

**#507 MEETING OF THE STATE BOARD OF EXAMINERS  
OF MASTER PLUMBERS - NOVEMBER 18, 2004  
Public Session Minutes**

The Minutes of the November 18, 2004 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on December 16, 2004.

The notice of the November 18, 2004 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 November 18, 2004 was called to order at 9:00 a.m. The following Board Members were in attendance:

Alexander J. Tucciarone, Chairman

Ernest Tretola Vice-Chairman

Margaret Sieb, Secretary

Ralph Wetzel

James Moore

Mark McManus

At present, there are (3) three 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 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 served as counseling deputy.

**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, LMP # 1105

**PLEDGE OF ALLEGIANCE:**

Chairman Alexander Tucciarone led the Board in the Pledge of Allegiance to the Flag. Mr. Tucciarone also requested that the Board join in a moment of silence in recognition of U.S. troops serving our country.

APPROVAL OF THE MINUTES ~ OCTOBER 28, 2004

A motion was made by James Moore and seconded by Ralph Wetzel to approve the Minutes of the October 28, 2004, meeting. A vote was taken and the motion unanimously passed.

CONTINUING EDUCATION AUDIT

**1. CONCLUSION OF AUDIT  
MARCH 25, 2004 - NOVEMBER 18, 2004**

The State Board of Examiners of Master Plumbers has been reporting on its audit of the 2003-2005 five (5) hour CE biennial renewal requirement by providing all disciplinary statistics in Open Public Session since the March 25, 2004 meeting.

As a result of the CE disciplinary actions issued to date, the Board has collected civil penalties totaling \*\$53,000.00, and stenographic costs in the amount of \*\$591.92, based solely on the audit of 460 randomly selected Licensed Master Plumbers.

Further actions are anticipated. Disciplinary Actions concerning licensees may be obtained by contacting the Board Office at 973-504-6420 or visiting the Board at [www.njconsumeraffairs.org](http://www.njconsumeraffairs.org). {updated 11/08/04}

At this juncture, it was noted that the Board will conclude the reporting on this audit by listing only those licensees whose actions remain PENDING.

The Agenda of November 18, 2004, included additional cost and penalty monies received since the last Board meeting on October 28, 2004.

This section addressed those remaining licensees who have not satisfied the terms of their CE disciplinary actions issued by the Board.

The Board noted that they will continue to report all further penalties and actions on future Agendas until all CE licensee files are closed.

Reporting for update information only ~

(A) "Unacceptable Response" category ~ UNPAID \$500 PENALTY

**ACTION:** Provisional Orders will be issued to below licensees assessing additional penalties:

license_no	LICENSEE	UPL SATISFIED	MAKEUP CE DT	\$500 DT PD	EXPL UPL DENIED	TIMELY DATE
36BI00396300	CHRISTOPHER ROBERT C	No				
36BI00291600	DE ANGELO ROBERT A	No	03/22/04	hearing*	4/22/2004	
36BI00028700	GAHM RONALD J	DISMISS UPL				03/08/03 ok coo
36BI00548800	JORSKI JOSEPH J	No				
	MIDDLETON JR,					

36BI00702600	FELDMAN	No	04/19/04			
36BI00329400	MONTON JAMES N	DISMISS UPL				04/26/03 ok
36BI00950200	PTAKIWICZ JACOB	No				
36BI01060000	ROSEN	No	03/27/04			

(B) "WENT LATE" to CE when audited ~ UNPAID \$250 PENALTY

ACTION: Provisional Orders will be issued to below licensees assessing additional penalties:

lic #	LICENSEE	LATE DATE	DID IT LATE	\$250 PENALTY PD
36BI00665800	ALU, RUSSELL	2 /21/04	Yes	No
36BI00024100	GRUNFELD JOSEPH	01/16/04	Yes	No
36BI00783500	JOHNSON RANDOLPH L	02/19/04	Yes	No
36BI00707300	NEMRI, JOHN	12/10/03	Yes	No
36BI00996400	SOREY, MARK T	12/15/03	Yes	No

(C) Category "Certified Mail Unclaimed" Licensees below were issued FINAL ORDERS with penalties and a deadline by which to respond to avoid suspension. ACTION: Correspondence will issue to obtain plumbing seals and impose additional suspensions.

