

**# 566 MEETING OF THE STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS -MINUTES - MARCH 25, 2010**

The Minutes of the March 25, 2010 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on *April 22, 2010*.

The notice of the March 25, 2010 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 March 25, 2010 was called to order at 9:00 am with the following Members in attendance:

Peter Voros, Chairman

Michael L. Sestanovich, Secretary

James McManus, Jr.

Paul N. Bontempo

Donald Dileo

Robert B. Reeve

Adam J. Sabath and Michael K. Maloney were absent

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, Executive Assistant

PUBLIC SESSION VISITORS:

Bill Stepler, CEP Associates, Sponsor of CE; Ralph Wetzel, LMP # 775; Liz Moritz, Administrator, NJSLMP; and Debra Rice, Class Act Reporting

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 ~ JANUARY 28, 2010

A motion was made by Donald Dileo and seconded by Michael Sestanovich to approve the minutes of the January 28, 2010 meeting. A vote was taken and the motion unanimously passed. (*The February 25, 2010 meeting had been canceled due to a snow storm.*)

BOARD BUSINESS

PRESENT BOARD MEMBERS - &- CAPACITIES

MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER ~ CHAIRMAN

MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER - SECRETARY

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER - VICE CHAIRMAN

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

1. ELECTION OF OFFICERS:

Pursuant to N.J.S.A. 45:14C-6, Chairman Peter Voros opened the floor to nominations for board officers for 2010, as follows:

CHAIRMAN

Robert Reeve nominated Peter Voros as Chairman.

The nomination was seconded by Donald Dileo.

A vote was taken and the motion unanimously passed.

Peter Voros accepted the nomination.

VICE-CHAIRMAN

Robert Reeve nominated Michael Maloney as Vice-Chairman.
The nomination was seconded by James McManus.
A vote was taken and the motion unanimously passed.
Michael Maloney was not present to accept the nomination.

SECRETARY

Donald Dileo nominated Michael Sestanovich as Secretary.
The nomination was seconded by Paul Bontempo.
A vote was taken and the motion unanimously passed.
Michael Sestanovich accepted the nomination.

CLOSING

A motion was made by Michael Sestanovich and seconded by Paul Bontempo to close all nominations. A vote was taken and the motion unanimously passed.

2. *Offer(s) of Settlement assessing \$2,500 fines for
**UNLICENSED ENTITIES: ADVERTISING PLUMBING SERVICES
NEWS ARTICLES, INTERNET ADS: CRAIGS LIST, NEWSPAPERS, & OTHER
POSTINGS;***

NEW JERSEY STATE LEAGUE OF MASTER PLUMBERS, COMPLAINANTS

Complaints against unlicensed entities advertising plumbing services were submitted by the New Jersey State League of Master Plumbers. These complaints were assigned file numbers and reviewed by the Board. Members voted on June 25, 2009, to issue an Offer of Settlement with a \$2,500 fine to each unlicensed entity where a review of an advertisement established a violation(s) of New Jersey Plumbing Statutes and Regulations. Some of these violations included references to plumbing, minor or light plumbing, water heaters, or ordinary repairs. This "Offer" replaces the advertising letter, includes a cease and desist, and assesses a penalty.

Offers of Settlement were issued on January 14, 2010 to the subscribers provided by the NJSLMP; however, the responses to these settlement letters are forthcoming and the investigations of these complaints are continuing.

A \$2,500 penalty payment and a signed acknowledgment were received from the following entities on the dates indicated, totaling \$22,500 in collected penalties:

UNLICENSED ENTITIES: ADVERTISING PLUMBING SERVICES
Continued

Brian Duncan February 1, 2010
Brian the Handyman
P.O. Box 6002
East Brunswick, NJ 08816
File# 65814

Glen Brotherton January 31, 2010
36 Centre Street, Apt. 2
Waldwick, NJ 07463
File# 65835

David Gershon January 27, 2010
Air Porter
548 W. Seventh Avenue
Roselle, NJ
File id # 65900

Rob Staudt & Kurt Vandervliet January 26, 2010
Two Guys with a Dream
351 Kinderamack Road
Hillsdale, NJ 07642
File id # 65916

Mensers Heating & AC January 26, 2010
800 Park Avenue
Lakewood, NJ 08701
File# 65795

Barry R. Brown January 27, 2010
Lindenwold Handyman Services
823 E. Elm Ave.,
Lindenwold, NJ 08021
File#65658

Subsequent to a discussion of this matter, the Board concluded in a motion made by Donald Dileo and seconded by James McManus, that Mr. Shields must comply with existing New Jersey Plumbing Statutes and Regulations in order to achieve the reinstatement of his Master Plumber's license, specifically **N.J.A.C. 13:32-2.6 (f) Renewal of license** states:

“A person seeking reinstatement after more than five (5) years following the suspension of a license shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:32-2.3, and shall submit:

- A completed reinstatement application;
- Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:32-5.1;
- Payment of a reinstatement fee as set forth in N.J.A.C. 13:32-5-1; and
- An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.”

A vote was taken and the motion unanimously passed.

4A. THOMAS F. WALSH, PLUMBING SUBCODE OFFICIAL #5634
LICENSED MASTER PLUMBER # 7854
Re “Installation of backflow preventers for fire protection”

Mr. Walsh submitted correspondence dated January 27, 2010, regarding the installation of backflow preventers for fire protection, and he references the topic of discussion held in Open Session at the Board's December 17, 2009 meeting.

4B. THOMAS F. WALSH, PLUMBING SUBCODE OFFICIAL #5634
LICENSED MASTER PLUMBER # 7854
Re Code Officials Continuing Education

Mr. Walsh submitted correspondence dated January 27, 2010 concerning compliance with CE requirements.

On March 25, 2010, the Board referred copies of these matters 4A and 4B to Chuck Manning of Regulatory Affairs for review.

JOSEPH F. MANDARINO, EXPIRED LMP # 6486

On March 25, 2010, Joseph Mandarino submitted a request to reinstate his Master Plumber's license.

Subsequent to a discussion of this matter, the Board concluded in a motion made by Donald Dileo and seconded by James McManus, that Mr. Mandarino must comply with existing New Jersey Plumbing Statutes and Regulations in order to achieve the reinstatement of his Master Plumber's license, specifically **N.J.A.C. 13:32-2.6 (f) Renewal of license** states:

“A person seeking reinstatement after more than five (5) years following the suspension of a license shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:32-2.3, and shall submit:

- A completed reinstatement application;
- Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:32-5.1;
- Payment of a reinstatement fee as set forth in N.J.A.C. 13:32-5-1; and
- An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.”

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 Michael Sestanovich to proceed into Executive Closed Session to review consumer complaint matters, unlicensed advertisements and unlicensed practice matters, hold three (3) investigative inquiries, discuss disciplinary matters arising from the CE audit, 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 regularly scheduled meeting is for **April 22, 2010** at 9:00 am in the Hudson Room.

Respectfully submitted,

Lawrence DeMarzo, Deputy Director
Division of Consumer Affairs