

**# 569 MEETING OF THE STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS -MINUTES - JUNE 24, 2010**

The Minutes of the June 24, 2010 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on ***July 22, 2010.***

The notice of the June 24, 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 June 24, 2010 was called to order at 9:00 am with the following Members in attendance:

Peter Voros, Chairman

Michael L. Sestanovich, Secretary

Michael K. Maloney, Vice-Chairman

Donald Dileo

Robert B. Reeve

James McManus, Jr., Paul N. Bontempo and Adam J. Sabath 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, Liz Moritz, Administrator, NJSLMP

Thonas Walsh, LMP # 7854

Joanne Bryant, Class Act Court Reporters

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 ~ MAY 27, 2010

A motion was made by Michael Maloney and seconded by Donald Dileo to approve the minutes of the May 27, 2010 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 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. REQUEST FOR REINSTATEMENT
STEVEN VAN SANTEN, EXPIRED LMP # 9471
Expiration June 30, 2001

Mr. Van Santen corresponded in his letter of June 7, 2010 seeking the reinstatement of his Master Plumber's license, stating the reasons for its expiration and advising the Board of his intentions with his reinstated license.

STEVEN VAN SANTEN, EXPIRED LMP # 9471

Continued

Subsequent to a discussion on June 24, 2010, the Board concluded in a motion made by Donald Dileo and seconded by Robert Reeve, that the expired licensee 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**, which 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.

2. REQUEST FOR REINSTATEMENT
DAVID RYAN, EXPIRED LMP # 10563
Expiration June 30, 2001

Mr. Ryan submitted a letter dated June 12, 2010, stating the reasons for his expired license and requesting reinstatement.

Subsequent to a discussion of this matter on June 24, 2010, the Board concluded in a motion made by Donald Dileo and seconded by Robert Reeve, that the expired licensee 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**, which 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:

DAVID RYAN, EXPIRED LMP # 10563

Continued

- 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.

3. MARK TRIMBLE, LMP # 751 *Reporting compliance with the FINAL ORDER OF DISCIPLINE FILED 12-18-2008*

Recusal: Board Member Michael Maloney recused himself from participation in this matter.

Correspondence dated May 15, 2010 was received from Christine M. Gravelle, Attorney for Mark Trimble, which details recent restitution checks forwarded by Ms. Gravelle’s trust account to the three (3) respective consumers named in this action. Such payments are required in the terms of this filed order, and are made a part of the licensee’s file.

This month’s payments include: the sum of \$372.81 to consumer Ken Outlaw; a payment of \$290.61 to consumer John Wiacek; and a payment of \$86.58 David Stevens. On June 24, 2010, the Board acknowledged these payments.

4. **DISCIPLINARY ACTIONS**
BRIAN J. TAYLOR, SUSPENDED - LMP # 9187
IN THE MATTER OF THE APPLICATION FOR A PLUMBING LICENSE IN THE
STATE OF NEW JERSEY - CONSENT ORDER FILED 4-5-2010

On June 24, 2010, the Board proceeded into Executive Closed Session to discuss Mr. Taylor’s appeal dated May 13, 2010 on the terms of the filed Consent Order. The Board returned to Open Session, in a motion was made by Michael Maloney and seconded by Robert Reeve, to deny Mr. Taylor’s request for appeal. His first requirement is due on July 1, 2010, and he is obligated to fulfill the terms of that order. A vote was taken and the motion unanimously passed.

Page 5 6-24-2010

5. INQUIRY FROM PAMELA FAUST

QUESTIONS RE PLUMBING WORK, REPAIRS AND CODE ISSUES
E MAIL DATED JUNE 2, 2010

On June 24, 2010, the Board responded to the issues of Ms. Faust's inquiry. Correspondence will be sent to Ms. Faust.

