

**738 BUSINESS MEETING
OF THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
(PUBLIC SESSION)
MAY 2, 2001**

The Board Minutes of May 2, 2001, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of June 6, 2001. 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 2, 2001, was called to order at 9:00 A.M.

The following members were present:

Mr. Joseph P. Schooley, Chairman
Mr. Edward H. O'Hara
Mr. Mitchell R. Malec
Mrs. Pushpavati Amin

Mr. Joseph F. Cantalupo arrived at 1:00 P.M.

Mrs. Gail Best; Mr. Richard K. Dressel; and Mr. Robert A. McCullough 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.

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

Also in attendance were Mr. Casey Hoff, New Jersey Electrical Contractors Association and Mr. James Bibbo, Central Jersey Electrical League.

A quorum was not present during the discussions of the following matters. Mr. Cantalupo arrived at 1:00 P.M. and all actions made by the Committee were ratified at that time.

The Committee unanimously recommended to approve the Minutes of the 736 Meeting held April 4, 2001.

The Committee unanimously recommended to approve (12) Initial Licenses effective May 2, 2001 to March 31, 2003, as per attached list.

The Committee unanimously recommended to approve (16) Initial Business Permits effective May 2, 2001 to March 31, 2003, as per attached list.

The Committee unanimously recommended to approve (6) Initial Business Permits Previously Expired effective May 2, 2001 to March 31, 2003, as per attached list.

The Committee unanimously recommended to approve (5) Changes in Business Permits effective May 2, 2001 to March 31, 2003, as per attached list.

Check in the amount of \$200.00 received from Robert C. Colclough, License #3833, as the third installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9.

The Committee accepted the payment.

Check in the amount of \$100.00 received from Seb Vidreiro, License #7539, as the fifth and final installment of a civil penalty in the amount of \$500.00 for violation of N.J.S.A. 45:5A-9; N.J.A.C. 13:31-1.6; and N.J.A.C. 5:23-2.14.

The Committee accepted the payment.

Letter dated April 2, 2001, received from Steven A. Di Donato requesting reinstatement of his license #13756 which he failed to renew for the renewal periods of 1997 to 2000 and 2000 to 2003.

The Committee unanimously recommended that a letter be sent to Mr. Di Donato requesting that he provide an explanation as to what he has been doing in the electrical field since 1997.

Letter dated April 18, 2001 received from Victor Hedberg requesting reinstatement of his license #3636 which he failed to renew for the renewal periods of 1994 to 1997; 1997 to 2000; and 2000 to 2003.

Mr. Hedberg stated that in 1994 he closed all of his businesses involving electrical contracting due to his ill health.

Mr. Hedberg also stated that at this time he is now well enough to return to the field of electrical contracting and intends to move to New Jersey.

The Committee recommended that a letter be sent to Mr. Hedberg advising him that he must take and pass the electrical contractor's examination in order to regain his license under N.J.S.A. 45:5A-13.

Mr. O'Hara did not agree with the committee's recommendation.

Letter dated March 27, 2001, received from Raymond Smallze requesting reinstatement of his license #11239 which he failed to renew for the renewal periods of 1994 to 1997; 1997 to 2000; and 2000 to 2003.

Mr. Smallze stated that he left the State of New Jersey to care for his ill mother, however, he remained in the electrical field during that time.

The Committee recommended that a letter be sent to Mr. Smallze advising him that he must take and pass the electrical contractor's examination in order to regain his license under N.J.S.A. 45:5A-13.

Mr. O'Hara did not agree with the committee's recommendation.

Letter dated April 2, 2001, received from Roger Binford requesting reinstatement of his license #5577 which he failed to renew for the renewal periods of 1991 to 1994; 1994 to 1997; 1997 to 2000 and 2000 to 2003.

Mr. Binford stated that he left the State of New Jersey in 1989 and has continued in the electrical field in the State of Colorado.

The Committee recommended that a letter be sent to Mr. Binford advising him that he must take and pass the electrical contractor's examination in order to regain his license under N.J.S.A. 45:5A-13.

Mr. O'Hara did not agree with the committee's recommendation.

