



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF ELECTRICAL EXAMINERSS

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PUBLIC MEETING MINUTES:	Board of Electrical Examiners
MEETING DATE AND TIME:	Wednesday, July 2, 2014 at 8:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware FIRST FLOOR PSC CONFERENCE ROOM Cannon Building
MINUTES APPROVED:	Approved September 3, 2014

MEMBERS PRESENT

Daniel Creedon, President, Professional Member
Bobby Murrian, Vice-President, Professional Member
Michael Travers, Continued Education, Professional Member
Robert MacLennan, Professional Member
Frank Beebe, Public Member
Richard Millar, Public Member
Thomas Hartley, Complaint Officer, Professional Member
William Poore, Public Member

ABSENT

Nathan Schreppler, Board Secretary, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kevin Maloney, Deputy Attorney General
Maggie Strauss, Administrative Specialist II

OTHERS PRESENT

Chester Kelly Joe Williams
William Johnson Robert Smith
Harvey Seeney Pamela Scott
Carl Borrin Jean Elliott
Jeffrey Borrin

CALL TO ORDER

Mr. Creedon called the meeting to order at 9:00am.

REVIEW OF MINUTES

A motion was made by Mr. Murrian, second by Mr. MacLennan, to approve the meeting minutes from June 4, 2014. The motion carried unanimously.

UNFINISHED BUSINESS

Propose To Deny Hearing of Harvey Seeney

Mr. Maloney called the hearing to order at 9:02a and stated that today's hearing was a result of the Board's proposal to deny the Journeyman application of Harvey Seeney.

The Board members were introduced. Mr. Maloney explained that the Board proposed to deny the application because Mr. Seeney had prior convictions related to the profession of electrical services under 17.1.26 of the Rules and Regulations. Mr. Maloney stated board's exhibit #1 as the application, documents and correspondence related to today's hearing; and 5 letters of character reference submitted by Mr. Seeney as respondent's exhibit #1. Mr. Seeney was sworn in.

Mr. Seeney began his testimony by stating that he understood he made a bad decision, but under the advice of his legal counsel, he pled to a crime he did not commit to avoid a prison sentence, not realizing at the time what effect it would have on his future. Mr. Seeney indicated that he swore under oath he did not commit the crime he was being convicted of, and will deny it to this day. If he had it to do all over again, he would choose differently. He just wants to do right by his family now, and be a better person. His current employer has also agreed to sponsor him during his apprenticeship.

Mr. Beebe asked if there had been any contact with law enforcement since this particular incident, to which Mr. Seeney indicated he last convictions were more than 5 years ago. This was acknowledged as true information by Mr. Maloney

The Board went into deliberations at 9:11a. The Board reviewed the letters submitted by Mr. Seeney and felt that he provided adequate information from references. After considering testimony at today's hearing, they felt Mr. Seeney was entitled to have a license since enough time has passed since his crimes to grant a waiver.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve Mr. Seeney's application for apprentice licensure. The motion carried unanimously.

Mr. Seeney thanked the Board for their time and consideration. The hearing went off record and adjourned at 09:13a.

Re-Review of Inspection Agency Applications

A motion was made by Mr. MacLennan, second by Mr. Murrin to approve the inspection agency application for Code Inspections, Inc. The motion carried unanimously.

Review & Consideration of Orders

The Board reviewed and signed the final orders of Michael Denby, Edward Tribeck and Jeffrey J. Lloyd.

Re-Review of Applications

A motion was made by Mr. MacLennan, second by Mr. Beebe to propose to deny the master electrician application of Christopher Borsello. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Beebe to approve Laurence Witty to sit for the journeyman electrical exam. The motion carried unanimously.

A motion was made by Mr. MacLennan, second y Mr. Beebe to reverse the proposal to deny decision carried at the June 4, 2014 meeting, and to table the master electrician application of Christopher Henley pending receipt and review of proof of experience. The motion carried unanimously.

NEW BUSINESS

Review of Examination Applications

A motion was made by Mr. Murrian, second by Mr. MacLennan to approve the applications of Howard T. Whitlock, Jr., Fredrick S. VanSanto, Dominic Tomasello, Jr., Jeffrey F. Pinero, Kyle M. Rector, Robert H. Cann, Leonard W. Stobaugh, David J. Zeitler and Laurence Witty to sit for the Master Electrician exam. The motion was unanimously carried.

A motion was made by Mr. MacLennan, second by Mr. Poore to table the applications of James D. Short and Mark Lysinger for proof of full-time experience. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Mr. Beebe, second by Mr. MacLennan to approve the reciprocal applications of William D. Johnson, Michael D. Murphy, Michael J. Welsh and Gregory K. Wilder. The motion carried unanimously.

