

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS  
# 501 - BUSINESS MEETING - AGENDA - **APRIL 22, 2004**  
OPEN PUBLIC SESSION

---

MEETING SCHEDULED TIME: 9:00 AM ~ - SOMERSET ROOM, 6TH FL.

ROLL CALL OF BOARD MEMBERS ~

APPROVAL OF THE MINUTES ~ MARCH 25, 2004 MEETING

---

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

---

CONTINUING EDUCATION AUDIT

OFFICIAL RESULTS ~ and ~

DISCIPLINARY ACTIONS

1.FULFILLING THE (5) FIVE HOUR REQUIREMENT for the 2003-2005 BIENNIAL RENEWAL

The State Board of Examiners of Master Plumbers conducted an audit into compliance by its licensees concerning the (5) five hour CE requirement for the recent 2003-2005 biennial renewal cycle.

---

CONTINUING EDUCATION "RANDOM AUDIT"

Continued {No documents}

Master Plumbers licenses were renewed for 2003-2005; however, the Board's audit produced a letter dated November 17, 2003, to some 460 randomly selected Licensed Master Plumbers, and requested that each licensee furnish a copy of his/her CE Certificate proving completion of the five (5) hour course for the 2003-2005 biennial renewal.

The Board has continued its pursuit of this audit, and is hereby reporting the following actions updated since the March 25, 2004 meeting:

CATEGORY:

The correspondence submitted by licensees in response to our audit offered insufficient evidence of compliance with the Board's requirement for fulfilling (5) hours of Continuing Education for the 2003-2005 biennial renewal period.

ACTION: A Uniform Penalty Letter {UPL} dated March 12, 2004, was issued to each of the following (43) Licensed Master Plumbers. The terms allow the licensee choices to respond to the violations presented, and either submit the \$500 penalty, provide an explanation and waive a hearing, or request a formal hearing before the Board. In all cases, the licensee agrees to cease and desist from such future violations, and must attend the five (5) hour CE course. A certification is provided, and defaulting on the UPL will cause grounds for an order entering penalties, suspension, or revocation of licensure.

---

CONTINUING EDUCATION "RANDOM AUDIT" Continued

36BI00755600 DEMBROSKY, EDWARD - deleted ~ (see deceased)

Those (42) LICENSEES who were issued a UPL are noted below.

Each \$500 penalty payment submitted to the Board is reported as well. The "make-up" attendance date at CE is provided in the chart below, and the UPL is flagged "satisfied" once the licensee submits a COPY of his/her CE "make-up" Certificate. A total of \$8,000 {16 licensees at \$500 each} has been collected, thus far, for this category.

Lic. #	Licensed Master Plumber	\$500 DT PD	MAKEUP CE DT	UPL SATISFIED
36BI00066100	ADELMAN, NORMAN	03/31/04	No	
36BI00363600	AMATO, FRANCIS L			No
36BI00657500	BARRETTA, ROBERT A	03/31/04	04/20/04	No
36BI01065300	BARSONY, SCOT L			No
36BI01055100	BAUER, BRUCE T	04/02/04	03/27/04	Yes
36BI00973400	BELITZ, ADAM B	03/18/04	04/17/04	No
36BI00835500	BENDER JR, JAMES R			No
36BI00396300	CHRISTOPHER, ROBERT C			No
36BI00554600	CICERALE, LOUIS T			No
36BI00848800	COULAHAN, JOHN F			No
36BI00291600	DE ANGELO, ROBERT A			No
36BI01049000	DELHAGEN, GARY R	03/30/04	04/20/04	No
36BI00880400	DITZEL, MARK L			No
36BI01068900	FARRUGGIA, SALVATORE A			No

---

CONTINUING EDUCATION "RANDOM AUDIT" Continued

Disciplinary actions reported re:  
Uniform Penalty Letter {UPL} of March 12, 2004

Lic. #	Licensed Master Plumber	\$500 DT PD	MAKEUP CE DT	UPL SATISFIED
36BI00190500	FERRARA, ARCHIE W	03/17/04	03/26/04	No
36BI00830300	FORD JR, ROBERT E			No
36BI00028700	GAHM, RONALD J			No
36BI01077200	GREENBERG, HAL C			No
36BI00602900	HEIM, MICHAEL R	03/29/04	04/14/04	No

36BI00909800	JANNUZZI, ANTONIO	03/22/04	04/17/04	No
36BI00548800	JORSKI, JOSEPH J			No
36BI00909500	KLEIN, HAROLD L			No
36BI00913000	LEE, PATRICK S			No
36BI00816100	LO SASSO, MICHAEL			No
36BI01061600	MAYER, PAUL S	04/01/04	04/19/04	No
36BI00702600	MIDDLETON JR, FELDMAN			No
36BI00437900	MINUTO JR, PARIS R	04/02/04	04/20/04	No
36BI01049300	MIZER, JAY J			No
36BI00329400	MONTON, JAMES N			No
36BI00832300	PEET, JAMES E			No
36BI00601900	PINTINALLI, WILLIAM			No

