

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
544 - BUSINESS MEETING - AGENDA - MARCH 27, 2008**

MEETING SCHEDULED TIME: 9:00 AM ~ HUDSON ROOM - 6 TH FL. ROLL CALL OF BOARD MEMBERS

APPROVAL OF THE MINUTES of the FEBRUARY 28, 2008 Meeting

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

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 - CHIEF OF STAFF TO SENATE PRESIDENT RICHARD J. CODEY

1. ADVERTISING MATTER

ALEX BAUM, T/A "HOME REPAIRS FROM A-Z,"

TEL # 732-370-4141, FILE ID # 56851

SUBMITTED BY JAMES W. HUGHES, LMP # 9234

2. ADVERTISING MATTER

BRAD MC CULLOUGH, T/A "BRAD'S WATER WORKS"

TEL # 732-672-8795; FILE #56877

SUBMITTED BY PLUMBING HEATING COOLING CONTRACTORS

{PHCC} DENISE VOORHEES, EX. DIRECTOR

3. DIVISION OF LAW BILLING -FEBRUARY 21, 2008

2ND QUARTER FY 2008

4. DISCIPLINARY ACTION

Reporting full penalty payment of \$250 on 3-17-2008

DENNIS T. KISH, LMP # 9272

T/A Kish Plumbing and Heating

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING

Violations of ~ N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;

Consumer Fraud Act, namely N.J.A.C. 13:45A-16.2 (12)

Home Improvement Practices;

Requirement of a contract for services in excess of \$500.00; et als
In conjunction with consumer complaint matter:
BERNARD MALIK, CONSUMER, FILE ID # 51831

A \$250.00 penalty was assessed and paid for failure to comply with the requirements of the Consumer Fraud Act when neglecting to issue a contract to the consumer.

5. DISCIPLINARY ACTION

Reporting full penalty payment of \$600 on 3-19-2008
Restitution \$1,750 returned to consumer in full
(Board directed)

FITZROY WEATHERSPOON, LMP # 12216
T/A Plumb Tech Services

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING Violations of ~ N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;

N.J.A.C. 13:32-3.1 (a) - (e) Identification of Licensed Master Plumber; vehicles; stationery; advertising;

Consumer Fraud Act, namely N.J.A.C. 13:45A-16.2 (12) iv.

In conjunction with consumer complaint matter:
MARK AND KATHRYN WERHEIM, CONSUMERS, FILE ID # 42291

- A \$100 penalty was assessed for failing to indicate the Master Plumber's license number on letterhead violating N.J.A.C. 13:32-3.1 (a) - (e) Identification of Licensed Master Plumber; vehicles; stationery; advertising;
- A \$500 penalty was also assessed for failure to comply with the requirements of the Consumer Fraud Act, namely N.J.A.C. 13:45A-16.2 (12) iv.: neglecting to indicate the dates or time period on or within which the work is to begin and be completed by the seller.

6. DISCIPLINARY ACTION

Reporting full penalty payment of \$2,500 on 3-17-2008

ANTHONY INTERSIMONE, LMP # 8743 T/A Intersimone Plumbing and Heating

OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING Violations of ~ License Lending

N.J.S.A. 45:1-21(e) has engaged in professional or occupational misconduct;
N.J.A.C. 13:32-4.1 Requirement of pressure seal; penalties for misuse;
N.J.A.C. 13:32-3.4 Supervision - plumbing work shall be performed by the licensed master plumber {lmp} or the employees of the lmp or plumbing contractor

In conjunction with complaint matter from
The BOROUGH OF WANAQUE, BUILDING DEPARTMENT,
579 RINGWOOD AVENUE, WANAQUE, NJ 07465
FILE ID # 47364

- A \$2,500 penalty was assessed for the job at 17 Toquet Street in Wanaque, NJ, Permit #05-724+A. - unlicensed, non-employee performing work at this job site; failed inspection.

7. BERMAN ROSENBACH

ATTORNEYS FOR MICHAEL IULIANO, LMP # 11047

REGISTERED AS "ALL BACKED UP, LLC T/A MICHAEL IULIANO PLBG AND HTG." INQUIRY DATED MARCH 5, 2008 Requesting an interpretation of Plumbing Law

8A. Scheduled at the request of DAG Joseph A. Donofrio to discuss the below Provisional Order of Discipline

"PLUMBING LICENSE FOR HIRE"

PROVISIONAL ORDER OF DISCIPLINE FILED 4-26-2007

Respondent's license to practice plumbing in the State of New Jersey, which is currently suspended by application of N.J.S.A. 45:1-7.1(b), as a result of his failure to apply for renewal within 30 days of its expiration date of June 30, 2005, shall provisionally remain suspended for a period of two years upon any request for reinstatement. The first six months of the suspension are to be active and the remaining 18 months are to be stayed and considered a period of probation. Respondent shall not be reinstated until such time as he has paid in full the civil penalties and costs which are outlined in this provisional order.

Respondent shall immediately surrender his master plumber's pressure seal upon entry of a final order. Respondent shall pay a civil penalty in the aggregate amount of \$10,000, consisting of a \$2,000 penalty for attempting to secure a plumbing permit for an unlicensed person; a \$2,000 penalty for permitting his license and seal to be used by another person; a \$2,000 penalty for willfully allowing an unlicensed person to use his seal; a \$2,000 penalty for aiding or abetting unlicensed practice and a \$2,000 penalty for initially misrepresenting his testimony during the October 23, 2003 inquiry . Respondent is hereby assessed costs in the amount of \$5,387.17.

8. EXECUTIVE DIRECTOR'S REPORT

Ms. Barbara A. Cook, Ex Director reserves this time. {No documents}