

906th BUSINESS MEETING OF THE BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS (PUBLIC SESSION) - - - APRIL 6, 2016

The Board Minutes of April 6, 2016, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of May 4, 2016, 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 April 6, 2016, 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. James H. Flaherty

Mr. Joseph F. Cantalupo 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.

The Board saluted the Flag.

Also in attendance were Eric DeGesero, New Jersey Independent Electrical Contractors Association; Darren Reaman and Sal Anderton, CEDIA; and Christina Zek, National Electrical Contractors Association.

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Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to ratify the Committee's recommendations for the Minutes of the 905th Open Session Committee Meeting held March 9, 2016.

Motion made by Mr. James H. Flaherty and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (12) Initial Licenses which will expire on March 31, 2018. (Licenses were issued from March 14, 2016 through April 5, 2016).

Motion made by Mr. Constantinos Papademas and seconded by Mr. James H. Flaherty, and unanimously passed, to approve (9) Initial Business Permits which will expire on March 31, 2018. (Permits were issued from March 14, 2016 through April 5, 2016).

Motion made by Mr. Gino Pasqualone and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (5) Initial Business Permits Previously Expired which will expire on March 31, 2018. (Permits were issued from March 14, 2016 through April 5, 2016).

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve (9) Changes in Business Permits which will expire on March 31, 2018. (Permits were issued from March 14, 2016 through April 5, 2016).

Personal Money Order in the amount of \$1,000.00 received from Robert J. Bentz, License #8377, as the first and final installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-15.

The Board accepted the payment.

Check in the amount of \$2,000.00 received from Joseph M. Regan, License #9191, t/a Surfside Electric, as the sixth installment of a civil penalty, and costs, in the amount of \$31,110.78 for violation of N.J.S.A. 45:5A-9. Payments started November 11, 2004 and the balance due is \$9,718.78.

The Board accepted the payment.

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Check in the amount of \$1,500.00 received from John J. Helmstetter, License #7192 (Expired), as the twenty-first and final installment of a civil penalty in the amount of \$7,500.00 for violation of N.J.S.A. 45:5A-9. Payments started June 7, 2004.

The Board accepted the payment.

Credit card payment received from Gregory J. Martelli, License #15048, as the third and final installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.A.C. 13:45C-1.3. Payments started January 10, 2013.

The Board accepted the payment.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Elizabeth Woodstock, IEC Chesapeake, requesting approval of a new course.

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 for Continuing Education Course/Seminar Approval received from Suzy Abbott, New Jersey Electrical Contractors Association, requesting approval of new courses. Ms. Abbott's request was held in abeyance pending receipt of a more detailed description of the instructor's experience teaching the electrical trade.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve ten (10) new courses and an instructor.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Joanne Vander Kooy, National Technology Transfer, Inc., requesting approval of a new course.

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Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, to approve one (1) new course and an instructor. Ms. Vander Kooy will be advised that licensed electrical contractors must attend all 24 hours in order to receive a certificate for the renewal of their license.

Michael C. Butler, License #16316, has failed to respond to the Administrative Action Provisional Order of Discipline filed January 6, 2016, ordering him to pay a civil penalty in the amount of \$2,000.00 for violation of N.J.S.A. 45:1-21(e); License and Business Permit #16316 are provisionally suspended until such time as he appears before the Board; and pay restitution to the consumer in the amount of \$1,125.00.

POD sent to Mr. Butler certified and regular mail. Certified mail returned "Unclaimed", regular mail not returned.

Motion made by Mr. James H. Flaherty 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 Mr. Butler to pay a civil penalty in the amount of \$2,000.00 for violation of N.J.S.A. 45:1-21(e); License and Business Permit #16316 are suspended until such time as he appears before the Board; and pay restitution to the consumer in the amount of \$1,125.00. The Final Order of Discipline is to be served upon Mr. Butler and the pressure seal issued to New Jersey Electrical Services, LLC is to be retrieved by the Enforcement Bureau.

Gregory J. Moran, License #13941 (Expired), has failed to respond to the Administrative Action Provisional Order of Discipline filed January 6, 2016, ordering him to pay a civil penalty in the amount of \$10,000.00 for violation of N.J.S.A. 45:1-21(e) and License and Business Permit #13941 are provisionally suspended until such time as he appears before the Board.

POD sent to Mr. Moran certified and regular mail. Certified and regular mail returned "Attempted-Not Known".

Motion made by Mr. James H. Flaherty 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 Mr. Moran to pay a civil penalty in the amount of \$10,000.00 for violation of N.J.S.A. 45:1-21(e)

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and License and Business Permit #13941 are suspended until such time as he appears before the Board. The Final Order of Discipline is to be served upon Mr. Moran and the pressure seal issued to Gregory J. Moran Electrical Contractor is to be retrieved by the Enforcement Bureau.