Review of Apprentice Application(s)

A motion was made by Mr. MacLennan, second by Mr. Poore to approve contingent the Apprentice application of Rejoice Fahnbullen. The motion carried unanimously.

Ratification of Applications

A motion was made by Mr. MacLennan, second by Mr. Murrian to accept the ratification of Apprentice Electrician applications of: Nicholas B. Van Vorst, Spencer K. Magaw, Richard Lee Terry, Kobe E. Washington, Najee J. Hall, Tyler C. Rash, Brandon L. Carrasquillo, William J. Kane, III, Sean M. Gray, Jr., David L. Rholetter, Anthony J. Osborne, Rashanna Q. Ushery, Jeremy A. Mauck, Brandon Joseph Czajkowski, Michael Attilio Salomone and Mason E. Mitchell. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Murrian to accept the ratification of Journeyperson Electrician applications of: Joseph J Patson, Jr., Daryn Lee Grice, Keith D. White, Thomas A. Messina, Jeffrey J. Lloyd, Dukel A. Farquharson, James J. Gallagher, Antoine R. West, II, Joseph B Hampton, Robert Grant, III, William Matthew Wanex Scott K. Roschel, Michael Shawn Henderson, Jr., Richard K McDevitt, Robert S. Carey, Kyle Mark Rector, Jonathan Michael Condon, Zachary Vaughn Riddle, Catherine M. Prather, Tayvon T. Bailey and David L. Shapiro. The motion carried unanimously.

A motion was made by Mr. Beebe, second by Mr. MacLennan to accept the ratification of Master Electrician applications of: Robert C. Budinich, Michael W. Berg, Kevin A. Sullivan, James C Bartz and Cody E. Oram. The motion carried unanimously.

A motion was made by Mr. MacLennan, second by Mr. Creedon to approve the ratification of Master Electrician Special-Elevator applications of: Donald K. Kenny, Andrew D. Terlingo Steven M. Krafcik, Samuel A. Diblin, Bryan K. Reese, Thomas S. Moser, Edward A. Collins, Patrick R Scarpitti and Timothy S. Price. The motion carried unanimously.

Applications for Review – Deputy Attorney General

A motion was made by Mr. Murrian, second by Mr. Beebe, to propose to deny the Journeyman application of Matthew Kondash for having convictions of crimes substantially related to the profession of electrical services. The motion carried unanimously.

A motion was made by Mr. Murrian, second by Mr. Beebe, to approve the license renewal of Journeyman Harvey E. Faulkner. The motion carried unanimously.

A motion was made by Mr. Murrian, second by Mr. Beebe to propose to deny the Apprentice application of Jeffrey Borrin for having convictions of crimes substantially related to the electrical profession. The motion carried unanimously.

A motion was made by Mr. Murrian, second by Mr. Beebe, to table the Apprentice application of Brian Clendening to allow the DAG to review and compare WV laws to those of DE. The motion carried unanimously.

A motion was made by Mr. Murrian, second by Mr. Beebe to approve the master electrician license renewal of Michael R. Livingstone. The motion carried unanimously.

Complaints Status

01-02-12 - Attorney General
01-18-12 - Attorney General
01-25-12 - Attorney General
01-09-13 - Attorney General
01-12-13 - Attorney General
01-17-13 – Assigned
01-21-13 – Assigned
01-22-13 – Assigned
01-23-13 – Assigned
01-01-14 – Assigned
01-06-14 – Attorney General
01-09-14 – Attorney General
01-11-14 – Attorney General
01-13-14 – Attorney General
01-14-14 – Assigned
01-15-14 – Assigned
01-16-14 – Assigned
01-17-14 – Closed
01-18-14 – Closed
01-19-14 – Attorney General

Continued Education

A motion was made by Mr. Beebe, second by Mr. Murrian, to approve the requested continuing education courses as follows, and the motion carried unanimously:

John C. Rowe

Solar Panel System Design & Installation – 10 hours

Broad Run Consultants *****pending receipt and review of timed course outline*****

Understanding the NEC Chapters 1-4 – 8 hours
Hazard Recognition & Control for Electrical Workers – 8 hours

The Electrical Association of Philadelphia

Basic Electricity – 8 hours
Distributive Generation Interconnection Requirements – 8 hours
Relay 101; Basic Concepts & Technologies – 8 hours

M.S. Electrical Training, LLC / Martin Schumacher

2014 NEC Code Change Seminar – 5 Hours
2014 NEC Code Change Seminar – 10 Hours

Review of Crimes List

Mr. Hartley discussed with the Board his recommendations for crimes he would like to consider adding to the existing list relating to electrical services. He provided a list of 30-35 crimes chosen from the Board of Medical Licensure & Discipline. Mr. Maloney stated that he would draft a list of proposed crimes for the Board to consider at the next meeting and suggested that the Board members include any crimes they would like to have nominated as well. Mr. Maloney & Ms. Strauss will work together to provide a condensed list for review and consideration at the September meeting.

