

**749 BUSINESS MEETING OF THE
(PUBLIC SESSION)
May 1, 2002**

The Board Minutes of May 1, 2002, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of June 5, 2002. All requirements of the "Open Public Meetings Act" have been complied with according to N.J. 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.

Meeting of May 1, 2002, was called to order at 9:00 A.M.

The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Joseph F. Cantalupo
Mr. Robert A. McCullough
Mrs. Connie Calisti
Mr. Mitchell R. Malec
Mr. Thomas J. Demcsak

Mrs. Gail Best and Mrs. Pushpavati Amin were absent.

Barbara A. Cook, Executive Director, was present from 9:00 A.M. until the close of the meeting.

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

Kathleen Moran, Secretarial Assistant, III, was present from 9:00 A.M. until the close of the meeting.

Also in attendance was Mr. James Bibbo, Central Jersey Electrical League.

The Board saluted the Flag.

Mr. Schooley advised the Board that Mr. Earle Harder passed away. Mr. Schooley stated that Mr. Harder was a member and past chairman of the Electrical Board. Mr. Schooley also stated that Mr. Harder was a good person and will be missed.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve the Minutes of the Special Meeting held March 20, 2002.

Motion made by Mr. Thomas J. Demcsak and seconded by Mrs. Connie Calisti, and unanimously passed, to approve the Minutes of the 748 Meeting held April 3, 2002.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously

passed, to approve (8) Initial Licenses effective May 1, 2002 to March 31, 2003, as per attached list.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Connie Calisti, and unanimously passed, to approve (11) Initial Business Permits effective May 1, 2002 to March 31, 2003, as per attached list.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (7) Initial Business Permits Previously Expired effective May 1, 2002 to March 31, 2003, as per attached list.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (12) Changes in Business Permits effective May 1, 2002 to March 31, 2003, as per attached list.

Charles Manning, Regulatory Analyst, appeared before the Board to answer a question concerning the \$100.00 sponsor fee.

Mr. Manning stated that the regulation stipulates that the sponsor submitting the courses to be approved pays a \$100.00 sponsor fee. Even if the sponsor has ten instructors, the sponsor only pays \$100.00 for each package being submitted for approval.

Check in the amount of \$129.40 received from Mark Wiggins, License #10860, as the fifth installment of a civil penalty, and costs, in the amount of \$1,511.53 for violation of N.J.S.A. 45:5A-9. Payments started December 3, 2001, and the balance due is \$864.53

The Board accepted the payment.

Check in the amount of \$150.00 received from Neil Bolton, License #9590, as the seventh installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:5A-9. Payments started October 17, 2001, and the balance due is \$1,200.00.

The Board accepted the payment.

Check in the amount of \$200.00 received from Daniel Wolf, Unlicensed, as the tenth and final installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.S.A. 45:5A-9 and N.J.S.A. 56:8.1 et seq. Payments started July 23, 2001, and the penalty is now paid in full.

The Board accepted the payment.

Check in the amount of \$80.00 received from David E. Rahn, License #5330, as the second installment of a civil penalty, and costs, in the amount of \$1,320.00 for violation of N.J.S.A. 45:5A-9 and N.J.A.C. 13:31-1.8(b). Payments started October 5, 2001, and the balance due is \$970.00

The Board accepted the payment.

Postal Money Order in the amount of \$100.00 received from George Johnson, License #6651 (Expired) as the first installment of a civil penalty in the amount of \$1,500.00 for violation of N.J.S.A. 45:5A-9. Payments started April 19, 2002, and the balance due is \$1,400.00.

The Board accepted the payment.

Check in the amount of \$250.00 received from Joseph J. Hovanec, License #6291, as the first installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.A.C. 13:45C-1.2. Payments started April 19, 2002, and the balance due is \$750.00.

The Board accepted the payment.

Letter dated March 26, 2002, received from Jacqueline Leone, President, Leone Electric Co., Inc., requesting a six-month continuance of business under permit #5598 according to N.J.S.A. 45:5A-14. The licensee, Nicholas Leone, License #5598, died on March 3, 2002.

