

**#527 MEETING OF THE STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS --SEPTEMBER 28, 2006 - MINUTES**

The Minutes of the September 28, 2006 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on October 26, 2006.

The notice of the September 28, 2006 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 in Trenton, New Jersey.

The Board Meeting of September 28, 2006 was called to order at 9:00 am with the following Members in attendance:

Mark McManus, Chairman

Ralph Wetzel, Vice-Chairman

Peter I. Voros

Michael K. Maloney

Michael L. Sestanovich

Paul N. Bontempo

Donald Dileo

Adam J. Sabath was absent from this meeting.

As of this Board meeting date, there is one (1) Board member vacancy for a Public Member. That position was formerly held by Board Member Margaret Sieb who resigned on December 15, 2005.

Others in attendance:

The following individuals were in attendance 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 Joseph A. Donofrio

PUBLIC SESSION VISITORS:

Bill Stepler, CEP Associates

Thomas F. Walsh, Licensed Master Plumber # 7854,

Plumbing Subcode Official, Township of East Brunswick, and Member of New Jersey State League of Master Plumbers (NJSLMP)

Charles Reiners, LMP #1105/ Instructor of CE

Frank Rizzo, LMP #6854/ NJSLMP Member

Anthony Cacciotti, LMP # 11191/ Member, NJSLMP

Elizabeth Moritz, Administrator, NJSLMP

Ms. Moritz presented documentation for Board review concerning violations of existing New Jersey Plumbing Statutes and Regulations with regard to advertising requirements.

PLEDGE OF ALLEGIANCE to the FLAG

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

APPROVAL OF THE MINUTES ~ JULY 27, 2006 MEETING

A motion was made by Ralph Wetzel and seconded by Donald Dileo to approve the minutes of the July 27, 2006 meeting. A vote was taken and the motion unanimously passed.

BOARD BUSINESS

PRESENT BOARD MEMBERS - &- CAPACITIES

MARK MC MANUS ~ CHAIRMAN, JOURNEYMAN PLUMBER

RALPH WETZEL ~ VICE-CHAIRMAN ~ MASTER PLUMBER MEMBER

MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER

MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER

DONALD B. DILEO ~ PUBLIC MEMBER

PAUL N. BONTEMPO - PUBLIC MEMBER

ADAM J. SABATH ~ STATE MEMBER - CHIEF OF STAFF
TO SENATE PRESIDENT RICHARD J. CODEY

IN ADVANCE OF THE 2007-2009 MASTER PLUMBER'S BIENNIAL RENEWAL/ CE REQUIREMENT - COURSES TAKEN DURING PERIOD 2005-2007

On September 28, 2006, the State Board of Examiners of Master Plumbers reviewed the resumes and course outlines of those who have expressed interest in teaching Continuing Education (CE) for the 2007-2009 biennial, and who have been scheduled for initial approval or re-approval.

Those seeking re-approval are not required to appear at the Board's meeting.

REQUEST(S) FOR RE-APPROVALS... ÿ

1. CHARLES T. REINERS, LMP #1105
309 FYCKE LANE, TEANECK, NJ 07666
CE INSTRUCTOR # 48

E-MAIL CREINERST2@AOL.COM TEL# 201-836-4658

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Ralph Wetzel and seconded by Donald Dileo to approve this sponsor and his course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

2. THOMAS WILLIAM PANGALDI, LMP # 5536
103 WINDMERE COURT, YARDVILLE, NJ 08620
CE INSTRUCTOR # 20

E-MAIL: TRENTONTON@COMCAST.NET TEL# 609-298-9618

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Donald Dileo and seconded by Ralph Wetzel to approve this sponsor and his course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

3. DAN O'GORMAN, LMP # 7656
10 ALBANY STREET, EDISON, NJ 08837
CE INSTRUCTOR # 11

E-MAIL DANOGORMAN@VERIZON.NET TEL# 732-661-1935

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Michael Maloney and seconded by Ralph Wetzel to approve this sponsor and his course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

4. DENISE VOORHEES, EXECUTIVE DIRECTOR ~
PLUMBING-HEATING-COOLING CONTRACTORS (PHCC)
ASSOCIATION OF NEW JERSEY
1305 MAPLE AVENUE, ROEBLING, NJ 08554

TEL# 609-499-8070
FAX# 609-499-8073
E-MAIL NJPHCCDENISE@AOL.COM

ROBERT MULLER LMP # 7053 INSTRUCTOR #46
ROBERT KORDULAK LMP # 2280 INSTRUCTOR # 66
THOMAS PITCHERELLO {lmp # n/a} INSTRUCTOR # 19
THOMAS PANGALDI LMP # 5536 INSTRUCTOR # 20

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Paul Bontempo and seconded by Peter Voros to approve this sponsor and their course outline for CE instruction of the 2007-2009 biennial requirements contingent upon their providing a course outline. A vote was taken and the motion unanimously passed.

