

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
556 - BUSINESS MEETING - AGENDA - APRIL 23, 2009
OPEN PUBLIC SESSION**

MEETING SCHEDULED TIME: 9:00 AM

Note room change: Sussex Rm - 6th fl

ROLL CALL OF BOARD MEMBERS

APPROVAL OF THE MINUTES of the MARCH 26, 2009 MEETING

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

PRESENT BOARD MEMBERS - &- CAPACITIES

MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER ~ CHAIRMAN

RALPH WETZEL ~MASTER PLUMBER MEMBER ~ VICE-CHAIRMAN

MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER - SECRETARY

MARK MC MANUS ~ JOURNEYMAN PLUMBER

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER

DONALD B. DILEO ~ PUBLIC MEMBER

PAUL N. BONTEMPO - PUBLIC MEMBER

ADAM J. SABATH ~ STATE MEMBER

TOTAL BOARD COMPLEMENT (9):Vacancy /Public Member - formerly held by Mrs. Sieb

1. CHARLES MANNING REGULATORY AFFAIRS

Proposed Amendments to Scope of Practice N.J.A.C. 13:32-1.4

2. MATTHEW S. SLOWINSKI, SLOWINSKI ATKINS, LLP

Inquiry re Point of Entry {POET} Systems

Correspondence dated March 27, 2009 questions whether or not changing out the carbon filters on a POET system is considered within the scope of practice of plumbing.

3. MARK P. CAFFERTY, EXPIRED # 7745, REQUEST FOR REINSTATEMENT

EXPIRED JUNE 30 1997 - (6) biennials

Correspondence of March 19, 2009 is submitted by Mr. Cafferty seeking the reinstatement of his Master

Plumber's license.

DISCIPLINARY ACTIONS - PENALTY PAYMENTS

4. Reporting payment of \$200 restitution on 3-31-2009... in the matter of:

ROBERT ROGAN. LMP # 11115 - CONSENT ORDER 10-27-2008;

Penalty payment \$500 paid 10-27-2008

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers (hereinafter "the Board") upon receipt of a complaint from consumer O.O., alleging that Robert Rogan ("respondent") removed the manufacturers' warranty stickers from O.O.'s hot water heaters and refused to return them. O.O. hired respondent to replace a leaking hot water heater protected under the manufacturer's warranty. Prior to undertaking the work, respondent assured O.O. that he would provide a receipt for any money paid by O.O. Two hundred dollars (\$200) was paid as a deposit on the labor charge to replace the leaking hot water heater.

Respondent did not provide a receipt, and when O.O. asked for a receipt, respondent increased the price to replace the hot water heater. O.O. later discovered that respondent removed the warranty sticker from the faulty hot water heater, as well as the warranty sticker from the good water heater. Respondent declined to return the stickers unless O.O. paid respondent seventy five dollars (\$75). A Monmouth County Superior Court judge, who presided at the trial of a lawsuit brought by O.O. against respondent's plumbing business, found respondent illegally removed warranty stickers from the hot water heaters in order to coerce payments from O.O. Continued

ROBERT ROGAN. LMP # 11115, Continued

The judge reported the matter to the Attorney General.

Respondent, in a letter dated April 17, 2007, claimed he increased the price to install the water heater because O.O.'s water heater was not a regular water heater and was more complicated to install. Respondent did not leave a receipt for the two hundred dollar (\$200) deposit because he and O.O. agreed to settle the bill after the hot water heater was replaced. Respondent failed to address in his letter his removal of the warranty stickers.

