

**#486 MEETING OF THE
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
- DECEMBER 19, 2002**

The Minutes of the December 19, 2002, Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on January 23, 2003.

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 December 19, 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:

Warren Harris, Licensed Master Plumber # 10754
New Jersey State League of Master Plumbers

Michael J. Heller, Licensed Master Plumber # 10310

New Jersey State League of Master Plumbers

Gary Devine, Licensed Master Plumber # 6568
New Jersey State League of Master Plumbers

Thomas W. Pangaldi, Licensed Inspector and Licensed
Master Plumber # 5536

PLEDGE OF ALLEGIANCE:

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

APPROVAL OF THE MINUTES ~ NOVEMBER 21, 2002, MEETING

This matter was tabled for the January 23, 2003, meeting.

BOARD BUSINESS

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 individual submitted his resume and course outline:

**THOMAS W. PANGALDI, LICENSED INSPECTOR
LICENSED MASTER PLUMBER # 5536
SUBCODE OFFICIAL**

Scheduled for re-approval as CE INSTRUCTOR # 20

On December 19, 2002, Mr. Pangaldi was present before the full Board for approval to teach CE, and he responded to issues concerning the courses he had taught during the prior renewal period.

Subsequent to a review of his materials, the following motion was made by Alexander Tucciarone and seconded by Margaret Sieb, to approve Mr. Pangaldi and his course outline for teaching CE for the 2003-2005 biennial requirement.

2. DARLENE KANE, BUDGET ANALYST, DIVISION OF CONSUMER AFFAIRS - MEMORANDUM OF 11/14/02

**REPORTING ~ DIVISION OF LAW BILLING
FIRST QUARTER OF FY 2003**

The charges for services rendered by the Division of Law were reported to the Board with a cover memorandum dated November 14, 2002.

On December 19, 2002, Members of the Board reviewed this new billing and accepted same without any formal

comment.

3. DARLENE KANE, BUDGET ANALYST,
DIVISION OF CONSUMER AFFAIRS -

MEMORANDUM OF 11/14/02

REPORTING ~ FISCAL YEAR 2002
FINAL BUDGET REPORT

Ms. Kane submitted a copy of the State Board of Examiners of Master Plumbers Final Budget Report for FY 2002.

On December 19, 2002, Members accepted this report without any formal comment.

4. DISCIPLINARY ACTION
BRIAN GFROEHRER, UNLICENSED

PAYMENT OF \$1,000 CIVIL PENALTY - MARCH, 2002
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

UNLICENSED PRACTICE PLUMBING & ELECTRICAL WORK
DAG SUSAN CARBONI, ASSIGNED DEPUTY

The State Board of Examiners of Master Plumbers recommended on May 24, 2001, that DAG Susan Carboni proceed with the appropriate legal avenues to tender a settlement offer with the unlicensed subject, Gfroehrer.

CONSENT ORDER AND JUDGMENT SUPERIOR COURT OF
NEW JERSEY / CHANCERY DIVISION, HUDSON COUNTY

DOCKET # C-34-01 - FILED APRIL 30, 2001
ARTHUR N. D'ITALIA, A.J.S.C.

A copy of the above described docket was provided for each Board Member.

The Order stipulated the following actions:

- ~\$2,000 restitution to the consumer;
- ~\$1,000 civil penalty to the Master Plumbers;
- ~\$1,000 civil penalty to the Electrical Contractors;
- ~A permanent injunction from plumbing and electrical work

This matter is paid in full to both the Plumbing and Electrical Boards and is now closed.

CLOSED & PAID IN FULL

5. DISCIPLINARY ACTION

FORMERLY T/A ROBERTS HOME REPAIR

PAYMENT OF \$2,000 CIVIL PENALTY - NOVEMBER, 2002
STATE BOARD OF EXAMINERS OF MASTER PLUMBERS

UNLICENSED PRACTICE OF PLUMBING
ASSIGNED DAG CAROL G. JACOBSON (assigned in 1991)

FINAL CONSENT JUDGMENT FILED FEBRUARY 26, 1991
CERTIFICATE OF DEBT FILED JUNE 12, 1991

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, ESSEX COUNTY
DOCKET NO. ESX C-16-91
IRWIN L. KIMMELMAN, J.S.C.

