

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
516 - BUSINESS MEETING - AGENDA - SEPTEMBER 22, 2005**

MEETING SCHEDULED TIME: 9:00 AM ~ HUDSON ROOM, 6TH FL.

ROLL CALL OF BOARD MEMBERS ~

APPROVAL OF THE MINUTES ~ JULY 28, 2005 MEETING

{NOTE: The meeting scheduled for August 25, 2005, was cancelled.}

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

CONTINUING EDUCATION AUDIT

1. **CONCLUSION OF AUDIT 2003-2005**
MARCH 25, 2004 - SEPT 22, 2005

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 *\$56,500.00, and stenographic costs in the amount of \$690.59--- based solely on the audit of 460 randomly selected Licensed Master Plumbers. While no monies were received during July, 2005, further disciplinary actions are underway by way of Provisional and Final Orders of Discipline issued by the Board and developed by the Division of Law.

(No documents)

2. DISCIPLINARY ACTION

Reporting action - &- penalty payment of \$ 250.00 on 7-15-05

IN THE MATTER OF LOUIS CARRILLO, LMP # 2890
LICENSED TO PRACTICE AS A MASTER PLUMBER IN THE
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION ~ CONSENT ORDER

SIGNED JULY 15, 2005 & FILED JULY 28, 2005
\$250.00 PENALTY PAID IN FULL

This matter was opened to the State Board of Examiners of Master Plumbers upon receipt of a complaint filed by the Township of West Windsor, NJ. The complaint stated that Louis Carrillo {Respondent} had not been overseeing his plumbing jobs. According to the township, the respondent signed and sealed the permit for a plumbing job; however, neither he, nor his employees, personally performed the work. Respondent signed and sealed the permit, but the work was done by the unlicensed general contractor. Carrillo never supervised the work.

Respondent failed to appear for repeatedly failed inspections due to poor quality of workmanship. Carrillo asserted that his employee was ill and unable to perform the work. With the knowledge of the respondent, the property owner used the existing permit and hired another party to do the plumbing work.

These facts established a basis for disciplinary action pursuant to N.J.S.A. 45:1-21(b) and N.J.A.C. 13:32-4.1(c), in that respondent signed and sealed a plumbing permit for use by a person other than the State-licensed Master Plumber to whom it was issued.

Respondent chose to resolve this matter without admissions and without recourse to formal proceedings by paying a \$250.00 penalty on 7-28-2005, for the above violations and agreed to cease and desist from the violations described herein. No further action is warranted.

3. DISCIPLINARY ACTION

Reporting voluntary surrender of Master Plumber's license and Master Plumber's pressure seal

IN THE MATTER OF CARL TERMINE, LMP # 10922
LICENSED TO PRACTICE AS A MASTER PLUMBER IN THE
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION PROPOSED CONSENT ORDER

At the direction of the State Board of Examiners of Master Plumbers, a Consent Order was drafted by Deputy Attorney General (DAG) Joseph A. Donofrio, and issued to Carl Termine, Licensed Master Plumber # 10922.

In a letter dated July 5, 2005, Carl Termine responded to the Consent Order to advise the Board that he wished to voluntarily surrender his New Jersey Master Plumber's license and plumbing seal. The seal was enclosed with his letter.

While Mr. Termine declined on signing the proposed Consent Order issued to him, he did advise in his reply that he pled guilty to one count, {charge not indicated}, which was accepting a gratuity in order to expedite paperwork.

The facts described in the proposed Consent Order detail that Mr. Termine had pled guilty on November 13, 2002, to one count of accepting a bribe in order to expedite paperwork related to a plumbing inspection and approval while he had been serving in the capacity of a plumbing inspector in the State of New York.

Based on Mr. Termine's surrender of his license and seal, no further Board action is warranted concerning the licensee; however, DAG Donofrio may recommend the official closing of the file by a Final Order.

4. Inquiry concerning XANADU PROJECT in Bergen County, NJ

Several items of correspondence have been received at the Board Office relating to a project named "Xanadu" presently underway in Bergen County, NJ:

Letter addressed to Charles Richman, Commissioner, Department of Community Affairs (DCA) dated August 16, 2005, from Thomas Seifert, Assistant Business Manager of Plumbers Local 14, Lodi, NJ;

Letter from David B. Uhaze, RA, Chief, DCA, to Mr. Sulak of the Mills Corporation, dated August 16, 2005;

Letter from Michael T. Scaraggi, Esq, of Oransky, Scaraggi, Borg & Abbamonte, P.C., Attorneys at Law, to David B. Uhaze, RA, DCA, dated August 19, 2005;

Letter from Thomas Seifert to Charles Richman, DCA, dated August 26, 2005; Letter of August 29, 2005, from Michael T. Scaraggi {noted above} to the State Board of Examiners of Master Plumbers to the attention of the Alexander J. Tucciarone, {present member and former Chairman of the Board.}

Faxed documentation concerning this matter received 9/01/05.

Mr. Scaraggi requests in his August 29, 2005, letter that the Board review these items.

The Board will review these items of correspondence in Open Public Session, and Members may proceed into Executive Closed Session should developments arise within the attorney-client privilege.

5. Request for clarification of NJSA 45:14C-2(g) ~ August 25, 2005 Jason Nelson, Paralegal, Henkels & McCoy, Blue Bell, PA

Jason Nelson refers to the 1989 ruling (89-0225) of former DAG Douglas J. Harper, concerning installation of water, sewer and drain piping by individuals unlicensed as Master Plumbers.

Mr. Nelson requests a more recent clarification to assist him in his tasks as a utility contractor in the State of New Jersey.

6. DIVISION OF LAW BILLING ~ 4TH QUARTER FY 2005

DARLENE KANE, BUDGET OFFICER

DIVISION OF CONSUMER AFFAIRS

Ms. Kane submits her report for the Board's review.

7. Barbara A. Cook, Executive Director, reserves a portion of Open Public Session to review some pending issues with the Board. {No documents}

NOTE: The renewal deadline of June 30, 2005, has passed, and while all CE Instructors have submitted their attendance sheets, most licensees have fulfilled their five (5) hour requirement. The Board Office is preparing to initiate a new audit for the 2005-2007 CE compliance.

[Return to Agenda Menu Page](#)