

**#534 MEETING OF THE STATE BOARD OF EXAMINERS
OF MASTER PLUMBERS – APRIL 26, 2007 - MINUTES**

The Minutes of the April 26, 2007 Board Meeting have not been formally approved and are subject to change or modification by the Public Body at its regular meeting on May 24, 2007.

The notice of the April 26, 2007 meeting has been mailed to the Star Ledger, Camden Courier Post, and Trenton Times newspapers, and has also been posted on the Bulletin Board at the Office of the Secretary of State in Trenton, New Jersey.

The Board Meeting of April 26, 2007 was called to order at 9:00 am with the following Members in attendance:

Mark McManus, Chairman

Ralph Wetzel, Vice-Chairman

Peter I. Voros

Michael K. Maloney

Michael L. Sestanovich

Donald Dileo

Board Members Adam J. Sabath and Paul N. Bontempo were absent

As of this Board meeting date, there is one (1) Board member vacancy for a Public Member. That position was formerly held by Board Member Margaret Sieb who resigned on December 15, 2005.

Others in attendance:

The following individuals were in attendance from 9:00 a.m. until the close of the meeting at 4:00 pm:

Barbara A. Cook, Executive Director

Rosemarie Baccile, Executive Assistant

Deputy Attorney General Joseph A. Donofrio

PUBLIC SESSION VISITORS:

Brien McLaughlin, New Jersey State League of Master Plumbers (NJSLMP)

Bill Stepler, CEP Associates, Sponsors of Continuing Education

Elizabeth Moritz, Administrator, NJSLMP

PLEDGE OF ALLEGIANCE to the FLAG

Chairman Mark McManus led the Board in the Pledge of Allegiance to the Flag and requested that Members join in a moment of silence in recognition of U.S. troops serving our Country.

APPROVAL OF THE MINUTES ~ FEBRUARY 22, 2007 MEETING

A motion was made by Ralph Wetzel and seconded by Donald Dileo to approve the minutes of the

February 22, 2007 meeting. A vote was taken and the motion unanimously passed.

APPROVAL OF THE MINUTES ~ MARCH 22, 2007 MEETING

A motion was made by Ralph Wetzel and seconded by Michael Maloney to approve the minutes of the March 22, 2007 meeting. A vote was taken and the motion unanimously passed.

BOARD BUSINESS

PRESENT BOARD MEMBERS - &- CAPACITIES

MARK MC MANUS ~ CHAIRMAN, JOURNEYMAN PLUMBER

RALPH WETZEL ~ VICE-CHAIRMAN ~ MASTER PLUMBER MEMBER

MAYOR PETER I. VOROS ~ MASTER PLUMBER MEMBER

MICHAEL K. MALONEY ~ MASTER PLUMBER MEMBER

MICHAEL L. SESTANOVICH ~ INSPECTOR 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. CONTINUING EDUCATION AUDIT CONCLUSION OF AUDIT 2003-2005

The State Board of Examiners of Master Plumbers reported on the conclusion of its audit of 2003-2005 CE requirements. Recent developments include:

STEVEN R. FISHER, LMP # 9669 - FINAL ORDER FILED 5-25-2006
Reported Open Session 9-28-2006 - \$1,500 Penalty & Costs \$98.67

Respondent was assessed a civil penalty in the aggregate amount of \$1,500 consisting of a \$500 penalty for failing to complete his CE requirements in timely manner; a \$500 penalty for failing to cooperate with correspondence; and a \$500 penalty for indicating on his renewal that he would complete the requirements when he had failed to do so. Costs of \$98.67 for the May 4, 2004 Investigative inquiry were also assessed. Paid in full on April 3, 2007, and the matter is closed.

2. Total 2003- 2005 AUDIT penalties collected:

Total 2003-2005 AUDIT costs collected:

These figures were updated April 11, 2007

3. ADOPTION: 2006 NATIONAL STANDARD PLUMBING CODE

For further information visit www.state.nj.us/dca/codes/forms

On February 22, 2007, while in Open Public Session, Board Members noted that the 2006 National Standard Plumbing Code was adopted on February 20, 2007. The official published date in the New Jersey Register was February 22, 2007. Sponsors and Instructors of Continuing Education are reminded that they

are to instruct on the current code. Since the 2006 Code has now been adopted, CE Sponsors are to alter their courses accordingly.

