that we can go forward with the remainder of the rules and amendments. The Board would indicate that it needs additional time to adopt those three amendments.

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Mrs. Glasgow also stated the three amendments would not need to be re-proposed and could still be adopted within one year of the date of proposal.

Mr. Schooley stated that the Board has taken a lot of time to review and discuss the proposed language. The Board is not willing to hold these three proposals because it has not been advised of the specific objections for these proposals despite its request for the rationale as to why the amended language should be removed.

Mrs. Glasgow stated that the governor's office is not requesting anything at this time; however, the Board's next meeting is not until March. Should additional questions arise, or a request for clarification should come in, the alternative motion would come in. The Board has until September 15, 2015, to adopt the three amendments.

Mr. Schooley stated he cannot imagine any comments that would change the Board's opinion. Mr. Schooley also stated that there was plenty of time for comments to be made during the standard public comment period and throughout the review process.

Mr. Flaherty stated the Board went through the proper procedures, did our due diligence, answered all comments, and the comment period had actually been extended for technical reasons.

Mrs. Glasgow stated the governor's office signs off on all proposals and adoptions. Some questions have been raised and we are concerned that the Boards' rules will expire; not having rules curtails the Board's function. The Division is trying to come up with an approach so that the regulations will not expire should questions be raised by the governor's office. Mrs. Glasgow also stated the three remaining rules would still be viable, and the Board has until September 15, 2015, to adopt the amendments to them.

Mr. Freed stated Mrs. Glasgow is asking for this motion only if we hear from the governor's office. The Division is taking this action so that the rules do not lapse. Mr. Freed also stated that the public should not perceive that the Board is wavering in the slightest as the Board's position would be included in minutes, etc. Mr. Freed further stated that we need the ability for the Board to be able to continue functioning.

DAG Donofrio stated the Board would still take the position that the photovoltaic panels exceed ten volts and must be installed by a licensed electrical contractor. The Division would indicate the Board is not adopting these rules; however, its' position does not change. DAG Donofrio also stated that in regards to the telecommunications regulation, the Board is only reinforcing and making clear what the telecommunications contractors are allowed to perform under this exemption.

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Mrs. Glasgow stated she is waiting to hear from the governor's office. Mrs. Glasgow also stated if the rules were not going to expire, she would not have come before the Board requesting this motion.

Mr. Freed stated in 15 days the regulations will expire; if the governor's office does not get back to the Board until February 16, 2015 and the Board wants to craft a reply of rebuttal, it may not have adequate time as the regulations will expire on the 19<sup>th</sup>.

DAG Donofrio stated he is fully prepared to enforce the proposed amendments.

Mrs. Glasgow stated the Division can indicate the Board is not adopting the three amendments at this time because of future review or consideration; however, the Board will continue to enforce those regulations. Mrs. Glasgow also stated the request for a motion is simply a way of making sure the rules do not expire.

Mr. Schooley stated what would happen, if in two months the governor's office advises the Board of its' concerns and the Board proposes to adopt the three amendments.

Mrs. Glasgow stated that it still hinges on the governor's office approving the amendments.

Mr. Schooley stated that the Board has more voice in the game if it does not change its' motion.

Mr. Freed stated that the Board has done their due diligence and is comfortable that all three amendments were based on statutory language. Therefore, absent a legal rationale, on what basis could the governor's office not sign off?

Mrs. Glasgow stated that no explanation as to the reasoning for the decision is required to be provided.

DAG Donofrio stated that this language has been reviewed and approved by the Division of Law; the Board has statutory basis for the amended language.

Mrs. Glasgow stated it does not sound like there is support for the new motion. Therefore, if the rules were to expire, the Board will only be able to enforce the language in its' Statutes and not in its regulations.

Mrs. Glasgow stated she will keep the Board informed.

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February 4, 2015

E-mail dated January 28, 2015, received from Richard Ricardo, License #12158, requesting that the Board approve three credits of a thirty (30) hour online OSHA Hazard Recognition Training course.

Motion made by Mr. Joseph P. Schooley and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Ricardo advising him that his request has been denied. The Board does not approve on-line courses as they are not instructor led.

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E-mail dated January 30, 2015, received from Nick McLain, CEDIA, stating he is the government affairs manager for the Custom Electronic Design and Installation Association (CEDIA). Mr. McLain asks whether or not work involving POE (Power Over Ethernet) falls under the telecommunications wiring exemption.

The Board directed that a letter be sent to Mr. McLain advising him that work involving power over ethernet does not come under the telecommunications wiring exemption; however, FCC wiring would come under the exemption. Pursuant to N.J.A.C. 13:31-4.1 telecommunications wiring means wiring within a premises, either inside or outside a building for voice and/or data transmission at voltage(s) compatible with the system being installed and connected to an FCC recognized communication network at the point of connection provided by the public utility providing communication services to the customer. It shall also include the interconnection of data wiring between computers and/or terminals.

Mr. McLain will also be advised any wiring exceeding ten volts would not be considered exempt work and must be performed by a licensed electrical contractor who holds a business permit pursuant to N.J.S.A. 45:5A-18(j). Additionally, access control work must be performed by a licensed fire alarm, burglar alarm, or electronic locksmith installer.