Having reviewed the entire record it appears to the Board that these facts establish a basis for disciplinary action, pursuant to N.J.S.A. 45:1-21(e), in that respondent engaged in professional misconduct by removing the warranty stickers from the customer's hot water heaters and refusing to return them unless the customer paid respondent an additional fee of \$75.00. It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown:

1. Respondent is hereby reprimanded for the conduct outlined above in violation of N.J.S.A. 45:1-21(e).
2. Respondent paid a civil penalty, pursuant to N.J.S.A. 45:1-22, in the amount of five hundred dollars (\$500) for professional misconduct in removing the manufacturers' warranty stickers from the water heaters and refusing to return them to the consumer in violation of N.J.S.A. 45:1-21(e).
3. Respondent reimbursed O.O. in the amount of two hundred dollars (\$200)
4. Respondent shall cease and desist from the violations described herein. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25 and further disciplinary action.

5. BRAD MC CULLOUGH, UNLICENSED, T/A BRAD'S WATER WORKS

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

\$2,500 TOTAL PENALTY with payment arrangements:

\$500 paid 1/2/2009

\$500 paid 2/06/2009

\$500 paid 3/25/2009 Reporting this Agenda

{No documents}

In conjunction with complaint matter from the Township of East Brunswick, NJ
Thomas Walsh, Plumbing Subcode Official
Work site: Rejected plumbing permit for water heater
261 Rues Lane East Brunswick, NJ 08816 - FILE ID # 56877

6. DAIFALLAH A. AL JALOUDI, LMP # 12234, t/a American Way Plbg. & Htg.
OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING TOTAL PENALTY PAID
\$1,000 March 21, 2008 {No documents}

Violations of ~

N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;
N.J.S.A. 13:32-3.3 Bona fide representative responsibilities;

Registered as “The Master Plumbing Heating and Cooling LLC,” with
Alternate Name: “American Way Plumbing Heating and Cooling”
In conjunction with advertisements posted at SUPER PAGES. COM; et als
FILE ID # 60420

A \$500 penalty was issued for his misrepresenting the extent of his experience in the plumbing trade as thirty (30) years while the files of the Board reflect he had been licensed since April 19, 2005– a violation of N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;

A second \$500 penalty was issued for his advertising plumbing services with two (2) trade names both under his Master Plumber’s license number, in violation of N.J.S.A. 13:32-3.3 Bona fide representative responsibilities; and for failing to properly advertise with his Registered Trade Name and Registered Alternate Name filed with the State of New Jersey on January 24, 2008.

Revisiting from February 26, 2009 & March 26 2009 {No documents}

7. RE: NJSA 52:27D-509

Certification of Propane /LP Gas Board licensing ~
Request for exemption of Master Plumbers

On February 26, 2009, Board Members discussed the role of the Licensed Master Plumber in this new legislation for Propane/LP Gas Board licensing, and unanimously agreed that the Licensed Master Plumber should be exempt from this Certification. DAG Joseph A. Donofrio advised that he would correspond with Ms. Cynthia Wilk of the Department of Community Affairs, in Trenton, NJ to obtain further details concerning this Certification and its effects on the license of the Master Plumber.

8. REQUEST FOR CONTINUANCE OF BUSINESS

JOHN W. RYAN, LMP # 6550, DECEASED / March 31, 2009,
formerly T/A RYAN PLUMBING CO.

Robert Ryan, LMP # 11998, Supervising Bona fide representative

Correspondence dated April 7, 2009 was submitted by Licensee Robert Ryan, LMP # 11998, advising of the passing of his uncle, and requesting permission for a Continuance of Business whereby he would supervise Ryan Plumbing Company for six (6) months. The death certificate and pressure seal have been forwarded to the Board by Mrs. John Ryan.

9. DISCIPLINARY ACTIONS - PENALTY PAYMENTS

CONTINUING EDUCATION AUDIT BIENNIAL 2005-2007

Provisional Order(s) of Discipline (POD) filed October 27, 2008

“Group A” - those who attended a late ‘make-up’ course

(No documents)

On August 25, 2006 the Board conducted a CE audit involving selected licensees. Respondent(s) indicated on the 2005-2007 biennial renewal application that they will have completed the requirement by June 30, 2005; however, they failed to do so.

