

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
547 - BUSINESS MEETING - AGENDA - JUNE 26, 2008**

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

APPROVAL OF THE MINUTES of the MAY 22, 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

DISCIPLINARY ACTION

1. Reporting full penalty payment of \$500 on 5-27-2008 PROSPERO TRUJILLO, LMP # 12178, T/A Trujillo Plumbing and Heating

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

Violations of N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;

Consumer Fraud Act, namely N.J.S.A. 13:45A-16.2 (12)

Home Improvement Practices; Failure to issue a contract -

Requirement of a contract for services in excess of \$500.00

In conjunction with consumer complaint matter:

LENIN A. PAREDES, CONSUMER, FILE ID # 48477

CLOSED

{No documents}

2. Reporting collected consumer restitution totaling \$4,479.76, in the matter of:

DISCIPLINARY ACTION

JAMES R. MURRAY, LMP # 8706, T/A All Week Plumbing and Heating

{\$3,250 PENALTY PAID 9/07/07 AND OFFER SIGNED}

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

Violation of ~ N.J.S.A. 45:1-21(d) has engaged in repeated acts of negligence

In conjunction with:

(13) CONSUMER COMPLAINT MATTERS - JULY 26, 2007 AGENDA

File identification numbers:

42274, 45043, 45225, 46475, 48404, 48500, 50290, 50302, 50364, 52034, 52511, 52513 and 52520

The licensee paid the \$3,250 penalty for engaging in repeated acts of negligence based on the number of consumer complaints generated against his Master Plumber's license. The licensee has now paid all restitution sums owed to the (13) consumers involved. CLOSED {No documents}

DISCIPLINARY ACTION

3. PETER DILL, LMP # 8815, PROVISIONAL ORDER OF DISCIPLINE (POD) FILED 5/22/2008

Respondent's license to practice as a Master Plumber is provisionally suspended by above POD until such time that he cooperates with the Board's investigation by providing requested documentation concerning his continued compliance and/or completion of probation, his participation with NA/AA and his compliance with urine screen monitoring.

Respondent had pled guilty to a charge of Theft by Deception on March 26, 2003, and was sentenced to probation for three (3) years. He failed to renew his license before June 30, 2003, and that license expired. He appeared before the Board requesting reinstatement, and during his testimony provided information regarding his conviction, criminal probation and participation in NA/AA/ urine screening. To date, he has failed to respond to requests for additional information.

The within order shall be subject to finalization by the Board at 500 pm on the 30th business day following entry {June 22, 2008}, unless Respondent requests a modification or dismissal of the outlined Findings of Fact or Conclusions of Law. The Board reserves time within Executive Closed Session to address this matter. {No documents}

DISCIPLINARY ACTION

4. OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

DENNIS B. ALVAREZ, LMP # 11639, T/A ALVAREZ AND SONS

Reporting full penalty payment of \$200 on 6-03-2008

Violation of ~

N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct In conjunction with Paul Brody, Consumer, file # 54111, for not obtaining a permit within 72 hours. CLOSED {No documents}

DISCIPLINARY ACTION

5. Reporting full penalty payment of \$2,500 on 3-06-2008

MARK R. WITZKE, LMP # 7074

JOHN P. KELLY, PLUMBING SUBCODE, COMPLAINANT

LITTLE EGG HARBOR, COMPLAINT # 51756; and

FRANK RIZZO, VINELAND INSPECTOR, COMPLAINT # 51500

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

Information contained in two (2) complaints received respectively from plumbing inspectors of Little Egg Harbor and Vineland New Jersey, that plumbing services were performed by Witzke's company with an expired Master Plumber's license, and reported that he was signing and sealing permits within both

municipalities. CLOSED {No documents}

DISCIPLINARY ACTION

6. Reporting full penalty payment of \$1,000 on 5-08-2008

RUSSELL J. PALUMBO, JR., LMP #11128

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

BOROUGH OF MILLTOWN COMPLAINT MATTER: SECURING PLUMBING PERMITS,
OPERATING WITHOUT PROPER LICENSE

Information was reported that while licensee Palumbo's Master Plumber's license had been expired since June 30, 2005, that he was securing plumbing permits within Milltown, NJ. The licensee was assessed a fine and the matter was resolved. CLOSED {No documents}

DISCIPLINARY ACTION

7. STEPHEN J. DE BIASSE, LMP # 9767

FINAL ORDER OF DISCIPLINE FILED APRIL 28, 2007

Payment arrangement= \$500 Payment(s): (#5) 4-15 -&- (#6) 5-13-2008

TOTAL \$3,000 PAID IN FULL

Respondent is assessed a civil penalty in the aggregate amount of \$3,000, consisting of a \$1,000 penalty for failing to cooperate with the Board's continuing education audit by not responding to the Board's request for information upon receipt of the November 17, 2003 and January 14, 2004 letters in violation of N.J.S.A. 13:45C-1.3; a \$1,000 penalty for failing to complete the 2003-2005 continuing education (CE) requirement prior to June 30, 2003 in violation of N.J.S.A. 45:14C-18.1 and N.J.S.A. 13:32-6.1; and finally a \$1,000 penalty for indicating on the application for the 2003-2005 biennial renewal that he would have already completed his continuing education requirement by June 30, 2003, when in fact, he failed to provide a copy of a CE certificate demonstrating his compliance by that date. CLOSED {No documents}

8. Updated collected penalties to include De Biasse's payments:

CONTINUING EDUCATION AUDIT

CONCLUSION OF AUDIT 2003-2005

Total 2003- 2005 AUDIT penalties collected:

Total 2003-2005 AUDIT costs collected:

9. DIVISION OF LAW BILLING

DARLENE KANE, BUDGET OFFICER, CONSUMER AFFAIRS

MAY 13, 2008 MEMO RE 3RD QUARTER OF FY 2008

10. CONTINUING EDUCATION (CE) MATTERS

2009-2011 BIENNIAL RENEWAL (5) HR. REQUIREMENT

.....Courses held until June 30, 2009

Sponsors are presented in alphabetical order with their applications, resumes and course outlines for Board consideration and approval:

PHIL CHEFF, Sponsor # 9

JAMES A. ERDMAN, Sponsor # 8

ANTHONY F. GARGANI, Sponsor # 26

JOHN AND FRANCIS GLYNN, Sponsor # 5

MARK HILER, Sponsor # 13

STEPHEN C. RODZINAK, Sponsor # 14

THOMAS WALSH, Sponsor # 30

DAN O'GORMAN, Sponsor # 2

11. For information of the Board and Public
NEW JERSEY STATE LEAGUE OF MASTER PLUMBERS (NJSLMP)
Correspondence of APRIL 23, 2008 concerning advertising matters

The State Board of Examiners of Master Plumbers (SBEMP) Rules
and Regulations were sent to Ben Smith, Vice President of the Clipper Magazine,
at the request of the NJSLMP.

12. Ms. Barbara A. Cook, Ex Director

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.