Mrs. Leone stated that her son, Nicholas, has submitted an application to take the electrical contractor's examination. Mrs. Leone also stated that her son has worked with his father in the electrical field since 13 years of age.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Thomas J. Demcsak, and unanimously passed, that a letter be sent to Nicholas Leone advising him that the Board has granted the firm of Leone Electric Co., Inc., a six-month continuance of business permit #5598 according to N.J.S.A. 45:5A-14.

Letter dated April 3, 2002, received from Joseph Portela requesting to teach the Nine Hours of Code Changes and the One Hour of Laws, Rules, and Regulations pursuant to N.J.A.C. 13:31-1.12.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Mitchell R. Malec, and unanimously passed, to approve Joseph W. Portela, Jr., and Robert Figlia to teach the Nine Hours of Code Changes and the One Hour of Laws, Rules, and Regulations.

Letter dated April 13, 2002, received from Michael Bartek, License #8261, suggesting that changes should be implemented concerning the continuing education code courses as he found only approximately 5 hours of the class to be pertinent to the type of work he performs. Mr. Bartek stated that perhaps classes could be two to four hours long and cover electrical changes in specific areas.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Bartek advising him that licensees are not licensed in a particular area of expertise; therefore, it is the opinion of the Board that all licensees be instructed on the code changes. Should Mr. Bartek specialize in a particular area, he may chose from the myriad of courses that will be available for the next continuing education code course renewal beginning in the year 2003 for the 2006 to 2009 triennial renewal period.

The Board reviewed N.J.A.C. 13:31-1.11 Continuing Education Requirements which were adopted on April 15, 2002.

The Board reviewed the Draft Agenda and Approved Minutes of the Department of Community Affairs, Division of Codes and Standards.

Mr. McCullough stated that the draft rule of the International Building Codes and the International Residential Codes should appear in the New Jersey Register in the Spring or early Summer. Mr. McCullough also stated that the draft of the 2002 Electrical Code Changes, with some minor modifications, should be published in the New Jersey Register very soon.

Mr. McCullough further stated that he is asked at every monthly meeting about the status of the Homeowner's Exemption.

Mr. Harris has failed to respond to an Administrative Action Provisional Order of Discipline filed on March 13, 2002, ordering that Thomas L. Harris, License #2547, pay a civil penalty in the amount of \$1,000.00; license #2547 is suspended until such time as he appears before the Board, and returns the pressure seal issued to Thomas L. Harris, Jr.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that DAG Carboni finalize the Provisional Order of Discipline and issue a Final Order of Discipline for Thomas L. Harris, Jr., License #2547.

Letter dated March 26, 2002, received from Eric M. Schweiker, Deputy Attorney General, Division of Criminal Justice, stating that the corporate defendant, A.J. LaCourse, Inc., Unlicensed, pled guilty to a criminal charge of third degree impersonation. As part of the sentence, the company signed a consent order prohibiting it from obtaining a New Jersey business permit for a period of five years. The company was also required to pay a criminal fine.

Mr. Schweiker also stated that the two individual defendants, Arthur LaCourse and Thomas Finnegan, entered the Burlington County Pre-Trial Intervention program. Mr. LaCourse and Mr. Finnegan are both prohibited from obtaining a New Jersey Electrical Contracting License at any time in the future and both were required to pay a criminal fine.

The following signed cease and desist agreements were received from Michael Strasser, Shelter Electric, Long Island City, NJ 11101; and Samuel Bryant, Sam and Son General Contractors, Maplewood, New Jersey. Letters were received from William J. Mecca, t/a Mecca Electric, Inc., Folcroft, PA 19032 and Clyde Davis, Contemporary Electric, Westminster, MD 21157 advising that they were not aware that the Blue Book was to be circulated in New Jersey. Letter received from John G. Gazonas, Pharos Contracting Co., Inc., Point Pleasant Beach, NJ 08742, advising that his company has never engaged in electrical contracting in the State of New Jersey and does not intend to do so.

The Board accepted the signed cease and desist agreements.

The Board reviewed applications for the written examination to be administered by Experior Assessments, LLC. Twenty-four (24) applications were approved.

Reni Erdos, Acting Director, Division of Consumer Affairs, introduced herself to the Board members.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that the Board 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 Business Meeting is scheduled for Wednesday, June 5, 2002, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director