Letter dated April 9, 2001, received from Jose Vasquez requesting reinstatement of his license #10917 which he failed to renew for the renewal periods of 1997 to 2000 and 2000 to 2003.

Mr. Vasquez stated that he has been working for Homedica-Osteonics since 1992.

The Committee unanimously recommended that a letter be sent to Mr. Vasquez requesting that he provide the Board with an explanation as to what his job duties have been while employed with Homedica-Osteonics.

The Committee reviewed a letter dated March 7, 2001, received from George G. Miller, License #10844 (Expired) stating that he is presently a member of Local Union 98, International Brotherhood of Electrical Workers, Philadelphia, PA. Mr. Miller stated that he worked for Willard Electrical, Jenkintown, Pennsylvania from 1997 to 2000, and is presently employed by SDA Mechanical Services, Trevoise, Pennsylvania.

The Board had previously granted Mr. Miller's request to re-instate his license, however, the Board wanted to know what Mr. Miller had been doing since 1997.

Letter dated March 27, 2001, received from Neil J. Bolton, Jr., License #9590 (Expired) stating that he has worked for three different contractors at different times performing residential additions and renovations. Mr. Bolton also stated that he has attended the 1993 Continuing Education Code Course.

The Board had previously granted Mr. Bolton's request to renew his license #9590 which he failed to renew for the 1994 to 1997; 1997 to 2000; 2000 to 2003 renewal periods. The Board held Mr. Bolton's request in abeyance pending an explanation as to what he has been doing in the electrical field since 1994.

The Committee unanimously recommended that Mr. Bolton appear before the Board to discuss this matter further.

Letter dated March 27, 2001, received from Harry E. McLellan, III, Esq., McLellan & Bialkowski requesting approval to teach law courses. Stephen Bialkowski, and the law courses, were previously approved by the Board.

The Committee unanimously approved Mr. McLellan's request to teach the approved courses with Mr. Bialkowski.

The Committee reviewed the Continuing Education Code Course outlines submitted by Steven M. Ripley, New Jersey Electrical Contractors Association.

The Committee unanimously recommended to approve the following course outlines submitted by Mr. Ripley.

"Back Safety"
"Biohazard Awareness" (Bloodborne Pathogens)

The Committee reviewed the Continuing Education Code Course outlines submitted by Jerry Murphy, Chairman, National Electrical Contractors Association.

The Committee unanimously recommended to approve the following course outlines submitted by Mr. Murphy.

"VDV Business & Customer Development"
"Succession Planning" - Strategies for "Filling the Empty Chair"

Mr. Murphy will also be advised that the course entitled "VDV Business & Customer Development" is a new seven hour course. Approval for additional hours of instruction is not granted after course hours have already been approved and attended by the licensees.

The Committee reviewed the Fiscal Year 2001 Budget Report (1st half).

Mr. Malec had a question concerning the Report which will be addressed at the Board's next meeting to be held on June 6, 2001.

Letter dated March 26, 2001, received from John A. Drebitko, New Jersey Electrical Contractors Association, expressing the Association's strong support for the continued use of the National Electrical Code (NFPA 70/NEC) in the State of New Jersey.

Mr. Drebitko stated that it has recently come to their attention that an alternative code is surfacing known as the ICC Electrical Code.

The Committee unanimously recommended that a letter be sent to Mr. Drebitko advising him that the Board is also in

favor of the continued use of the National Electrical Code.

The Committee reviewed the changes to the Uniform Enforcement Act which was signed into law on January 15, 2000.

Marshall H. Day, License #11131, requested an inactive status, which is one of the changes under the UEA.

Mr. Day's license will be placed in an inactive status.

Anthony Miragliotta, Deputy Director, suggested that the Board review the Board of Master Plumbers' rule concerning advertising as N.J.A.C. 13:31-1.9 Identification of Licensees, Permittee, and Qualified Journeyman Electricians, will be amended to comply with the requirements of the Division of Motor Vehicles. Also enclosed is a copy of N.J.A.C. 13:31A-1.11 "Advertising" for the Burglar Alarm, Fire Alarm, and Locksmith Advisory Committee.

After reviewing these rules, Mr. Schooley asked Mr. O'Hara to draft an advertising regulation incorporating the Board of Master Plumbers' rule and the Division of Motor Vehicle's rule.

