

**741 BUSINESS MEETING OF THE
BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS
SEPTEMBER 5, 2001**

The Board Minutes of September 5, 2001, have not been formally approved and are subject to change or modification by the Public Body at its next meeting of October 3, 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 September 5, 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. Pushpavati Amin

Mr. Thomas J. Demcsak

Mrs. Gail Best and Mr. Mitchell R. Malec 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 was Mr. James Bibbo, Central Jersey Electrical League and Mr. Casey Hoff, New Jersey Electrical Contractors Association.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve the Minutes of the 740 Meeting held August 1, 2001.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and passed, to approve the Minutes of the Special Meeting held August 15, 2001.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, to approve (4) Initial Licenses effective September 5, 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 (7) Initial Business Permits effective September 5, 2001 to March 31, 2003, as per attached list. (#2 will be sent a letter advising him that until such time as alarm installers are licensed, he cannot represent that he is a licensed alarm installer).

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve (7) Initial Business Permits Previously Expired effective September 5, 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 (6) Changes in Business Permits effective September 5, 2001 to March 31, 2003, as per attached list.

Check in the amount of \$500.00 received from Thomas Iaione, License #9256, as the second 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 \$40.00 received from Treverald Allen, License #4240, as the fourth installment of a civil penalty in the amount of \$1,000.00 for violation of N.J.S.A. 45:5A-9.

The Board accepted the payment.

Check in the amount of \$200.00 received from Daniel Wolf, Unlicensed, as the second installment of a civil penalty in the amount of \$2,000.00 for violation of N.J.S.A. 45:5A-9(a) and N.J.S.A. 56:8-1.

The Board accepted the payment.

Personal Money Order in the amount of \$25.00 received from Thomas Corraliza, Unlicensed, as the second installment of a civil penalty, and costs, in the amount \$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.

Check in the amount of \$200.00 received from Yuri Guziy, License #12203, as the second 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.

Letters dated July 25, 2001 and August 8, 2001, received from Eugene Redmon, License #13380, requesting reinstatement of his license #13380 which he failed to renew for the 1997 to 2000 and 2000 to 2003 triennial renewal periods.

Mr. Redmon stated that from 1997 to the present time he has been employed by New Jersey Transit Rail Operations electrical/communications department.

Mr. Redmon has included copies of his 1996 and 1999 Continuing Education Code Course Certificates and a Work Experience Certification.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Redmon advising him that the Board has voted to renew his license with the payment of the proper fees.

Letter dated May 7, 2001, received from Victor B. Hedberg, License #3636 requesting that the Board reconsider its decision that he must take and pass the written electrical contractor's examination in order to regain 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 he was seriously ill during this time. Mr. Hedberg also stated that he did work part time for an electrical contractor before and after his operations. Mr. Hedberg further stated that he has been performing electrical work for over forty years.

In response to the Board's request for a detailed explanation of Mr. Hedberg's hands on experience since 1994, and copies of Continuing Education Code Course Certificates, a letter dated July 27, 2001, was received from Mr. Hedberg which stated that after he closed his business he went to work for Central Electric Service Corp., located in Brookfield, Connecticut. Mr. Hedberg also stated that he did electrical estimating and design and when not recuperating from his medical problems he performed project services.

Motion made by Mr. Joseph F. Cantalupo and seconded by Mr. Robert A. McCullough, and unanimously passed, that a letter be sent to Mr. Hedberg advising him that the Board has voted to renew his license with the payment of the proper fees along with copies of his 1993, 1996, and 1999 Continuing Education Code Course Certificates.

Letter dated August 2, 2001, received from Frederick J. Merkh, Jr., License #13226 (Expired) requesting a waiver of the 1999 Continuing Education Code Course as he has suffered from severe medical conditions.

Mr. Merkh also stated that he has not worked in the electrical field since 1997, but has continued to update himself on the codes and the trade through reading.

Mr. Merkh further stated that he is now well enough to return to the electrical contracting field and would like to renew his license and business permit which he failed to renew for the 2000 to 2003 triennial renewal period.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Merkh advising him that his request for a waiver of the Continuing Education Code Course is denied. In order to renew his license and business permit for the 2000 to 2003 triennial renewal period he must attend the 1999 Continuing Education Code Course.