Respondent(s) were assessed a \$500 penalty pursuant to NJSA 45:1-22 for failing to complete the required CE for the 2005-2007 biennial by June 30, 2005, in violation of NJSA 45:1-21(h). Respondent(s) were also assessed a \$1,000 penalty for indicating on the application that they would complete the five (5) CE hours by the required date and failing to do so in violation of NJSA 45:1-21(e). The following licensee has complied with the POD, attended a make-up course, and is reported on this Agenda for his penalty payment during March of 2009:

ANTHONY M. COSTANZO, LMP # 4594 \$1,500 penalty paid 4/6/2009

10. ARTHUR SEARS, EXPIRED, LMP # 12136 - Expired June 30, 2007

UNLICENSED PRACTICE - Failure to renew license

\$2,500 PENALTY PAID APRIL 8, 2009 {No documents}

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

In conjunction with complaint matter from the Township of Jackson, NJ

Kevin F. Schmalz, Plumbing Subcode Official

Work site location: 248 Perrineville Road, Jackson, NJ , consumer Elizabeth Orlasky

FILE ID # 55319 -UP

10A. ERICK LAUFFER, Qualifying for the Master Plumber’s Examination:

Correspondence of March 19 and April 3, 2009

Letters are directed to the Board concerning Mr. Lauffer’s experience in the plumbing trade and his limited training at the Atlantic County Vocational School.

11. Ms. Elizabeth Moritz, Administrator

New Jersey State League of Master Plumbers Inc. (NJSLMP)

Enforcement Issues ~ Doing plumbing work without a license ~

Advertising plumbing work without a license {No documents}

The State Board of Examiners of Master Plumbers received complaints on March 26, 2009 where unlicensed entities are advertising plumbing services. A File Identification number was assigned to each complaint, and an advertising letter was processed for each of the following entities:

C. Harris Home Works
91 Appletree Lane
Sewell, NJ 08080
File# 63466

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

David Coles
Dave Coles Handyman Services
2 Summit Court
Marlton, NJ 08053
File# 63467

F & B Handyman Services
256 Cambridge Avenue
Jersey City, NJ 07307
File# 63468

NJ Property Maintenance, LLC
55 Washington Street
Bloomfield, NJ 07003
File# 63473

Ron Dunois
Ron Runois Handyman Services
303 Oakdale Drive
Neptune, NJ 07753
File# 63474

Handyrapp Handyman Services
18 S. Syracuse Drive
Cherry Hill, NJ 08034
File# 63475

Roland Davis File# 63476
Ro's Handyman Service
122 Graybar Drive
North Plainfield, NJ 07062

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Jon-Jon's Handyman, File# 63477
490 Route 49
Bridgeton, NJ 08032

Bob's Climate Control Service
7 Jones Lane

Sicklerville, NJ 08081
File# 63479

Malave Nyjirah, File# 63480
Maintenance Services
1713 Ferry Avenue
Camden, NJ 08104

Don Scattolini, File# 63482
Scattolini Brothers
611 N. Wildwood Blvd
Cape May Courthouse, NJ 08210

Larry K. Wizeman, File# 63485
Handyman Household Repairs
1514 Longfellow Drive
Cherry Hill, NJ 08003

Craig Drake, File# 63486
C. Drake Contracting, LLC
P.O. Box 275
Towaco, NJ 07082

Carl Arguell, File# 63489
Superior Handyman Services
149 Flanders Drive
Hillsborough, NJ 08844

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

A2Z Home Improvements
321 Maxim Drive
Hopatcong, NJ 07438
File# 63490

J & P Affordable Kitchen and Bath
321 Maxim Drive
Hopatcong, NJ 07438
File# 63490

Julia Romero, File# 63495
JR Mechanical Services Corp
713 Lee Avenue
North Brunswick, NJ 08902

Patrick J. Gregory, File# 63496
Task Man Home Improv LLC
P.O. Box 121
Bloomsbury, NJ 08804

