

Minutes LICEB February 5, 2016

Minutes Taker-Stacy Andersen

Start Time: 10:46 AM

End Time: 2:26 PM

LANDSCAPE IRRIGATION CONTRACTORS EXAMINING BOARD

Meeting Location: DEP Building
401 E State Street
Trenton, NJ 08625
4th Floor Large Conference 4E002 Room

Attendees:

Board Members

Robert Dobson

George M. McCarthy

Ken Scherer

Gaetano Virone

Legal Council

Elspeth Hans

Affiliation

Middletown Sprinkler

Spring Irrigation Co. Inc.

Hillsborough Irrigation

Environmental Designers Irrigation

DAG

DEP Staff

Stacy Andersen

Joanne Taroco

Bureau of Licensing and Pesticide Operations (BL & PO)-NJDEP

BL & PO -NJDEP

Absent:

William Frederick Rapp

Trish Conti

Atlantic Irrigation

BL & PO -NJDEP

Official Start Time: 10:46

Stacy Andersen read aloud the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State, and designated newspapers as well as posted in the Department of Environmental Protection (DEP)

Minutes from previous meeting were not reviewed at this time.

Treasurer's report was reviewed at the January 5, 2016 meeting.

Email communications from two contractors Geri Reidy and Joe Gere

Geri Reidy's email was in response to the what the continuing education requirements were going to be now that the Landscape Irrigation Contractors Examining Board was slated to move from the Department of Environmental Protection to the Department of Community affairs. The Board decided to respond to Mr. Reidy's email communication informing him that according to the transfer act there were currently no new changes. That Board will remain intact, and the regulatory functions of the Board would stay the same.

Joe Gere's email concern whether or not some job functions that he performs as a landscaper were permissible to do without being in violation of the regulations. Specifically changing the type of head on an existing zone, adding additional heads to a zone and adding an additional zone to a customer's existing system. The Board response was that none of those job functions were permissible without holding the Landscape Irrigation Contractor License and that he could look this up in the regulations.

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Gaetano Virone began the meeting discussing the Board's decision to send out letters to course providers concerning the need to use and submit course roster. As was discussed in the January 5th, 2016 meeting course providers were not utilizing and or submitting the course attendee rosters to the board. Robert Dobson had drafted the letter however the letter had been sent to the course providers as of the January 19, 2016 because the final verbiage of the document had not been approved.

Robert Dobson also noted at this time that there was a concern with the amount of Continuing Education Credits (CECs) that the Irrigation Association of New Jersey (IANJ) was advertising or placing on their certificates that they were issuing to individuals versus the amount of technical credits approved by the Board. Licensed landscape irrigation contractors were upset by the difference in CEC values and not knowing why the credits were not assigned the value written on the certificates issued by the course provider. Robert Dobson noted that if the IANJ and all course providers were utilizing the exam rosters and checking photo IDs as is outlined in the regulations it would be easier to locate and communicate with the contractors receiving lesser amount of credits and the reasons why.

Conversation moved in the direction of assigning course numbers to courses to eliminate the errors occurring when a course provider states that courses were valued for a higher CEC value than what was approved by the Board. The Board as a whole believes this to be beneficial but would like to hold off on finalizing a process to do this until after the transfer of the board.

Gaetano Virone motioned to go into close session, Ken Scherer seconded motion. Unanimous approval to proceed to closed session. Close session begins at 11:40

Ken Scherer Motioned to return to open session, Gaetano Virone seconded motion. Unanimous approval to return to open session Return to Open session at 1:58

During closed session, the Board decided to proceed with issuing 2 Settlement Offer Letters 2 Administrative Orders, and 2 No Further Action letters. The Board also decided to send 2 complaints to the investigator. The Board decided to offer a 5 day extension to remove an advertisement and after 5th day if advertising was still posted then an Administrative Order would be issued. The Board decided to close one complaint.

Gaetano Virone motioned to accept the decisions made during closed session and Robert Dobson seconded the motion Unanimous approval was not met Ken Scherer did not approve to accept the close session decisions.

Ken Scherer disapproved of the close session actions. It was determined that one of the cases that Ken Scherer referred to the Board for review was closed do age of case; however Ken was able to show the board through electronic media that the particular case he referred was indeed still actively advertising.

Gaetano Virone motioned to return to close session and Robert Dobson seconded the motion. Unanimous approval to return to closed session. Ken Scherer excused himself. Close session resumed at 2:14

Gaetano Virone motioned to return to Open session at 2:22 Robert Dobson Seconded the motion. Unanimous approval to return to Open session

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Gaetano Virone motion to accept the amended decisions of closed session. Kens Scherer seconded the motion. Unanimous approval to accept the amended decision from closed session.

Ken Scherer motioned to adjourn meeting, Gaetano Virone seconded motion. Unanimous approval to adjourn. The meeting adjourned at 2:26 PM.