

862nd BUSINESS MEETING OF THE BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS (PUBLIC SESSION) - - - JANUARY 4, 2012

The Board Minutes of January 4, 2012, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of February 1, 2012, 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 January 4, 2012, was called to order at 9:00 A.M.
The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Joseph F. Cantalupo
Mr. Constantinos Papademas
Mr. Mitchell R. Malec
Mr. Arthur W. Jacobs, Sr.
Mr. James H. Flaherty

Mr. Richard T. Aicher, Jr. and Ms. Susan C. Michielli were absent.

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

Kathleen Moran, Administrative Assistant 3, 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.

Also in attendance was Bob Spellman, Electrical Contractors Association of New Jersey.

The Board saluted the Flag.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (7) Initial Licenses effective January 4, 2012 to March 31, 2015.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (8) Initial Business Permits effective January 4, 2012 to March 31, 2015.

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Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve (3) Initial Business Permits Previously Expired effective January 4, 2012 to March 31, 2015.

Motion made by Mr. James H. Flaherty and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (1) Change in Business Permit effective January 4, 2012 to March 31, 2015.

Check #1029 in the amount of \$500.00 received from Joseph N. Caruso, License #6951, t/a Electric Power Inc-1, as the first installment of a civil penalty in the amount of \$3,500.00 for violation of N.J.S.A. 45:5A-9. The balance due is \$3,000.00.

The Board accepted the payment.

Check in the amount of \$100.00 received from William Passione, License #11485, t/a B Passione Electric, as the twenty-first installment of a civil penalty in the amount of \$3,500.00 for violation of N.J.S.A. 45:5A-9; N.J.S.A. 56:8-1 et seq.; and N.J.A.C. 13:45C-1.2. Payments started February 4, 2010 and the balance due is \$1,395.00.

The Board accepted the payment.

Certified check in the amount of \$1,500.00 received from Azmi K. Bilge, License #16313, t/a Blagodat, Inc., as the first and final payment of a civil penalty in the amount of \$1,500.00 for violation of N.J.A.C. 13:31-3.5(a); N.J.A.C. 13:31-3.5(e); and N.J.S.A. 45:5A-15.

The Board accepted the payment.

The Board reviewed an application for Continuing Education Course/Seminar Approval received from Mathew Blackburn, National Technology Transfer.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, to approve three (3) new courses and instructors. The Board also requested that Mr. Blackburn be advised that the Board does not allow a quiz/exam to be part of the instructional hours and should not be a requirement in order for the licensee to receive a certificate.

The Board further requested that Mr. Blackburn check the outline for the course entitled "2011 National Electrical Code Changes" as the outlined course time does not add up to eight hours.

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The Board reviewed an application for Continuing Education Course/Seminar Approval received from Nicola Donaven, American Trainco.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Ms. Donaven advising her that her request is being held in abeyance as all instructors are not qualified to teach all three courses. Therefore, the Board would like to know which instructors are teaching which courses.

At its December 7, 2011 meeting, the Board reviewed a letter dated November 1, 2011, received from Charles Aikey, License #6642, requesting an extension to complete his Continuing Education Courses for the 2012 to 2015 renewal period. Mr. Aikey stated that he has been under the care of an orthopedic surgeon.

As per the Board's request, Mr. Aikey has provided medical documentation concerning his care.

Motion made by Mr. James H. Flaherty and seconded by Mr. Constantinos Papademas, and unanimously passed, that a letter be sent to Mr. Aikey advising him that the Board has granted his request and he has six months in which to take his continuing education courses to renew his License #6642 for the 2015 triennial renewal period.

Letter dated December 12, 2011, received from Veronica M. Tusi, Corporate Secretary, Tusi Brothers, Inc., requesting a six-month continuance of business under Permit #9963 according to N.J.S.A. 45:5A-14. The licensee, Benedetto P. Tusi, died on July 18, 2011.

Motion made by Mr. James H. Flaherty and seconded by Mr. Mitchell R. Malec, and unanimously passed, that a letter be sent to Veronica M. Tusi, Corporate Secretary, advising her that pursuant to N.J.S.A. 45:5A-14 the firm of Tusi Brother's Inc. has been granted a second and final six-month continuance of business under permit #9963. The Board approves Fran Tusi to qualify the business for the six-month period.