A Certificate of Debt, filed June 12, 1991, against unlicensed Philip Roberts, for the sum of a \$2,000 penalty, was satisfied by the subject via his full payment at the Board Office on November 4, 2002.

As a result, appropriate documentation was prepared at the Board Office and submitted to Trenton, NJ, Superior Court, on November 19, 2002, which served to satisfy this judgment and close this matter.

CLOSED & PAID IN FULL

6. GEORGE OLSZEWSKI, UNLICENSED, T/A JET SERVICES
OFFER OF SETTLEMENT DTD. JUNE 7, 2002, ASSESSING ~
\$7,500 PENALTY AND \$180.45 COSTS

PAYMENT #1: SEPT. 16, 2002, PAID \$5,000 PENALTY &
\$180.45 COSTS (reported @ 10/24/02 mtg)

Reporting

PAYMENT #2: OCT. 18, 2002 ~PAID \$2,500 PENALTY

CLOSED & PAID IN FULL

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

CLOSED & PAID IN FULL

7. REQUEST ~ SEEKING THE REINSTATEMENT OF
EXPIRED MASTER PLUMBER'S LICENSE
LEONARD R. MC GRATH,
EXPIRED LICENSED MASTER PLUMBER # 2973
DATE OF LICENSE EXPIRATION ~ June 30, 1995

Former Licensee McGrath submitted a respectful letter to the State Board dated November 25, 2002, requesting that Members consider the reinstatement of his Master Plumber's license.

The Board discussed the pending qualifications for the Master Plumber's license according to current New Jersey Plumbing Statutes and Regulations to determine if Mr. McGrath was eligible for reinstatement.

On December 19, 2002, subsequent to a brief discussion, the following motion was made by Alexander Tuccarione and

seconded by Mark McManus, that:

(A) DAG Darlene Lapola should explore the appropriate legal avenues to determine if the former licensee may be permitted to re-test in order to re-gain the Master Plumber's license he once held;

(B) Members of the Board and Executive Director Barbara A. Cook expressed concern that the advent of *new qualifications effective November 2, 2002*, outlined in N.J.A.C. 13:32-2.2 Experience Requirements- leaves them unclear as to how to proceed administratively with the expired license of Mr. McGrath.

A vote was taken and the motion unanimously passed.

7A. EXECUTIVE DIRECTOR'S REPORT

On December 19, 2002, Ms. Cook questioned the Board regarding licensing procedures for those holding "Out-of-State" licenses who wish to seek a Master Plumber's license in the State of New Jersey. As stated above in Item (7), this topic, too, concerns the *new qualifications* for applicants for examination as of the change on November 2, 2002, outlined in N.J.A.C. 13:32-2.2 Experience Requirements. DAG Lapola will explore this issue as well.

NOT ON THE PUBLISHED AGENDA

Messrs. Devine, Heller and Harris were present to inform the Board of the activities and concerns of the New Jersey State League of Master Plumbers (NJSLMP) regarding the status of several municipal cases pending in Clifton, NJ, particularly the one involving licensee John Nemri, LMP # 7073. The information provided by the NJSLMP will be taken under advisement by DAG Lapola on behalf of the State Board of Examiners of Master Plumbers.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by James Moore and seconded by Mark McManus to proceed into Executive Closed Session to review one (1) administrative closing of a consumer complaint and (3) three pending consumer complaint matters; 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, January 23, 2003, at 9:00 a.m. in the Somerset Room.

Respectfully submitted,

Barbara A. Cook
Executive Director

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of Master Plumbers](#)

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Posted February 2003