2006 NATIONAL STANDARD PLUMBING CODE - Continued

The Department of Community Affairs, Trenton, NJ, allows a six (6) month grace period for the new code changes. Master Plumbers are permitted to make the transition from the 2003 code to the new 2006 code for their plumbing work during these six (6) months. However, when the grace period ends on August 20, 2007, all licensees must be operating according to the 2006 NSP code.

4. IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE PLUMBING LICENSE OF GRADY SUMNER, LMP # 11251 TO PRACTICE PLUMBING IN THE STATE OF NJ FINAL ORDER FILED 4-10-2007

Respondent has now cooperated with the Board's request for information concerning a project at 743 Passaic Avenue in Clifton, NJ, involving Fastrac and Midlantic Plumbing. Therefore, by this final order, the suspension set forth in the Provisional Order filed September 21, 2006 was rescinded. However, a "Draft" provided by DAG Donofrio was reserved for discussion in Executive Closed Session; the Board did not return to Open Public Session to report any new findings.

5. SCOTT GAYLERT - LMP # 8708 & CE SPONSOR BOARD INQUIRY CONCERNING PREPARATION for the MASTER PLUMBER'S EXAMINATION

Scott Gaylert corresponded with the Board on April 1, 2007 to state that he is interested in teaching preparation courses for the Master Plumber's examination.

On April 26, 2007, Members reviewed Mr. Gaylert's correspondence and suggested that a letter be directed to the licensee to state that the Board does not endorse any preparation course for the Master Plumber's examination. Mr. Gaylert may refer to existing New Jersey Plumbing Statutes and Regulations governing the examination and its procedures.

6. JOHN T. LUMINIELLO, JR., INQUIRY RE PLUMBING REPAIRS

On April 26, 2007, Members reviewed Mr. Luminiello's correspondence and responded by directing Mr. Luminiello to the existing "Scope of Practice" regulation, N.J.A.C. 13:32-1.4 which defines plumbing and non-plumbing tasks. A letter will be directed to Mr. Luminiello.

7. RICHARD A. POLINE, LMP # 10750 INQUIRY CONCERNING SCOPE OF PRACTICE

On April 26, 2007, the Board reviewed Mr. Poline's inquiry and responded by stating that a well drillers' license and a licensed pump installer are separate licenses. He is also referred to the "Scope of Practice" regulation, N.J.A.C. 13:32-1.4 which defines plumbing and non-plumbing tasks.

8. FISCAL YEAR 2007, BUDGET REPORT FIRST HALF DARLENE KANE, BUDGET OFFICER

The Board reviewed this budget report without formal comment.

9. WILBUR R. WHITE, JR., LMP # 4110 FAILED TO RENEW 1999-2001; EXPIRED JUNE 30, 1999

Mr. White corresponded with the Board to gain the reinstatement of his Master Plumber's license.

On April 26, 2007, a motion was made by Donald Dileo and seconded by Ralph Wetzel to permit Mr. White to re-test for the Master Plumber's examination. A vote was taken and the motion unanimously passed.

10. Ms. Cook advised that the 2006 NATIONAL STANDARD PLUMBING CODE will be implemented for the NOVEMBER 6, 2007 Master Plumber's examination.

10A. MASTER PLUMBERS REGULATIONS "SUN SETTING" ü ü MARCH 28, 2008

The New Jersey Office of Administrative Law reports that the State Board of Examiners of Master Plumbers' Regulations will expire on March 28, 2008. On April 26, 2007, Deputy Attorney General Joseph A. Donofrio and Regulatory Analyst Charles Manning held a discussion with Board Members concerning "Sun setting." Charles Manning advised that he will return to the Board with his recommendations.

It is noted that applications for the Master Plumber's examination and Master Plumber's business registration forms are reviewed by Board Members during the course of each business meeting.

EXECUTIVE CLOSED SESSION MOTION:

A motion was made by Donald Dileo and seconded by Ralph Wetzel to proceed into Executive Closed Session to review approximately (21) twenty-one consumer complaint matters, issues surrounding the CE audit, the DAG quarterly report, one (1) investigative inquiry, one consent order issue, and for consideration of investigation of possible violations of applicable law, pending or anticipated litigation, matters under investigation, and review matters within the attorney-client relationship exception to the Open Public Meetings Act. A vote was taken and the motion unanimously passed.

The subject of this discussion shall remain confidential until such time as the reasons for having this matter in Executive Closed Session are no longer applicable. The next regularly scheduled meeting is on May 24, 2007 at 9:00 a.m. in the Hudson Room.

Respectfully submitted,

Barbara A. Cook
Executive Director