5. THOMAS C. PITCHERELLO
17 OAK AVENUE, BORDENTOWN, NJ 08505
CE INSTRUCTOR # 19

TEL# 609-298-7385
EMAIL TPTCH1017@AOL.COM

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Ralph Wetzel and seconded by Donald Dileo to approve this sponsor and his course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

6. FRANK RIZZO, LMP # 6854, New Jersey State League of
Master Plumbers, 1180 E. OAK ROAD, VINELAND, NJ 08360

Recusal Board Member Peter Voros recused himself from any participation in this approval matter since he is included in the group of instructors teaching CE.

Instructor(s)

FRANK RIZZO LMP # 6854 #22
JAMES MILLER LMP # 9743 #12
EDWARD FELDMAN LMP # 343 #21
PETER VOROS LMP # 8971 #23
JAMES SAURO LMP # 7019 #24
WAYNE SHELTON LMP# 6718 #63
STEPHEN RODZINAK LMP# 6761 #72
JULIUS LEMBO LMP # 6013 #73
RICHARD PERFETTI LMP # 4663 #16
WALTER EMERLE LMP # 11748 #77
DAVID WEINFELDT LMP # 11772 #78
FRANK CZERONKA LMP# 11848 #82

Adding new instructor:

ANTHONY CACCIOTTI Initial approval ~ Instructor # 88
TEL# 856-563-1800
FAX# 856-563-0088
EMAIL RIZZOPLG@AOL.COM

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Michael Maloney and seconded by Donald Dileo to approve this sponsor, their course outline and new instructor for the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

REQUEST FOR Initial approval

7. THOMAS F. WALSH, LMP # 7854
28 CLOVER HILL DRIVE
JACKSON, NJ 08527

{# MUST BE ASSIGNED}
TEL# 732-942-6472 - or- 732-390-6875
EMAIL PLUMBOY@PLUMBOY.NET

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Ralph Wetzel and seconded by Donald Dileo to approve this sponsor and his course outline for CE instruction of the 2007-2009 biennial requirements contingent upon his providing the proper course outline. A vote was taken and the motion unanimously passed.

8. THOMAS MC GONIGLE, LMP # 4586,
INSTRUCTOR # 18

WE TEACH ASSOCIATES
107 N. ANNAPOLIS AVE., ATLANTIC CITY NJ 08401

Teaching with: JAMES COTTON, LMP # 6831 ~ INSTRUCTOR # 17
TEL # 609-449-9056
FAX# 609-347-6437

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Ralph Wetzel and seconded by Paul Bontempo to approve this sponsor and their course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

9. STEPHEN C. RODZINAK, LMP # 6761
INSTRUCTOR # 72
to be assigned

821 LINCOLN AVE., MANVILLE, NJ 08835

Teaching with: RICHARD PERFETTI, LMP # 4663 ~ INSTRUCTOR # 16
TEL # 908-725-5991
FAX # 908-725-5991
EMAIL SRODZINAK@AOL.COM

On September 28, 2006, subsequent to a brief discussion, the following motion was made by Donald Dileo and seconded by Ralph Wetzel to approve this sponsor and their course outline for CE instruction of the 2007-2009 biennial requirements. A vote was taken and the motion unanimously passed.

10. MEDICAL GAS PIPING

PROPOSED AMENDMENTS: N.J.A.C. 13:32-5.1
PROPOSED NEW RULES: N.J.A.C. 13:32-7.1 - 7.7

On September 28, 2006, Charles Manning advised the Board that since its publication, this rule is in its (60) sixty day comment period. Any comments received at the Division or at the Board Office should be immediately forwarded to him.

REGULATORY MATTERS - UPDATE

11. Exemption to the Home Improvement Contractors (HIC) Registration

On September 28, 2006, Charles Manning advised the Board that during a review of this proposal at the Division of Law, questions were raised regarding work done by a Licensed Master Plumber that is not incidental to plumbing work, but which is performed during a "plumbing job." Mr. Manning addressed the Board and following a discussion, stated that he will return with new language for this proposal.

