

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
607 - BUSINESS MEETING - AGENDA - DECEMBER 19, 2013**

OPEN PUBLIC SESSION

MEETING SCHEDULED TIME: 9:00 AM - ESSEX ROOM - 7th floor
ROLL CALL OF BOARD MEMBERS

APPROVAL OF THE MINUTES *of the* NOVEMBER 21, 2013 MTG.

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

PRESENT BOARD MEMBERS - &- CAPACITIES

MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER ~ CHAIRMAN

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER - VICE CHAIRMAN

MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER - SECRETARY

ROBERT B. REEVE, LICENSED MASTER PLUMBER # 7388

JAMES MC MANUS, JR., JOURNEYMAN MEMBER

DONALD B. DILEO ~ PUBLIC MEMBER

PAUL N. BONTEMPO - PUBLIC MEMBER

ADAM J. SABATH ~ PUBLIC MEMBER

Total Board Complement (9):Vacancy/Government Representative

- 1.) JOSEPH C. GINELLI, LMP #11856
CONSENT ORDER - FILED APRIL 25, 2013 - MONITORING
CORRESPONDENCE DATED - OCTOBER 31, 2013

Respondent's license to practice plumbing expired on June 30, 2007 and was automatically suspended by application of N.J.S.A.45:1-7.1(b). Respondent indicated on his application for reinstatement that he was convicted of several criminal offenses: respondent was sentenced to three years probation for Possession of Controlled Dangerous Substance (N.J.S.A. 2C:35-10a(1)) and Hindering Apprehension (N.J.S.A. 2C:29-3a(4)), in Ocean County, New Jersey on May 9, 2008. Respondent was also convicted of Conspiracy (N.J.S.A. 2C:5-2) and Possession of Schedule I,II,III, and IV Controlled Dangerous Substances (N.J.S.A. 2C:35-10a(1)), in Monmouth County, on January 14, 2011. Respondent was ordered to serve 364 days in prison. Respondent was convicted of Conspiracy (N.J.S.A. 2C:5-2) and Possession of Schedule I,II,III, and IV Controlled Dangerous Substances (N.J.S.A. 2C:35-10a(1)), in Middlesex County, on March 18, 2011. Respondent was ordered to serve one year in prison concurrent with the sentence he was then serving Respondent's license to practice plumbing in the State of NJ shall be reinstated subject to the restrictions and conditions in this Order; he shall provide proof of completion of the ISP program / Intensive Supervision Program; shall continue in treatment with Narcotics with proof; and submit to random urine screens a minimum of once per month.

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- 2.) ANIBAL RIVERA, LMP #12992
DRUG TEST MONITORING - CORRESPONDENCE DATED NOVEMBER 1, 2013
CONSENT ORDER FILED MARCH 22, 2012
Order states in part:

Respondent applied for examination for a plumbing license and indicated that he had a criminal arrest and conviction history. Having reviewed the entire record of the applicant including his testimony, respondent may sit for the examination for licensure and upon passage of exam, will be granted a license subject to the conditions outlined in filed order. The Board is aware of respondent's lengthy criminal and substance abuse history, and any deviation from the terms of this order will result in immediate suspension of his Master Plumber's license. Such a provision, coupled with restrictions, are adequate to protect the health safety and welfare of the public. Full details are contained in the Filed Order.

DISCIPLINARY ACTIONS

3.) PAID \$500 PENALTY OCTOBER 9, 2013

OFFER OF SETTLEMENT - FAILURE TO ISSUE A CONTRACT
WAYNE M. GRANIT, LMP #8773, T/A WAYNE GRANIT PLBG. & HTG.
LAWRENCE & ELIZABETH COHEN, CONSUMERS, FILE ID: #90511

4.) PAID \$2,500 PENALTY OCTOBER 15, 2013

OFFER OF SETTLEMENT - UNLICENSED ADVERTISING FOR PLUMBING
DENISE K. SLEDZICK, UNLICENSED
FILE ID: #74217

5.) PAID \$500 PENALTY NOVEMBER 19, 2013

MODIFIED OFFER OF SETTLEMENT - FAILURE TO OBTAIN PERMIT(S)
SALVATORE J. D' ADDARIO, LMP #11778
T/A D' ADDARIO MECHANICAL, INC.
KEVIN SCHMALZ, SUB-CODE OFFICIAL; TOWNSHIP OF JACKSON, COMPLAINANT
FILE ID: #77745