C & R Appliance Service

89 Trotters Lane
Galloway, NJ 08205
File# 63497

Dave Santoro, Inc., File# 63498
P.O. Box 338
Elwood, NJ 08217

H.R. Heating & Air-Conditioning
207 E. Crestview Avenue
Galloway, NJ 08205
File# 63499

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Russell Reebenaker, File# 63500
Reasonable Home Repairs
171 Morrow Lane
Clayton, NJ 08312

Lyle Strain, File# 63503
I & P Electrical and Machine Co.
420 Talmadge Avenue
Bound Brook, NJ 08805

John Dublon, File# 63505
Affordable Services
3 Springbrook Drive
Jackson, NJ 08527

Andrew Paterson, File# 63507
Wendruff Service Company LLC
1889 Route 9, Suite 30
Toms River, NJ 08755

JC Residential & Commercial Remodelers, File# 63508
98 East State Street
Camden, NJ 08105

JC Repairs & Contract Building
20 Roosevelt Drive
Millville, NJ 08332
File# 63509

Christopher Pavero, File# 63510
Affordable Waste Water Solutions
821 Huntington Avenue
Pine Beach, NJ 08741

New Jersey State League of Master Plumbers Inc. (NJSLMP)

Advertisements:

CM Heating and Cooling, LLC
3032 Cologne Avenue
Mays Landing, NJ 08330
File# 63512

Dan Gattuso, File# 63515
Dry Guys Basement Systems
20 North Main
Woodstown, NJ 08098

Father and Sons Powerwashing
& Handyman Services, File# 63517
2024 Easy Street
Millville, NJ 08332

Joseph Tucci, File# 63518
Handyman on Call 24/7
43 Cambridge Avenue
Saddle Brook, NJ 07663

Louisa Vaquinhas, File# 63519
A-Z Home Improvement
7 E. Alabama Avenue
Long Beach Township, NJ 08008

James R Demaise, File# 63598
Platinum Construction Co.
5503 Redhaven Drive
Marlton, NJ 08053

David Colley, File# 63599
Home Improvement Projects
429 Third Street
Delanco, NJ 08075

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Rich DeSimone, File# 63600
DeSimone Handyman Services
20 Catawba Avenue
Turnersville, NJ 08012

M. Marcinkowski, File# 63602
Custom Painting/Home Improv.
713 Breakers Avenue
Absecon, NJ 08201

Grant Salcedo, File# 63603
Hubby For Hire/Hubby 4 Hire

237 Mission Road
Hackettstown, NJ 07840

Nowraz Zakaev, File# 63607
Painting Concepts Company
14 8th Avenue
Hawthorne, NJ 07506

Douglas Pozniak, File# 63608
D.J. Improvements
1430 Osage Road
North Brunswick, NJ 08902

Michael Holte, File# 63610
Assured Mechanical LLC
220 Park Avenue 15U
Hammonton, NJ 08037

Steve Taylor @ Basement Waterproofing Nationwide, Inc
P.O. Box 979
Edgewood, MD 21040, File# 63611

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Christopher Thomas, File# 63612
C.R.T. Mechanical
338 North Pearl St
Clayton, NJ 08312

Gary Schierenbeck, File# 63613
Python Drain Cleaning, Inc.
730 Carlton Boulevard
Staten Island, NY 10312

Britney Munyon, President
Munyon Mechanical, Inc.
168 N. West Avenue
Bridgeton, NJ 08302, File# 63614

Dan the Handyman, File# 63615
304 Central Avenue
Linwood, NJ 08221

Mr. Handyman of the Northern Valley, File# 63616
241 Boulevard
Hasbrouck Heights, NJ 07604

Mr. Handyman, File# 63617
#7 at 1474 Route 23
Wayne, NJ 07470

Jack Neff, File# 63618
Modern Gas
1725 S. Burlington Road
Bridgeton, NJ 08302

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

John Conlin, File# 63619
Atlas Sewer and Drain
29 West 46th Street
Bayonne, NJ 07002