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The Board reviewed applications for the licensing examination to be administered by PSI Services, LLC. Nine (9) applications were approved.

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Motion made by Mr. Constantinos Papademas and seconded by Mr. Arthur W. Jacobs, Sr., 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 2:30 P.M.

An Appointment and Business Meeting is scheduled for Wednesday, March 4, 2015, at 9:00 A.M.

Respectfully submitted,

David Freed  
Acting Executive Director

INITIAL LICENSEES APPROVED BY THE BOARD ON JANUARY 7, 2015  
EFFECTIVE JANUARY 7, 2015 TO MARCH 31, 2018

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|--------------------------|------------------------|
| 1. Jonathan C Kozak      | 21. E. Marshall Lauber |
| 2. Michael K. Finney     | 22. Daniel M McGraw    |
| 3. Liam H Russell        | 23. Djine Codio        |
| 4. Jeremiah Geib         | 24. Harrison S Cross   |
| 5. Lawrence A Robinson   |                        |
| 6. Michael B Shinn       |                        |
| 7. George Dernovoy       |                        |
| 8. Michael P Milenkovich |                        |
| 9. Eric S Skrivanich     |                        |
| 10. Albert J Freeman     |                        |
| 11. Demetrios Iliopoulos |                        |
| 12. Juan F Jimenez       |                        |
| 13. Mathew Tgant         |                        |
| 14. Joseph M Arleo       |                        |
| 15. Israel Cruz          |                        |
| 16. Kurt R Kachler       |                        |
| 17. Bruce M Stanley      |                        |
| 18. Anthony Morello      |                        |
| 19. Steve E Lange        |                        |
| 20. Giovanni Cusmano     |                        |

INITIAL BUSINESS PERMITS APPROVED BY THE BOARD JANUARY 7, 2015  
EFFECTIVE JANUARY 7, 2015 TO MARCH 31, 2018

1. M & W Electric LLC - (Michael Milenkovich) - (Limited Liability Company) - 73 Seeley Road - Bridgeton, New Jersey 08032
2. ES Electric LLC - (Eric Skrivaniah) - (Limited Liability Company) - 235 Washington Place - Cliffside Park, New Jersey 07010
3. JNJ Electric Corp - (Demetrios Iliopoulos) - (Corporation) - 220 Lawrenceville Road - Lawrenceville, New Jersey 08648
4. G2 Group LLC - (Mathew T Gant) - (Limited Liability Company) - 19 Stockton Drive - Voorhees, New Jersey 08043
5. Arleo Electrical Contracting LLC - (Joseph M Arleo) - (Limited Liability Company) - 40 Kipp Road - Goshen, New York 10924
6. Israel Cruz - t/a Turtle Electric - (Individual) - 525 Davis Avenue Apt 11B - Harrison, New Jersey 07029
7. Perreca Electric Co., Inc - (Kurt Kaehler) - (Corporation) - 520 Broadway - Newburgh, New York 12550
8. Stanley Electric LLC - (Bruce M Stanley) - (Limited Liability Company) - 13 Fourth Street - North Arlington, New Jersey 07031
9. A Morello Electrical Contracting LLC- (Anthony Morello) - (Limited Liability Company) - 18 Elinora Drive - Wanaque, New Jersey 07465
10. Aldridge Electric Inc - (Steve E Lange) - (Corporation) - 844 E Rockland Road - Libertyville, Illinois 60048
11. John Cusmano Electrical Contractor LLC - (Giovanni Cusmano) - Limited Liability Company) - 109 Morrell Place Garfield, New Jersey 07026
12. VLA Construction LLC - (Djine Codio) - (Limited Liability Company) - 264 Watchung Avenue - West Orange, New Jersey 07052
13. Mitchell Dinnerstein - t/a - Dinnerstein Electrical Contracting (Individual) - 18 Lawrence Street - Jackson, New Jersey 08527 - License #11330
14. PK Welding LLC - d/b/a PK Mechanical Services - (Albert Freeman) - (Limited Liability Company) - 520 South Avenue - Garwood, New Jersey 07207

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED  
APPROVED BY THE BOARD JANUARY 7, 2015  
EFFECTIVE JANUARY 7, 2015 TO MARCH 31, 2018

1. Ricardo Rondo - t/a Ricardo Rondon Electric Contractor - (Individual) - 1206 Washington Street - Easton, PA 18042 - License # 15053A

CHANGES IN BUSINESS PERMITS APPROVED  
BY THE BOARD JANUARY 7, 2015  
EFFECTIVE JANUARY 7, 2015 TO MARCH 31, 2018

1. GNG Electrical Contractors Inc (Gianfranco Guercio) - (Corporation) - Formerly - Guercio Electric LLC - (Limited Liability Company) - 19 Stockton Drive - Voorhees, Jersey 08043 - 17366A
2. MPS Electric LLC - (Richard M Walsh, Jr.) - (Limited Liability Company) - Formerly - RM Walsh Electric & Co. Inc - License #10042A
3. Frank Petrilli - t/a Frank & Sons Electric Co - (Individual) - Formerly - Storino Electric - (Individual) - 133 Atlantic Avenue - Manasquan, New Jersey 08736 - License #6783F