

Draft prepared on 1/24/2014 by
Steven Mattia, Government Service Representative;
Rosemarie S. Baccile, Acting Executive Director
Final copy

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
608 - BUSINESS MEETING - MINUTES - JANUARY 23, 2014

The minutes of the January 23, 2014 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its next meeting on ***February 18, 2014***.

The notice of the January 23, 2014 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 State Trenton, New Jersey.

The Board meeting of January 23, 2014 was called to order at 9am with the following Members in attendance:

Peter Voros. Chairman

Michael K. Maloney, Vice-Chairman

Michael L. Sestanovich, Secretary

James McManus, Jr.

Robert B. Reeve

Paul N. Bontempo

Donald Dileo

Adam J. Sabath

Board Complement: (9): One (1) Vacancy remains for a Government Representative

Others in attendance:

The following individuals were in attendance from 9:00 a.m. until closing at 3:00 pm:

Joseph A. Donofrio, Counseling Deputy Attorney General (DAG)
Rosemarie Baccile, Acting Executive Director
Steven Mattia, Government Service Representative

PUBLIC SESSION VISITORS:

Thomas Walsh

Pledge of Allegiance to the Flag

Chairman Peter Voros led the Board in the Pledge of Allegiance to the Flag and requested that Members join in a moment of silence in recognition of U.S. troops serving our Country.

APPROVAL OF THE MINUTES of the DECEMBER 19, 2013 MTG.

A motion was made by Michael Maloney and seconded by Don Dileo to approve the minutes of the December 19, 2013 Meeting. A vote was taken and the motion unanimously passed.

BOARD BUSINESS

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.) JASON E. TANNERY, PRESIDENT OF JET COMMERCIAL, LLC
CORRESPONDENCE DATED DECEMBER 30, 2013
SEEKING RECIPROCITY FOR A MASTER PLUMBER'S LICENSE

On January 23, 2014 the Board made a motion to deny reciprocity as outlined in N.J.S.A. 45:14C-19. There is no evidence presented by Mr. Tannery to indicate that there is equal reciprocity for New Jersey as outlined in the Statute below. A motion was made by Michael Maloney and seconded by Robert Reeve.

A vote was taken and the motion unanimously passed.

45:14C-19. Reciprocity with other States

The State board may in its discretion grant State licenses without examination to applicants so licensed by other States; provided that equal reciprocity is provided for New Jersey master plumbers by law of such applicant's domiciliary State and provided further that such sister State's standards are equal to or comparable to those of this State.

- 2.) ANTHONY LEONE, APPLICANT FOR MASTER PLUMBER'S EXAM

APPEAL REGARDING QUALIFICATIONS
CORRESPONDENCE DATED NOVEMBER 26, 2013

James McManus recused. On January 23, 2014 the Board made a motion requesting a letter from the United States Department of Labor to certify the four year apprenticeship program, plus evidence of one (1) journeyman year of hands- on experience, in compliance with N.J.A.C. 13:32-2.2 EXPERIENCE REQUIREMENTS. A motion was made by Robert Reeve and seconded by Don Dileo.

A vote was taken and the motion unanimously passed.

- 3.) CHARLES THEODORE FARINELLA, LMP #468 - DECEASED
T/A C.T. FARINELLA & SONS, INC.

MICHAEL MEDAGLIA, LMP #6061 REQUESTING CONTINUANCE OF BUSINESS
CORRESPONDENCE DATED DECEMBER 23, 2013

On January 23, 2014 the Board made a motion to grant Mr. Medaglia's request for a continuance of business for six months from date of death in compliance with N.J.A.C. **13:32-3.2 BONA FIDE REPRESENTATIVE; REPORTING RESPONSIBILITIES** (d).

A motion was made by Mike Maloney and seconded by Donald Dileo. A vote was taken and the motion unanimously passed.

- 4.) UNIFORM PENALTY LETTER - ISSUED OCTOBER 26, 2012
CORRESPONDENCE DATED DECEMBER 20, 2013

DAVE TOWERS, UNLICENSED, T/A ALL PRO HTG. & AC, UNLICENSED
PRAVEEN KALLA, CONSUMER, FILE ID: #86676
HOT WATER HEATER, FAILURE TO OBTAIN PLBG PERMITS, PLBG WITHOUT
LICENSURE - SEPTEMBER 27, 2012 AGENDA

On January 23, 2014, based on the evidence presented, the Board made a motion to maintain the fine at \$2,500 with a **reduced penalty of \$1,000 assessed and owed with \$1,500 “stayed.”** The “stayed” portion remains on file in the event future complaints are filed against the entity. A motion was made by Donald Dileo and seconded by Michael Sestanovich. A vote was taken and the motion unanimously passed.

The Board noted that Dave Towers refunded all of the monies to the consumer and based on the full restitution, the consumer dropped all criminal charges.

- 5.) UNIFORM PENALTY LETTER - ISSUED OCTOBER 11, 2013
CORRESPONDENCE DATED NOVEMBER 7, 2013

UNION FUEL, INC, UNLICENSED
PBURG, LLC, CONSUMER, FILE ID: #91061

HIRED TO REPLACE A COMMERCIAL WATER HEATER
FRANK TOTH, JR., LMP #11118, PERMIT/SUBCONTRACTOR

On January 23, 2014 the Board noted that Union Fuel responded to the UPL stating that the licensed plumber Frank Toth performed the plumbing connection for this job. The Board reserved any further action on the UPL assessed against Union Fuel and made a motion to request a notarized statement from licensee Frank Toth concerning the work performed and including the following details:

- a list of his W-2 employees;
- copies of payments from Union fuel to Toth for the work performed;
- a list of materials needed for this job;
- the names of the employees who worked on this job.

A motion was made by Michael Maloney and seconded by Michael Sestanovich. A vote was taken and the motion unanimously passed.

6.) UNIFORM PENALTY LETTER - ISSUED OCTOBER 26, 2012
CORRESPONDENCE DATED DECEMBER 5, 2013

CARE TEMP, LLC, UNLICENSED
BOYD, CONSUMER, FILE ID: #86819
WATER HEATER INSTALLATION

On January 23, 2014 the Board discussed the response from Adolph Rogulski of Care Temp, LLC dated December 5 2013, indicating that Jess Goldy obtained the appropriate plumbing permit from Jackson Township, installed the water heater at 226 Leesville Road, Jackson, NJ 08527, and enclosed a copy of that permit.

The Board requested a letter with a copy of this permit be sent to licensee Goldy, LMP # 5116, seeking a notarized statement detailing his involvement in this job site:

- a list of his W-2 employees;
- copies of payments from Care Temp for the work performed;
- a list of materials needed for this job;
- the names of the employees who worked on this job.

A motion was made by Michael Maloney and seconded by Robert Reeve.

A vote was taken and the motion unanimously passed.

***◆ 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.***

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Donald Dileo and seconded by Robert Reeve to proceed into Executive Closed Session to review consumer complaint matters, conduct investigative inquiries, discuss unlicensed advertisements, unlicensed practice matters, consider administrative closings, investigations of possible violations of applicable law, pending or anticipated litigation, matters under investigation, the DAG caseload, and review matters within the attorney-client relationship exception to the Open Public Meetings Act. A vote was taken and the motion unanimously passed.

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 meeting is scheduled for ***February 27, 2014*** at 9:00 am.

A vote was taken and the motion unanimously passed.

Submitted by,

Rosemarie S. Baccile, Acting Executive Director