

**# 573 MEETING OF THE STATE BOARD OF EXAMINERS  
OF MASTER PLUMBERS -MINUTES - NOVEMBER 18, 2010**

The Minutes of the November 18, 2010 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, 2010.***

The notice of the November 18, 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 November 18, 2010 was called to order at 9:00 am with the following Members in attendance:

Peter Voros. Chairman

Michael K. Maloney, Vice-Chairman

James McManus, Jr.

Robert B. Reeve

Michael L. Sestanovich, Secretary

Donald Dileo

Adam J. Sabath

Paul N. Bontempo was 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:

Thomas F. Walsh, NJSLMP/Township of East Brunswick,  
Bill Stepler, CEP Associates; Joann Tomenchok, U.S. Department of Labor Apprenticeship  
Bruce Negri, Middlesex County Vocational School

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 of the OCTOBER 28, 2010 MTG

A motion was made by Donald Dileo and seconded by Robert Reeve to approve the minutes of the October 28, 2010 meeting. A vote was taken and the motion unanimously passed.

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BOARD BUSINESS

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***PRESENT BOARD MEMBERS - &- CAPACITIES***

*MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER ~ CHAIRMAN*

*MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER - VICE CHAIRMAN*

*MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER - SECRETARY*

*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*

***TOTAL BOARD COMPLEMENT (9):Vacancy /Government representative***



GARRETT R. PEPE, LMP # 5741      Instructor # 94      *Pending Sponsor #*  
Teaching with Mr. Peter T. Hammer  
5 Horizon Road, Apt. 2809  
Fort Lee, NJ 07024  
TEL#            201-288-2645  
email [Gpepe1228@yahoo.com](mailto:Gpepe1228@yahoo.com)

On November 18, 2010, a motion was made by Robert Reeve and seconded by Donald Dileo to approve this Sponsor of CE and their course outline. A vote was taken and the motion unanimously passed.

4.      SENATE NO. 478    STATE OF NEW JERSEY, 214<sup>TH</sup> LEGISLATURE  
*Synopsis:      Permits landscape irrigation contractors to install backflow prevention devices under certain circumstances*

Comments in objection to S478 were collected prior to this Agenda, and submitted to the Office of Regulatory Affairs at their request on November 3, 2010.

On November 18, 2010, the Board reiterated their opposition to this bill based on concerns for health and safety issues, in a motion made by James McManus and seconded by Michael Maloney. A vote was taken and the motion unanimously passed.

5.      *Revisiting from October 28, 2010:*      *Refers to N.J.S.A. 45:14C-19. Reciprocity with other States*  
SKY BASKI, PRESIDENT EMPIRE MECHANICAL, INC.  
*Requesting consideration for reciprocity in gaining a Master Plumber's license*

On October 28, 2010, a copy of Mr. Baski's September 3, 2010 letter was provided to the Board with his application. Mr. Baski submitted that he has many plumbing licenses with several other States.

On October 28, 2010, Members suggested that in order to proceed with this request, the applicant must first identify the other State(s) that maintain reciprocity with the State of New Jersey, and submit a letter or supporting evidence.

On November 18, 2010, the Board reviewed Mr. Baski's submission and concluded that this is a county license. The applicant must identify the State which reciprocates with New Jersey in order to continue a consideration of his request.

A motion was made by James McManus and seconded by Robert Reeve that there is no information concerning the type of county examination the applicant had passed in Missouri; secondly, he must provide the identity of the State which reciprocates with New Jersey. A vote was taken and the motion unanimously passed.

#### DISCIPLINARY MATTER

6. CONSUMER COMPLAINT, FILE ID# 70854  
JOSEPH J. FOSTER, LMP # 11097 - JUDY FISHER, CONSUMER  
\$1,500 PENALTY AND \$1,000 CONSUMER RESTITUTION  
***Payment of \$500 penalty on October 20, 2010 - Payment arrangements***

*On July 22, 2010, the Board established the licensee's failure to fully comply with NJSA 45:1-21(e) and engaged in professional misconduct when dealing with this consumer who paid for a boiler; however, the licensee failed to issue a contract or obtain a permit, inspection report or chimney certification.*

*A \$500 penalty is assessed for failing to indicate his license number on advertisements; \$500 for failing to obtain the necessary permit; and \$500 for failing to issue the required contract. An award of \$1,000 in consumer restitution is warranted.*

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#### DISCIPLINARY MATTER

7. CONSUMER COMPLAINT, # FILE ID # 69591  
LEONARD GRIECO LMP # 6245, A.M. CONSUMER  
***FULL SUM OF RESTITUTION PAID TO CONSUMER,  
10-20-2010, SUM OF \$2,757.01***