Review of Statute 1408 (a)(1)Qualifications of Applicant

Ms. Strauss asked the Board to verify that 1408(a)(1) allows an applicant to successfully complete an approved apprentice program and then apply to sit for the master electrical examination, without ever gaining journeyman experience. The Board concurred that this was a correct interpretation.

The Board also requested Mr. Maloney draft proposed statutory changes to better define the subcategories under this law; providing better definition for requirements to obtaining licensure.

Election of Officers

A motion was made by Mr. MacLennan, second by Mr. Murrian to re-elect Mr. Creedon as President of the Board. The motion carried unanimously. Mr. Creedon accepted the position.

A motion was made by Mr. MacLennan, second by Mr. Creedon to re-elect Mr. Murrian as Vice President of the Board. The motion carried unanimously. Mr. Murrian accepted the position.

A motion was made by Mr. Travers, second by Mr. Creedon to elect Mr. Hartley as the Secretary of the Board. The motion carried unanimously. Mr. Hartley accepted the position.

A motion was made by Mr. MacLennan, second by Mr. Murrian to re-elect Mr. Travers as the Education Officer for the Board. The motion carried unanimously. Mr. Travers accepted the position.

A motion was made by Mr. Murrian, second by Mr. Creedon to elect Mr. MacLennan as the Complaint Officer for the Board. The motion carried unanimously. Mr. MacLennan accepted the position.

Mr. Creedon recessed the meeting at 0938, and reconvened at 0941

CORRESPONDENCE

Mr. Creedon read a letter submitted by Foxx Electric regarding electrical work and inspections done on a new pool installation in Rehoboth Beach.

Mr. Creedon presented the synopsis for HB 411 which, if passed, will allow investigators from the division to inspect any facilities providing or teaching electrical services without prior notice or formal complaint.

Mr. Creedon read a CE waiver request from Mr. Prestipino. After discussion among the Board members, they were in agreement that a waiver could be granted for him due to unforeseen medical conditions. A motion was made by Mr. MacLennan, second by Mr. Beebe to allow Mr. Prestipino to forego his remaining CE requirements for the 2012-2014 licensing period. The motion carried unanimously.

Mr. Creedon invited Ms. Scott to the table to provide a synopsis of the letter she had submitted as correspondence. Ms. Scott asked the Board for clarification of Board regulation 10.1.4 as it pertained to some of the operations within Delmarva Power. Ms. Scott went on to explain that her company has an energy saving program in place for its customers and they are concerned they could potentially violate the laws of electrical practice during an equipment upgrade without specific clarification. The Board members collectively agreed that if the removal or installation of any connector equipment interrupts power it constitutes electrical work, and therefore requires a license. Ms. Scott thanked the Board for their time.

OTHER BUSINESS BEFORE THE BOARD

Mr. Creedon provided statistics on the number of licensees who did not renew their electrical licenses on time.

PUBLIC COMMENT

Mr. Williams asked the Board to specifically state which license application his elevator employees need to submit for licensure. The Board discussed this in depth and collectively determined that the applicants who are currently enrolled in the NEIEP elevator apprentice program shall submit an application for apprentice electricians. Once they successfully pass the NEIEP examination, they can apply for a Master Electrician Specialty license. Any applicant who has been granted his NEIEP mechanic certificate by passing the exam can apply for the Master specialty – elevators. All applicants who wish to obtain a master elevator license will be required to take the Prometric administered exam regardless of any other certifications received or exams passed.

Mr. Williams also asked for clarification on the insurance requirements for unemployed electricians. Mr. Maloney & Ms. Strauss will work with the Division to implement an internal policy regarding insurance requirements and present that information at the next meeting.

Mr. Borrin addressed the Board with concerns over his pending application. He was advised by the DAG that he would receive notice for the proposal to deny and at that time he could supply the Board with more detailed information and/or documentation as well as letters and witness testimony to offer character reference if he chose to request a hearing.

Mr. Smith addressed the Board with a request for the Board to clarify HB 411. Mr. Maloney indicated that the proposed bill, if accepted and signed, would allow DPR investigators to do drop-in inspections at electrical service facilities, schools and job sights. Mr. Smith wanted to clarify that he did not fall under this proposed bill as an inspection agency.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held on September 3, 2014 at 08:30 Cannon Building
861 Silver Lake Boulevard, Dover, Delaware, Conference Room A, 2nd floor.

ADJOURNMENT

With no further business before the Board, a motion was made by Mr. Beebe, seconded by Mr. Travers, to adjourn the meeting at 11:04a. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maggie Strauss', written in a cursive style.

Maggie Strauss
Administrative Specialist II