

**751 APPOINTMENT AND BUSINESS MEETING OF THE
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
(PUBLIC SESSION) JULY 10, 2002**

The Board Minutes of July 10, 2002, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of August 7, 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 July 10, 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. Gail Best
Mrs. Connie Calisti
Mr. Mitchell R. Malec
Mr. Frank A. Neary
Mr. Thomas J. Demcsak
Mrs. Pushpavati Amin

Note: This is Frank A. Neary's first meeting; he was appointed to serve as the Journeyman Member, by letter dated June 20, 2002.

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, Division of Law, was present from 9:00 A.M. until the close of the meeting.

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

The Board saluted the Flag.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve the Minutes of the 750 Meeting held June 5, 2002, with a correction in Closed Session.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (20) of the (21) Initial Licenses effective July 10, 2002 to March 31, 2003, as per attached list. (#15 is being held in abeyance pending additional information)

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (12) of the (13) Initial Business Permits effective July 10, 2002 to March 31, 2003, as per attached list. (#9 is being held in abeyance pending further information)

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (8) Initial Business Permits Previously Expired effective July 10, 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 (13) Changes in Business Permits effective July 10, 2002 to March 31, 2003, as per attached list.

Motion made by Mrs. Gail Best and seconded by Mrs. Pushpavati Amin, and unanimously passed, to approve the following Initial Business Permit Previously Expired effective July 10, 2002 to March 31, 2003.

Juan Vela, t/a Vela Electrical Contractor - Individual - 442 North 7th Street - Newark, New Jersey 07107-1733 - License #9471A

The Board elected a Chairman for the year July 10, 2002 to June 30, 2003, pursuant to N.J.S.A. 45:5A-5.

Mr. Robert A. McCullough nominated Mr. Joseph P. Schooley, and was seconded by Mr. Thomas J. Demcsak.

Mr. Joseph P. Schooley was unanimously elected Chairman for the year 2002 to 2003.

Let the record reflect that Mr. Schooley has been elected Chairman of the Board from this date until the June 2003 meeting.

Mr. Joseph F. Cantalupo nominated Barbara A. Cook Executive Secretary/Director, and was seconded by Mr. Robert A. McCullough.

Barbara A. Cook was unanimously elected Executive Secretary/Director for the year 2002 to 2003.

Check in the amount of \$150.00 received from Neil Bolton, License #9590, as the ninth 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 \$800.00.

The Board accepted the payment.

Check in the amount of \$500.00 received from Leo Kob, License #10215, as the first and final installment of a civil penalty in the amount of \$500.00 for violation of N.J.A.C. 13:31-1.8(b) and N.J.A.C. 13:31-1.13(a).

The Board accepted the payment.

Postal Money Order in the amount of \$100.00 received from George Johnson, License #6651, as the third 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 \$1,200.00.

The Board accepted the payment.

Money Order in the amount of \$250.00 received from James Broska, Unlicensed, as the first installment of a civil penalty in the amount of \$500.00 for violation of N.J.S.A. 56:8-2. Payments started June 27, 2002, and the balance due is \$250.00.

The Board accepted the payment.

Money Order in the amount of \$40.00 received from Treverald Allen, License #4240, as the fifth installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9. Payments started September 11, 2000, and the balance due is \$800.00.

The Board accepted the payment.

Letter dated May 27, 2002, received from Mark E. Nickle requesting reinstatement of his license #10561 which he failed to renew for the 1991 to 1994, 1994 to 1997; 1997 to 2000; and 2000 to 2003 triennial renewal periods.

Mr. Nickle stated that he has not performed electrical work in the State of New Jersey since his license expired. Mr.

Nickle also stated that he has maintained his Delaware and Maryland licenses and has attended continuing education code courses for same.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and passed, that a letter be sent to Mr. Nickle 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.

Roll Call Vote on the Motion:

Mr. Joseph F. Cantalupo -	Yes
Mr. Robert A. McCullough -	Yes
Mrs. Gail Best -	No
Mr. Connie Calisti -	Yes
Mr. Mitchell R. Malec -	Yes
Mr. Frank A. Neary -	Yes
Mr. Thomas J. Demcsak -	No
Mrs. Pushpavati Amin -	No
Mr. Joseph P. Schooley -	Yes

Letter dated June 23, 2002, received from Dennis J. Lucas requesting reinstatement of his license #10606 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods. At its meeting of June 5, 2002, the Board requested that Mr. Lucas provide it with copies of his Nevada licenses; copies of W-2 income tax forms from 1996; and copies of certificates showing that he has earned continuing education code course credits for his Nevada license.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Lucas advising him that the Board has voted to renew his license #10606 with the payment of the proper fees and a copy of his 1999 Continuing Education Code Course Certificate.

Letter dated June 21, 2002, received from John A. Klein, License #7773, requesting a six-month continuance of business under permit #561 according to N.J.S.A. 45:5A-14. The licensee Arthur E. Klein died on June 10, 2002.

Mr. Klein stated that he has worked for his father for 25 years and will complete the paperwork for the Initial Business Permit as soon as the estate is settled.

