

**#484 MEETING OF THE
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
- OCTOBER 24, 2002**

The Minutes of the October 24, 2002, Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on November 21, 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 October 24, 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

Mark McManus

Board Member Ernest Tretola was absent.

At present, there are (3) Board Member vacancies. A vacancy remains for the State Member on the Board, which position was formerly held by Board Member Michael Baier, who resigned on January 11, 2002.

Board Member Peter J. Mc Donough, Jr. formally resigned his position in a letter to the Board dated September 5, 2002, creating a vacancy for a Public Member.

A vacancy remains for another 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 4:00 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, C.E.P. Associates

Charles Reiners, Licensed Master Plumber #1105

Brien McLaughlin, New Jersey State League of Master Plumbers

Jim Miller, New Jersey State League of Master Plumbers

PLEDGE OF ALLEGIANCE:

Chairman Ralph Wetzel led the Board in the Pledge of Allegiance to the Flag.

APPROVAL OF THE MINUTES - SEPTEMBER 26, 2002, MEETING

A motion was made by James Moore and seconded by Alexander Tucciarone to approve the Minutes of the September 26, 2002, meeting. A vote was taken and the motion unanimously passed.

BOARD BUSINESS

1. NOTICE OF PROPOSAL

N.J.A.C. 13:44B, PER DIEM COMPENSATION FOR MEMBERS OF PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS

The text of the proposed readoption as published in the October 7, 2002, New Jersey Register at 34 N.J.R. 3447(a) was provided to Board Members.

This notice of proposal was acknowledged without any formal comment.

2. SUNSET MATTERS

STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

Charles Manning, Regulatory Affairs, cooperated with Board Members concerning the regulations for the State Board of Examiners of Master Plumbers that were due to sunset on October 8, 2002.

On October 24, 2002, Chuck Manning met with the Board to finalize deleting subsections no longer applicable after November 2, 2002, concerning **Experience Requirements**, as outlined in N.J.A.C. 13:32-2.2.

After a brief discussion on October 24, 2002, a motion was made by Mark McManus and seconded by Alexander Tucciarone to *formally delete subsections no longer applicable after* November 2, 2002, concerning **Experience Requirements**, in N.J.A.C. 13:32-2.2.

A vote was taken and the motion unanimously passed.

Mr. Manning anticipated that the Master Plumbers' regulations will be published as a proposal in the New Jersey Register on *Monday, November 4, 2002*.

NOT ON THE PUBLISHED AGENDA

N.J.A.C. 13:32-2.1 "ELIGIBILITY FOR EXAMINATIONS" DRAFT

PRESENTED OCTOBER 24, 2002 CHARLES MANNING, REGULATORY AFFAIRS

At present, Eligibility for examinations, N.J.A.C. 13:32-2.1(c) states:

"After the Board has reviewed the information required, the Board shall send a letter that informs the applicant whether he or she is eligible to take the licensing examination required by N.J.A.C. 13:32-2.4, and, if deemed eligible, (advises) the time and place of examination."

On October 24, 2002, Charles Manning provided Board Members with a copy of a draft pertaining to regulation, N.J.A.C. 13:32-2.1, that *adds (d)*, which states:

"If an applicant does not pass the licensing examination within (5) years of receiving a letter pursuant to (c) above, the applicant shall reapply for approval to take the plumbing licensing examination pursuant to (a) and (b)."

On October 24, 2002, Board Members agreed with Executive Director Barbara A. Cook that adding (d) to this regulation and implementing such a change will create a purge of the many applications maintained on file at the Board Office and activate those applicant files that have been dormant for several years.

Subsequent to a brief discussion, a motion was made by Mark McManus and seconded by Alexander Tucciarone, to approve the changes to N.J.A.C. 13:32-2.1, by *adding (d)*, outlined above.

A vote was taken and the motion unanimously passed.

3. Barbara A. Cook, Executive Director, advised Board Members that efforts are underway by Staff within the Board Office to process all applications received for the Master Plumber's examination in line with the approaching deadline of November 1, 2002.

Ms. Cook reiterated that the qualifications do change commencing November 2, 2002, for applicants seeking approval for the Master Plumber's examination, whereby applicants may only qualify to take the examination if he/she has either:

(A) Successfully completed a four (4) year accredited apprenticeship program, approved by both the U.S. Department of Labor and a federally certified state agency, and gained one additional year of experience working as a journeyman plumber; or,

(B) Obtained a bachelor's degree in mechanical, plumbing, or sanitary engineering from a college or university accredited by a regional accreditation agency recognized by the Council on Post-Secondary Accreditation or the United States Department of Education, with one full year of practical hands-on experience as a journeyman plumber.

The Executive Director explained that the testing service, Experior Assessments, cooperated with her in developing a second test date in November, namely Tuesday, November 12, 2002, in order to accommodate the influx of many testing applicants.

