

**740 BUSINESS MEETING OF THE
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
AUGUST 1, 2001**

The Board Minutes of August 1, 2001, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of September 5, 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 August 1, 2001, 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
Mr. Mitchell R. Malec
Mrs. Pushpavati Amin
Mr. Thomas J. Demcsak

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

Marion 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 12:30 P.M.

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

Motion made by Mrs. Gail Best and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve the Minutes of the Special Meeting held June 19, 2001.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mrs. Pushpavati Amin, and passed, to approve the Minutes of the Special Meeting held June 20, 2001.

Mr. Malec abstained from the motion.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve the 739 Meeting held July 22, 2001.

Mr. Schooley asked Mr. Cantalupo to give a report on the Fire Alarm, Burglar Alarm, and Locksmith Advisory Committee meeting held on July 17, 2001.

Mr. Cantalupo stated that he was called out of town and was not able to attend the meeting.

Mrs. Cook stated that it was a very good meeting; the Committee discussed all of the Board's issues and have addressed the burglar alarm license to include smoke detectors.

Mr. Cantalupo stated that heat detectors should be mentioned in the language because the smoke detectors come assembled with the heat detectors.

Mr. Schooley stated that the Board should also discuss whether or not electrical contractors, who become licensed as burglar and fire alarm installers, are required to attend a certain number of hours of the required Continuing Education for the burglar and fire alarm installers?

Motion made by Mrs. Gail Best and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (5) Initial Licenses effective August 1, 2001 to March 31, 2003, as per attached list.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (7) Initial Business Permits effective August 1, 2001 to March 31, 2003, as per attached list.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (8) Initial Business Permits Previously Expired effective August 1, 2001 to March 31, 2003, as per attached list.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (7) Changes in Business Permits effective August 1, 2001 to March 31, 2003, as per attached list.

Mr. McCullough stated that Experior Assessments, LLC is now owned by the Chauncy Group.

Mr. McCullough asked that each Board member receive a copy of the new study guide.

Check in the amount of \$500.00 received from Thomas Iaione, License #9256, as the first installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.A.C. 13:45C-1.2.

The Board accepted the payment.

Check in the amount of \$30.00 received from Thomas Corraliza, Unlicensed, as the first installment of a civil penalty, and costs, in the amount of \$3,500.00 for violation of N.J.S.A. 45:5A-9(a) and N.J.S.A. 56:8-2.

The Board accepted the payment.

Money Order in the amount of \$135.00 received from Yuri Guziy, License #12203, as the first installment of a civil penalty, and costs, in the amount of \$2,535.00 for violation of N.J.S.A. 45:5A-15.

The Board accepted the payment.

Check in the amount of \$200.00 received from Daniel Wolf, Unlicensed, as the first installment of a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:5A-9(a) and N.J.S.A. 56:8-1.

The Board accepted the payment.

Letter received May 14, 2001, from Wayne Marshall requesting reinstatement of his license #7733 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial periods.

Mr. Marshall stated that four years ago he moved to Florida and was not able to attend the Continuing Education Code Courses. Mr. Marshall also stated that he has returned to New Jersey and has attended the 1996 and 1999 Continuing Education Code Courses.

In response to a letter sent to Mr. Marshall asking what he has been doing in the electrical field since 1997, a letter was received on July 12, 2001, from Mr. Marshall stating that from May 1997 until May 1999 he went to work for Service Electric Co. performing residential, service, and commercial work. From June 1999 to February 2001, Mr. Marshall states that he was working for Division 16 Electrical, Inc. From February 2001 until the present time, Mr. Marshall has been working part time with American Heritage Electric performing HVAC work.

Mr. Marshall has provided copies of his 1996 and 1999 Continuing Education Code Course Certificates.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Marshall advising him that his request is being held in abeyance pending receipt of his pressure seal issued to Zappy Electric; a detailed description of the work he performs for American Heritage Electric; and Work Experience Certifications to be completed by his employers.

Letter dated July 5, 2001, received from George Johnson requesting reinstatement of his license and business permit #6651 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Johnson stated that his mother died in March 1997 and he did not realize that he had not renewed his license and business permit.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Johnson advising him that his request is being held in abeyance pending receipt of his pressure seal issued to George Johnson and Son Electrical Contractor; copies of his 1996 and 1999 Continuing Education Code Course Certificates; and Work Experience Certifications to be completed by his employers. If Mr. Johnson did not work for a licensed electrical contractor, the Board would like to know whether or not Mr. Johnson has continued to engage in the business of electrical contracting signing and sealing permits during this time period.

Letter dated June 25, 2001, received from Nicholas M. Silvestri, Jr. requesting reinstatement of his license and business permit #6396 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Silvestri stated that he sent in the payment for his license and business permit renewal, however, he cannot provide copies of his checks as there was a flood in his home.