*As of May 12, 2010, the consumer was informed by the Town of Scotch Plains that her bathroom would need to be "ripped out" in order to conduct the required inspections. No contract was issued by the licensee to the consumer for the work performed.*

*On May 27, 2010, the Board reviewed this complaint matter, and concluded that the licensee neglected to obtain a permit and issue a contract to the consumer. The Board awarded the full sum of restitution to the consumer \$3,000— however, less the two (2) sums that she has already been paid by the licensee, \$75.00 and \$167.99 for repairs.*

LEONARD GRIECO LMP # 6245

*The Board concluded that the licensee's failure to obtain a permit and issue a*

*contract has resulted in the demands of the local Construction Official requesting the job be ripped out to conduct the necessary inspection. The licensee's actions resulted in the award of consumer restitution; however, no penalty.*

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#### DISCIPLINARY MATTER

8. **DAVID PLAYFORD, UNLICENSED**, 202 CAYUSE TRAIL  
MEDFORD LAKES, NJ 08055 (\$1,500 PENALTY)  
AND MICHAEL O' BRIEN, UNLICENSED (\$1,500 PENALTY),  
32 EAST CENTENNIAL DRIVE, MEDFORD, NJ 08055  
T/A DAVID PLAYFORDS HANDYMAN SER/MEDPINE LLC  
SUBMITTED BY WILLIAM F. PIZZUTO  
FILE ID: #70575 - \$3,000 TOTAL PENALTY: PAYMENT ARRANGEMENTS  
**\$300 PAID OCTOBER 22, 2010**
9. BRUCE NEGRI, MIDDLESEX COUNTY  
U.S. DEPARTMENT OF LABOR JOANNE TOMENCHOK, DIRECTOR  
OFFICE OF APPRENTICESHIP TRAINING

On November 18, 2010, the Board discussed general apprenticeship requirements and forms for qualifying for the Master Plumbers' examination. The Board confirmed that the United States Department of Labor certificate serves as proof that an individual has fully completed all of the requirements for the apprenticeship training.

10. **PROMETRIC TESTING SERVICE**  
ANDY PARKER CLIENT SERVICES MANAGER  
NOVEMBER 5, 2010 CORRESPONDENCE RE
- INCREASE OF EXAM FEES;
  - ADOPTION OF THE 2009 CODE, TEST ADMINISTRATIONS 2011; REFERENCES

*On November 18, 2010, the Board noted that any increase to examination fees would be handled by the Administrative Unit at the Division of Consumer Affairs. Additionally, the February, 2011 examination should be based on the new code adopted in Trenton, September 7, 2010. The five (5) reference books will be reviewed with Thomas Pitcherello at the DCA, Trenton, NJ. A motion was made by Michael Maloney and seconded by Donald Dileo to proceed accordingly. A vote was taken and the motion unanimously passed.*

11. **STATE BOARD OF EXAMINERS OF HEATING, VENTILATING, AIR  
CONDITIONING AND REFRIGERATION CONTRACTORS (HVACR)**  
CHARLES MANNING, REGULATORY ANALYST

*Discussion regarding the development of HVACR Regulations  
November 5, 2010 Subcode Committee Meeting, Trenton, NJ*

*Correspondence to Alexander Tucciarone, Chair, Plumbing Subcode Committee  
from Lawrence DeMarzo Deputy Director, Division of Consumer Affairs  
Re input on backflow devices, dated October 5, 2010*

On November 18, 2010, a discussion was held concerning the finds of the Subcode Committee in Trenton. A motion was made by Adam J. Sabath and seconded by Donald Dileo to accept the recommendation from the Subcode Committee to permit HVACR Contractors to ***install backflow preventers in cases where one is a replacement, residential and non-testable.*** While the motion passed, Board members expressed their opposition to this decision.

NOT ON THE PUBLISHED AGENDA  
PROPANE CERTIFICATION  
DEPARTMENT OF COMMUNITY AFFAIRS

Board Member Michael Maloney reported that while the Propane bill has been adopted, the actual enforcement of this new law is held in abeyance at the Department of Community Affairs in Trenton until HVACR and licensed master plumbers are exempt.

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***◆ 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.***

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EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Michael Maloney and seconded by Donald Dileo to proceed into Executive Closed Session to review consumer complaint matters, conduct investigative

inquiries, unlicensed advertisements and unlicensed practice matters, 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 **December 16, 2010** at 9:00 am in the Hudson Room.

Respectfully submitted,

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Lawrence DeMarzo, Deputy Director  
Division of Consumer Affairs