

**# 558 MEETING OF THE STATE BOARD OF EXAMINERS  
OF MASTER PLUMBERS -MINUTES - JUNE 25, 2009**

The Minutes of the June 25, 2009 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on July 23, 2009.

The notice of the June 25, 2009 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 June 25, 2009 was called to order at 9:00 am with the following Members in attendance:

Peter I. Voros, Chairman

Ralph Wetzel, Vice-Chairman

Michael K. Maloney

Paul N. Bontempo

Michael L. Sestanovich, Secretary

Mark McManus, Adam J. Sabath and Donald Dileo were absent

**BOARD MEMBER - VACANCY - (1)**

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 3:00 pm: Rosemarie Baccile, Executive Assistant and Joseph A. Donofrio, Counseling Deputy Attorney General (DAG)

**PUBLIC SESSION VISITORS:**

Gary Italiano, NJSLMP, LMP # 10225

**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 ~ MAY 28, 2009 MEETING**

A motion was made by Paul Bontempo and seconded by Ralph Wetzel to postpone the approval of the May 28, 2009 minutes until the July 23, 2009 meeting. A vote was taken and the motion unanimously passed.

**PRESENT BOARD MEMBERS - &- CAPACITIES**

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

**RALPH WETZEL ~MASTER PLUMBER MEMBER ~ VICE-CHAIRMAN**

MICHAEL L. SESTANOVICH ~ INSPECTOR MEMBER - SECRETARY

MARK MC MANUS ~ JOURNEYMAN PLUMBER

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER

DONALD B. DILEO ~ PUBLIC MEMBER

PAUL N. BONTEMPO - PUBLIC MEMBER

ADAM J. SABATH ~ STATE MEMBER

TOTAL BOARD COMPLEMENT (9):Vacancy /Public Member - formerly held by Mrs. Sieb

## BOARD BUSINESS

1. DIVISION OF LAW BILLING - 3rd quarter of FY 2009  
DARLENE KANE, BUDGET OFFICER, MEMORANDUM MAY 5, 2009

On June 25, 2009, the Board reviewed this report without comment.

## REPORTING DISCIPLINARY ACTIONS

2. GARRETT R. PEPE, LMP #5741, t/a PEPE PLUMBING AND HEATING OFFER OF SETTLEMENT / \$500 PENALTY - Penalty paid April 22, 2009

N.J.S.A. 45:1-21(e) professional or occupational misconduct for failing to obtain a permit in timely fashion.

On June 25, 2009, Board Members noted the penalty payment and closed the file.

3. DISCIPLINARY ACTIONS - PENALTY PAYMENTS  
CONTINUING EDUCATION AUDIT BIENNIAL 2005-2007

Provisional Order(s) of Discipline (POD) filed October 27, 2008 "Group A" - those who attended a late 'make-up' course

On August 25, 2006 the Board conducted a CE audit involving selected licensees. Respondent(s) indicated on the 2005-2007 biennial renewal application that they will have completed the requirement by June 30, 2005; however, they failed to do so. Respondent(s) were assessed a \$500 penalty pursuant to NJSA 45:1-22 for failing to complete the required CE for the 2005-2007 biennial by June 30, 2005, in violation of NJSA 45:1-21(h). Respondent(s) were also assessed a \$1,000 penalty for indicating on the application that they would complete the five (5) CE hours by the required date and failing to do so in violation of NJSA 45:1-21(e). The following licensees have complied with the POD, attended a make-up course, and are reported on this Agenda for their penalty payments during May, 2009.

KENNETH B. SCHNEIDER, LMP # 4675 3RD & final payment pd 5/04/09 for \$500

ANGELO D. ROTONDO, LMP # 8592 2nd payment pd 5/28/09 for \$500

3. DISCIPLINARY ACTIONS - PENALTY PAYMENTS  
CONTINUING EDUCATION AUDIT BIENNIAL 2005-2007

DANIEL S. RICHARDS, LMP 10583 1ST & 2ND payments at \$100 - 4/12/09 & 5/20/09 KENNETH J. MACKENZIE, LMP # 9741 2nd payment pd 6/16 /09 for \$500 ? TOTAL PENALTIES COLLECTED for 2005-2007 CE AUDIT = \$21,700.00

On June 25, 2009, Board Members acknowledged these penalty payments.

4. ROBERT C. CHRISTOPHER, LMP # 3963

PAYMENT OF \$500 PENALTY BY UNIFORM PENALTY LETTER

During preparation for the 2009-2011 renewal, a review of this licensing file found that it had been flagged for non-payment of a fine for the 2003-2005 CE AUDIT.