Motion made by Mrs. Gail Best and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to John A. Klein advising him that the Board has granted the firm of Sterling Electric Service Company a six-month continuance of business permit #561 according to N.J.S.A. 45:5A-14.

Letter dated May 29, 2002, received from Terry Sieczkowski, License #6683, requesting eight hours of credit towards his 2006 to 2009 triennial renewal period as he taught basic electricity which was a 16 hour eight week course.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Mitchell R. Malec, and unanimously passed, that a letter be sent to Mr. Sieczkowski advising him that his request is denied. Pursuant to N.J.A.C. 13:31-1.12(h) the course, or program, must first be approved by the Board before licensees can obtain continuing education credits.

The Board reviewed the Readoption with Amendments of its Rules and Regulations and Adopted Recodification with Amendments which were published in the New Jersey Register on June 3, 2002.

Letter received June 3, 2002, from Mitchell Kwasizur concerning the electrical contractor's examination and questions on 2002 code articles.

The Board requested that a letter be prepared answering Mr. Kwasizur's questions. Mr. Kwasizur will be advised that any questions referencing code articles can be addressed by the Department of Community Affairs, Code Assistance. Mr. Kwasizur will also be advised that any questions referencing the examination can be addressed by Experior Assessments, LLC.

Patrick Root, License #11656, has failed to respond to an Administrative Action Provisional Order of Discipline filed on March 12, 2002, ordering that Mr. Root pay a civil penalty in the amount of \$500.00 for violation of N.J.A.C. 13:31-1.10 and return the pressure seal issued to Root Electric.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that Susan Carboni, Deputy Attorney General, finalize the Provisional Order of Discipline and issue a Final Order of Discipline for Patrick Root, License #11656.

Bruce Howard, License #7197, has failed to respond to an Administrative Action Provisional Order of Discipline filed December 6, 2001, ordering that Mr. Howard pay a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9 and return the pressure seal issued to Bruce Howard Electrical Contractor. Provisional Order was initially mailed to the incorrect address. The Order was then mailed to the correct address on March 28, 2002, certified and regular mail. Certified mail was signed for April 2, 2002.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that Susan Carboni, Deputy Attorney General, finalize the Provisional Order of Discipline and issue a Final Order of Discipline for Bruce Howard, License #7197.

The Board had previously held the following matter in abeyance pending a comprehensive list of answers to questions that arise on a daily basis to be compiled by Mr. Mitchell R. Malec and Mr. Robert A. McCullough.

The Board discussed a letter dated February 14, 2002, received from William M. Connolly, Director, Department of Community Affairs, Division of Code and Standards, thanking the Board for its clarification about the performance of electrical work involved in the replacement of an electric hot water heater.

Mr. Connolly also stated that the Department has received conflicting statements from the Board about the performance of electrical work involved in the installation or replacement of an HVAC unit. Mr. Connolly further stated that upon clarification from the Board, the Department will gladly publish an article in the Construction Code Communicator.

Mr. McCullough stated that this list can be sent to Mr. Connolly. Mr. McCullough suggested that Mr. Connolly be advised that the Board is working on possible language to clarify N.J.A.C. 13:31-1.4 and N.J.S.A. 45:5A-18(n).

Susan Carboni stated that she has been advised that the Office of the Attorney General would not approve language for the homeowners exemption as drafted. The Office of the Attorney General requested that language be added to include a renter of a single family home can perform the electrical work. DAG Carboni also stated that the Office of the Attorney General originally wanted "apartment complexes" included in the language.

DAG Carboni further stated that Sharon Joyce, who at the time was Acting Director, and Anthony Miragliotta, Deputy Director, advised that allowing someone to perform electrical work in their apartment with a neighboring apartment attached would not be a good idea.

Mr. McCullough stated that allowing someone to perform electrical work in a home that they are renting is absurd! An individual who is renting a single family home should not be allowed to perform electrical work.

Letter dated June 21, 2002, received from Juan M. Perez, License #11522, advising the Board of his concerns about the intent of the utility company attempting to obtain a license with the Board.

The Board requested that a letter be sent to Mr. Perez advising him that the Board appreciates hearing from him and his concerns, however, at this time, the Board has not received a business permit application from a utility.

A signed cease and desist agreement was received from William P. Nolan, Wildwood Crest, New Jersey 08260

The Board accepted the signed cease and desist agreement.

The Board reviewed applications for the written examination to be administered by Experior Assessments, LLC. Twenty-eight (28) applications were approved.

Mr. Schooley advised the Board that on occasion Susan Carboni, Deputy Attorney General, calls him when she is negotiating a settlement with an individual who has been penalized by the Board. Mr. Schooley requested the Board's authorization to make such settlements on the Board's behalf.

Motion made by Mrs. Pushpavati Amin and seconded by Mrs. Gail Best, and unanimously passed, that the Board authorizes Joseph P. Schooley, Chairman, to work out a settlement on an as needed basis.

Motion made by Mrs. Gail Best and seconded by Mr. Robert A. McCullough, 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.

An Appointment Meeting is scheduled for Wednesday, July 24, 2002, at 9:00 A.M.

A Business Meeting is scheduled for Wednesday, August 7, 2002, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director