license_no	licensee	CLOSED	FINAL FILED	ORDER	ACTION
36BI00703800	ABRAHAM, JOHN	No	7/22/2004		SUSPENDED
36BI01169400	Andahazy, Thomas G	No	7/22/2004		
36BI00331100	CINEGE SR, NEIL A	No	7/22/2004		SUSPENDED
36BI00480400	CUMMINS JR, ARTHUR F	No	7/22/2004		
36BI00084000	DE BARO, GERALD	No	7/22/2004		SUSPENDED
36BI00186300	EAGER, PHILIP E	No	7/22/2004		
36BI00172300	FIORITO, JOSEPH J	No	7/22/2004		
36BI00702700	HOLLOWAY, WILLIAM A	No	7/22/2004		
36BI00832700	LEVISAY, ROY A	No			
36BI00256100	MONTO, ROCCO R	No	7/22/2004		
36BI00960700	PARIN, ROBERT	No	7/22/2004		SUSPENDED

36BI00512400	PAUTLER JR, CHARLES M	No	7/22/2004	SUSPENDED
36BI00995700	SCARDILLI JR, RICHARD K	No	7/22/2004	partial payment
36BI00943700	STRATTON II, SAMUEL N	No	7/22/2004	SUSPENDED
36BI00354200	THUNELL JR, JOHN J	No	7/22/2004	SUSPENDED
36BI01003000	WIKFORS, KEVIN J	No	7/22/2004	*PD \$150 OCTOBER 11,2004

(D) Category "Investigative Inquiry group May 4, 2004" Defaulted on PODs -or- Consent Orders

ACTION: These POD matters (ÿ) are scheduled for Prosecuting and Counseling Deputies to review with the Board on December 16, 2004: {The Consent Order files must also be re-scheduled.}

LIC. #	LICENSEE	CLOSED	\$4,000 POD FILED	CONSENT ORDER ISSUED	PENALTY PD
36BI01172500	ALBERTI, JASON A.	No	5/27/2004	No	
36BI00700000	CONROY, MICHAEL A	No		Yes	
36BI00976700	DE BIASSE, STEPHEN J		No		No
36BI00930700	DI VINCENT MICHAEL	No	5/26/2004	No	
36BI00966900	FISHER, STEVEN R	No		Yes	
36BI01110600	HILL, STEVE	No	5/27/2004	No	
36BI00427400	HITCHNER SR, JOHN C	No	5/27/2004	No	
36BI00569500	HOLL, KARL A	No	5/27/2004	No	
36BI00435500	KORAL, PHILIP	No	5/27/2004	No	
36BI01071300	MORKIS JR, ROBERT J	No		Yes	
36BI00240700	MULLER JR, HENRY H	No		No	hearing
36BI00545200	PALMIERI, NICHOLAS F	No	5/27/2004	No	
36BI00829800	PRIETO, VICENTE	No		Yes	

36BI00985500	QUINN, PETER F	No		Yes	signed order
--------------	----------------	----	--	-----	--------------

CONTINUED... Defaulted on PODs -or- Consent Orders

LIC. #	LICENSEE	CLOSED	\$4,000 POD FILED	CONSENT ORDER ISSUED	PENALTY PD
36BI00964200	RYEN JR, RICHARD R	No		Yes	
36BI00408500	SEEBERGER, CHARLES W	No		Yes	
36BI00666500	SHREWSBURY JR, WILLIAM J	No		Yes	
36BI00404200	TYRONE, THOMAS A	No		No	
36BI00733400	VACIRCA, VITO	No	5/27/2004	No	
36BI00671000	WINTHER JR, CHARLES R	No	5/27/2004	No	

(E) CATEGORY/ HEALTH /HARDSHIP:

PODs are pending with DAG ...\*Each issuing a \$750 penalty ~

EDWARDS, LMP # 7488  
 LUKOVSKY, LMP # 9744  
 DUFFY, LMP # 4416

2. CONTINUING EDUCATION REQUIREMENTS  
 LICENSED MASTER PLUMBERS

Effective immediately "New licensees," will receive a "Notice" in their licensing packet. This notice advises licensees that those applying for their first biennial renewal are exempt from the first continuing education requirement. However, all licensees must respond to any and all audits conducted by the Board — regardless of any exemption.

On November 18, 2004, Board Members were in unanimous favor of including this "Notice" in all new licensee packets.

3. IN ADVANCE OF THE 2005-2007 MASTER PLUMBER'S  
 BIENNIAL RENEWAL/ CE REQUIREMENT -  
 COURSES TAKEN DURING PERIOD 2003-2005

On November 18, 2004, 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 2005-2007 biennial, and who have requested to be scheduled for either initial approval or re-approval as CE Instructors. Those seeking re-approval are not required to appear at the Board's meeting.