Payment dated May 15, 2009 - CLOSED On June 25, 2009, the Board Members noted this penalty payment and closed the file.

“Responses” to Advertising Letters ? REVISITING from the April 23, 2009 Agenda:

5. Ms. Elizabeth Moritz, Administrator

New Jersey State League of Master Plumbers Inc. (NJSLMP)

Enforcement Issues ~ Doing plumbing work without a license ~

Advertising plumbing work without a license

The State Board of Examiners of Master Plumbers received complaints on March 26, 2009 where unlicensed entities were advertising for plumbing services. On April 23, 2009, the Board reported that a “File Identification number” was assigned to each complaint, and an Advertising letter was processed and issued to each of the below entities.

Board Members agreed to re-schedule a review of these files to address any responses to the Advertising letters. Responses were submitted by (12) entities and are “bolded.” The Board reserved time in Executive Closed Session to discuss all files in this group, and returned to Open Public Session to report:

An Offer of Settlement with a \$2,500 will be issued to unlicensed entities advertising plumbing services. The payments of those fines will be reported in Open Session when public. Exceptions and findings are noted:

NJSLMP - Advertising plumbing work without a license

C. Harris Home Works

91 Appletree Lane

Sewell, NJ 08080

File# 63466

David Coles

Dave Coles Handyman Services

2 Summit Court

Marlton, NJ 08053

File# 63467

F & B Handyman Services

256 Cambridge Avenue

Jersey City, NJ 07307

File# 63468

NJ Property Maintenance, LLC Corrected advertisement - CLOSE FILE

55 Washington Street

Bloomfield, NJ 07003

File# 63473

Ron Dunois

Ron Runois Handyman Services

303 Oakdale Drive

Neptune, NJ 07753  
File# 63474

Handyrapp Handyman Services  
18 S. Syracuse Drive  
Cherry Hill, NJ 08034  
File# 63475

Roland Davis File# 63476 Corrected advertisement - CLOSE FILE  
Ro's Handyman Service  
122 Graybar Drive  
North Plainfield, NJ 07062

Jon-Jon's Handyman, File# 63477  
490 Route 49  
Bridgeton, NJ 08032

Bob's Climate Control Service  
7 Jones Lane  
Sicklerville, NJ 08081  
File# 63479

Malave Nyjirah, File# 63480  
Maintenance Services  
1713 Ferry Avenue  
Camden, NJ 08104

NJSLMP - Advertising plumbing work without a license

Don Scattolini, File# 63482  
Scattolini Brothers  
611 N. Wildwood Blvd  
Cape May Courthouse, NJ 08210

Larry K. Wizeman, File# 63485  
Handyman Household Repairs  
1514 Longfellow Drive  
Cherry Hill, NJ 08003

Craig Drake, File# 63486  
C. Drake Contracting, LLC  
P.O. Box 275, Towaco, NJ 07082

Carl Arguell, File# 63489 Corrected advertisement - CLOSE FILE  
Superior Handyman Services  
149 Flanders Drive  
Hillsborough, NJ 08844

A2Z Home Improvements Additional investigation necessary  
321 Maxim Drive  
Hopatcong, NJ 07438  
File# 63490?

J & P Affordable Kitchen and Bath  
321 Maxim Drive

Hopatcong, NJ 07438  
File# 63490

Julia Romero, File# 63495  
JR Mechanical Services Corp  
713 Lee Avenue  
North Brunswick, NJ 08902

Patrick J. Gregory, File# 63496  
Task Man Home Improv LLC  
P.O. Box 121  
Bloomsbury, NJ 08804

C & R Appliance Service  
89 Trotters Lane  
Galloway, NJ 08205  
File# 63497

Dave Santoro, Inc., File# 63498 Close - Advertisement shows LMP # 7858  
P.O. Box 338  
Elwood, NJ 08217

H.R. Heating & Air-Conditioning  
207 E. Crestview Avenue  
Galloway, NJ 08205  
File# 63499

NJSLMP - Advertising plumbing work without a license

Russell Reebenaker, File# 63500  
Reasonable Home Repairs  
171 Morrow Lane  
Clayton, NJ 08312

Lyle Strain, File# 63503  
I & P Electrical and Machine Co.  
420 Talmadge Avenue  
Bound Brook, NJ 08805

John Dublon, File# 63505 Printing error by "Service Magic" - CLOSE FILE  
Affordable Services  
3 Springbrook Drive  
Jackson, NJ 08527