Memorandum dated January 4, 2012, received from Joseph Donofrio, Deputy Attorney General, stating that after review of the applicable statutes, a company with an electrical contracting business permit may have a security related name in their title, and may otherwise advertise alarm services without having to obtain a license from the Burglar Alarm, Fire Alarm, and Locksmith Advisory Committee.

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DAG Donofrio also stated that it is clear from the language of N.J.S.A. 45:5A-29(b) that electrical contractors can “engage in the alarm business” without having to be licensed pursuant to the provisions of N.J.S.A. 45:5A-23 et seq. Therefore, by extension they are also permitted to advertise their ability to engage in the alarm business. It would be incongruous to conclude that electrical contractors can lawfully engage in the alarm business, without having to obtain a license from the Committee, but would be required to obtain a license from the Committee in order to advertise the services they are already permitted by law to provide.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, to accept the position of DAG Donofrio.

Bob Spellman stated that the Electrical Contractors Association of New Jersey does not support Assembly Bill No. 4384.

Maryann Sheehan, Regulatory Analyst, appeared before the Board to discuss Assembly Bill No. 4384 which revises the general provisions of Title 45 relating to the reinstatement of suspended or inactive professional and occupational licenses regulated by the Division of Consumer Affairs, the renewal of those licenses, and the reciprocity of those licenses with other states. The bill creates a streamlined reciprocity process, superseding provisions in individual practice acts, by allowing for quick licensure upon proof of out-of-state licensure from jurisdictions with “substantially equivalent” standards, even if there is no mutual reciprocity, along with: 1) evidence that the license is in good standing in the other jurisdiction; 2) a clean criminal history record background check, if required of other applicants; 3) the designation of an agent for service of process if there is no New Jersey residence or office; and 4) a demonstration of prerequisites such as insurance coverage or a surety bond. Under the bill, applicants for licensure based on an out-of-State license will have six months to submit documentation concerning education, experience, and examination results. The bill sets out, with greater clarity, the process for reactivation of licenses that were affirmatively placed in inactive status and for reinstatement of licenses that expired and were administratively suspended by operation of law. Under the bill, applicants seeking reinstatement of an administratively suspended license will be obligated to pay additional fees—a reinstatement fee and the biennial or triennial renewal fee for the cycle immediately preceding the reinstatement. Thus the provision recognizes that there is a value to the Division of Consumer Affairs in having licensees submit the renewal and affirmatively elect inactive status, so that its database is current. This bill requires the division to provide notice that explains inactive renewal and advises the licensee of the option to renew as inactive. The bill replaces the current provision mandating that all those who were administratively suspended by operation of law for a period of more than five years re-take the initial licensing exam with a provision that allows the board to tailor remediation to address clinical deficiencies or educational needs, either as a condition precedent to restoration or as a requirement to be completed within a specified time frame after reactivation or reinstatement. The bill aligns the continuing education requirements for reactivating and reinstating applicants. Under the bill, reactivating and

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reinstating applicants must demonstrate that they have completed the continuing education that would have been required during the biennial or triennial period immediately preceding the renewal. For those practicing out-of-State during the period they were not authorized to practice in New Jersey, proof that they met the continuing education requirement in that state will suffice to meet New Jersey requirements. If the board has adopted specific course requirements, applicants will have 12 months to satisfy those requirements.

Mrs. Sheehan stated that the bill changes the reinstatement provisions with respect to reciprocity.

Mrs. Sheehan also stated that the Uniform Enforcement Act allows a licensee to reinstate up to five years after the expiration date. After five years the licensee must retake the examination. Mrs. Sheehan further stated that most of the Board's within the division contend that this is overly burdensome and request more flexibility. Mrs. Sheehan stated that this bill attempts to streamline the process and give the Boards more discretion.

Mrs. Sheehan stated that the Divisions' mandate has been not to create undo hardship in regards to reciprocity. The Bill attempts to make it more streamlined for someone coming into New Jersey from another state. The Bill requires that the applicant seeking reciprocity submit an application, pay a fee, and hold a valid current corresponding professional or occupational license in good standing issued by another state as long as the state that issued the license has substantially equivalent education, training, and examination requirements equivalent to the current standards of this State. Mrs. Sheehan also stated that if the applicant has been practicing for five years and has a state license, the Board would then determine whether or not that states' requirements are substantially equivalent.

