

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
582 - BUSINESS MEETING - AGENDA - SEPTEMBER 22, 2011**

OPEN PUBLIC SESSION

*MEETING SCHEDULED TIME: 9:00 AM - HUDSON ROOM - 6th floor
ROLL CALL OF BOARD MEMBERS*

*APPROVAL OF THE MINUTES of the JULY 28, 2011 Meeting
(The August 25, 2011 meeting was cancelled.)*

BOARD BUSINESS

Documentation is provided on all matters unless otherwise noted.

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

1. KENNETH PETRIE OF PETRIE & REENSTRA, LLC, ATTORNEYS AT LAW

CLIENT: JOSEPH S. CASTIGLIA, CANDIDATE
MASTER PLUMBERS EXAMINATION

Correspondence dated July 19, 2011, seeking special accommodations.

DISCIPLINARY MATTER

2. OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING
FRANK ALVAREZ LMP # 11639, t/a Frank Alvarez & Sons

VIOLATION OF N.J.S.A. 45:1-21(e) engaged in professional misconduct for failure to issue a contract; \$500 penalty

PENALTY PAID IN FULL JUNE 21, 2011
CERTIFICATION SIGNED JUNE 17, 2011

{No copies}

DISCIPLINARY MATTER

3. OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING
SALVATORE PETRUZZELLA, LMP # 9105, t/a TRIPLE P PLUMBING
HONG SHOU MA, CONSUMER

VIOLATION OF N.J.A.C. 13:32-3.4 IDENTIFICATION OF LICENSEES
\$100 FINE FOR FAILURE TO INDICATE HIS LICENSE NUMBER ON HIS
INVOICE AND \$500 FOR FAILURE TO ISSUE A CONTRACT TO THE
CONSUMER

TOTAL PENALTY OF \$600 PAID MARCH 23, 2011
AND SIGNED CERTIFICATION

{No copies}

4. IN THE MATTER OF **KARL HOLL, LMP # 5695**, LICENSED TO PRACTICE PLUMBING IN THE STATE OF NEW JERSEY - ADMINISTRATIVE ACTION
PROVISIONAL ORDER OF DISCIPLINE FILED JULY 28, 2011

This matter was opened to the Board of Examiners of Master Plumbers upon receipt of information that the Board reviewed: Karl Holl is a licensed master plumber in the State of New Jersey, and is currently registered to trade as Karl A Holl Plumbing and Heating. At the time of the complaint, respondent was a ten percent owner and bona fide representative for "Above All Plumbing and Heating."

The Board received a complaint from consumer "V.E." pertaining to plumbing work that Above All was contracted to perform on or about October 19, 2008, at a laundromat owned in Fairview, NJ. According to the consumer, Above All was called to assess a leak from a heater, and two technicians from Above All arrived and quoted a price of \$1,500 to repair the leak. The consumer wrote an initial check for \$1000 to allow the technicians to purchase a part. The technicians were to obtain the part and return that day to work on the heater. A technician returned on or about October 20, 2008 and requested an additional \$1,000 to obtain the needed part, when the consumer wrote a second check for \$1,000.

The following day when the technician requested an additional \$1,000, the consumer wrote a third check for \$1,000. The technician repaired the furnace on or about October 22, 2008 and presented the consumer with a bill for an additional \$11,235.00. The consumer, V.E. issued two checks to the technician, one for \$5,235 and the other for \$6,000.

On May 28, 2009, respondent appeared for an investigative inquiry and acknowledged that he had been registered to trade as Above All and was a ten percent owner and bona fide representative of the company. He also testified that he was unaware of Above All billing activities. He stated that he was only notified if there was a complex plumbing issue where his expertise is needed. Respondent stated that when he became aware of Above All's billing and price-setting practices pertaining to this matter, he terminated his association with the entity. He admitted that he did not visit the job site at any time while Above All was rendering plumbing services for V.E. He advised that he did not supervise the meetings with V.E. and did not obtain a contract for the job that was to be performed.

Pursuant to N.J.S.A. 45:121(h) respondent violated the provision of a Board administered regulation, N.J.A.C. 13:32-3.3(a), in that the respondent, as the bona fide representative, did not provide the required supervision concerning the plumbing work performed for consumer V.E.

Continued

4. *Continued.*

IN THE MATTER OF **KARL HOLL, LMP # 5695**
PROVISIONAL ORDER OF DISCIPLINE FILED JULY 28, 2011

Respondent is provisionally reprimanded for the above violation and assessed a \$5,000 civil penalty. The within Order shall be subject to finalization by the Board at 5pm on the 30th business day following entry hereof unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request.

Response:

A letter dated August 18, 2011 was submitted by Santo J. Bonanno, Esq., Attorney for Karl Holl. The Board will review this

response in Executive Closed Session.

UNLICENSED PRACTICE MATTERS

5. OFFER OF SETTLEMENT IN LIEU OF DISCIPLINARY PROCEEDING
In the matter of:

JOHN RISSO, CONSTRUCTION OFFICIAL
TOWNSHIP OF SPRINGFIELD - FIRE REPORT - FILE ID # 73814
FRANCISCO MORENO, GENERAL CONTRACTOR, UNLICENSED

WORK SITE LOCATION: 67 FOREST DRIVE, SPRINGFIELD, NJ
FEBRUARY 24, 2011 AGENDA ITEM 36
UNLICENSED PRACTICE OF PLUMBING

A Cease and Desist with a \$10,000 penalty was issued to the above general contractor, Francisco Moreno, Mr. Moreno signed the Certification to the Cease and Desist on August 24, 2011, and appeals to the Board to reduce the penalty and or allow a payment plan. *This matter may be discussed in Executive Session.*

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6. DIVISION OF LAW BILLING
MEMORANDUM DATED AUGUST 8, 2011
DARLENE KANE, BUDGET OFFICER
4TH QUARTER OF FY 2011
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7. INQUIRY FROM HARRY C. PURDY, T.A PURDY MECHANICAL
LICENSED MASTER PLUMBER # 11071 - ACTIVE -
EXPIRATION JULY, 2013;

MEDICAL GAS INSTALLER CERTIFICATION # 198 - ACTIVE;
EXPIRATION JUNE, 2013

Licensee Purdy corresponds with the Office of the Attorney, **Citizens Services and Relations**, concerning his medical gas certification and those of his employees with respect to installations and repairs.

*◆ 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.*