6. *Offer(s) of Settlement assessing \$2,500 fines for*

**UNLICENSED ENTITIES: ADVERTISING PLUMBING SERVICES
NEWS ARTICLES, INTERNET ADS: CRAIGS LIST, NEWSPAPERS, ETC.
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. **Responses reviewed in Executive Closed Session.***

Offer of Settlement assessing \$2,500 fines
7. **NEW JERSEY STATE LEAGUE OF MASTER PLUMBERS, COMPLAINANTS**

TONY BRANDO, LLC, t/a "The Handyman Can!" - UNLICENSED
"Plumbing, install appliances, all types of repairs licensed and insured.."
File id # 65698

The Board modified the Offer of Settlement letter in this matter and reduced the penalty to \$1,500. Mr. Brando agreed to a payment arrangement with the first scheduled payment of \$300 made on June 7, 2010, and the balance of \$200 per month for six (6) months.

Offer of Settlement assessing \$2,500 fines....

NEW JERSEY STATE LEAGUE OF MASTER PLUMBERS, COMPLAINANTS
NORTHERN HEATING AND COOLING - UNLICENSED
MICHAEL E. IARRAPINO, OWNER
737 NEW DURHAM ROAD, EDISON, NJ 08817
FILE ID # 65819

Full penalty payment of \$2,500 was made on May 17, 2010

8. **CONTINUING EDUCATION REQUIREMENTS (5) hrs.**
JULY 1, 2011 - JUNE 30, 2013 BIENNIAL RENEWAL
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

Notice of Continuing Education Topics
N.J.A.C. 13:32-6.1
NEW JERSEY REGISTER at NJR 1092c

On June 24, 2010, the Board acknowledged the publishing of these topics and noted that Instructors and Sponsors may refer to this Notice for developing course outlines.

9. **CONTINUING EDUCATION REQUIREMENTS (5) hrs.**
JULY 1, 2011 - JUNE 30, 2013 BIENNIAL RENEWAL

LOIS D'APUZZO, DIRECTOR
THE INSTITUTE FOR CONTINUING EDUCATION
Correspondence dated June 16, 2010
Phil Cheff, Instructor - *Request to continue as CE sponsor*

On June 24, 2010, the Board reviewed and approved this sponsor of continuing education in a motion made by Donald Dileo and seconded by Michael Maloney; however, provided that they incorporate the New Jersey Plumbing Regulations N.J.A.C. 13:32, in their course outline and send a corrected course outline.

A vote was taken and the motion unanimously passed.

10. CONTINUING EDUCATION REQUIREMENTS (5) hrs.
 JULY 1, 2011 - JUNE 30, 2013 BIENNIAL RENEWAL
NEW JERSEY STATE LEAGUE OF MASTER PLUMBERS, INC.

Richard L. Perfetti	LMP # 4663	CE Instructor	#16
Stephen C. Rodzinak	LMP # 6761	CE Instructor	#72
Michael Faraone	LMP # 6421	CE Instructor	#91
Steve Rickershauser	LMP # 7383	CE Instructor	#92
Wayne Shelton	LMP # 6718	CE Instructor	#63
Julius Lembo	LMP # 6013	CE Instructor	#73
David Weinfeldt	LMP # 11772	CE Instructor	#78
Frank Czeronka	LMP # 11848	CE Instructor	#82
Anthony Cacciotti	LMP # 11191	CE Instructor	#88
Thomas Walsh	LMP # 7854	CE Instructor	#89

Correspondence dated June 1, 2010 - TRADE SHOW CONVENTION
Request to increase class sizes

On June 24, 2010, the Board discussed this matter and in a motion made by Robert Reeve and seconded by Donald Dileo, approved the increase of attendees only for the trade show.

Members noted that N.J.A.C. 13:32-6.2(g) states that a continuing education class shall consist of no more than 50 people, and therefore, denied the request to increase any class size beyond 50 licensees for routine CE classes.

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, unlicensed advertisements and unlicensed practice matters, hold one (1) investigative inquiry, 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 **July 22, 2010** at 9:00 am in the Hudson Room.

Respectfully submitted,

Lawrence DeMarzo, Deputy Director
Division of Consumer Affairs