12. CONTINUING EDUCATION AUDIT

CONCLUSION OF AUDIT 2003-2005

The State Board of Examiners of Master Plumbers will continue to report on the conclusion of its audit of 2003-2005 CE requirements. Recent developments include:

(2) Two penalty payments totaling \$1,000 were received from licensee STEEVIE A HILL, LMP # 11106 for his violation of CE regulations during the 2003-2005 biennial. Check # 1220 dtd 7-15-2006, for \$500, and Check # 1226 dated 8-22-2006, for \$500 were submitted for payment. The penalty had been reduced by the Board on December 16, 2004 to \$3,500 since the licensee proved attendance at a CE makeup course held on May 22, 2004. Hill's balance due is now \$500.00.

Total 2003- 2005 AUDIT penalties collected:

Total 2003-2005 AUDIT costs collected:

These figures were updated September 18, 2006.

Release of audit letter for 2005-2007 Master Plumber's Renewal

CONTINUING EDUCATION AUDIT

A letter dated August 25, 2006 was released to a select group of active Master Plumbers requesting that

each participate in an audit of the 2005-2007 Continuing Education requirements. Approximately 200 letters were issued, and to date, many responses are forthcoming. The Board Office will continue to process the information and compile the results for the Board's review. Any disciplinary action will be reported in Open Public Session when available.

14. REQUEST FOR CONTINUANCE OF BUSINESS

PETER S. BROOKS, LMP # 5822 - DECEASED
formerly BROOKS MECHANICAL CONSULTANTS, INC.
{Pressure seal returned with certificate of death}

DENISE BROOKS, VICE PRESIDENT
JOHN FARISSIER, LMP # 5623, SUPERVISING BFR

Ms. Brooks advised in her letter dated July 28, 2006, that due to the sudden death of her husband, Peter Brooks, on July 17, 2006, their company was seeking a Continuance of Business for the entity known as Brooks Mechanical.

Licensee John Farissier, LMP # 5623, advised that he will serve as the bona fide representative for Brooks Mechanical during the six (6) month continuance, and submitted his letter dated September 14, 2006, formally pledging his responsibility to supervise this business for the interim period.

On September 28, 2006, a motion was made by Ralph Wetzel and seconded by Paul Bontempo to allow a six (6) month Continuance of Business as arranged by John Farissier and Denise Brooks. This continuance will end on January 17, 2007, and by that date, Brooks Mechanical must seek a registered bona fide representative or otherwise cease all plumbing operations. A letter will be issued accordingly.

A vote was taken and the motion unanimously passed.

15. DARLENE KANE, BUDGET OFFICER DIVISION OF CONSUMER AFFAIRS

MEMORANDUM OF JULY 17, 2006
DIVISION OF LAW BILLING

Ms. Kane submitted the Division of Law billing for the fourth quarter of Fiscal Year 2006. Board Member Ralph Wetzel suggested that the Board should continue, wherever appropriate, to assess penalties plus costs during its investigations to defray some of the Division of law billings.

16. ~ UNLICENSED PRACTICE ~

*Reporting (4th) and final penalty payment ~ @ \$1,000 dtd 7/31/2006 \$2,500 PENALTY - paid in FULL ÿ

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

In the Matter of:

ROBERT LEVIN, TA/ LL HEATING, UNLICENSED
UNLICENSED PRACTICE - OIL FIRED HOT WATER HEATER
NEGLIGENT HAZARDOUS CONDITIONS ~
plumbing services without proper permits and inspections

WORK SITE LOCATION @ CEDAR GARDEN APARTMENTS,
571 PLAZA TERRACE EAST, aka 1030 CEDAR BRIDGE RD, BRICK, NJ;
IMPROPER INSTALLATION CAUSING FIRE - BRICK FIRE DEPARTMENT

DANIEL NEWMAN, CONSTRUCTION OFFICIAL, 2964-UP-
COMPLAINANT

17. Barbara A. Cook, Executive Director, reserved a portion of Open Public Session to review some pending issues with the Board. Ms. Cook commented on some of the procedures in place at the Thomson Prometric test site for Master Plumber candidates, i.e. personal belongings, electronics. Ms. Cook also commented on the progress of the current 2005-2007 biennial audit, and noted that the attendance at CE for 2005-2007 has improved considerably since the last audit.

It is noted that applications for the Master Plumber's examination and Master Plumber's business registration forms are reviewed by Board Members during the course of each business meeting.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Donald Dileo and seconded by Ralph Wetzel to proceed into Executive Closed Session to review approximately eleven (11) consumer complaint matters, issues surrounding the CE audit, the DAG quarterly report, applicant criminal matters, and for consideration of investigation of possible violations of applicable law, pending or anticipated litigation, matters under investigation, 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 on Thursday, October 26, 2006, at 9:00 a.m. in the Hudson Room.

Respectfully submitted,

Barbara A. Cook
Executive Director