---

CONTINUING EDUCATION "RANDOM AUDIT" Continued

Disciplinary actions reported re:  
Uniform Penalty Letter {UPL} of March 12, 2004

Lic. #	Licensed Master Plumber	\$500 DT PD	MAKEUP CE DT	UPL SATISFIED
36BI00425000	PRIOR, JOERGEN P	03/12/04	04/19/04	No
36BI00950200	PTAKIWICZ, JACOB			No
36BI01060000	ROSEN, PHILIP L			No
36BI00170700	SCIUTO, JOSEPH A	03/23/04		No
36BI00923200	SEIFERT, KEVIN E	03/22/04		No
36BI00536900	SIKORA, JOHN W	03/26/04	03/27/04	No
36BI01114300	STILES, JOHN D	03/24/04	04/20/04	No
36BI00931800	TAYLOR, MARTIN			No
36BI00712700	WIDING, JOHN	03/17/04	03/27/04	Yes
36BI00725400	YI, DANIEL C			No
36BI00965800	ZIMMERMAN, JACK A			No

Disciplinary actions reported re:  
Uniform Penalty Letter {UPL} of March 12, 2004 :

Fourteen (14) licensees thus far selected the UPL option to "Waive any rights to a hearing and offer an explanation..." and submitted their correspondence for the Board's review. These items will be reviewed on this date in Executive Closed Session.

---

CONTINUING EDUCATION "RANDOM AUDIT" Continued

CATEGORY:

ACTION: A letter of condolence was issued from the Board Office to the family of each of the below deceased Licensed Master Plumbers.

This letter of condolence was accompanied by an Administrative Action/ Request for the return of the Master Plumber's seal signed by Executive Director Barbara A. Cook and issued to each of the families of the decedents:

NOTE: The three (3) licensees highlighted below are reported as deceased since the last meeting of the Board on 3/25/04:

Plumbing License #	Deceased Licensed Master Plumbers
36BI00967500	CIRILLI, PANTALEO C
36BI00235600	DE FAZIO, JOSEPH J
36BI00755600	DEMBROSKY, EDWARD
36BI00933600	JOHNSON JR, THEODORE H
36BI00303100	MAZZITELLI SR, FRANK M
36BI00412000	PINZONE, LEO
36BI00176100	STEINKE, JOSEPH J
36BI00164900	ZIEMAN, WILLIAM H

---

CATEGORY:

ACTION: PROVISIONAL ORDER OF DISCIPLINE ~ {POD}  
ASSESSING A \$1,000 PENALTY/ SUSPENSION

A Provisional Order of Discipline was prepared by Deputy Attorney General Joseph A. Donofrio on behalf of the State Board of Examiners of Master Plumbers and filed on 3-17-04, by the Executive Director, Barbara A. Cook. This Provisional Order of Discipline:

- Is subject to finalization by the Board at 5:00 pm on the 30th business day following entry, and,
- At that time suspends the plumbing license of the Respondent until such time that a copy of his/her CE certificate is submitted;
- Assesses a \$1,000 penalty for failure to timely cooperate with the Board's requests for a copy of the CE certificate;
- Permits Respondent to submit a reply to the POD, and a further review after (30) days to determine if a Final

Order shall be entered.

- Insofar as this POD becomes final on {Saturday} April 17, 2004, all responses will be compiled by the Board Office and reported on the Board's May 27, 2004 Agenda.

All Final Orders of Discipline entered as a result of these PODs in this category will be reported by the Board in Open Public Session as they develop.

---

Those (21) LICENSEES who were issued a POD are as follows:

Plumbing License #	Licensed Master Plumber
36BI00703800	ABRAHAM, JOHN
36BI01169400	ANDAHAZY, THOMAS G
36BI00331100	CINEGE SR, NEIL A
36BI00722700	COUNCIL, EMANUEL
36BI00480400	CUMMINS JR, ARTHUR F
36BI00084000	DE BARO, GERALD
36BI00186300	EAGER, PHILIP E
36BI00172300	FIORITO, JOSEPH J
36BI00702700	HOLLOWAY, WILLIAM A
36BI00193800	KING, WILLIE C
36BI00159700	MESCE, LOUIS M
36BI00256100	MONTO, ROCCO R
36BI00960700	PARIN, ROBERT
36BI00512400	PAUTLER JR, CHARLES M
36BI00058600	POTOCKI, JOSEPH R
36BI00995700	SCARDILLI JR, RICHARD K

---

Continued: (21) LICENSEES issued a POD are as follows:

Plumbing License #	Licensed Master Plumber
36BI01103000	STILL JR, PRESTON G
36BI00943700	STRATTON II, SAMUEL N
36BI00354200	THUNELL JR, JOHN J

36BI01086300	WALTZ, MICHAEL A
36BI01003000	WIKFORS, KEVIN J

\*\*\*\*\*

CONTINUING EDUCATION AUDIT  
SCHEDULED APPEARANCES ~ TUESDAY, MAY 4, 2004 ~ 9:00 AM

The State Board of Examiners of Master Plumbers will hold Investigative Inquiry proceedings on Tuesday, May 4, 2004, at 9:00 am, conducted exclusively in Executive Closed Session, for Licensed Master Plumbers whose appearances were specifically requested by the Board with regard to the CE audit.

