

Minutes LICEB September 29, 2015

Minutes Taker-Joanne Taroco

Start Time: 11:40 AM

End Time: 4:05 PM

## LANDSCAPE IRRIGATION CONTRACTORS EXAMINING BOARD

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

### Attendees:

#### Board Members

Robert Dobson

George M. McCarthy

William Frederick Rapp

Ken Scherer

Gaetano Virone

#### Affiliation

Middletown Sprinkler

Spring Irrigation Co. Inc.

Atlantic Irrigation

Hillsborough Irrigation

Environmental Designers Irrigation

#### Legal Council

Elsbeth Hans

DAG

Michael Shuit

DAG

#### DEP Staff

Stacy Andersen

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

Trish Conti

BL & PO -NJDEP

Joanne Taroco

BL & PO -NJDEP

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Joanne Taroco 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)

The open and closed session minutes from the June 3, 2015 meetings were reviewed. **Fred Rapp Motioned to accept the minutes and Robert Dobson seconded the motion. Unanimous vote to proceed.**

The treasurer's report was reviewed. **Gaetano Virone motioned to accept and Fred Rapp seconded the motion. Unanimous vote to accept treasurer's report.**

**Robert Dobson motioned to move on to the next item on the Agenda, seconded by Ken Scherer. Unanimous approval to move on to Application Review.**

- There were 9 individuals for re-testing
- 14 Applications that required Board review

The Board approved the 9 applicants re-testing.

The Board Approved 9 out of the 14 applications that were reviewed.

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The Board Denied 2 of the 14 applications due to inadequate proof of work experience.

The Board conditionally approved 3 applications pending additional documentation (2 demonstrating that the companies that the applicant worked for had a Licensed Landscape Irrigation Contractor and 1 that required a letter written on the letterhead from the New Jersey Turnpike Authority stating that the applicant was performing irrigation work as part as their job responsibilities as an employee).

**Ken Scherer motioned to accept the Board's decisions and proceed to the next item on the agenda. Fred Rapp seconded the motion. Unanimous approval by the board.**

The Board revisited older communications regarding CEC waiver requests.

Rocco Incorvaia- Send letter stating that the regulations require everyone to obtain CECs to renew license and that he needs to obtain CECs to renew his license. **(Completed on 11/13/2015)**

Discussion proceeded to Irrigation Association of New Jersey's (IANJ) request to disclose the names of individuals who have settled on Notices of Violation issued by the Board. It was determined that it is best to have anyone seeking this information submit a request to the OPRA office. **(Gaetano Virone will notify the IANJ that the Board is not releasing this information.)**

The Administrative Order Notice of Civil Administration Penalty Assessment (AONOCAPA) has been drafted and final approval is pending from DAG Elspeth Hans's supervisor.

Due to the amount of unresolved complaints received, the Board requested that additional meeting be scheduled for the remainder of calendar year 2015, and for 2016. **(NJDEP was not able to add additional meetings for 2015 due to time constraints for public notices and meeting room availability. Additional meetings for calendar year 2016 were added-schedule attached.)**

The Board decided to draft a No Further Action (NFA) letter as a response to individuals and or Businesses who have responded to the complaints filed against them and want to know whether the response submitted to the Board satisfied the Notice of Violation and/or Settlement Offer Letters.**(Final NFA letter completed October 2015)**

The Board decided to send investigator John Gallant on a sweep looking specifically for individuals and/or companies that are winterizing. Suggested dates to conduct the sweeps are October 15 and November 1.

**Ken Scherer motions to move into closed session, Fred Rapp seconded motion. Unanimous approval to move to close session.**

The board entered closed session at 1:35 P.M.

**Ken Scherer motions to return to open session, Fred Rapp seconded motion. Unanimous approval to return to open session.**

During closed session, the Board decided to issue 2 Administrative Orders, 4 Settlement Offers, 3 Notices of Violation Letter and 1 NFA Letter.

**Robert Dobson motioned to accept the actions discussed during closed session and Gaetano Virone seconded the motion. Unanimous approval to accept closed session actions.**

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**Robert Dobson motioned for adjournment, Gaetano Virone seconded. Meeting commenced at 4:05 pm.**