

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

#487 MEETING OF THE - JANUARY 23, 2003

The Minutes of the January 23, 2003, Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on February 27, 2003.

The notice of the meeting has been mailed to the Star-Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of the State in Trenton, New Jersey.

The Board Meeting of January 23, 2003, was called to order at 9:00 a.m. The following Board Members were present:

Alexander J. Tucciarone, Vice-Chairman

Margaret Sieb, Secretary

James Moore

Mark McManus

Ernest Tretola

It is noted that since Ralph Wetzel was absent from this meeting, Alexander J. Tucciarone served as the Board's Chairman.

At present, there are (3) Board Member vacancies. A vacancy remains for the State Member on the Board, which position was formerly held by Board Member Michael Baier, who resigned on January 11, 2002.

Board Member Peter J. Mc Donough, Jr. formally resigned his position in a letter to the Board dated September 5, 2002, creating a vacancy for a Public Member.

A vacancy remains for another Public Member on the Board since the resignation of Christine C. Simon on April 25, 2002.

Others in attendance:

The following individuals were present from 9:00 a.m. until the close of the meeting at 4:00 pm:

Barbara A. Cook, Executive Director

Rosemarie Baccile, Executive Assistant

Deputy Attorney General Darlene Lapola served as the Board's counseling deputy for this meeting.

PUBLIC SESSION VISITORS:

The following individuals were present from the public and signed the attendance register for this meeting:

Bill Stepler, C.E.P. Associates, Berlin, NJ

Charles T. Reiners, Licensed Master Plumber # 1105

PLEDGE OF ALLEGIANCE:

Alexander J. Tucciarone led the Board in the Pledge of Allegiance to the Flag.

**APPROVAL OF THE MINUTES ~
NOVEMBER 21, 2002 MEETING & the DECEMBER 19, 2002 MEETING**

A motion was made by Mark McManus and seconded by Margaret Sieb to approve both the November 21, 2002, and the December 19, 2002, Minutes. A vote was taken and the motion unanimously passed.

BOARD BUSINESS

**1. SUNSET MATTERS
DIVISION OF CONSUMER AFFAIRS**

RULES OF THE STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

**PROPOSED READOPTION WITH AMENDMENTS, REPEALS &
NEW RULES: N.J.A.C. 13:32**

On January 23, 2003, Charles Manning was present before the Board to review the comments submitted concerning the readoption of the Master Plumbers regulations and to respond to those comments.

Subsequent to a discussion, the following motion was made by Mark McManus and seconded by Margaret Sieb to approve the readoption of the Board's regulations as amended this date.

**2. FEE REVIEW
DARLENE KANE, BUDGET ANALYST
DIVISION OF CONSUMER AFFAIRS**

DECEMBER 11, 2002, MEMORANDUM & REPORT

The Board reviewed the cover memorandum and Fee Review report and concluded that based on the revenue, expenditure trends, and current number of licensees, a change in the license fee is not recommended at this time.

The Board accepted this report without any formal comment.

**3. DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF CODES AND STANDARDS MEMORANDUM
DECEMBER 18, 2002/ APPROVED CODE ADVISORY BOARD MTG
MINUTES OF OCTOBER 11, 2002**

**DEPARTMENT OF COMMUNITY AFFAIRS
Continued**

A cover memorandum dated December 18, 2002, explained that the next Code Advisory Board meeting is scheduled for Friday, February 14, 2003.

The Board accepted this correspondence without any formal comment.

**4. JEFFREY P. BELLOTTO, FORMER LICENSED MASTER
PLUMBER # 8675 ~ DECEASED NOVEMBER 23, 2002 ~
PRESSURE SEAL RETURNED/ - BOARD OFFICE
REQUEST FOR CONTINUANCE OF BUSINESS from Mrs. J. Bellotto
SCOTT LEYSHON, LMP # 9892 ~ offering to be
SUPERVISING BFR for J.P. BELLOTTO PLUMBING**

Mrs. Bellotto stated in her letter of January 8, 2003, that her husband, former licensee Jeffrey P. Bellotto, passed away on November 23, 2002. Mrs. Bellotto returned the pressure seal once belonging to her husband, and she also submitted a copy of his death certificate. Mrs. Bellotto stated that licensee Scott Leyshon, Master Plumber's license # 9892, was willing to serve as the supervising bona fide representative for J.P. Bellotto Plumbing and Heating during the requested Continuance of Business (COB) period.

On January 23, 2003, a motion was made by James Moore and seconded by Ernest Tretola, to:

(A) Grant the six (6) month COB, which will extend from the date of Mr. Bellotto's death, November 23, 2002, until May 23, 2003;

(B) Inform Mrs. Bellotto that by May 23, 2003, she should obtain a permanent bona fide representative for the company or otherwise cease all plumbing operations;

(C) A formal letter must be submitted to the Board by licensee Leyshon attesting to his assuming the responsibility for the Bellotto plumbing business during the COB period.

