

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS  
# 546 - BUSINESS MEETING - AGENDA - MAY 22, 2008**

MEETING SCHEDULED TIME: 9:00 AM ~ HUDSON ROOM - 6 TH FL.  
ROLL CALL OF BOARD MEMBERS

APPROVAL OF THE MINUTES of the APRIL 24, 2008 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 - CHIEF OF STAFF TO SENATE PRESIDENT RICHARD J. CODEY

1. DAVID MELCHIORRE, CONSTRUCTION OFFICIAL -&- PLUMBING SUBCODE FOR STATE OF NEW JERSEY, WILLIAMSTOWN, NJ, APRIL 24, 2008 LETTER

Plumbing work as it relates to well drillers and water conditioners

2. JAMES EISINGER, LMP # 12102 - Fax of March 2, 2008 Water treatment or water conditioners

3. LARRY S. LOGSDON, ESQ., WALLACE, JORAN, PATLIFF AND BRANDT, LLC, LETTER OF APRIL 9, 2008

Plumbing work and subcontractors

4. Tracking the MASTER PLUMBERS REGULATIONS "SUN SETTING"

Today: Chuck Manning will review comments

The New Jersey Office of Administrative Law reported that the State Board of Examiners of Master Plumbers' Regulations will expire on March 28, 2008. On April 26, 2007, Deputy Attorney General Joseph A. Donofrio and Regulatory Analyst Charles Manning held a discussion with Board Members concerning "Sun setting." On July 26, 2007, the Board agreed to schedule a Committee meeting that met on September 13, 2007.

The "Proposed Readoption with Amendments, Repeals and New rules: N.J.A.C 13:32" was signed by Ex. Director Barbara A. Cook , sent to the Office of Administrative Law, and published on March 17, 2008. The comment period ended May 16, 2008.

## 5. DISCIPLINARY ACTION

Reporting full penalty payment of \$2,500 on 5-6-2008 Restitution for (2) consumers totaling \$850.00 Release for 3rd consumer with \$6,000 restitution

CONSENT ORDER RE ROBERT T. SCHIFF, LMP # 10439 Registered to trade as "McCormick Plbg and Htg. LLC"

The Board opened this matter based on information that Respondent licensee Schiff failed to perform— or have his employees perform— contracted plumbing work, but instead delegated that work to another licensed master plumber to whom he had not subcontracted work. Schiff testified in each complaint acknowledging: in the case of consumer CT, the wrong relief valve was installed on a boiler, and admitted that the work was performed by his brother-in-law's business (Surgeon Plumbing.) He failed to supervise the work and agreed to pay this consumer \$550.00. In the matter of consumer PF, regarding a sewer line replacement, he testified that he secured the permit; however, the work was performed by Surgeon plumbing again. Respondent paid \$6,000 in restitution and obtained a release from this consumer. In the matter of consumer JF, a shower head repair was not properly executed, he admitted to not being on the job site and paid \$300.00 in restitution.

Respondent paid \$2,500 for violations of NJSA 45:1-22 and NJAC 13:32-3.4. for his failure to perform or supervise plumbing work for which he had contracted. All restitution has been paid in full and sent to consumers.

## 6. DISCIPLINARY ACTION

Reporting full penalty payment of \$2,000 on 5-05-2008

CONSENT ORDER RE RICHARD S. BOGDA, LMP # 9897  
Registered to trade as "Service Professionals, Inc."

This matter was predicated upon a complaint from the Borough of Wanaque, Passaic County, stating that Bogda signed and sealed a plumbing permit as the licensed contractor for work done during January 2007; however, no record could be found at the offices of Service Professionals.

CONSENT ORDER RE RICHARD S. BOGDA, LMP # 9897

The licensee testified and admitted that the permit for this job was actually signed and sealed by his secretary but not himself— although Bogda claimed he personally had performed the work. Bogda also admitted that he has signed and sealed permits for Keil Heating and Air and stated that the work was performed by Keil employees and not by respondent or employees of respondent.

These facts establish a basis for disciplinary action pursuant to NJAC 13:32-3.4 in that any plumbing work that a licensed master plumber (lmp) agrees to perform, that has not been subcontracted to another lmp, must be performed only by the lmp or the employees or the plumbing contractor. Additionally, the Board found violations of NJSA 45:1-21(b), the use or employment of dishonesty; and NJAC 13:32-4.1(d) allowing an unlicensed or unauthorized person to use his seal.

Respondent was assessed a penalty in the amount of \$1,000 for subcontracting plumbing work to a person who was not a lmp and \$1,000 for signing and sealing a permit for use by a person other than a lmp to whom it was issued.

## 7. Ms. Barbara A. Cook, Ex Director {No documents }

It is noted that applications for the Master Plumber's examination and Master Plumber's business

registration forms 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.