Letter dated July 30, 2001, received from Won Kim providing a more detailed outline of the course content for each two hour session for Continuing Education Code Courses.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve the following course outlines (either 12 - two hour sessions or six - four hour sessions) submitted by Mr. Kim.

- "Discussion of the Uniform Construction Code"
- "Definition of Electrical Terms and Electrical Power Distribution"
- "Overcurrent Protection"
- "Discussion on Grounding"
- "Branch Circuit and Feeder Calculations"
- "One and Two Family and Multi Family"
- "Commercial Buildings"
- "Industrial Buildings"
- "Hazardous Locations"
- "Special Occupancies & Systems"
- "Lighting"
- "Review and Discussions"

Letter dated August 1, 2001, received from Joseph Portela requesting that the Board change the hours of the course entitled "Code Changes" from a seven hour course to a nine hour course with one additional hour of business.

The course entitled "Code Changes" was approved at the July 11, 2001 meeting. However, Mr. Portela was advised that this course would not count as part of the nine hours of code changes which instructors are not allowed to teach until the year 2002.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Portela advising him that the Board approves his request to increase the following courses to nine hours in length.

- "Code Changes"
- "One and Two Family Dwellings"
- "Grounding & Bonding"
- "Running Your Business Efficiently"

However, the nine hour course entitled "Code Changes" will not count as part of the Code Changes course which instructors cannot teach until after January 1, 2002. Mr. Portela will also be advised that as part of the new rules, only eight hours can be taught in one day.

The Board reviewed the Continuing Education Code Course outlines submitted by Anthony T. Urbanik.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Thomas J. Demcsak, and unanimously passed, that a letter be sent to Mr. Urbanik advising him that his request is denied as the course submitted does not meet the Board's criteria; course length must be a set number of hours and there must be specific course instruction.

The Board reviewed the Continuing Education Code Course outlines submitted by Lisa Atalese, Metropolitan Electrical League.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Thomas J. Demcsak, and unanimously passed, to approve the following course outlines submitted by Ms. Atalese.

"Ideal Datacomm Seminar"
"Facts About Mercury"
"Protection of Motor Starters and Motors"
"Electrical Safety Basics"
"Selectivity & Coordination of Overcurrent Protective Devices"
"Electrical Component Protection"
"UL Requirements for Fuses and Circuit Breakers"
"Interrupting Rating of Overcurrent Protective Devices"
"Short Circuit Calculations"
"Understanding Series Rated Systems"

Ms. Atalese will be advised that the course entitled "Ideal Lock Out/Tag Out" is denied as video instruction is not acceptable. The approval of the course entitled "Short Circuit Calculations" is being held in abeyance pending clarification of the course hours; courses can only be taught in one hour segments.

Letter dated August 8, 2001, received from William Harris stating that the course outline previously submitted is not a video seminar.

Mr. Harris has provided a new outline concerning his program for Continuing Education.

Motion made by Mr. Robert A. McCullough and seconded Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Harris advising him that it still appears to the Board that the courses are video seminars. The Board would appreciate a better explanation and breakdown of how Mr. Harris teaches his courses.

Letter dated August 7, 2001, received from Genaro Conte, License #5812, requesting a waiver of the Continuing Education Code Course as he is no longer in the business of electrical contracting and is 70 years old. Mr. Conte has returned his pressure seal.

Motion made by Mr. Robert A. McCullough and seconded Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Conte denying his request for a waiver of the Continuing Education Code Course. Mr. Conte 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 August 14, 2001, received from Joseph A. Knecht, Jr., requesting approval to teach the ten hours of Continuing Education Code Courses.

Motion made by Mr. Thomas J. Demcsak and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, that a letter be sent to Mr. Knecht advising him that his request is being held in abeyance pending receipt of a personal and teaching experience resume and letters of recommendation acknowledging prior teaching experience.

The Board reviewed the Continuing Education Code Course outlines submitted by Jennifer Montalvo.

Ms. Montalvo also provided additional information concerning her previous request for the approval of four additional instructors to teach Continuing Education Code Course outlines previously approved. The Board had requested that Ms. Montalvo advise the Board which instructor is teaching which course.

Motion made by Mr. Robert A. McCullough and seconded by Mr. Joseph F. Cantalupo, and unanimously passed, to approve the following course outlines submitted by Ms. Montalvo.