A vote was taken and the motion unanimously passed.

5. EXECUTIVE DIRECTOR'S REPORT

Barbara A. Cook, Executive Director, reserved a portion of Open Public session agenda to review some pending issues with Board Members.

On January 23, 2003, Ms. Cook advised that the Board Office and Division are jointly preparing for the upcoming 2003-2005 biennial renewal of licenses for all Master Plumbers. The renewal applications for this biennial are scheduled to be mailed approximately two (2) months before the renewal date.

During the course of this discussion, Board Member Alexander Tucciarone expressed his recognition of the Executive Director and her Staff for having complied with the recent deadline of November 1, 2002, and accompanying change to the qualifications for the Master Plumber's examination, as noted in N.J.A.C. 13:32-2.2 Experience Requirements.

Mr. Tucciarone especially requested that the record reflect that with the direction of Ms. Cook, the Board Office performed an excellent job in processing a voluminous amount of applications required to accommodate the deadline.

Board Members acknowledged Mr. Tucciarone's comments and agreed.

***NOT ON THE PUBLISHED AGENDA:*
ADOPTION OF THE 2003 NATIONAL
STANDARD PLUMBING CODE**

Board Member Tucciarone explained that the new 2003 National Standard Plumbing Code is presently at the publisher, and he anticipated that the adoption could take approximately one year. Mr. Tucciarone reminded Board Members that once published, the new 2003 Code will have a public comment period.

The 2000 Code should be used until the adoption of the new 2003 code.

REVISITING MATTER FROM THE DECEMBER 19, 2002, MEETING-

NOT ON THE PUBLISHED AGENDA ~

**REQUEST ~ SEEKING THE REINSTATEMENT OF EXPIRED MASTER PLUMBER'S LICENSE OF
LEONARD R. MC GRATH,
EXPIRED LICENSED MASTER PLUMBER # 2973
DATE OF LICENSE EXPIRATION ~ June 30, 1995**

Former Licensee McGrath submitted a respectful letter to the State Board of Examiners of Master Plumbers, dated November 25, 2002, requesting that Members consider the reinstatement of his Master Plumber's license.

On December 19, 2002, the Board discussed the pending qualifications for the Master Plumber's license according to current New Jersey Plumbing Statutes and Regulations to determine if Mr. McGrath was eligible for reinstatement.

On December 19, 2002, subsequent to a brief discussion, the following motion was made by Alexander Tuccarione and seconded by Mark McManus, that:

(A) DAG Darlene Lapola should explore the appropriate legal avenues to determine if the former licensee may be permitted to re-test in order to re-gain the Master Plumber's license that he once held;

(B) Members of the Board and Executive Director Barbara A. Cook expressed concern that the advent of new qualifications effective November 2, 2002, outlined in N.J.A.C. 13:32-2.2 Experience Requirements- left them unclear as to how to proceed administratively with the expired license of Mr. McGrath;

Revisiting on January 23, 2003 ~

On January 23, 2003, Board Members revisited this matter with DAG Lapola and concluded, as follows, in a motion made by Mark McManus and seconded by James Moore, that:

LEONARD R. MC GRATH

(A) Mr. McGrath is permitted the reinstatement of his Master Plumber's license under the provisions of the Uniform Enforcement Act, N.J.S.A. 45:1-7.2 Reinstatement, however, he must comply with several requirements, which follow:

(B) Submit the reinstatement fee;

(C) Submit all prior renewal fees (back fees);

(D) Re-test and pass the Master Plumber's examination;

(E) It is noted that no Continuing Education requirements are necessary for Mr. McGrath's reinstatement;

(F) The Board particularly noted that there is no need to re-qualify Mr. McGrath for the Master Plumber's examination insofar as his file should be processed as a reinstatement.

A vote was taken and the motion unanimously passed.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by James Moore and seconded by Ernest Tretola to proceed into Executive Closed Session to review one (1) administrative closing of a consumer complaint and (5) five pending consumer complaint matters; for consideration of investigation of possible violations of applicable law, pending or anticipated litigation, matters under investigation; to conduct two (2) Investigative Inquiries, and review matters within the attorney-client relationship exception to the Open Public Meetings Act. The subject of this discussion shall remain confidential until such time as

the reasons for having this matter in Executive Closed Session are no longer applicable.

The next regularly scheduled meeting is on Thursday, February 27, 2003, at 9:00 a.m. in the Somerset Room.

Respectfully submitted,

Barbara A. Cook
Executive Director

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of Master Plumbers](#)

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Posted April 2003