Andrew Paterson, File# 63507 Printing error by "Service Magic" - CLOSE FILE  
Wendruff Service Company LLC  
1889 Route 9, Suite 30  
Toms River, NJ 08755

JC Residential & Commercial Remodelers, File# 63508  
98 East State Street  
Camden, NJ 08105

JC Repairs & Contract Building  
20 Roosevelt Drive

Millville, NJ 08332  
File# 63509

Christopher Pavero, File# 63510  
Affordable Waste Water Solutions  
821 Huntington Avenue  
Pine Beach, NJ 08741

CM Heating and Cooling, LLC  
3032 Cologne Avenue  
Mays Landing, NJ 08330  
File# 63512

Dan Gattuso, File# 63515  
Dry Guys Basement Systems  
20 North Main  
Woodstown, NJ 08098

Father and Sons Powerwashing  
& Handyman Services, File# 63517  
2024 Easy Street  
Millville, NJ 08332

NJSLMP - Advertising plumbing work without a license

Joseph Tucci, File# 63518  
Handyman on Call 24/7  
43 Cambridge Avenue  
Saddle Brook, NJ 07663

Louisa Vaquinhas, File# 63519  
A-Z Home Improvement  
7 E. Alabama Avenue  
Long Beach Township, NJ 08008

James R Demaise, File# 63598  
Platinum Construction Co.  
5503 Redhaven Drive  
Marlton, NJ 08053

David Colley, File# 63599  
Home Improvement Projects  
429 Third Street  
Delanco, NJ 08075

Rich DeSimone, File# 63600  
DeSimone Handyman Services  
20 Catawba Avenue  
Turnersville, NJ 08012

M. Marcinkowski, File# 63602  
Custom Painting/Home Improv.  
713 Breakers Avenue  
Absecon, NJ 08201

Grant Salcedo, File# 63603  
Hubby For Hire/Hubby 4 Hire  
237 Mission Road  
Hackettstown, NJ 07840

Nowraz Zakaev, File# 63607  
Painting Concepts Company  
14 8th Avenue  
Hawthorne, NJ 07506

Douglas Pozniak, File# 63608 Response reviewed; uphold fine  
D.J. Improvements  
1430 Osage Road  
North Brunswick, NJ 08902

Michael Holte, File# 63610  
Assured Mechanical LLC  
220 Park Avenue 15U  
Hammonton, NJ 08037

NJSLMP - Advertising plumbing work without a license

Steve Taylor @ Basement Waterproofing Nationwide, Inc  
P.O. Box 979  
Edgewood, MD 21040, File# 63611 State of Maryland- Close file

Christopher Thomas, File# 63612  
C.R.T. Mechanical  
338 North Pearl St  
Clayton, NJ 08312

Gary Schierenbeck, File# 63613 Drain cleaning advertisement - close  
Python Drain Cleaning, Inc.  
730 Carlton Boulevard  
Staten Island, NY 10312

Britney Munyon, President  
Munyon Mechanical, Inc.  
168 N. West Avenue  
Bridgeton, NJ 08302, File# 63614

Dan the Handyman, File# 63615  
304 Central Avenue  
Linwood, NJ 08221

Mr. Handyman of the Northern Valley, File# 63616  
241 Boulevard  
Hasbrouck Heights, NJ 07604

Mr. Handyman, File# 63617 Printing error by "Switchboard"  
#7 at 1474 Route 23 close file  
Wayne, NJ 07470

Jack Neff, File# 63618  
Modern Gas

1725 S. Burlington Road  
Bridgeton, NJ 08302

John Conlin, File# 63619  
Atlas Sewer and Drain  
29 West 46th Street  
Bayonne, NJ 07002

John Schmidt, File# 63620  
J & J Mechanical, Inc.  
1100 Pocopson Road, Suite 326  
Pocopson, PA 19366

Garrett Building Company  
400 W. Washington Avenue  
Pleasantville, NJ 08232  
File# 63621

NJSLMP - Advertising plumbing work without a license

Marc Barbera, File# 63622  
Handyman Headquarters, LLC  
1638 West Lake Avenue  
Williamstown, NJ 08094

Jersey Shore Home Repairs  
P.O. Box 344  
Beachwood, NJ 08722

File# 63623

Budget Handyman Services  
P.O. Box 273  
Mahwah, NJ 07430  
File# 63624

A's 1 Remodeling Contractor LLC  
145 Springfield Avenue  
Rutherford, NJ 07070  
Attention: Anthony, File# 63626

