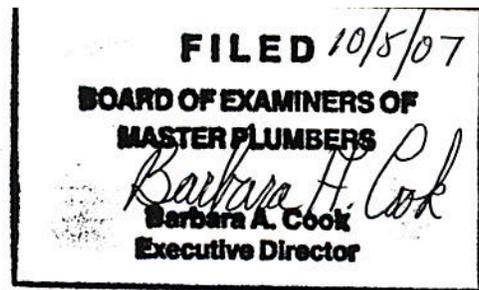


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of entered L.O. 12  
CLOSED

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF EXAMINERS OF MASTER PLUMBERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

Administrative Action

CARL TERMINE  
License No.36BI01092200

FINAL ORDER  
OF DISCIPLINE

TO PRACTICE PLUMBING  
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers ("Board") upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Carl Termine ("respondent") was previously licensed as a master plumber in the State of New Jersey and had been a licensee at the time of his conviction by the United States District Court for the Eastern District of New York on November 13, 2002.
2. Respondent was previously employed as a plumbing inspector in Brooklyn, New York. As a plumbing inspector, respondent was responsible for the inspection and subsequent approval or disapproval of plumbing work in New York City buildings for which a permit was required.
3. Respondent indicated on his 2003-2005 license renewal application that he had been convicted of a crime. Specifically, he pled guilty on November 13, 2002 to one count of accepting a bribe in order to expedite paperwork related to a plumbing inspection and approval.

According to information received by the Board, a two-year long investigation revealed that since 1992 respondent used his position as a plumbing inspector to obtain bribes from plumbing contractors in exchange for approving plumbing work, overlooking building code violations, and expediting the inspection and approval process.

4. Respondent sent a letter to the Board dated July 5, 2005. However, the letter was actually received by the Board on August 10, 2005. Also accompanying the letter, was respondent's pressure seal. Respondent indicated in his letter that he was voluntarily surrendering his New Jersey plumbing license.

#### CONCLUSIONS OF LAW

1. The above preliminary findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(b), in that respondent's conviction, as well as his repeated conduct of accepting bribes since 1992 from plumbing contractors, represents the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense. Additionally, these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(e), in that respondent has engaged in professional and occupational misconduct as determined by the Board. Finally, these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(f), in that respondent has been convicted of a crime involving moral turpitude and one which relates adversely to the activity regulated by the Board.

#### DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline provisionally revoking respondent's license to practice plumbing in the State of New Jersey was entered on September 21, 2006 and a copy was forwarded to respondent at the last known address on file with the Board by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

The record reflects that the Provisional Order was served at respondent's last known address of record, however no written response has been received to date. The certified mail was received at respondent's last known address of record as evidenced by the return of the certified postcard indicating the date of delivery as September 30, 2006. The regular mail was not returned. Accordingly, the Board considered the matter, determined that further proceedings were not necessary and that the Provisional Order should be made final. The Board also notes that prior to the filing of the Provisional Order, respondent submitted his pressure seal, accompanied by a letter to the Board, indicating he wished to voluntarily surrender his New Jersey Plumbing license. Since receipt of the letter and the pressure seal, respondent has not sought the reinstatement of his license for the July 1, 2005 to June 30, 2007 renewal period or the July 1, 2007 to June 30, 2009 renewal period.

Although respondent submitted his pressure seal and indicated he wished to voluntarily surrender his license, the Board believes that disciplinary action in the form of a revocation of license is necessary. Respondent used his New York plumbing license, and his position as a plumbing inspector, to engage in long term egregious conduct which adversely impacted the practice of plumbing and public safety.

ACCORDINGLY, IT IS on this 5<sup>th</sup> day of October, 2007,  
ORDERED that:

1. Respondent's license to practice plumbing in the State of New Jersey is hereby revoked.

NEW JERSEY STATE BOARD OF  
EXAMINERS OF MASTER PLUMBERS

By:   
Mark McManus  
Board Chairman