3. "We Teach Associates"  
THOMAS MC GONIGLE, LMP # 4586  
CE INSTRUCTOR # 18

JAMES COTTON, LMP # 6831  
CE INSTRUCTOR # 17

SOLE SPONSORS  
107 N. Annapolis Ave., Atlantic City, NJ 08401

CONTACT PERSON:  
THOMAS MC GONIGLE  
TELEPHONE # 609-449-9056  
FAX # 609-347-6437

APPROVAL MOTION ~

On November 18, 2004, subsequent to the Board's review, a motion was made by Mark McManus and seconded by Ernest Tretola, to approve these instructors and their course outline for teaching the CE requirements necessary for the 2005-2007 biennial renewal. A vote was taken and the motion unanimously passed. \*\*\*\*\*

4. WILLIAM S. TURKUS , LMP #5235  
CE INSTRUCTOR # 32  
728 A RALSTON PLAZA, MONROE, NJ 08831

SOLE SPONSOR  
TELEPHONE # 609-860-1243  
FAX # 732-572-0805  
E-MAIL bkrbilly.aol.com

APPROVAL MOTION ~

On November 18, 2004, subsequent to the Board's review, a motion was made by Ralph Wetzel and seconded by James Moore, to approve this above instructor and his course outline for teaching the CE requirements necessary for the 2005-2007 biennial renewal. A vote was taken and the motion unanimously passed. \*\*\*\*\*

5. LEONARD FALATO, LMP # 466, INSTRUCTOR #50  
ANTHONY FRASCO, LMP # 4664, INSTRUCTOR # 51  
RICHARD VANATTA, LMP # 7114, INSTRUCTOR # 52

SPONSOR  
BERGEN COUNTY TECHNICAL SCHOOLS ADULT EDUCATION  
200 HACKENSACK AVENUE, HACKENSACK, NJ 07601

CONTACT PERSON  
LEN FALATO @ TELEPHONE # 201-646-3910  
FAX # 201-646-8052

APPROVAL MOTION ~

On November 18, 2004, subsequent to the Board's review, a motion was made by Mark McManus and seconded by Ernest Tretola, to approve these instructors and their course outline for teaching the CE requirements necessary for the 2005-2007 biennial renewal contingent upon the instructor providing time

allotments for his course. The code in effect must be taught. A vote was taken and the motion unanimously passed. \*\*\*\*\*

5A. Barbara A. Cook, Executive Director, reserved a portion of Open Public Session to review some pending issues with Board Members. Ms. Cook made no formal comment.

## 6 . DISCIPLINARY ACTION

\*Reporting (1) penalty payment ~ @ \$500

Mr. Widing is maintaining his payment schedule concerning:

IN THE MATTER OF THE SUSPENSION OR REVOCATION

OF THE LICENSE OF

JOHN WIDING, LMP # 7127

TO PRACTICE AS A MASTER PLUMBER/ STATE OF NEW JERSEY

ADMINISTRATIVE ACTION ~ CONSENT ORDER

SIGNED SEPT. 7, 2003 & FILED SEPT. 25, 2003

COSTS of \$161.30 PAID IN FULL

\$12,000 PENALTY : w/ (15) PAYMENTS TO DATE = {\$7,500}

\$500 ~ 9/07/03 ..... 1st

\$500 ~ 10/01/03..... 2nd

\$500 ~ 10/28/03.... 3rd

\$500 ~ 11/29/03..... 4th

\$500 ~ 12/31/03..... 5th

\$500 ~ 1/28/04 ..... 6th

\$500 ~ 3/01/04..... 7th

\$500 ~ 3/30/04..... 8th

\$500 ~ 4/04/04..... 9th

\$500 ~ 6/01/04.....10th \$500 ~ 6/28/04 ..... 11th

\$500 ~ 8/02/04..... 12th

\$500 ~ 8/31/04..... 13th

\$500 ~ 10/04/04..... 14th

\$500 ~ 11/01/04..... 15th

### EXECUTIVE CLOSED SESSION MOTION:

A motion was made by James Moore and seconded by Ernest Tretola to proceed into Executive Closed Session to review eight (8) administrative closings of consumer complaints, one (1) allegation of a trade name violation; five (5) consumer complaint matters; one (1) plumbing fixture installation matter; one (1) reinstatement matter, issues surrounding the CE audit, the DAG quarterly report, one (1) investigative inquiry, 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.

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, December 16, 2004 at 9:00 a.m. in the Hudson Room.

Respectfully submitted,

---

Barbara A. Cook  
Executive Director