

November 14, 2014

**LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD**

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 11:10 a.m. The following members were in attendance:

MEMBER

AFFILIATION

Linda Cantwell	NJDEP
Robert Dobson	Middletown Sprinkler
George McCarthy	Spring Irrigation Co Inc.
Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation

Absent

William Frederick Rapp Atlantic Irrigation Specialties

DAG Michael Schuit, DAG Gene Rosenblum, Michael Kukol, Irrigation Association of NJ representative, and Annie Loh were also in attendance.

Linda Cantwell read 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 DEP.

The open and closed session minutes from September 23, 2014 meeting were reviewed and accepted as presented.

After a brief discussion, the treasurer's reports was reviewed and accepted as presented.

Correspondence was received from a contractor requesting a waiver from the continuing education requirement due to an existing disability which has created a financial hardship. A discussion was held. Staff will contact the contractor in order to determine whether or not he has the ability to attend and participate in any free educational courses. The Board will be updated once the information has been obtained.

Guy Virone informed the Board, that due to a conflict, his was unable to attend the last IANJ meeting. Mr. Virone requested that IANJ updates be added to future agendas.

A discussion was held concerning the upcoming Irrigation Association of NJ (IANJ) conference. Guy Virone or George McCarthy along with Bob Dobson will represent the Board at the conference. The enforcement contractor will not be attending the conference.

The Board was informed that correspondence has been sent to contractors who have not submitting continuing education credits for review. It was noted that there has been a tremendous response.

The Board was informed that all of the business permits have been re-issued with a two year expiration date. It appears that a significant number of contractors have still not applied for a business permit. In addition, as a result of a mailing correspondence was returned by the post office due to the fact that the contractor moved to Arizona. Staff happened to recall that this particular contactor was designated a certificate holder (DCH) for an irrigation company located in NJ. A discussion was held. Since the DCH is responsible for supervision and inspection of landscape irrigation contracting work to be performed by the permittee concerns were expressed. Staff indicated that there may be others not including the Pennsylvania, New York, and Delaware areas. The Board will prepare correspondence

to this company. Staff will review business permits in order to determine whether or not there are other contractors in this situation.

A discussion was held concerning the new Irrigation Association agreement, specific to the costs associated with the actual exam/scoring. The Board will contact the Irrigation Association in order to determine if these costs can be reduced.

Bob Dobson informed the Board that the CEC tracking system should be available by December 1. A discussion was held concerning the process of getting the CEC information to the vendor. While it appears the Board agreed that course providers could streamline the process by submitting a roster of contractor attending each course, including a copy of their course certificate, DAG Schuit informed the Board that the rules are clear the each contractor was responsible for submitting their own CECs. DAG Schuit will investigate whether the following approach would resolve his concerns: naming the course roster "CEC Submission Form" and including the following statement on the form: "By signing this form, I authorize the course provider to submit this training information on my behalf."

The Board motioned and approved to accept the exam results; 3 passed 21 failed.

Mike Kukol inquired as to the status of A3397 which would abolish the Landscape Irrigation Contractors Examining Board, currently in the Department of Environmental Protection, and transfers all of the functions of the board to the Department of Community Affairs. The Board informed Mr. Kukol that the bill was out of the committees.

Mr. Kukol also inquired as to the upcoming renewal process, specific to the CEC requirement. Renewals will be sent to those contractors that have submitted sufficient CECs. Contractors with insufficient CECs will be sent a letter.

The Board voted to enter into a closed session in order to discuss enforcement matters at 3:28 pm. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session at 3:44 pm.

Since there was no further business to discuss, the meeting was adjourned at 3:45 p.m.

Respectfully Submitted,

George M. McCarthy, Chairman
Landscape Irrigation Contractors Board