

916th BUSINESS MEETING OF A COMMITTEE OF THE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - MARCH 8, 2017

The Committee Minutes of March 8, 2017, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of April 12, 2017, 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.

Committee meeting of February 8, 2017, was called to order at 9:00 A.M.
The following members were present:

- Mr. Joseph P. Schooley, Chairman
- Mr. Gino Pasqualone
- Mr. James H. Flaherty

Mr. Joseph F. Cantalupo, Mr. Constantinos Papademas, and Mr. Arthur W. Jacobs, Sr. 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 Eric DeGesero and Joseph Hovanec, Jr., New Jersey Independent Electrical Contractors; Rick Sylvestro; Peter Raymond; Gerard Duffy, President, New Jersey Electronic Security Association; Cagney Guagenti; Christine Marzano; Dominick Saggese; Matt Gains; Sal Anderton; Joseph Adcock; Patrick Kearney; David Leeds; Frank Scazzuso; Damoun Delaviz; Gary Wowk; Sean Cornely; Frank Schiller; Frank Galdo, Esq., Joseph Cioffi.

The Committee saluted the Flag.

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Note: A quorum was not present. All actions are to be ratified at the Board's next meeting to be held on April 12, 2017, or soon thereafter.

The Committee unanimously recommended to approve the Minutes of the 915th Open Session Business Meeting held February 8, 2017.

The Committee unanimously recommended to approve (8) Initial Licenses which will expire on March 31, 2018. (Licenses were issued from February 21, 2017 through February 22, 2017).

The Committee unanimously recommended to approve (13) Initial Business Permits which will expire on March 31, 2018. (Permits were issued on February 22, 2017).

The Committee unanimously recommended, to approve (2) Initial Business Permits Previously Expired which will expire on March 31, 2018.

The Committee unanimously recommended, to approve (6) Changes in Business Permits which will expire on March 31, 2018.

Payment in the amount of \$1,000.00 received on January 17, 2017, from Edward Johnson, License #7469 (Revoked), as the fifth 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 \$26,000.00.

The Committee accepted the payment.

Check in the amount of \$200.00 received from David J. Hinton, License #11267, t/a

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Hinton and Son Electric, LLC, as the third 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 \$1,400.00.

The Committee accepted the payment.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Audrey Pins, The CEU Authority, LLC, requesting approval of new courses.

The Committee unanimously recommended to approve four (4) new courses and an instructor.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Levi C. Bell, Jr. requesting approval of new courses.

The Committee unanimously recommended to approve six (6) new courses and instructors and the Nine Hours of Code Changes and One Hour of Laws, Rules and Regulations. Additionally, the course entitled "NEC Article 680" is being held in abeyance pending receipt of a more detailed description/breakdown of the course content.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Colleen McLaughlin, RAB Electrical Contracting Training, requesting approval of new courses.

The Committee unanimously recommended to approve one (1) new course and an instructor.

The Committee reviewed an application for Continuing Education Course/Seminar

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Approval received from Dennis Kennedy, M Davis, requesting approval of new courses.

The Committee unanimously recommended to approve five (5) new courses and an instructor. Mr. Kennedy will be advised licensees attending the courses entitled "Changes to the 2017 NEC Part 1 and Part 2" will not receive credit for having attended the "Nine Hours of Code Changes and One Hour of Laws, Rules, and Regulations". Mr. Kennedy will be requested to advise the attendees accordingly.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Sarah Barton, Warshauer Electric Supply, requesting approval of a new course.

The Committee unanimously recommended to approve one (1) new course and an instructor.

The Committee reviewed an application for Continuing Education Course/Seminar Approval received from Eric Sivertsen, Northern New Jersey Chapter, Inc., requesting approval of a new course.

The Committee unanimously recommended to approve one (1) new course and an instructor.

The Committee reviewed an application for reinstatement of a license received from George E. Isabella.

Office files reflect Mr. Isabella's License #14732 expired on March 31, 2009.

As per the Board's request, Mr. Isabella provided copies of Continuing Education Course certificates totaling 34 hours for the 2015 renewal and a Work Experience Certification form.

The Committee unanimously recommended that Mr. Isabella be requested to appear before the Board to further discuss his qualifications and experience in the field of electrical contracting.

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The Committee reviewed an application for reinstatement of a license received from Nelson Esteves, License #16671 (Expired).

Office files reflect Mr. Esteves' License #16671 expired on March 31, 2012.

As per the Board's request, Mr. Esteves provided a Work Experience Certification completed by his current employer.

The Committee unanimously recommended that Mr. Esteves be requested to appear before the Board to further discuss his qualifications and experience in the field of electrical contracting.