"Basics of Furnace Motor Control"
"Advanced Lighting and Dimming"

Ms. Montalvo will also be advised that at this time she does not need to seek approval on courses that were previously approved as follows:

"CSTT - Cut, Strip, Terminate & Test"
"66/110B Block Multi - Pair Punch Down Training"
"Cat 5E Manufacturer Warranty-Certification"
"LAN Cat 6 Tester Training"
"Fiber Optic Manufacturer Warranty/Certification"
"Home Network Wiring"

Ms. Montalvo will also be advised that no more than 75 individuals can attend a course.

Mr. Schooley requested that Mr. Thomas J. Demcsak be part of the Continuing Education Committee.

The Board reviewed the memorandum dated July 30, 2001, received from Darlene Kane, Budget Analyst, Division of Consumer Affairs, stating that for the fourth quarter of Fiscal Year 2001, the board/committee was directly billed for 213.3 hours of Deputy Attorney General/Paralegal services totaling \$14,292.61.

The Board discussed the telecommunications exemption specifically 13:31-1.17(a)4i which states "Wiring between the power supplies integral with telecommunications equipmen

t and the telecommunication equipment is not intended to be prohibited"?

Mr. McCullough stated that it would appear that the Board did not wish to exempt wiring that could be considered "building wiring" even if this could have been considered historically telecommunication wiring. Before deregulation, this work in the central offices was all performed by or for the public utility and was covered by the exemption pursuant to N.J.S.A. 45:5A-18(f). After deregulation, this work is basically for private companies or an unregulated subsidiary of the utility.

Mr. McCullough also stated that it would appear that the work in question is considered to be feeders and is therefore not covered by the Telecommunications Wiring Exemption and must be performed by a licensed electrical contractor possessing a business permit or an individual other wise exempt under N.J.S.A. 45:5A-18(k).

DAG Carboni stated that in response to a comment listed in the register when the telecommunications exemption was adopted, it is indicated that the Board recognizes that many of the present telecommunications wiring businesses have personnel formerly engaged and trained by the regulated utilities and who are often competent to work in hazardous areas. However, many newcomers to the business will not have such training and the exemption must be limited to cover those newer businesses.

DAG Carboni also stated that another response to a comment listed in the register is that the intention of the Board was that the exemption should be open to all qualified telecommunications wiring businesses on the same terms, not only those which have historically dominated the business but also other wishing to engage in the business of installing this limited class of wiring.

Mr. Schooley thanked Mr. McCullough for doing a good job. Mr. Schooley requested that the Board review this matter further and we will again discuss it at the next Board meeting.

A Provisional Order of Discipline was filed on August 21, 2001, ordering that Angelos Manolis, License #5170, pay a

civil penalty in the amount of \$2,500.00 for violation of N.J.A.C. 13:31-1.14; \$2,500.00 for violation of N.J.A.C. 13:31-1.13(b)3; and \$2,500.00 for violation of N.J.A.C. 13:45C-1.2 for a total of \$7,500.00. Mr. Manolis' license #5170 is suspended until he arranges to appear before the Board to explain his conduct in this matter, including the complaint lodged against him. Mr. Manolis is also directed to return his pressure seal issued to Angie Electric Co.

After discussion in closed session of the Notice of Appeal and the Civil Appeal Case Information Statement sent to the Superior Court of New Jersey by Anthony L. Valasquez, Hill Wallack, on behalf of the International Brotherhood of Electrical Workers, in the matter of the decision of the Board of Examiners of Electrical Contractors concerning the conduit installation by J. Fletcher Creamer & Son, Inc., the following was the Board's motion.

Motion made by Mrs. Pushpavati Amin and seconded by Mr. Robert A. McCullough, and unanimously passed, that the Board approves the draft of the Administrative Action Amplification of Final Agency Decision concerning conduit installation by J. Fletcher Creamer & Son, Inc.

The Board reviewed applications for the written examination administered by Experior Assessments, L.L.C. Thirteen (13) applications were approved.

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 2:00 P.M.

An Appointment Meeting is scheduled for Wednesday, September 19, 2001, at 9:00 A.M.
A Business Meeting is scheduled for Wednesday, October 3, 2001, at 9:00 A.M.

Respectfully submitted,

Barbara A. Cook
Executive Director

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Posted July 2002