

**State Board of Examiners of Master Plumbers**  
**# 483 - Business Meeting - Agenda - September 26, 2002**  
**Open Public Session**

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

ROLL CALL OF BOARD MEMBERS ~

APPROVAL OF THE MINUTES OF THE AUGUST 22, 2002, MEETING

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**BOARD BUSINESS**

Documentation is provided on all matters unless otherwise noted.

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**1. IN THE MATTER OF JOSEPH R. FICHNER, JR.**  
**Former Licensed Master Plumber # 6213**

\$54,649.51 ~ Payment of penalties, costs, fees and interest

On June 28, 2002, one check in the amount of \$54,649.51, plus eight (8) consumer restitution checks (totaling \$2,288.27) were sent to the Board Office from Kathleen Fichner, in satisfaction of the Board's judgment entered on its Certificates of Debt, for Joseph R. Fichner, Jr., former LMP # 6213.

This matter was extensively litigated through administrative, appellate, and enforcement litigation during a ten (10) year period, and resulted in the entry of an order revoking Mr. Fichner's license, directing and ordering restitution to be paid by him to seven (7) consumers, plus assessing civil penalties and costs.

In discharging its role to protect the consumers of this State, the Board returned the restitution checks to each respective consumer on September 16, 2002.

(No documents)

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**2. RESIGNATION LETTER FROM**  
**BOARD MEMBER PETER J. MC DONOUGH, JR.**

A letter dated September 5, 2002, is addressed to Executive Director, Barbara A. Cook, from Peter J. Mc Donough, Jr. expressing that while he is grateful for the nomination to the State Board, he cannot currently serve as a Board Member.

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**3. 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:

**JOSEPH ALBANESE, LMP # 6622**  
**113 MAC DONALD DRIVE, WAYNE, NJ 07470**  
**973-694-1800, Ext/ 3297**  
**Seeking re-approval as CE INSTRUCTOR # 65**

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### **4. CONTINUING EDUCATION MATTER ~** **ANTHONY MAZZETTA, LICENSED MASTER PLUMBER # 6525** **RENEWED 2001-2003, seeking CE exemption for 2003-2005 biennial**

Mr. Mazzetta submits a letter dated August 8, 2002, expressing health concerns and requesting exemption from the CE requirement for biennial 2003-2005. He confirmed in a call placed to him on September 18, 2002, that he no longer maintains an active plumbing business.

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### **5. CONTINUING EDUCATION** **IN ADVANCE OF THE 2003-2005 MASTER PLUMBER'S BIENNIAL** **RENEWAL CE REQUIREMENT**

Board Members are provided with a current copy of the approved list of Continuing Education instructors.

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### **6. ANTHONY MIRAGLIOTTA, DEPUTY DIRECTOR** **JUNE 11, 2002, MEMORANDUM**

**RE: DIVISION OF CODES AND STANDARDS**  
**PLUMBING SUBCODE, PRESSURE ASSISTED WATER**  
**CLOSETS ~ PROPOSED AMENDMENT: N.J.A.C. 5:23-3.15**

Deputy Director Anthony Miragliotta furnishes a cover memorandum to the Board enclosing a copy of the above amendment.

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### **7. DISCIPLINARY ACTION - PROVISIONAL ORDER OF DISCIPLINE** **JOHN NEMRI, LICENSED MASTER PLUMBER # 7073** **FILED BY BARBARA A. COOK, EX. DIRECTOR, ON 9/5/02**

Board Members are provided with a copy of a letter addressed to licensee John Nemri, dated September 6, 2002, from Deputy Attorney General Darlene Lapola, enclosing a Provisional Order of Discipline filed by Executive Director Barbara A. Cook on September 5, 2002.

The Order is subject to finalization by the Board at 5:00 pm on the 30th business day following entry unless licensee

Nemri requests a modification or dismissal of the outlined Findings of Fact or Conclusions of Law.

The Conclusions of Law indicate that there are grounds for disciplinary action against Mr. Nemri pursuant to N.J.S.A. 45:1-21(h) in that he failed to cooperate with the Board's investigation; violation of N.J.S.A. 45:1-21(b) in that Mr. Nemri engaged in deception and misrepresentation by advertising under different trade names while unauthorized to do so; and violation of N.J.A.C. 13:32-3.3, which prohibits a licensee to serve as a bona fide representative for more than one entity.

Said order also details the assessment of a \$10,000 civil penalty for Mr. Nemri's advertising practices in violation of existing New Jersey's Plumbing Statutes and Regulations.

DAG Lapola will provide the Board with any recent developments in this matter.

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*Posted September 19, 2002*