John Schmidt, File# 63620
J & J Mechanical, Inc.
1100 Pocopson Road, Suite 326
Pocopson, PA 19366

Garrett Building Company
400 W. Washington Avenue
Pleasantville, NJ 08232
File# 63621

Marc Barbera, File# 63622
Handyman Headquarters, LLC
1638 West Lake Avenue
Williamstown, NJ 08094

Jersey Shore Home Repairs
P.O. Box 344
Beachwood, NJ 08722
File# 63623

Budget Handyman Services
P.O. Box 273
Mahwah, NJ 07430
File# 63624

A's 1 Remodeling Contractor LLC
145 Springfield Avenue
Rutherford, NJ 07070
Attention: Anthony, File# 63626

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Francisco Martinez
Martinez and Martinez Contractor
47 Harrison Avenue
Garfield, NJ 07026, File# 63627

Ralph Simone, File# 63628
Handyman (South Jersey)
369 White House Pike
Waterford Works, NJ 08089

Richard McGranahan, File# 63629
Express Appliance Service LLC
55 Rellim Drive
Old Bridge, NJ 08857

Rafail Sheynman, File# 62630
Rafail's Heating, Cooling Appl.
110 Copperfield Lane
Metuchen, NJ 08840

Michael Parsons, File# 63631
Painter/Handyman
12 Calvin Avenue
Lodi, NJ 07644

Roy Bolton, Sr., File# 63633
Bolton's Home Improvement
103 Salem Avenue
Newfield, NJ 08344

The Handyman Can, LLC,
855 Route 70
Brick, N 08724
File# 63632

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Hometown Handyman Ron
Ballentine, Inc.
101 Broad
Deepwater, NJ 08023, File# 63634

Jaareina Choates, File# 63635
Choates General Contracting, Inc.
63 Mullen Drive
Sicklerville, NJ 08081

Irv Lavinsky, File# 63637
Handyman for Hire
12 Partridge Court
Marlton, NJ 08053

KC Total Home Solutions, Inc.
101A Portland Avenue
Bergenfield, NJ 07621

Attn: Kris, File# 63639

Anthony Vellucci, File# 63641
King of Handy Handyman Service
3 Crest Court
North Haledon, NJ 07508

GID Handyman Services
718 7th Street
Carlstadt, NJ 07072
File# 63643

Rich Miranda, File# 63646
Teonar Home Services & GC
15 Willow Oak Court
Blackwood, NJ 08012

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Stephen Link / Bruce Evans
Cape Heating and Air, Inc.
P.O. Box 493
Linwood, NJ 08221, File# 63648

Steve Baglivo, President
Statewide Environmental Services
459 South Liverpool Avenue
Galloway, NJ 08215, File# 63649

Nuzzi Tile, File# 63651
10 Wuester Lane
Haskell, NJ 07420

Main Lock Home Improv. LLC
92 Greylock Avenue
Belleville, NJ 07109, File# 63652

Fred L Myers, File#
FLM Home Improvements
905 Sterling Drive
Florham Park, NJ 07932

Bob Service, File# 63655
R. Service Maintenance LLC
2 Elacqua Boulevard
Parlin, NJ 08859

Bruce Bossick, File# 63656
Bossick & Associates, LLC
1617 Birmingham Avenue
Toms River, NJ 08757

New Jersey State League of Master Plumbers Inc. (NJSLMP)
Advertisements:

Gary Vodopija, File# 63658
General Service Mechanical LLC
78 Princeton Avenue West
Deptford, NJ 08096

It is noted that applications for the Master Plumber's examination, Master Plumber's business registration forms, and Bona fide Representative registrations are reviewed by Board Members during the course of each business meeting.

Applications for Medical Gas Piping installers, brazers and instructors are also reviewed at this time.
