

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
552 - BUSINESS MEETING - AGENDA - DECEMBER 18, 2008**

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

APPROVAL OF THE MINUTES of the NOVEMBER 20, 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. Re- approving CE Sponsors for the 2009-2011 Master Plumbers Biennial Renewal Cycle... Resume and course outline are provided for:

ALBERTO M. VENTURA SPONSOR # 29 - & -
RUSSELL L. HALL, SPONSOR # 10 { Note: will be available prior to mtg. }

2. DIVISION OF LAW BILLING - FIRST QUARTER OF FY 2009 Ms. Kane, Budget Officer, submits her billing report dated November 25, 2008.

3. JOSEPH M. PAPPACENO, EXPIRED #6675
EXPIRED SINCE JUNE 30, 1987 (11 biennials)
Did not renew 1987-1989; 1989-1991; 1991-1993; 1993-1995; 1995-1997;
1997-1999; 1999-2001; 2001-2003; 2003-2005; 2005-2007; 2007-2009

Mr. Pappaceno submits a letter dated November 12, 2008, requesting the reinstatement of his Master Plumber's license.

4. BRIAN S. GILBERT, LMP # 9207 - CONSENT ORDER FILED 9-25-2008 CLOSED

The Board received a complaint from the Jackson Township Construction Office that licensee Gilbert, who is the bona fide representative of BSG Plumbing, Inc, contracted with homeowners to install a pool heater and gas line at their home. Respondent started and completed the work without first obtaining the required permit from the township, and upon completion, he submitted a false permit to the homeowners. He also sent a letter to the homeowners that the work was completed, tested, inspected, and then requested payment.

Officials at Jackson Township assessed a penalty of \$2,000 against the licensee for his false statement and \$2,000 for working without the required permit. Gilbert paid the total \$4,000 in penalties. Based on NJSA 45:1-21(b), he engaged in dishonesty, fraud, deception et als; by falsely indicating to consumers that their work was tested and inspected; and violation of NJSA 45:10-21(h) failed to comply with provisions of a regulation; and NJAC 13:32-3.3a2 for failing to obtain necessary permits. Respondent was reprimanded without any additional fines by the Board, and signed this order 8-29-2008.

5. JAMES F. SMITH, LMP # 10787 - CONSENT ORDER FILED 10-23-2008

James Smith's license had been suspended for his failure to renew for the 2007-2009 biennial, and during the reinstatement process, the Board learned that he was convicted of a crime. Information concerning his conviction revealed that he had been employed by the Department of Licenses and Inspections for the City of Philadelphia from 1995-2001 enforcing code regulations and handling permits and inspections.

Respondent with other defendants, was indicted on January 16,2003, and charged with one count of racketeering, for cash received in exchange for providing incomplete inspections, arranging times for inspections and permitting some to work without a permit or interference from inspections. Nine (9) counts of Hobbs Act extortion were also charged for respondent's receiving \$13,760 from various plumbers. However, after appeal, his sentence was lessened to 24 months imprisonment, three (3) years supervised release and a \$1,00 fine / \$900 assessment. He served 18 months in the New York City Metropolitan Correction Center.

By said order, Respondent Smith is suspended for seven years and 8 months: the first five years and eight months shall serve as an active period with credit granted retroactive to May 1, 2003, the sentencing date. The remaining two years of suspension are stayed and served as a probationary period with the Board, and will continue until Respondent demonstrates that he has been successfully terminated from the supervised release program. The stayed suspension will become active in the event respondent violates any terms of his release. He is reprimanded for his described actions.

6. PETER E. PEDERSEN - UNLICENSED, t/a PEDERSEN CONSTRUCTION UNLICENSED ; FILE ID # 55640 - CONSUMER NANCY LIH - \$2,500 TOTAL PENALTY

PAYMENT OF \$1,250 PAID ON 9-10-2008;
(2nd) part of payment arrangement paid 11-22-2008

In the matter of the installation of a hot water heater in the consumer's mobile home without required permits and without licensure. PAID IN FULL

7. DISCIPLINARY ACTIONS - PENALTY PAYMENTS CONTINUING EDUCATION AUDIT BIENNIAL 2005-2007

Provisional Order(s) of Discipline (POD) filed October 27, 2008 (Group A - Attended 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 licensees have complied with the POD, submitted their penalty payments and attended a make-up course:

Frank D. Olsen, LMP # 5850 \$1,500 Penalty paid 11/13/2008
Raymond J. Papa, LMP # 10323 \$1,500 Penalty paid 11/13/2008
Robert J. O'Connor, Jr. LMP # 6296 \$1,500 Penalty paid 11/21/2008

7A. TOWN OF DOVER, CONSTRUCTION DEPT. GREG CHONTOW SUBCODE OFFICIAL,
REQUEST FOR CLARIFICATION ON
NJSA 45:14C-12.4 Single family homeowner; inapplicability of act

Correspondence is submitted regarding a clarification of the above statute.

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.