

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

June 2, 2014 Meeting Minutes

4:00 p.m., Public Hearing Room, DEP, Trenton

Board Members:

Present

Mark Pedersen
Jorge Berkowitz
Philip Brilliant
Richard Dewling
Lawra Dodge
Joann Held
Christopher Motta
Karl Muessig
Michael Pisauro
Constantine Tsentas
Ira Whitman

Others Present:

Board Secretary Karen Hershey
Board Staff Dana Haymes
DAG Nielsen Lewis substituting for DAG Kimberly Hahn

Proceedings:

- **Meeting called to Order at 4:07 by Chairman Pedersen**
- **Statement by Chairman Pedersen that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act**
- **Roll Call**

Approval of the Minutes

May 5, 2014

Motion by Ira Whitman to approve the Minutes of the May 5, 2014 meeting.
Motion seconded by Joann Held.
Lawra Dodge and Richard Dewling abstained.
Remainder of those present voted Yes.

The motion was carried.

- **Chairman's Report:**

Chairman Pedersen briefed the Board on the recently issued DEP press release, "Court Finds Multiple Defendants Share \$6.13 million Liability for Cleanup of Mercury Contamination at Former Day Care Site" commonly known as Kiddie Kollege of Franklin Township, Gloucester County.

- **Vice-Chairman's Report:**

Vice-Chairman Held discussed future Board meeting dates. The Board decided to change the July 7 meeting date to July 14 and the September 2 meeting date to September 8 to avoid Holiday travel plans which might conflict with meeting dates. The meeting will begin at 5:00 pm on September 8.

- **Report of the Secretary:**

Request by Secretary Hershey to Board members to submit conflict forms.

- **Report of the Licensure Committee: Ira Whitman**

Ira Whitman introduced Clarence Chaffee of Caviart, the contractor administering the LSRP examination. Mr. Chaffee reported that 103 candidates took the March 2014 examination. The examination contained 165 questions. With respect to updating the examination for the next administration, Mr. Chaffee will review changes to the applicable statutes and regulations, and review questions to ensure that questions are current.

Mr. Chaffee answered questions from the Board and the public.

Ira Whitman then reported that Caviart's contract ends August 2015. He indicated that DEP wrote the Scope of Work for Caviart's contract, but the Board will write the Scope of Work for the upcoming contract. Karen Hershey is the Contract Manager for the upcoming contract. The Licensing Committee is working to submit a Scope of Work to the Department of Treasury by August 2014. Ira Whitman requests that anyone on the Board that wishes to contribute to developing the future contract forward comments to him by July 3, 2014.

- **Report of the Audit Committee: Philip Brilliant**

Phil Brilliant reported that the following audits are deemed complete:

Audits from December 2013:

Glenn Calabrese

Thomas Adams

Stephen Boswell

Audits from January 2014:

Robert Workman

He also stated that the June 2014 audit selection will take place tomorrow.

Joann Held suggested that there be a chairman appointed to the audit review team when a Board member is audited, so as to facilitate and coordinate the four-person team.

- **Report of the Continuing Education Committee: Lawra Dodge**

Lawra Dodge reported that the Board website has been updated with a revised applications for approval of continuing education credits to be completed by providers or LSRPs seeking credits, as well as new applications for approval of continuing education credits for instructing a continuing education program, presenting a presentation, and authoring a paper.

Lawra Dodge also stated that the Board will send a listserv to notify LSRPs of the availability of the new applications.

She also noted that four new applications for approval of continuing education credits are pending with her Committee.

- **Report of the Finance Committee: Richard Dewling**

Richard Dewling reported that the Board's budget is in good shape at this time. He also noted that next year's budget needs to plan for litigation and paying for an administrative law judge should a matter go to hearing. He noted that the annual fee for LSRPs will remain the same in order to keep money available. Upcoming contracts for software and examination may impact budget.

- **Report of the Outreach Committee: Christopher Motta**

Christopher Motta reported that his Outreach Committee is working with the Continuing Education Committee to make updates to that section of the Board's website.

- **Report of the Professional Conduct Committee: Jorge Berkowitz**

Jorge Berkowitz reported that two active complaints are ongoing: 001-2014 and 002-2014.

Jorge Berkowitz then made a Motion that the Board adopt a policy whereby the names of the complainant and the LSRP are not identified in Case Summaries for posting on the web when the Board dismisses a complaint, and also to remove identifying information

from Case Summaries currently on the Board's web site in cases where the complaint was dismissed.

Board discussion then followed. The Motion was seconded by Connie Tsentas.

Roll call vote:

Jorge Berkowitz:	Yes
Philip Brilliant:	Yes
Richard Dewling:	No
Lawra Dodge:	Yes
Joann Held:	No
Christopher Motta:	Yes
Karl Muessig:	No
Mike Pisauo:	No
Constantine Tsentas:	Yes
Ira Whitman:	Yes
Mark Pedersen:	Yes

The motion was carried.

- **Report of the Rules Committee - Joann Held**

Joann Held updated the members on the posting of draft rules on the Board's website for the purpose of receiving informal feedback on the draft proposal. She noted that comments are due by June 9, 2014. She also reported that the Rules Committee will meet on June 11 to review the comments. The Committee will then follow up to discuss the comments in greater detail and decide if any changes are needed to the proposed new rules.

- **Ongoing Business:**

Karl Muessig inquired about the pending vacancies on the Board and the need to fill the vacant positions. Chairman Pedersen indicated that an update will be provided at the next meeting.

- **Second Monday meeting discussion:**

Motion by Jorge Berkowitz to not have meeting on June 16, 2014. Motion seconded by Richard Dewling. All present voted yes.

- **Public Comments**

Comments by John Oberer, LSRP, Tabernacle, NJ. John Oberer commented that not publishing the names of the complainant and the subject of the complaint when the complaint is dismissed protects persons who make false or unsubstantiated complaints. He added that the LSRPA will be submitting comments on the proposed new rules.

Comments by David Hoffman, LSRP, Dover, NJ. David Hoffman commented that nothing in the proposed new rules talks about who can make complaint. He asked if that could be clarified in the rules.

Meeting adjourned at 6:06 pm.