Rachel Glasgow, Regulatory Analyst, appeared before the Board to discuss Senate Bill No. 1902 which establishes guidelines concerning the installation of low-voltage alarm systems in the State. Under the bill, a "low-voltage alarm system project" means a project related to the installation, maintenance, inspection, replacement, or service of a new or existing alarm system that is hardwired and operating at low voltage, as defined in the National Electrical Code Standard 70, Current Edition, and ancillary components or equipment attached to such a system, including, but not limited to, home-automation equipment, thermostats, and video cameras.

Mrs. Glasgow also stated that this bill requires that a contractor installing a system purchase a uniform permit sticker from the local enforcement agency for not more than \$40.00. This bill also stipulates that a permit is not required for the maintenance or repair of a low voltage alarm system or the installation of a wireless alarm system.

Mrs. Glasgow further stated the bill stipulates, after installation, local enforcement agency may coordinate directly with the owner or customer to inspect a low-voltage alarm system project to ensure compliance with applicable codes and standards. If a low-voltage alarm system project fails an inspection, the bill requires a contractor to take corrective action as necessary to pass inspection at no cost to the local enforcement agency, owner, or customer.

Mrs. Glasgow also stated this bill shall be applicable to all low voltage alarm system projects for which a permit is required by a local enforcement agency. However, a permit is not required to install, maintain, inspect, replace, or service a wireless alarm system, including any ancillary components or equipment attached to the system.

Mr. Schooley stated the installation of wireless systems should require permits and inspections and should be installed by a licensed alarm installer as background checks are conducted on licensed contractors. Mr. Schooley also stated even if the system is not hard wired, a safety issue could exist because of the installation of a disconnect.

Mr. Schooley further stated low voltage for this type of work is considered under 600 volts which could be highly dangerous for an unqualified individual.

Mr. Flaherty stated the bill should include the NFPA 90 which is the fire safety code which stipulates where the smoke alarms are to be installed.

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Mr. Schooley stated the bill does not distinguish between residential and commercial installation. The Board would have more of a concern if it was only residential because most facilities have a qualified person in its' employ to maintain and supervise the work performed.

Motion made by Mr. Constantinos Papademas and seconded by Mr. Gino Pasqualone, and unanimously passed, that the Board opposes Senate Bill No. 1902 for the reasons cited.

Rachel Glasgow, Regulatory Analyst, appeared before the Board to discuss Senate Bill No. 1903 which revises the qualifications for an electrical contractor's license. In order to qualify, an individual must have been employed or engaged in the business of electrical construction and installation for a period of five years. Four of those five years must be spent in an electrical apprenticeship program accredited and approved by the United States Department of Labor while actually employed or engaged as an electrical apprentice, and one of the five years must be spent as a journeyman electrician.

Mrs. Glasgow stated the current law requires an individual to have been employed or engaged in the business of electrical construction and installation for a period of five years, or have other experience deemed satisfactory to the Board of Examiners of Electrical Contractors, and does not require a person to spend four years in an electrical apprenticeship program.

Mrs. Glasgow also stated the Bill provides that for four years following the effective date of this bill, under certain circumstances, an individual may qualify to apply for a license as an electrical contractor without having to participate in an electrical apprenticeship program.

Mr. Flaherty stated he is a big proponent of apprenticeship training; however, he is concerned about the individual who has been working for 25 years and now must go through an apprenticeship program. Mr. Flaherty also stated this bill substantially alters the requirement for licensure. Attending an apprenticeship program does not mean an individual is more qualified than a person who has been in the field for twenty-five years.

Mr. Flaherty stated the Board thoroughly reviews all applications; whenever there is doubt or concern regarding the applicants qualifications, the applicant is requested to provide additional information or is requested to appear before the Board.

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Mr. Papademas stated an apprenticeship program is beneficial for someone just starting out in the electrical field. Mr. Papademas also stated he is in favor of someone going through the apprenticeship program if that individual has only a limited amount of experience. However, the individual who has ten, twenty or thirty years of experience should not be required to go through the apprenticeship program.

Motion made by Mr. James H. Flaherty and seconded by Mr. Gino Pasqualone, and unanimously passed, that the Board opposes Senate Bill No. 1903 for the reasons cited.

Mrs. Glasgow stated the proposal for the temporary license for nonresident military spouses was published for comment on Monday. Mrs. Glasgow also stated the comment period will end in June 2016.

Darren Reaman, Director of Government Affairs, appeared before the Board on behalf of the Custom Electronic Design & Installation Association (CEDIA).

Mr. Schooley stated he would like to start by saying Board members were asked to attend a meeting in February. Mr. Schooley also stated he requested that an Agenda be sent to him along with the meeting location. However, the only information he received was that the meeting would be held in Trenton. Mr. Schooley further stated he again called on Monday to inquire about receiving an Agenda and the location of the meeting. Unfortunately, because no information was provided, we were not able to attend the meeting. Mr. Schooley asked Mr. Reaman to let those individuals know the reason why Board members did not attend.