6.) PAID \$500 PENALTY OCTOBER 3, 2013

UNIFORM PENALTY LETTER - UNLICENSED ADVERTISING FOR PLUMBING
PETER TO THE RESCUE, UNLICENSED
FILE ID: #86815

7.) EMAIL FROM TERRI GOLDBERG - DATED OCTOBER 29, 2013
"OPERATION PREDATOR ALERT"
POSSESSION OF CHILD PORNOGRAPHY - ARRESTED OCTOBER 10, 2013

JAMES W. HOOKER, LMP #6154

AGENDA - DECEMBER 19, 2013 - OPEN PUBLIC SESSION - PG. 4

JAMES W. HOOKER, LMP #6154 (CONTINUED)

IN THE MATTER OF THE
SURRENDER OF THE LICENSE OF

Administrative Action

JAMES W. HOOKER
License # 36BI00615400

**INTERIM CONSENT ORDER OF
VOLUNTARY SURRENDER
OF LICENSE**

**TO PRACTICE PLUMBING
IN THE STATE OF NEW JERSEY**

FILED NOVEMBER 7, 2013

SEAL & LICENSE RETURNED TO THE BOARD

The New Jersey State Board of Examiners of Master Plumbers ("the Board") received information that James W. Hooker ("respondent"), was arrested on October 10, 2013 and charged with Endangering the Welfare of a Child by knowingly storing or maintaining items depicting the sexual exploitation or abuse of a child using a file-sharing program which is designated as available for searching by or copying to one or more computers (N.J.S.A. 2C:24-4b(5)(a)(iii)), a 2nd degree offense, and Endangering the Welfare of a Child by knowingly possessing a photograph, film, videotape, computer program or file depicting a child engaging in a prohibited sexual act (N.J.S.A. 2C:24-4b(5)(b)), a 3rd degree offense.

The parties have agreed to an interim order of voluntary surrender of respondent's master plumber's license to engage in the practice of plumbing in the State of New Jersey pending resolution of the criminal charges and further order of the Board. This order is entered without prejudice to respondent's ability to defend himself.

Respondent making no admissions, and the Board specifically reserving its right to take action against respondent based on the conduct underlying his arrest and other information available to it; and the Board finding the terms of this consent order to be adequately protective of the public health, safety and welfare;

ORDERED THAT:

1. Respondent, James W. Hooker, shall immediately surrender his license to engage in the practice of plumbing in the State of New Jersey until resolution of the criminal charges, and further order of the Board.
2. Respondent, James W. Hooker, shall immediately surrender his Board issued pressure seal until resolution of the criminal charges, and further order of the Board.
3. Respondent shall immediately cease and desist from engaging in the practice of plumbing in any capacity including, but not limited to, performing such services as an employee of a plumbing contractor or as an employee of a public entity, until resolution of the criminal charges, and further order of the Board.
4. Prior to any consideration of an application for a restoration of his license, respondent shall:

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JAMES W. HOOKER, LMP #6154 (CONTINUED)

- a. Appear before the Board to discuss his readiness to reenter the practice of plumbing. At that time respondent shall be prepared to propose his plans for future practice in New Jersey.
- b. Demonstrate to the satisfaction of the Board that he is physically and psychologically fit and that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety

and welfare.

c. Provide the Board with reports from each and every mental health professional (including but not limited to: psychologists, counselors, therapists, psychiatrists) who have participated in respondent's care and/or treatment or provided an evaluation of respondent concerning this matter.

d. Affirmatively establish his fitness, competence and capacity to re-enter the active practice of plumbing within New Jersey, including an accounting of all continuing education courses completed while his licenses were surrendered and during the biennial licensing period prior to the surrender of license.

e. Provide the Board with a full account of his employment during the intervening period of time from the entry of this Order to the time of his appearance before the Board pursuant to this Order.

4. The Board may require respondent to submit to an independent psychiatric evaluation as a condition prior to an application to return to practice. Following review of all relevant documents submitted, the Board, in its sole discretion, will determine whether and under what conditions respondent may return to practice.

5. The parties hereby stipulate that entry of this Order is without prejudice to further action by this Board or other agencies or law enforcement entities regarding respondent's conduct or the outcome of any criminal proceeding.

8.) CORRESPONDENCE DATED OCTOBER 2, 2013
ALLISON BERNECK - LETTER CONCERNING HER HUSBAND AND HIS INTENTION OF
STARTING HIS OWN PLUMBING BUSINESS IN NEW JERSEY

CONTINUING EDUCATION REQUIREMENT FOR 2013-2015 BIENNIAL

9.) GLEN JESSEN, LMP #9281 - CORRESPONDENCE DATED - NOVEMBER 17, 2013
APPEAL RE: CONTINUING EDUCATION FOR 2013-2015 BIENNIAL

◆ 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.