Mr. Silvestri has provided a copy of his 1999 Continuing Education Code Course Certificate.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Silvestri advising him that his request is being held in abeyance pending receipt of his pressure seal issued to Tow Path Maintenance and Electric; a copy of his 1996 Continuing Education Code Course Certificate; and Work Experience Certifications to be completed by his employers. If Mr. Silvestri did not work for a licensed electrical contractor, the Board would like to know whether or not Mr. Silvestri has continued to engage in the business of electrical contracting signing and sealing permits during this time period.

Additionally, Mr. Silvestri will be advised that he may request copies of his canceled checks from his bank.

Letter dated June 16, 2001, received from Chang D. Cho requesting reinstatement of his license and business permit #7300 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Cho stated that in 1996 he had to take care of his ill father who lived in Korea. Mr. Cho also stated that in 1999 he had to undergo surgery and then went through physical therapy. Mr. Cho further stated that he is in the real estate investment and development business.

Mr. Cho has provided copies of his 1996 and 1999 Continuing Education Code Course Certificates.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Cho advising him that his request is being held in abeyance pending an explanation from Mr. Cho asking if he has been in the electrical field during this period of time. If Mr. Cho has worked for a licensed electrical contractor, he will be asked to provide Work Experience Certifications from his employers. Mr. Cho will also be advised that there is a provision in the amended Uniform Enforcement Act which addresses a new type of renewal, called "inactive renewal" pursuant to N.J.S.A. 45:1-7.3. This option is presently available upon request.

Letter dated April 9, 2001, received from Reynard J. Morrell, III, requesting reinstatement of his license #12222 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Morrell stated that he has attended the 1996 and 1999 Continuing Education Code Courses.

In response to a letter sent to Mr. Morrell asking what he has been doing in the electrical field since 1997, a letter dated July 18, 2001, was received from Gerald D. Bland, Director, Facilities Support, The Newark Public Schools, stating that Mr. Morrell was employed as an electrician during the 1996/1997 school year and is still employed in the same capacity with the Newark Public Schools.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Morrell advising him that the Board has voted to renew his license with the payment of the proper fees and copies of his 1996 and 1999 Continuing Education Code Course Certificates. Mr. Morrell will also be directed to return his pressure seal issued to Morrell Electric. Mr. Morrell will also be advised that there is a provision in the amended Uniform Enforcement Act which addresses a new type of renewal, called "inactive renewal" pursuant to N.J.S.A. 45:1-7.3. This option is presently available upon request.

Letter dated July 10, 2001, received from James R. Gnantd requesting reinstatement of his license #8541 which he failed to renew for the 1997 and 2000 and 2000 to 2003 triennial renewal periods. Mr. Gnantd stated that he went out of business in 1996 and has not worked in the electrical field since that time.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Gnantd advising him that his request is being held in abeyance pending receipt of his pressure seal issued to Jim Gnantd Electrical Contractor. The Board would also like to know what type of work he has been doing since 1996 and has he attended a 1996 and 1999 Continuing Education Code Course.

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

Motion made by Mr. Robert A. McCullough and seconded by Mr. Mitchell R. Malec, and unanimously passed, to approve the following course outlines submitted by Mr. Ripley:

"NEC Hazardous Area Seminar"
"Power System Harmonics"

Motion made by Mr. Robert A. McCullough and seconded by Mr. Mitchell R. Malec, and unanimously passed, to disapprove the following course outlines:

"Personal Estate Engineering for Wealth Creation, Distribution and Conservation"
Does not fit the Board's guidelines.

"New Ballast Technologies"
Need a more detailed technical description of the course and the technical background of the instructor.

"IT Cabling System" (Long Course)
Need a breakdown of the hours for each subject topic. Additionally, a quiz/exam should not be part of the instructional hours and should not be a requirement in order for the licensee to receive a certificate.

"IT Cabling Systems" (Short Course)
Need a breakdown of the hours for each subject topic. Additionally, a quiz/exam should not be part of the instructional hours and should not be a requirement in order for the licensee to receive a certificate.

"Fiber Optic Networking" (Long Course)
Need a breakdown of the hours for each subject topic. Additionally, a quiz/exam should not be part of the instructional hours and should not be a requirement in order for the licensee to receive a certificate.

"High Performance Twisted Pair" (Long Course)
Need a breakdown of the hours for each subject topic and a description of the courses.

"High Performance Twisted Pair" (Short Course)

Need a breakdown of the hours for each subject topic and a description of the courses.

"Fiber Optic Networking" (Short Course)

Need a breakdown of the hours for each subject topic and a description of the courses.

