

**STATE BOARD OF EXAMINERS OF MASTER PLUMBERS
596 - BUSINESS MEETING - AGENDA - DECEMBER 20, 2012**

OPEN PUBLIC SESSION

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

APPROVAL OF THE MINUTES *of the* NOVEMBER 15, 2012 MTG.

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.) **13:32-3.2 BONA FIDE REPRESENTATIVE; REPORTING RESPONSIBILITIES**

(a) A licensed master plumber seeking to act as a **bona fide representative** for any firm, partnership, corporation or other legal entity shall register with the Board within 30 days of assuming the role of a bona fide representative and submit the information on a form provided by the Board.

The form has been created in compliance with the adopted changes to the regulation and is presented for Board review and approval.

2.) **SIGNED ACKNOWLEDGMENT- UNLICENSED PRACTICE ISSUED 10/10/12 - NO FINE - WORK WAS SUBCONTRACTED TO A LMP**

**NJ BEST LAWN AND FENCE, UNLICENSED
FILE ID: #83554**

3.) **OFFER OF SETTLEMENT - ISSUED 10/10/12 - PAID \$250**

**PROFESSIONAL MISCONDUCT - FAILURE TO ISSUE A CONTRACT TO THE CONSUMER FOR THE JOB.
JOSEPH VALENTE, LMP #9100, T/A J. VALENTE PLUMBING AND HTG.
FILE ID: #86491**

4.) **OFFER OF SETTLEMENT - ISSUED 10/22/12 - PAID \$1,000**

**PERMIT MATTER - FAILED TO PROPERLY MANAGE HIS PERMIT, IN VIOLATION OF N.J.A.C. 13:32-3.3 BONA FIDE REPRESENTATIVE
STEVEN FUTTERKNECHT, LMP #11827
FILE ID: #77455**

5.) IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE
LICENSE OF FELDMAN MIDDLETON, LMP #7026

LICENSED TO PRACTICE AS A MASTER PLUMBER IN
THE STATE OF NEW JERSEY- FILED JANUARY 26, 2012
\$10,000 TOTAL PENALTY:

Penalty payments: \$500 PAID September 19, 2012
\$500 PAID December 3, 2012

Respondent is reprimanded and his license is suspended for a period of one year retroactive to December 3 2009. He is fined an aggregate civil penalty totaling \$10,000 for the following violations: \$1,500 for each instance that he allowed his plumbing seal to be used to secure a plumbing permit for an unlicensed entity— totaling \$4,500, in violation of N.J.A.C. 13:32-4.1c.

Respondent is fined a civil penalty of \$1,500 for each instance of allowing plumbing work to be performed under his signed and sealed permits which was not subcontracted to another licensed contractor, nor was it performed by the respondent or the employees of the respondent— for a total of \$4,500 in violation of N.J.A.C. 13:32-3.4.

Respondent is fined a civil penalty of \$1,000 for performing plumbing work for residential project with a purchase price in excess of \$500 without obtaining a written contract in violation of N.J.A.C. 13:45a-16.2(12). Payments are scheduled within said order.

6.) LETTER OF APPEAL FOR MASTER PLUMBERS APPLICATION
DATED - NOVEMBER 29, 2012
APPLICANT WILLIAM FARINELLA

7.) OAG REFERRAL

JAMES N. FANIA - REGARDING EMERGENCY ASSISTANCE TO NJ FROM
OUT OF STATE LICENSEES

James N. Fania, CONSTITUENT

San Juan Capistrano, California 82675

E-mail correspondence addressed to the Office of the Governor and to the attention

of Attorney General Jeffrey Chiesa, dated November 30, 2012, regarding emergency assistance to New Jersey from out-of-state licensees, has been forwarded to the State Board of Examiners of Master Plumbers for review.

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8.) MONITORING DRUG AND ALCOHOL REPORTS

- (A) LICENSEE STEVEN B. ZANNE, LMP #10731
 - (B) APPLICANT ANIBAL RIVERA
 - (C) LICENSEE MICHAEL D. EBER, LMP #11654 AND MED GAS APPLICANT
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9.) FAILURE TO COMPLY WITH TERMS OF FINAL ORDER OF DISCIPLINE FILED JANUARY 20, 2012

IN THE MATTER OF WALTER D. WINNER, JR., LMP #9349, TO PRACTICE PLUMBING IN THE STATE OF NEW JERSEY, ADMINISTRATIVE ACTION - FINAL ORDER OF DISCIPLINE 1-20-2012

Respondent is ordered to pay restitution to the consumer JG in the amount of \$2,200 within 60 days and shall provide proof of payment to the Board within ten days of that restitution. Respondent is assessed a civil penalty in the amount of \$2,500, the entire portion to be stayed as long as he provides the ordered restitution. The civil penalty is assessed pursuant to N.J.S.A. 45:1-21(e) for failing to cooperate with the Board's investigation and failing to provide information concerning the consumer complaint from JG.

The Board received a complaint from consumer JG that he entered into a contract with respondent to remodel two bathrooms. JG provided that he issued the check for \$2,200 to the respondent, Winner, and advised that respondent cashed the check, but never began the work.

The Board will schedule a review in Executive Closed Session for advice of counsel on this matter.

◆ *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.