Rachel Glasgow, Regulatory Analyst, appeared before the Board to discuss Senate Bill No. S-2999 which requires the State Board of Examiners of Heating, Ventilating, Air Conditioning and Refrigeration Contractors, for the 12 months following the effective date of the bill, to issue a Master HVACR license to any licensed electrical contractor who has been engaged as an electrical contractor for at least two years prior to the date of application for a Master HVACR license.

Ms. Glasgow stated that this bill obligates the Division to notify all New Jersey licensed electrical contractors.

Mr. Flaherty stated before the HVACR license, there were certain functions that an electrical contractor could perform such as running a gas line for a generator.

Mr. Flaherty stated he has a concern as to whether or not electrical contractors have the knowledge or training in HVACR piping such as the number of cubic feet; freon; and evacuating any gases that are already in the piping when performing a replacement.

DAG Donofrio stated pursuant to 45:16A-27 (b) electrical contractors are allowed to engage in the installation of: electrical resistance heating equipment and ventilation equipment with the exhaust duct not exceeding 60 square inches in area, or in commercial applications the connection sleeve between a roof-top mounted exhaust fan and its central connecting register, provided that this connection sleeve is not more than 15 inches in length or the length necessary to penetrate a roof or other similar openings; and the maintenance and repair of the electrical sections of any equipment used for heating, ventilating, air conditioning or refrigeration.

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Mr. Schooley stated HVACR contractors are not allowed to install electric heat because electrical wiring must be run and baseboard heat is out of their purview. An HVACR contractor can install a whole house air flow system; however, an electrical contractor would be required to install the wires.

The Committee unanimously recommended to oppose the bill as written based on the comments provided.

Ms. Glasgow stated she will also include in the comments that the Board asks that a regulation be created to exempt duct work and gas lines in general as there may be equipment created or included in the scope of practice.

A signed acknowledgment dated February 4, 2017, received from Pierre Grand Pierre, License #11728, t/a Grand Pierre Electrical Contractor, agreeing to cease and desist from operating two companies under Business Permit #11728 pursuant to N.J.S.A. 45:5A-15 and failing to issue a W-2 income tax form pursuant to N.J.A.C. 13:31-3.4.

The Committee accepted the signed acknowledgment.

Gerald Duffy, President, New Jersey Electronic Security Association and Eric DeGesero, Executive Director, New Jersey Independent Electrical Contractors, appeared before the Board at 9:45 A.M.

Messrs. Duffy and DeGesero requested to speak to the Board to express their concerns regarding N.J.S.A. 45:1-15.1 and N.J.A.C. 13:31-4.1, the Telecommunications Wiring Exemption and the Fire Alarm, Burglar Alarm and Locksmith Licensing Law.

Mr. DeGesero thanked the Board for the opportunity to express their position on the petition for rulemaking. Mr. DeGesero stated the NJ-IEC is opposed to the proposal and asks what is it that is trying to be remedied. Mr. DeGesero asks how can these businesses be well-established when they cannot work with products in excess of ten volts. Mr. DeGesero stated that the petitioner desires the ability to install, service, etc. products that carry voice, data, etc. This work can be done as long as the installation does not exceed ten volts. Mr. DeGesero further stated Power over Ethernet lighting is transmitted over cables that are 50 volts and light emitting diode drivers are either 12 or 24 volts. If adopted, petitioner's language would allow for non-licensed electrical contractors to install products that exceed ten volts under the cover of the fact that the same product also transmits voice, data, etc.

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Mr. DeGesero stated how will life safety measures such as security and fire alarms be addressed if the petitioner is exempt. Mr. DeGesero also stated New York City allows for the installation, alteration, maintenance, or repair of electrical wiring that is designed to operate at less than 50 volts but explicitly prohibits life safety, light, heat or power circuits from being worked on by a low voltage electrical contractor regardless of the voltage. Mr. DeGesero further stated the 2011 NYC Electrical Code defines low voltage electrical work as the installation, alteration, maintenance or repair of electrical wiring that is designed to operate at less than fifty volts for signaling, communication, alarm, and data transmission circuits except that such term shall not include the installation, alteration, maintenance or repair, regardless of voltage, of any such wiring which connects to, is a part of, or is located within life safety systems as defined by rule of the commissioner, including but not limited to those safety systems and features listed in subparagraphs (a) through (n) of paragraph (3) of subdivision (a) of section 27-228.2 of the administrative code and (ii) alarm and 17-3, RS17-3A, RS 17-3B, and or RS 17-3C, (b) class I, II, III hazardous locations as described in the electrical code technical standards, including but not limited to certain areas within commercial garages as set forth therein, aircraft hangers, gasoline dispensing and service stations, bulk fuel storage plants and facilities which may be utilized for spray applications or for a dipping and coating process, (c) intrinsically safe systems as described in the electrical code technical standards or (d) a point of connection to or interfacing with a control circuit which activates light, heat or power circuits.