Mr. Reaman thanked the Board for allowing him the opportunity to provide testimony encouraging an amendment to update the limited telecommunications wiring exemption.

Mr. Reaman stated CEDIA is the professional trade association of companies that specialize in designing and installing home electronic systems. These systems include home net-working, residential automation and communication systems, media-rooms, single or multi-room entertainment systems, and integrated whole-house subsystems providing lighting and HVAC control. The technology is a conduit for information and intelligence in the form of voice, video, audio, and data signals. CEDIA represents 70 New Jersey-based member companies with bona fide qualifications and years of experience in this specialized, ever-changing and technology-driven field.

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Mr. Reaman also stated that the wired infrastructure used in these systems is not in place to deliver electricity; rather it delivers information and intelligence in the form of voice, data, audio, and video systems. These complex systems require well-trained and technologically astute home technology professionals, who understand not only the intricacies of installing these systems, but also how to integrate these systems so they work in conjunction with each other through the ease of a single control device. The work of a home technology professional is more akin to that of an information technology professional than an electrical contractor. Residential electronic systems do not pose a hazard from a shock or fire initiation standpoint as defined in the National Electrical Code. This is precisely the type of professional intended to be covered by the limited telecommunications wiring exemption.

Mr. Reaman further stated home technology professionals are small independent businesses who integrate home technology to give customers a seamless experience. The skills needed for home technology professionals have evolved and grown with the capabilities and technological advances of residential electronic systems.

Mr. Reaman stated that limited telecommunications wiring exemption was created in 1993 with few or no substantial changes since. In an industry as dynamic as technology, changes must be made to adapt with the times.

Mr. Reaman also stated the limited telecommunications wiring exemption needs to properly represent today's technological realities. Rather, the recent narrowing of this amendment makes it more difficult for technology professionals to work their trade. With regard to 13:31-4.1, the telecommunications wiring exemption is limited. Providing telecommunications wiring is a part of the services provided by home technology professionals, but not solely what a home technology professional does. This further squeezes home technology companies, who typically engage in the wiring of audio, video, home entertainment, and home automation systems, to name just a few. These professionals are currently limited to working within the ten volt threshold exemption found in N.J.S.A. 45:5A-18(j). They are wiring and integrating systems and consumer products that exceed 10 volts, while still operating at safe levels with limited voltage. What is the purpose of the limited telecommunications wiring exemption if it doesn't apply to telecommunications wiring of systems in excess of ten volts?

Mr. Reaman further stated as currently written, the administrative rule of applying the exemption to a business solely when it is engaged in telecommunication wiring restricts the intended purpose of the telecommunications exemption. In its current form, the administrative rule places a severe burden on home technology professionals by forcing

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them to be licensed as electrical contractors and obtain a license that does not properly address their profession. Systems installed and integrated by home technology professionals are powered by limited energy power sources and most, if not all, are covered in Article 725 of the National Electrical Code and fall under the rules concerning Class 2 and Class 3 wiring.

Mr. Reaman stated with the convergence of technology, an amendment to the limited telecommunications wiring exemption is needed to represent the current technologies that home technology professionals design, install, and integrate on residential projects on a daily basis.

Mr. Reaman also stated, on behalf of CEDIA and our New Jersey-based members, he would like to thank the Board for the opportunity to encourage a more representative limited telecommunications wiring exemption and we look forward to working with the Board on this important issue to support technological innovation throughout New Jersey.

DAG Donorio stated the reason for the adopted language was to clarify that the exemption was for telecommunications wiring only; any other work would need to be performed by a licensed electrical contractor or an alarm installer.

Mr. Schooley thanked Mr. Reaman for appearing before the Board. Mr. Schooley also stated that the Board will take this discussion under consideration.

The Board reviewed applications for the licensing examination to be administered by PSI Services, LLC. Twenty-four (24) applications were approved.

Matthew Wetzel introduced himself to the Board. Mr. Wetzel stated he recently accepted the position of Acting Assistant Deputy Director. Mr. Wetzel also stated he was the Executive Director of the Controlled Dangerous Substance Unit. Mr. Wetzel further stated Paul Ray has accepted a position with the Fiscal Department.

Mr. Wetzel stated that he looks forward to working with the Board.

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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 2:30 P.M.

An Appointment and Business Meeting is scheduled for Wednesday, May 4, 2016, at 9:00 A.M.