Francisco Martinez  
Martinez and Martinez Contractor  
47 Harrison Avenue  
Garfield, NJ 07026, File# 63627

Ralph Simone, File# 63628  
Handyman (South Jersey)  
369 White House Pike  
Waterford Works, NJ 08089

Richard McGranahan, File# 63629  
Express Appliance Service LLC  
55 Rellim Drive  
Old Bridge, NJ 08857



Rafail Sheynman, File# 62630  
Rafail's Heating, Cooling Appl.  
110 Copperfield Lane  
Metuchen, NJ 08840

Michael Parsons, File# 63631  
Painter/Handyman  
12 Calvin Avenue  
Lodi, NJ 07644

Roy Bolton, Sr., File# 63633  
Bolton's Home Improvement  
103 Salem Avenue  
Newfield, NJ 08344

The Handyman Can, LLC,  
855 Route 70  
Brick, N 08724  
File# 63632

Hometown Handyman Ron  
Ballentine, Inc.  
101 Broad  
Deepwater, NJ 08023, File# 63634

Jaareina Choates, File# 63635  
Choates General Contracting, Inc.  
63 Mullen Drive  
Sicklerville, NJ 08081

Irv Lavinsky, File# 63637  
Handyman for Hire  
12 Partridge Court  
Marlton, NJ 08053

KC Total Home Solutions, Inc.  
101A Portland Avenue  
Bergenfield, NJ 07621  
Attn: Kris, File# 63639

Anthony Vellucci, File# 63641  
King of Handy Handyman Service  
3 Crest Court  
North Haledon, NJ 07508

GID Handyman Services  
718 7th Street  
Carlstadt, NJ 07072  
File# 63643

Rich Miranda, File# 63646  
Teonar Home Services & GC  
15 Willow Oak Court  
Blackwood, NJ 08012

Stephen Link / Bruce Evans  
Cape Heating and Air, Inc.  
P.O. Box 493  
Linwood, NJ 08221, File# 63648

Steve Baglivo, President  
Statewide Environmental Services  
459 South Liverpool Avenue  
Galloway, NJ 08215, File# 63649

Nuzzi Tile, File# 63651  
10 Wuester Lane  
Haskell, NJ 07420

Main Lock Home Improv. LLC  
92 Greylock Avenue  
Belleville, NJ 07109, File# 63652

Fred L Myers, File#  
FLM Home Improvements  
905 Sterling Drive  
Florham Park, NJ 07932

Bob Service, File# 63655 Printing error by “ Service Magic” - close file  
R. Service Maintenance LLC  
2 Elacqua Boulevard  
Parlin, NJ 08859

Bruce Bossick, File# 63656  
Bossick & Associates, LLC  
1617 Birmingham Avenue  
Toms River, NJ 08757

Gary Vodopija, File# 63658  
General Service Mechanical LLC  
78 Princeton Avenue West  
Deptford, NJ 08096

6. DANIEL FRONZAGLIA, EXPIRED 6-30-1989 /LMP # 7668;  
6B. RICHARD P. GERSTENBERG, JR. EXPIRED 6-30-2001/ LMP # 9688  
Both seek the reinstatement of their Master Plumber’s licenses.

On June 25, 2009, the Board reviewed the requests of licensees Fronzaglia and Gerstenberg, and concluded in a motion made by Michael Maloney and seconded by Michael Sestanovich, that both expired licensees must comply with existing New Jersey Plumbing Statutes and Regulations in order to achieve the reinstatement of licensure in accordance with N.J.A.C. 13:32-2.6 (f) Renewal of license which states:

“A person seeking reinstatement after more than five (5) years following the suspension of a license shall successfully complete the examination required for initial licensure as set forth in N.J.A.C. 13:32-2.3, and shall submit:

- A completed reinstatement application;
- Payment of all past delinquent renewal fees as set forth in N.J.A.C. 13:32-5.1;

- Payment of a reinstatement fee as set forth in N.J.A.C. 13:32-5-1; and
- An affidavit of employment listing each job held during the period of suspension which includes the names, addresses, and telephone numbers of each employer.”

A vote was taken and the motion unanimously passed.