Motion made by Mr. Mitchell R. Malec and seconded by Mr. Constantinos Papademas, and unanimously passed, that the Board supports the language in Assembly Bill A-4384 which deals with the renewal and reinstatement of professional and occupational licenses regulated by the Division of Consumer Affairs.

The Board does not support the language which deals with reciprocity. Because the Board is very concerned with consumer protection, it would first like to research the licensing requirements of other states.

Maryann Sheehan, Regulatory Analyst, discussed with the Board allowing licensees to attend Webinar Continuing Education Courses.

The Board requested that Mrs. Sheehan draft a regulation which would allow a licensee to take a maximum of four hours of a live presentation interactive Webinar course which is not to exceed two hours in length.

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Mr. Flaherty stated that the Board had previously discussed allowing electrical contractors to take burglar and fire alarm courses approved by the Burglar Alarm, Fire Alarm, and Locksmith Advisory Committee as long as the licensee obtains a certificate from the instructor.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Constantinos Papademas, and unanimously passed, that Maryann Sheehan draft such a regulation.

The Board reviewed applications for the written examination to be administered by Thomson Prometric. Eight (8) applications were approved.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Mitchell R. Malec, 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, February 1, 2012, at 9:00 A.M.

Respectfully submitted,

Joseph P. Schooley
Chairman

INITIAL LICENSEE APPROVED BY THE BOARD JANUARY 4, 2012
EFFECTIVE JANUARY 4, 2012 TO MARCH 31, 2015

1. Robert B. Thompson
2. Gregory Dunaj
3. Anthony P Pisacreta
4. Thomas Eitelbach
5. Jeffrey T Pajak
6. Matthew P Logan, Jr.
7. Eyal Levi

INITIAL BUSINESS PERMITS APPROVED BY THE BOARD JANUARY 4,2012
EFFECTIVE JANUARY 4, 1012 TO MARCH 31, 2015

1. Logan Electric LLC - (Matthew P Logan, Jr.) - (Limited Liability Company) - 300 Brakeley Avenue - Phillipsburg, NJ 08865
2. J Davis Electrical Group LTD - (Nyaima S Smith) - (LTD) - 210 Sherman Avenue - Jersey City, NJ 07307 0- License # 17188
3. David N. Disharoon - t/a DND Electric - (Individual) - 408 Breaker Drive - Galloway, NJ 08205 - License #10592
4. Paul Mastrola -t/a -AM/PM Electrical & Mechanical Maintenance -(Individual) - 236 Church Street - Woodbridge, NJ 07095 - License #15849
5. Patricia Electric LLC - (Shaun Poland) - (Limited Liability Company) - 9 Charles Place - Stanhope, NJ 07874 - License #16410
6. New Vision Electric LLC - (Eyal Levi) - (Limited Liability Company) - 40 Albert Avenue Milltown, NJ 08850
7. Juan Rodriguez - t/a JR Electrical Contractors - (Individual) - 599 West 190th Street Basement Apt. - New York, NY 10040 - License #17115
8. Leonard Van Wingerden - t/a - LVW Electric - (Individual) - 16 De Jager Drive - Augusta, NJ 07822 - License #16841

INITIAL BUSINESS PERMITS PREVIOUSLY EXPIRED
APPROVED BY THE BOARD JANUARY 4, 2012
EFFECTIVE JANUARY 4, 2012 TO MARCH 31, 2015

1. Green Light Electrical LLC - (Jeff Glanstein) - (Limited Liability Company) - 148 Chateau Drive - Lakewood, NJ 08701 - License #15676A
2. SEV Electric LLC - (Steven E Vogle) - (Limited Liability Company) - 16 Kayser Lane - West Orange, NJ 07052 License #10694A
3. Lash Electric Co - (Steven K Lashovitz) - (Corporation) - 171 Kings Highway - Middletown, NJ 07748 - License #12611B

CHANGES IN BUSINESS PERMITS APPROVED BY THE BOARD JANUARY 4, 2012
EFFECTIVE JANUARY 4, 2012 TO MARCH 31, 2015

1. RAL'S Plumbing, Heating, Electrical and GC Contractor Corporation - (Joseph Bledsoe) (Corporation) - Formerly - Joseph and Son Electrical Contracting - (Individual) 1131 Kaigan's Avenue - Camden, NJ 08103 - License #13351D