The Committee discussed and reviewed the draft of the rules and regulations proposed by the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee.

Mr. O'Hara stated that the Board has always taken the position that two licenses should be issued, not three.

DAG Carboni stated that she did not find anything in the law that mandates two or three licenses. Should the licensing of fire alarm installers be taken out of the jurisdiction of the Committee, then the law can be adjusted accordingly.

Mr. O'Hara stated that he would like the Committee to justify the following:

Requiring three licenses.

Requiring 36 hours of continuing education for locksmith installers.

Mr. Malec made the following comments

Page 1: Change the heading under Chapter 31A to Regulations for the Licensure of Locksmiths and Burglar Alarm, Fire Alarm, and Electronic Security Businesses.

Subchapter 3, 13:31A-3.2 change to Burglar Alarm Examination; Fire Alarm Examination; Re-Examination.

Page 2: 13:31A-1.1 - Purpose and scope deals with the Committee; does not deal with licensure.

There is no reference regarding unlicensed individuals.

Page 5: 13:31A-1.2 - "Access Control System" correct the word "existed" - should be "exited".

Page 6: 13:31A-1.2 - "Closed circuit television" - define "switchers"

Page 9: 13:31A-1.4 - Fees - Who is collecting the fees?

Page 10: 13:31A-1.4(a-10) Should "Continuing education program sponsor fee" be included with the other training requirements?

13:31A-1.5 - Are the licenses valid for a three year period; needs clarification.

Page 13: 13:31A-1.7 - The Board needs to clarify how much decision making it wants to delegate to the Committee.

Is there anything in the regulations that gives the Board veto power on a determination made by the Committee.

Page 15: 13:31A-1.9 - Does the 36 hours of CE include the 9 hours of code changes and the one hour of laws rules and regulations.

Page 16: 13:31A-1.9(c) - Reasons why there is a need for one hour of Barrier Free Subcode Training. Why 12 hours for business and law?

Page 17: 13:31A-1.9(e) - How will the CE hours be tracked?

Page 18: 13:31A-1.9(e-4) - How will approval be given for articles?

13:31A-1.9(f-3) - What if the sponsor is the instructor? How will the Committee handle?

Page 19: 13:31A-1.9(h-1) - Does the Board recognize IACET?

Page 21: 13:31A-1.11(f) - Need to clarify the size of the lettering.

Page 23: 13:31A-1.11(h-3) - Should it read "publication", not "initial publication".

Page 25: 13:31A-1.12(a-4&5) - A general statement should be made that the licensee should conform with all applicable federal, state, municipal laws.

Page 25: 13:31A-1.12(a-5) - Should read "N.J.S.A. 52:27D et seq."

Page 27: 13:31A-2.3(6-i) - Why is "20" days indicated?

Page 41: 13:31A-3.1(6-iii) - Need an explanation of "low voltage electronics".

Page 42: 13:31A-3.2(a) - This statement does not read correctly.

Page 54: 13:31A-3.8(f) - Need explanation. The applicant should be required to keep a photo copy of their ID card?

A meeting will be scheduled between the Board and the Committee to discuss the above regulations.

A signed cease and desist agreement was received from William Mazzia, t/a Bill's Electric, South Orange, New Jersey 07079.

The Committee unanimously accepted the signed cease and desist agreement.

Mr. O'Hara stated that the Minutes of the April 4, 2001, Meeting should reflect that the Board is going to establish a procedure to refer cases to Paul Anzano, Esq.

Mr. O'Hara also stated that the Board needs to establish guidelines to decide when cases are criminal or civil.

DAG Carboni stated that she has been in contact with Mr. Anzano concerning this matter.

Mr. Schooley requested that Mr. O'Hara and Mrs. Pushpavati work together to establish such guidelines.

The Committee reviewed applications for the written examination administered by Experior Assessments, LLC. Five (5) applications were approved.

The Committee unanimously recommended that it 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.

A Business Meeting is scheduled for Wednesday, June 6, 2001, at 9:00 A.M. Special Meetings are scheduled for June 19 and 20, 2001, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director

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Posted July 2002