7. JAMES KELLY, LMP # 7857, t/a KELCO PLUMBING  
 OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING  
 {Payment of restitution on 3/5/2009 - FILE ID # 52796 - \$358.33 to consumer}

?Payment of 1,100 penalty payment = Paid in full - 6/04/2009

Violation of N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct failure to follow up on his permit in conjunction with complaint:

- Failing to obtain the necessary permits and inspections for this job..... \$500 fine
- Failure to prepare and issue a contract to the consumer .....\$500 fine
- Failure to indicate his Master Plumber’s license data on bill head..... \$100 fine
- Consumer restitution in the amount of \$358.33 (costs to correct plumbing work)

DISCIPLINARY ACTIONS - PENALTY PAYMENTS

for the Chairman’s signature & filing ?

8. Reporting payment of \$225. restitution on 5-06-2009 &  
 Penalty payment of \$750.00 on 5-06-09 regarding  
 WILLIAM TORRENS, LMP # 9481 - CONSENT ORDER

This matter was opened to the New Jersey State Board of Examiners of Master Plumbers (“the Board”) upon receipt of complaints from three (3) separate consumers. According to the first complaint filed by BT and HT, the respondent, Torrens, who is a 100 percent owner of the franchise All Clear, contracted with homeowners BT and HT to repair a clog or leak in the drain pipe, which the homeowners noticed when the laundry sink in the basement began to back up.

Respondent dispatched a serviceman, Brian Kaiser, an unlicensed employee, and a helper, name unknown. These servicemen suggested jetting instead of snaking the line, began by jack-hammering the basement and created a hole approximately eight by four feet. In the course of this work, they broke the pipe. The servicemen then estimated the new repairs to cost \$2,500. When these servicemen failed to show up on time, and after 33 hours without water, the consumers dismissed All Clear from the job.

On October 27, 2005, the consumer (BT) and respondent appeared at an investigative inquiry before the Board. The consumer testified that during the entire time All Clear performed services at her home, she never met the Respondent. During the respondent’s testimony, he acknowledged that Brian Kaiser, the employee he sent to the BT job was an unlicensed employee. The Respondent admitted that he was not at the BT property during the time services were rendered, and explained that he had been in contact with Kaier by phone during the job.

According to the 2nd complaint filed by DB on behalf of JB (deceased), Respondent contracted with JB on October 27, 2006, to fix a radiator pipe. Respondent sent a serviceman who repaired the leak but left bread in the pipe. On October 30, 2006, JB called All Clear and advised them that the radiator was not getting hot. Respondent sent a serviceman to examine and repair the problem, free of charge. In December of 2007, when JB called All Clear and advised them again that there is no heat, Respondent refused to service the problem and accept responsibility for the problem.

According to the 3rd complaint filed by MC, Respondent contracted with MC to identify and fix a problem causing the basement to flood. Respondent sent a technician who identified the problem as a blocked sewer

line and attempted an electric snake repair. However, the further the technician extended the snake, the more water rushed into the basement, and the technician mentioned that the problem might be with the public sewer.

Once the city fixed the public sewer, water stopped rushing into the basement, but the servicemen was unable to remove the snake from the pipe. The Respondent arrived to assist the serviceman in removing the snake, however, the pipe collapsed, and the cost to repair it was \$5,778.00. These facts establish a basis for disciplinary action pursuant to NJSA 45:1-21c and (d) in that Respondent engaged in gross or repeated acts of negligence, malpractice or incompetence.

1. Respondent is reprimanded for his actions.
2. Respondent shall pay a civil penalty in the amount of \$750.00 for failing to remove the bread from JB's radiator pipe.
3. Respondent shall reimburse DB in the amount of \$225.00.
4. Respondent shall cease and desist from the above violations.
5. Failure to comply with any of the terms of this Order may constitute the basis for further disciplinary action, including but not limited to, suspension or revocation of Respondent's master plumber's license and imposition of further monetary penalties.

#### ADVERTISEMENTS

Complaints submitted to the Board in Open Public Session at the May 28, 2009, Meeting, by the New Jersey State League of Master Plumbers/Salem Cumberland Plumbers Association, and Gary Italiano of the Plumbing Licensing Enforcement Committee (PLEC) were reviewed on June 25, 2009 in Executive Closed Session.

An Offer of Settlement with a \$2,500 will be issued to unlicensed entities advertising plumbing services. The payments of those fines will be reported in Open Session when public.

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.

#### EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Michael Maloney and seconded by Ralph Wetzel to proceed into Executive Closed Session to review ten (10) complaint matters, unlicensed advertisements and unlicensed practice matters, 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 July 23, 2009, at 9:00 a.m. in the Hudson Room.

Respectfully submitted,

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Lawrence DeMarzo, Deputy Director  
Division of Consumer Affairs