The results of these Investigative Inquiry proceedings will be reported in Open Public Session wherever appropriate and at such time that these investigations are concluded.

The Board will complete its audit and continue to report on all further disciplinary actions as they develop.

---

2. DIVISION OF CONSUMER AFFAIRS  
NEW JERSEY BOARD OF EXAMINERS OF MASTER PLUMBERS

DEFINITIONS: SCOPE OF PRACTICE;  
WITHDRAWAL OF BONA FIDE REPRESENTATIVE

REPROPOSED AMENDMENTS: N.J.A.C. 13:32-1.3 AND 3.2  
PROPOSED NEW RULE: N.J.A.C. 13:32-1.4

The above rule and amendments were published in the New Jersey Register on April 5, 2004, and direct that readers submit comments to the Board by June 4, 2004, at the:

State Board of Examiners of Master Plumbers  
P.O. Box 45008  
124 Halsey Street  
Newark, NJ 07101

---

3. Reporting in Open Public Session.. Draft correspondence approved by the Board in Executive Closed Session, - the February 26, 2004, regarding ~

ADVERTISING FOR PLUMBING SERVICES BY AN "Unlicensed entity"

Effective immediately, the Board Office will now issue a new draft "Advertising Letter" to unlicensed entities found advertising for plumbing services. Continued

---

3. Continued ~ ADVERTISING FOR PLUMBING SERVICES BY AN "Unlicensed entity"

This new draft correspondence conforms with existing New Jersey Plumbing Statutes and Regulations, which regulate the advertising and performance of all plumbing services in the State of New Jersey (as outlined in N.J.S.A. 45:14C-1- et seq. and N.J.A.C. 13:32-1.1 et seq.)

Traditionally with respect to unlicensed entities advertising for plumbing services, a Cease and Desist Letter with Certification was issued on a routine basis by the Board Office to each entity. However, with the advent of the PSE&G Appellate Division decision and the Attorney General's Opinion, # 01-0115, such a Cease and Desist Letter with Certification effectively required change(s) to conform with recent significant changes as outlined by the Appellate Court and the Attorney General.

Those who plan to advertise in the future, and offer "plumbing" services in their advertisements, must comply with the New Jersey Plumbing Statutes and Regulations, by including the proper language to indicate that the actual plumbing work will be subcontracted to Master Plumbers or authorized plumbing contractors.

This new draft cautions the unlicensed entity to comply with the Board's directives by properly advertising as advised, or otherwise such matters will be referred to the Office of the Attorney General for consideration of further disciplinary proceedings.

---

#### 4. DISCIPLINARY ACTION

---

\*Reporting (1) penalty payment ~ - \$500

Mr. Widing is maintaining his payment schedule concerning:

IN THE MATTER OF THE SUSPENSION OR REVOCATION  
OF THE LICENSE OF  
JOHN WIDING, LMP # 7127

TO PRACTICE AS A MASTER PLUMBER IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION ~ CONSENT ORDER  
SIGNED SEPT. 7, 2003 & FILED SEPT. 25, 2003  
COSTS of \$161.30 PAID IN FULL

\$12,000 PENALTY : (8) PAYMENTS TO DATE:

\$500 ~ 9/07/03 .... 1st  
\$500 ~ 10/01/03..... 2nd  
\$500 ~ 10/28/03.... 3rd  
\$500 ~ 11/29/03... 4th  
\$500 ~ 12/31/03.... 5th  
\$500 ~ 1/28/04 .....6th  
\$500 ~ 3/01/04.....7th  
\$500 ~ 3/30/04.....8th

{No documents}

---

5. DARLENE KANE, BUDGET OFFICER  
STATE OF NEW JERSEY, DIVISION OF CONSUMER AFFAIRS  
ADMINISTRATION

MEMO DATED MARCH 16, 2004  
FY 2004 BUDGET REPORT, FIRST HALF

Ms. Kane submits her report for the Board's review.

---

6. JOHN B. VAN LIEW  
LICENSED MASTER PLUMBER # 7481  
Reporting his ~ ACTIVATION of duty to the U.S. NATIONAL GUARD

Licensee Van Liew submits his documentation to the Board detailing his recent assignment to the U.S. Forces of the National Guard and reporting to the Board on the possible length of his term.

7. THOMAS M. GIARDINA, FORMER LMP # 9102, EXPIRED LICENSE REQUEST FOR REINSTATEMENT DTD 2/17/04

Mr. Giardina requests that the Board consider his request for the reinstatement of his Master Plumber's license.

8. JAMES C. FRANCHINO, FRANCHINO INSURANCE  
APRIL 5, 2004 CORRESPONDENCE objecting to  
ASSEMBLY BILL # 661, STATE OF NEW JERSEY

SYNOPSIS: Provides that information about the residence of persons licensed by certain professional Boards shall not be disclosed to the public.

---

9. Barbara A. Cook, Executive Director, reserves a portion of Open Public Session to review some pending issues with Board Members.

{No documents}

---