Respectfully submitted,

Philameana L. Tucker
Executive Director

INITIAL LICENSEES APPROVED BY THE BOARD APRIL 6, 2016

1. Kevin R Wuelfing - License #18143
2. William Gourley - License #18144
3. Ronald N. F Fornarotto - License #18145
4. Tovia Spira - License #18146
5. Michael E Fitzmaurice - License # 18147
6. Jesse G Westlund - License #18148
7. Derrick H JnBaptiste - License #18149
8. Nikolaus C Savacool - License #18150
9. Axel J D'Agostino - License #18151
10. Gilberto Ramos- License #18152
11. Stefan Lapadat - License #181583
12. Joseph P Costa - License #18154

INITIAL BUSINESS PERMITS
APPROVED BY THE BOARD APRIL 6, 2016

1. J. Tortora & Sons Electric & Security LLC - (John A Tortora) - (Limited Liability Company) - 45 Douglas Drive - Clark, New Jersey 07066 - License #17630
2. JNB Electrical and Lighting LLC - (Derrick H. JnBaptiste) - (Limited Liability Company) - 347 New York Blvd.- Effort, PA 18830 - License #18149
3. Savacool Electric LLC - (Nikolaus Savacool) - (Limited Liability Company) - 1011 Sunset Avenue - Point Pleasant, New Jersey 08742 - License #18150
4. Westlund Electric LLC - (Jesse G Westlund) - (Limited Liability Company) - 122 Cedarwood Drive - Brick, New Jew Jersey 08723 - License #18148
5. Adco Electrical Corporation dba Scholes Electric & Communications - (Steven E Demcsak) - (Corporation) - 1021 Centennial Avenue - Piscataway, New Jersey 08854 - License #15581
6. Weltman Home Services, Inc. (Joseph P Leto) - (Corporation) - 890 Industrial Road - Berkeley Heights, New Jersey 07922 - License #17479
7. Northwest Electric LLC - (Axel D'Agostino) - (Limited Liability Company) - 160 Hope Road - Blairstown, New Jersey 07825 - License #18151
8. ATC Systems, Inc - (Robert J Beck, Jr.) - (Corporation) - 207 Blackford Avenue - Middlesex, New Jersey 08846 - License #13811
9. McKenna Electric LLC - (Christopher McKenna) - (Limited Liability Company) - 16 Viola Avenue - Leonardo, New Jersey 07737 - License #18100

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED
APPROVED BY THE BOARD APRIL 6, 2016

1. Metro R F Services, Inc - (Damian L Gawronski) - (Corporation) - 2320 S. Archibald Avenue - Ontario, CA 91761 - License #17916A
2. Kenneth W Manning - t/a - KNK Electric - (Individual) - 2 Linda Road, Wanaque, New Jersey 07465 - License #17533A
3. Alan Electric LLC - (Alan Napolliello) - (Limited Liability Company) - 32 Hickory Lane - Long Valley, New Jersey 07853 - License #16731A
4. Schwier Electric LLC - (Thomas F Thom) - (Limited Liability Company) - 137 Curtis Place Manasquan, New Jersey 08736 - License #17450A

CHANGES IN BUSINESS PERMITS APPROVED
BY THE BOARD APRIL 6, 2016

1. Kopa Electric LLC - (Gary A Marano) - (Limited Liability Company) - Formerly - Gary Marano Electrical Contractor - (Individual) - 65 Chestnut Street - Red Bank, New Jersey 07701 - License #8335A
2. TEC Inc - (Mordechais Thaler) - (Corporation) - Formerly - Thaler Electric Inc - (Corporation) - 366 East 7th Street - Lakewood, New Jersey 08701 - License #15738A
3. Aerial Lighting & Electric Inc - (Harry Rodgers) - (Corporation) - Formerly - HBR Electrical Contractor LLC - (Limited Liability Company) - 26 Hotchkiss Street - Naugatuck, CT 06770 - License #12325
4. DCM Architecture & Engineering - (David Carmona) - (Limited Liability Company) - Formerly - Led Electrical & Mechanical LLC (Limited Liability Company) - 200 Federal Street - Camden, New Jersey 08103 - License #15161A
5. Cardone Electric LLC (Kevin Cardone) - (Limited Liability Company) - Formerly - Cardone Electric - (Individual) - 28 Hampshire Court - New Egypt, New Jersey 08533 - License #16423A
6. Jet Electric LLC - (Basil Figliano) - (Limited Liability Company) - Formerly - AJB Construction and Electric Inc - (Corporation) - 83 Pine Street - Bridgewater, New Jersey 08807 - License #12272C
7. Pascale Electric Inc - (Mark F Pascale) - (Corporation) - Formerly - M Pascale Electric - (Individual) - 130 Kinderkmack Road - Park Ridge, New Jersey 07656 - License #8427A
8. Maximo Electrical Inc - (Maximo M Real) - (Corporation) - Formerly - Maximo Real Electric LLC - (Limited Liability Company) - 29 Ann Street - Newark, New Jersey 07105 - License #15042B