Mr. DeGesero stated that the Board has been appropriately cautious with exercising its authority to exempt from the business permit provisions such other electrical activities of like character. Mr. DeGesero also stated NJ-IEC does not believe that making a change which would have the effect of altering the ten volt limitation is even within the Board's authority since the limitation was explicitly established by the Legislature.

Mr. DeGesero stated that CEDIA made a presentation 16 months ago to the Lieutenant Governor's Red Tape Review Commission and stated that their members are wiring and integrating systems and consumer products that exceed ten volts.

Mr. Gerald Duffy, President, New Jersey Electronic Security Association, stated in 2003 telecommunication exemption holders were installing fire alarms and burglar alarms that were emerging onto the market. However, the telecommunications exemption is for net work wiring and data wiring. Mr. Duffy also stated that the telecommunication wiring exemption will be gone by 2020 as telecommunications will either be wireless or IP systems.

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Mr. Duffy stated during the Senate testimony, a representative from ADT advised that changing the law would help these companies come into a neighborhood and install these systems immediately. Mr. Duffy also stated he believes this which would violate a consumer protection law because the consumer has three days to make a decision regarding their contract.

Mr. Duffy stated since the creation of the UCC we have been fighting for life safety. These companies are offering consumers a wireless system and removing a code compliant life safety unit which will hurt the consumer.

Mr. Duffy also stated the petitioner talks about residential work; however, what about commercial installations?

Mr. Duffy stated perhaps Chapter 4 can be revised to include home system installers under the Fire Alarm, Burglar Alarm, Locksmith Advisory Committee. Perhaps the telecommunications wiring exemption can be renamed to a limited energy and wiring registration to make it clear there is no voltage involved. Because the National Electrical Code is instrumental in the work they are performing, there should be mandatory continuing education. An apprenticeship program can also be implemented.

Mr. Duffy also stated the association is willing to work with the Board. Lets put our heads together to make this a reality and do something right for this state.

Mr. Schooley thanked Mr. DeGesero and Mr. Duffy for speaking to the Board.

Mrs. Tucker stated that there is nothing to report to the Board.

Michelle Albertson, Deputy Attorney General, Division of Law, appeared before the Board to discuss the Provisional Order of Discipline sent to Leon Fraser and Eugene Boetius.

DAG Albertson stated the Committee has reviewed the entire matter in Executive Closed Session concerning Leon Fraser, License #8103, including the Provisional Order of Discipline filed on January 7, 2015 and the response received from DAG Joseph Donofrio. DAG Albertson also stated the Committee finds that Mr. Fraser failed to renew his Business Permit#8103 and therefore sustains the civil penalty assessed in the amount of \$2,500.00. The Committee found that Mr. Fraser did not receive Board

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correspondence because he failed to provide a change of address and therefore sustains the civil penalty in the amount of \$1,500.00.

The Committee will exclude the civil penalty in the amount of \$1,000.00 for failing to provide a written response and the suspension of License and Business Permit #8103. Mr. Fraser is not required to return his pressure seal as he currently has an active license and business permit.

The Committee unanimously recommended that a Final Order of Discipline be issued ordering Mr. Fraser to pay a civil penalty in the amount of \$4,000.00 for violation of N.J.S.A. 45:1-21(h) within thirty days of the filing of the Order or a certificate of debt will be issued and Mr. Fraser's License and Business Permit #8103 will be immediately suspended.

DAG Albertson stated the Committee has reviewed the entire matter in Executive Closed Session concerning Eugene Boetius, License #13728, including the Provisional Order of Discipline filed on January 7, 2015, and the response received from DAG Joseph Donofrio. DAG Albertson also stated the Committee finds that Mr. Boetius failed to renew his Business Permit #13728 for fifteen (15) years and therefore sustains the reprimand and civil penalty assessed in the amount of \$10,000.00 for violation of N.J.S.A. 45:1-21(h). Mr. Boetius must cease and desist from utilizing the business permit under Boyln Corporation. The Committee will allow Mr. Boetius to pay \$1,000.00 per month for ten months. Should Mr. Boetius fail to pay the civil penalty in full a certificate of debt will be issued and Mr. Boetius' License #13728 will be immediately suspended.

The Committee will exclude the suspension of the license and business permit and will grant Mr. Boetius the opportunity to obtain a current Business Permit. The Committee notes that Mr. Boetius has returned his pressure seal issued to Bolyln Corporation.

The Board review applications for the licensing examination to be administered by PSI Services, LLC. Eight (8) applications were approved.

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The Committee unanimously recommended 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 4:30 P.M.

