

**#481 MEETING OF THE
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
- July 25, 2002**

The Minutes of the July 25, 2002, Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on August 22, 2002.

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 July 25, 2002, was called to order at 9:00 a.m. The following Board Members were present:

Ralph Wetzel, Chairman

Alexander J. Tucciarone, Vice-Chairman

Margaret Sieb, Secretary

James Moore

Ernest Tretola

Board Member Mark McManus was absent.

*The vacancy remains for a **State Member** on the Board, which position was formerly held by Board Member Michael Baier, who resigned on January 11, 2002.*

*Recently appointed Board Member Peter J. Mc Donough Jr., Public Member, was **not** in attendance on July 25, 2002.*

*A vacancy also remains for a **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 3:30 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, CEP Associates, Instructors of Continuing Education

Jim Miller, New Jersey State League of Master Plumbers (NJSLMP)

Charles T. Reiners, NJSLMP

Linda C. Pinho, Rizman Rappaport Court Reporters

Phil Cheff, CE Instructor and Licensed Master Plumber # 5525

APPROVAL OF THE MINUTES - JUNE 27, 2002, MTG.

A motion was made by James Moore and seconded by Alexander Tucciarone to approve the Minutes of the June 27, 2002, meeting. A vote was taken and the motion unanimously passed.

1. CONTINUING EDUCATION IN ADVANCE OF THE 2003-2005 MASTER PLUMBER'S BIENNIAL RENEWAL/ CE REQUIREMENT - COURSES TAKEN DURING PERIOD 2001-2003

The Board continues to review the resumes and course outlines of those who have expressed interest in teaching Continuing Education (CE) for the 2003-2005 biennial and who have requested to be scheduled for either initial approval or re-approval as CE Instructors.

The following individuals submitted resumes and course outlines for the Board's consideration and were present on July 25, 2002:

JOSEPH P. KEMPKER... (re-approval)
229 Sharon Drive, Toms River, NJ 08753 - tel # 732-349-3193
Instructor # 64

Coordinating with Mr. Kempker...
GARY SWIRCZYNSKI, LMP # 6046, (initial approval)
Plumbing Subcode, Berkeley Township

On July 25, 2002, Messrs. Kempker and Swirczynski advised Board Members that they will be teaching CE as a team, and that they will both be present during their CE courses.

Subsequent to a brief discussion, a motion was made by Alexander Tucciarone and seconded by James Moore, that Mr. Kempker be re-approved as a CE Instructor, and that Gary Swirczynski be approved for the first time, as a CE Instructor. The course outline submitted by Messrs. Kempker and Swirczynski was also approved.

A vote was taken and the motion unanimously passed.

2. New Jersey State League of Master Plumbers, Inc.
James C. Miller, LMP # 9743
10 Ray Avenue
Ringwood, NJ 07456
973-728-8080
Instructor # 12

Mr. Miller corresponded with Members of the Board on behalf of the New Jersey State League of Master Plumbers, Inc., in his (undated) letter received at the Board Office on June 27, 2002. James Miller was present to seek his own re-approval for teaching CE, as well as to obtain re-approval on behalf of the following (6) six individuals from his CE group:

Edward Feldman, LMP # 343
7-09 Park Avenue
Fair Lawn, NJ 07410
201-797-6423
Instructor # 21

Frank Rizzo, LMP # 6854
1144 East Oak Road
Vineland, NJ 08360
856-691-3612
Instructor # 22

Peter Voros, LMP # 8971
P.O. Box 789
440A Route 40
Elmer, NJ 08318
856-358-8605
Instructor # 23

James Sauro, LMP # 7019
457 Taylor Avenue
Vineland, NJ 08360
856-692-4977
Instructor # 24

Stephen R. Copeland, LMP # 8817
2710 Delsea Drive
Franklinville, NJ 08322
856-694-2875
Instructor # 40

Wayne Shelton, LMP # 6718
512 Ireland Avenue
Millville, NJ 08332
856-327-1196
Instructor #63

Note ~
Initial approval was requested for:
Julius Lembo, LMP # 6013
67 Newbury Road
Howell, NJ 07731
732-985-8698

Mr. Lembo was invited to attend this meeting; however, he was not present.

On July 25, 2002, subsequent to a discussion among Board Members and James Miller, the following motion was made by Alexander Tucciarone and seconded by James Moore to re-approve each of the above individuals to instruct CE for this period (with the exception of Julius Lembo). The course outline submitted by the State League was also approved.

It is noted that Julius Lembo must notify the Board of his plans to schedule another appointment with the Board for consideration of his initial approval.

A vote was taken and the motion unanimously passed.

3. PHILIP J. CHEFF, LMP # 5525
THE INSTITUTE FOR CONTINUING EDUCATION
7 Spielman Road, Fairfield, NJ 07004, Instructor # 15

Mr. Cheff addressed a letter to the Board dated June 26, 2002, seeking re-approval to teach Continuing Education. Mr.

Cheff also submitted an updated resume with his course outline, and attended the July 25, 2002, meeting of the Board.

Mr. Cheff explained that he also holds a Master Plumber's License, # 5525, but maintains his license in an inactive status since he is a plumbing subcode official, and chooses to avoid any conflict of interest within the plumbing trade.

Ms. Lois Hammer, owner of the Institute for Continuing Education, accompanied Mr. Cheff.

Following a review of Mr. Cheff's resume and course outline, a motion was made by Alexander Tucciarone and seconded by James Moore, re-approving Mr. Cheff to teach CE for the next biennial period and approving his course outline.

A vote was taken and the motion unanimously passed.