The Board reviewed the proposed re-adoption of N.J.A.C. 19:61 (proposed new rules N.J.A.C. 19:61-7) which provides State officials with guidance on how to properly effectuate a recusal and to outline under what circumstances a State employee must recuse himself or herself.

DAG Carboni stated that Board Members would recuse themselves when there is a conflict of interest or if there could be a perceived conflict of interest. DAG Carboni also stated that because Minutes of the meetings are taken a lot of the regulation does not apply.

DAG Carboni further stated that the Board member would place his/her recusal on the record and then leave the room whenever something takes place in Executive Closed Session.

DAG Carboni stated that when a Board Member is in doubt, they should check with the Deputy Attorney General assigned to the Board.

The Board reviewed a memorandum dated July 17, 2001, received from Anthony Miragliotta, Deputy Director and Chief of Regulatory Affairs, stating that new rulemaking requirements took effect on July 2, 2001, and will apply to all rule proposals filed with the Office of Administrative Law on and after July 9, 2001.

Mr. McCullough stated that he does not have a comment about the new rule, however, he would like to know the status of the draft of the pre-proposal for N.J.A.C. 13:31-1.18 "Homeowner's Exemption".

Edmund Peterwas, License #8037, has failed to respond to the Administrative Action Provisional Order of Discipline filed on June 6, 2001 ordering that Mr. Peterwas pay a civil penalty in the amount of \$500.00 and costs in the amount of \$106.86 for violation of N.J.S.A. 45:1-21(e) and N.J.S.A. 45:21(h). The Order was mailed to Mr. Peterwas certified and regular mail. The certified mail was signed for on June 13, 2001.

Motion made by Mr. Robert A. McCullough and seconded by Mrs. Gail Best, and unanimously passed, that Deputy Attorney General Susan Carboni finalize the Provisional Order of Discipline and issue a Final Order of Discipline ordering that Mr. Peterwas pay a civil penalty in the amount of \$500.00 and costs in the amount of \$106.86 for violation of N.J.S.A. 45:1-21(e) and N.J.S.A. 45:21(h).

William H. Bernhardt, License #6435, has failed to respond to the Administrative Action Provisional Order of Discipline filed on June 6, 2001 ordering that Mr. Bernhardt pay a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:1-18 and N.J.A.C. 13:45C-1.2. The Order was mailed to Mr. Bernhardt certified and regular mail. The certified mail was returned "Unclaimed", regular mail was not returned.

Motion made by Mr. Robert A. McCullough and seconded by Mrs. Gail Best, and unanimously passed, that Deputy Attorney General Susan Carboni finalize the Provisional Order of Discipline and issue a Final Order of Discipline ordering that Mr. Bernhardt pay a civil penalty in the amount of \$2,500.00 for violation of N.J.S.A. 45:1-18 and N.J.A.C. 13:45C-1.2.

A signed cease and desist agreement was received from Jamshed Kahn, t/a Flash Painting Co., Trenton, New Jersey 08611.

The Board accepted the signed cease and desist agreement.

The Board reviewed applications for the written examination administered by Experior Assessments, LLC. Thirty-two (32) applications were approved.

Motion made by Mrs. Gail Best and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that the Board

adopt the following resolution and order an appropriate plaque for Mr. Edward H. O'Hara.

RESOLUTION

BE IT RESOLVED by the board Members of the Board of Examiners of Electrical Contractors that: **Edward H. O'Hara**

WHEREAS, our fellow Board Member **Edward H. O'Hara** has faithfully served as a Board Member of the Board of Examiners of Electrical Contractors from February 1981 to June 2001; and

WHEREAS, by his untiring efforts, thoughtful consideration, and judgement, he has materially contributed to furtherance of the growth and improvement of the Electrical Board, and has earned the gratitude of the citizens of the State of New Jersey; and

WHEREAS, we who have been associated with him and have enjoyed the benefits of his wise counsel and leadership;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS do hereby express their appreciation of his untiring efforts and thank him for his splendid cooperation, and this resolution be spread in full upon the Minutes.

Motion made by Mrs. Gail Best

Seconded by Mr. Joseph F. Cantalupo

ROLL CALL:

Mr. Joseph P. Schooley

Mr. Joseph F. Cantalupo

Mr. Robert A. McCullough

Mrs. Gail Best

Mr. Mitchell R. Malec

Mrs. Pushpavati Amin

Mr. Thomas J. Demcsak

Motion made by Mr. Joseph F. Cantalupo 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 1:30 P.M.

An Appointment Meeting is scheduled for Wednesday, August 15, 2001, at 9:00 A.M.

A Business Meeting is scheduled for Wednesday, September 5, 2001, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook

Executive Director

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Posted July 2002