With respect to Master Plumber's examination test results, Ms. Cook explained that she has the capability to expedite these test results to Board Members by e-mail, once they are provided to her.

Ms. Cook further explained that there are some 1,300 files of applicants who have been approved as candidates for the Master Plumber's examination, but who have neglected to complete the testing process to gain licensure.

Ms. Cook advised Board Members that the issue of dormant applicant files is contemplated in the development of a regulation that will implement a procedure for applicants and impose a time restriction for the testing process (as outlined above in the matter presented by Charles Manning).

4. INQUIRY OF MICHAEL GILL, OWNER MANO MOBILE HOME SERVICE, LETTER OF SEPTEMBER 9, 2002

Mr. Gill submitted an inquiry to the Board concerning plumbing licenses and questioned any requirements for plumbing work on recreational vehicles.

On October 24, 2002, Alexander Tucciarone, the Board's Inspector Member, explained that these vehicles are built according to Canadian standards, and confirmed for other Members that the issue raised by Mr. Gill is not within the jurisdiction of the Board.

DISCIPLINARY ACTIONS

5. ROBERT NAIBERT, UNLICENSED OFFER OF SETTLEMENT PENALTIES AND COSTS PAID IN FULL ON SEPTEMBER 10, 2002

\$500 PENALTY - \$150 STENOGRAPHIC COSTS

RENOVATION OF DELI INSTALLATION OF HAND SINK; CODE VIOLATIONS; DRAIN/FIXTURE VALVES; UCC NEW JERSEY NOTICE AND ORDER OF PENALTY DTD. 2/11/00

UNLICENSED PRACTICE OF PLUMBING VIOLATION OF N.J.S.A. 45:14C-12.3 - INVESTIGATIVE INQUIRY 6-28-01; DANIEL NEWMAN, BRICK, NJ, PLUMBING INSPECTOR/ COMPLAINANT CEASE AND DESIST SIGNED 9-10-02

6. GEORGE OLSZEWSKI, UNLICENSED, T/A JET SERVICES OFFER OF SETTLEMENT \$7,500 PENALTY AND \$180.45 COSTS ASSESSED

ON SEPT. 16, 2002 PAID \$5000 *PENALTY PAYMENT & \$180.45 COSTS

Note: Balance due on penalty is \$2,500

A.F. MORRIS EARLY CHILDHOOD CENTER QUESTIONABLE AFFILIATION WITH JOB SITE; UNLICENSED PRACTICE OF PLUMBING - VIOLATION OF N.J.S.A. 45:14C-12.3 - INVESTIGATIVE INQUIRY - 2-28-01 CEASE AND DESIST SIGNED 7-08-02

DISCIPLINARY ACTIONS

7. DANIEL HERNANDEZ, LICENSED MASTER PLUMBER # 9534

SEPTEMBER 3, 2002, LETTER RETURNING HIS MASTER PLUMBER'S PRESSURE SEAL (OBTAINED THROUGH AN OUTSIDE VENDOR) & PAYMENT OF \$40 TOWARD *PURCHASE OF A NEW SEAL* /BD VENDOR

PAYMENT OF \$1000 FOR PENALTY

PAID IN FULL (NO INVESTIGATIVE INQUIRY WARRANTED)

VIOLATION: INSUFFICIENTLY GUARDING OF HIS PRESSURE SEAL IN ACCORDANCE WITH N.J.A.C. 13:32-4.1 REQUIREMENT OF PRESSURE SEAL; PENALTIES FOR MISUSE; RETURN OF PRESSURE SEAL

VIOLATION: N.J.A.C. 13:32-4.1 (d) A LICENSEE WHO WILLFULLY OR NEGLIGENTLY ALLOWS AN UNLICENSED AND UNAUTHORIZED PERSON TO USE HIS/HER SEAL SHALL BE SUBJECT TO SUCH PENALTIES AND SANCTIONS AS SHALL BE IMPOSED BY THE BOARD PURSUANT TO AUTHORITY GRANTED BY N.J.S.A. 45:14C-1 and 45:1-14 et seq.

NOT ON THE PUBLISHED AGENDA ~

REQUEST FOR A "PLUMBING INVESTIGATOR"

A letter dated October 23, 2002, was addressed to the Board from Member Mark McManus, formally requesting that an investigator be hired and assigned to examining cases and assisting the Board for files possibly on both plumbing and electrical matters.

Executive Director Barbara A. Cook explained that the matter of hiring such an investigator to service these Boards in this manner is a topic that requires further discussion. Ms. Cook advised that she will consider this request, explore the issues concerning the staffing of such an investigator, and will return to the Board with her findings.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by James Moore and seconded by Margaret Sieb to proceed into Executive Closed Session to review three (3) administrative closings of consumer complaints and (14) fourteen 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. (No investigative inquiries were scheduled for this meeting). 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, November 21, 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 February 2003