An Appointment and Business Meeting is scheduled for Wednesday, April 12, 2017, at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director

INITIAL LICENSEES APPROVED BY THE BOARD
MARCH 8, 2017

1. License #18229 Robert E. Monk
2. License #18230 Robert Jachevski
3. License #18231 Scott M. Fick
4. License #18232 Jeff S. Snyder
5. License #18233 Christopher R Charles
6. License #18234 James Lombardi
7. License #18235 Richard E. White
8. License #18236 Stephen J Lavin

INITIAL BUSINESS PERMITS APPROVED

BY THE BOARD MARCH 8, 2017

1. Wire Works Electrical Contractors LLC - (Michael Giusti) - (Limited Liability Company) - 47 Potterstown Road - Lebanon, New Jersey 08833 - License #16176
2. G1 Electric LLC - (Renek A Piank) - (Limited Liability Company) - 614 Frelinghuysen Avenue - Newark, New Jersey 07114 - License #17705
3. Antler Electrical Services LLC - (Mark Picard) - (Limited Liability Company) - 249 Pasadena Place - Hawthorne, New Jersey 07506 - License #17714
4. Sonny Electric Group Inc - (Romel Ramnarine) - (Corporation) - 25 Boyd Street - Kearny, New Jersey 07032 - License #18082
5. DMC Services, LLC - (Colin L Judge) - (Limited Liability Company) - 2030 Springdale Road, Suite 800 - Cherry Hill, New Jersey 08003 - License #18226
6. Yannetta Electrical Services Inc - (Michael A Yannetta) - (Corporation) - 1318 Vina Avenue - Ocean, New Jersey 07712 - License #18227
7. Solar State LLC - (Robert E Monk) - (Limited Liability Company) - 1508 N American Street - Philadelphia, PA 19122 - License #18229
8. Aber Electric LLC - (Robert Jachevski) - (Limited Liability Company) - 282 Gaston Avenue - Garfield, New Jersey 07026 - License #18230
9. Jeffrey S Snyder - t/a - Snyder Electric - (Individual) - 4287 5th Avenue - Avalon, New Jersey 08202 - License #18232
10. Silver Light Electric LLC - (Christopher R Charles) - (Limited Liability Company) - 534 28th Street Apt #1 - Union City, New Jersey 07087 - License #18233
11. Lombardi Family Electrical Contracting LLC - (James Lombardi) - (Limited Liability Company) - 63 Belmar Blvd. - Farmingdale, New Jersey 07727 - License #18234
12. REC Solar Commercial Corporation - (Richard E White) - (Corporation) - 3450 Broad Street Suite 105 - San Luis Obispo, CA 93401 - License #18235
13. Got It Wired - (Stephen J Lavin) - (Limited Liability Company) - 51 Gunn Road - Branchville, New Jersey 07826 - License #18236

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED
APPROVED BY THE BOARD MARCH 8, 2017

EFFECTIVE MARCH 8, 2017 TO MARCH 31, 2018

1. Dougherty Electric Inc - (Thomas Corbett) - (Corporation) - 208 West State Street - Trenton, New Jersey 0608 - License #15900A
2. Electrolights LLC - (Patrick M Haviland) - (Limited Liability Company) - 424 Commerce Lane, Unit2 - West Berlin, New Jersey 08091 - License #17396A

CHANGES IN BUSINESS PERMITS
APPROVED BY THE BOARD MARCH 8, 2017

EFFECTIVE MARCH 8, 2017 TO MARCH 31, 2018

1. CDC Electrical Repairs and Maintenance LLC - (Angel Saldana) - (Limited Liability Company) - Formerly - Quest Electric - (Individual) - 11 Martha Avenue - Vauxhall, New Jersey 07088 - License #14413A
2. Precision Renewables LLC - (Darrell J Hart) - (Limited Liability Company) - Formerly - Powerhouse Electrical Contracting LLC - (Limited Liability Company) - 6671 Las Vegas Blvd South #210 - Las Vegas, NV 89119 - License #14539F
3. Vans Electric LLC - (Cornelius Vander Weert) - (Limited Liability Company) - Formerly - Vans Electric Inc- (Corporation) - 123 DE Gray Street - North Haledon, New Jersey 07508 - License #6154A
4. Overland Contracting Inc - (Joe Brazeale) - (Corporation) - Formerly - Washington Group International Inc. (Joe Brazeale) - (Corporation) - 600 N Greenfield Pkwy - Garner, N C 27529 - License #14194B
5. SRM Electrical Service Inc - (Raymond B Mcquillan) - (Corporation) - Formerly - Corporate Ele Technologies Inc - (Corporation) - 111 Bridge Road Suite 101 - Islandia, New York 11749 - License #13225A
6. IEW Construction Group, Inc - (John Sweeney, Jr.) - (Limited Liability Company) - Formerly - KDR Electric - (Individual) - 75 Sculptors Way - Trenton, New Jersey 08619 - License #16947