**4. REQUEST FOR REINSTATEMENT OF LICENSURE ~
PASQUALE FICHERA,
FORMER LICENSED MASTER PLUMBER # 5134**

FAILED TO RENEW FOR 1999-2001; 2001-2003

Mr. Fichera submitted correspondence to the Board dated June 27, 2002, concerning his ill health and requesting that the Board consider his request for the reinstatement of his Master Plumber's license.

A copy of a Continuing Education certificate also accompanied Mr. Fichera's letter to the Board.

On July 25, 2002, a motion was made by James Moore and seconded by Alexander Tucciarone, to approve Mr. Fichera's reinstatement of licensure with payment of the necessary renewal fees and the reinstatement fee. Mr. Fichera had already completed his requirement for attendance at a CE course for the 2001-2003 biennial renewal period.

A vote was taken and the motion unanimously passed.

**5. INQUIRY OF LICENSEE CONCERNING
BOARD OF EDUCATION SPECIFICATIONS,
PT. PLEASANT, NEW JERSEY**

**JERRY W. SCHAFETZ, LMP # 9097
T/A SMS ELECTRICAL AND PLUMBING**

Licensee Schafetz addressed correspondence to the Board dated June 17, 2002, questioning whether or not two (2) specific areas of workmanship require the services of a Licensed Master Plumber, for this project.

The licensee's letter was provided for the Board; however, the "specification" document was not sent with the Agenda, but afforded the Board at the July 25, 2002, meeting.

On July 25, 2002, Board Members held a discussion of this matter. Board Member Alexander Tucciarone (Licensed Master Plumber and Inspector Member) confirmed several of the code requirements of the Department of Community Affairs which pertained to this inquiry. The Board then concluded as follows:

(A) Permits are required for plumbing on all school work;

(B) All plumbing work must comply with Uniform Construction Code (UCC) requirements and pass required local inspections;

(C) With respect to private schools, a Licensed Master Plumber must perform all plumbing work within the school; however, there is no requirement for a Licensed Master Plumber to perform the plumbing work in New Jersey's public school system;

(D) Mr. Schafetz should pursue this matter further with the Department of Community Affairs, Trenton, NJ, 609-984-7607.

**6. MITCHEL HUDES, UNLICENSED
PAYMENT OF \$1,100 CONSUMER RESTITUTION
PAYMENT OF \$900 PENALTY
SIGNED CEASE AND DESIST
PAID STENOGRAPHIC COSTS ~ \$200**

On June 14, 2002, Check No. 0123, in the amount of \$200, was submitted to the Board Office from Patricia Hudes in the payment of stenographic costs assessed during Mr. Hudes testimony.

The issues concerning this matter are fully rectified and the file is now closed.

**7. DEPARTMENT OF COMMUNITY AFFAIRS (DCA)
DIVISION OF CODES AND STANDARDS
MEMORANDUM OF MEGAN K. SULLIVAN DTD. 6/18/02**

Ms. Sullivan provided the approved minutes of the Code Advisory Board meeting of April 19, 2002. Board Member Alexander Tucciarone advised Board Members that he was in attendance at that meeting of the DCA.

NOT ON THE PUBLISHED AGENDA

**SCOPE OF PRACTICE REGULATION
also known as TEN GRAY AREAS**

On July 25, 2002, Board Member Alexander Tucciarone reiterated that the Department of Community Affairs in Trenton, NJ, continues to express their interest in the status of the Ten Gray Areas regulation.

Board Members held a discussion with DAG Lapola and confirmed that this item is a regulation sought by both the Board and the DCA for many years.

The Board requested that DAG Lapola proceed to issue a memorandum to DAG August T. Lembo, the Division of Law, and the Attorney General's Office to establish the status of this regulation within the adoption process.

NOT ON THE PUBLISHED AGENDA

**BOARD MEMBER ALEXANDER TUCCIARONE
REPORTS ON THE 2003 PLUMBING CODE**

On July 25, 2002, Alexander Tucciarone, the Board's Inspector Member, reported that public hearings are planned for August 15, 16, and 17, 2002, for the State's vote on either adopting or rejecting the new code changes.

Mr. Tucciarone advised that he will keep the Board informed of the developments in the adoption of the code.

OPEN PUBLIC RECORDS ACT

Effective Monday, July 8, 2002
Executive Order #21, Governor James E. McGreevey

Executive Director Barbara A. Cook conducted a brief discussion concerning the recent adoption of the Open Public Records Act (OPRA) and its impact on the policies of professional Boards, more specifically, its affect on the records maintained at the Board Office.

Ms. Cook commented that past Board Office practice had released the names and addresses of licensees, candidates, and new licensees to several outlets, including bonding companies, preparatory course instructors, and CE Instructors. However, as Ms. Cook explained, such a procedure is no longer possible within the realm of the new OPRA.

The Executive Director further advised the public and Board Members present that regulations are presently being promulgated for OPRA, signed by the Governor's Executive Order # 21; nevertheless, compliance with this new Law must be in full force, such that the home address of any candidate, applicant, or licensee of the Board shall not be disclosed by this agency. Ms. Cook also explained that OPRA safeguards for private information such as Social Security Numbers, driver's license numbers and telephone numbers.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by James Moore and seconded by Alexander Tucciarone to proceed into Executive Closed Session to review one administrative closing of a consumer complaint and (11) eleven pending consumer complaint matters; for consideration of investigation of possible violations of applicable law, pending or anticipated litigation, matters under investigation; review matters within the attorney-client relationship exception to the Open Public Meetings Act, and to conduct two (2) investigative inquiries. 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, August 22, 2002, at 9:00 a.m. in the Hudson Room.

Respectfully submitted,

Barbara A. Cook
Executive Director

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of Master Plumbers](#)

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Posted September 2002