



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF WATER SUPPLY & GEOSCIENCE

Water System Operations Element

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New Jersey Department of Environmental Protection
Board of Examiners for Water and Wastewater Licensing
Board Meeting Minutes for May 12, 2021
Meeting held via Microsoft Teams

Approved by the Board on June 30, 2021

Board Members Present: Charles Jenkins, David Fields, Ronald Anastasio, JoAnn Mondini, Robert Genetelli, Eric Ekoue, Bob Koches, Patricia Gardner, and Wendy Simone

There were 9 Board members present, constituting a quorum.

Board Members Absent: None

Board Legal Representative Present: Deputy Attorney General (DAG) Stephanie Carney, NJ Division of Law

NJDEP Staff Present: Kristin Tedesco, Trish Conti, Michael Gage, Chelsea Brook, David Fields, and Tyler Rowe

Members of the Public: Peggy Gallos (AEA), Paul Kearney, Dennis Palmer (LSA), Alan Dillon

1. Call to Order

P. Gardner presided over the telephonic meeting and called the meeting to order at 10:00 am, noting there were enough Board members present to constitute a quorum.

DAG Carney read the Open Public Meetings Act Statement (OPMA).

This meeting was held via conference call due to the COVID-19 pandemic. Notice of the meeting and instructions on how to participate by phone were provided by public notice on May 5, 2021 in advance of the meeting.

P. Gardner thanked the previous Board of Examiners members for their service and gave a brief overview of the new Board appointments. She expressed the need for transparency, and is developing roles & responsibilities, by-laws, a Work Plan between the Advisory Committee and the Board and other procedural documents for the Board.

2. **Minutes**

P. Gardner noted the draft February 10, 2021 minutes were circulated prior to today's meeting and moved to adopt the minutes.

D. Fields asked for revisions to note that he was present at the last Board Meeting but was not a Board member at the time. R. Genetelli noted that the minutes had items like examination procedures and bylaws promised by NJDEP but was unsure of the status on them. R. Genetelli requested that the minutes be modified to note that the current Board members were not present at the time but note their approval.

P. Gardner called a motion to approve the minutes with the modifications noted above. Hearing no objections, the motion passed unanimously, and the minutes adopted.

3. **Old Business:**

Licensing Application & Exam Updates

- *Status Update on Back-logged Applications*

K. Tedesco noted the backlog includes 95 approvals that were sent to PSI, 11 reciprocity applications, 30 candidates with rejections who will get a letter later on, and 30 applications that needed additional information.

- *Status Update on New Applications*

K. Tedesco noted there were 92 applications received since the NJDEP opened to new applications in April 2021 and over one-third of those have come in since last Wednesday, signaling an uptick. NJDEP Staff has been working to administratively process the applications and are through half of them. NJDEP followed up with almost all ineligible candidates that had sat for the exam. There were some ineligible candidates that had passed, and some have submitted appeals. There are nearly 200 candidates on PSI's list that are eligible but have not scheduled a test. E-mails were sent out to these unscheduled applicants, but an individual follow up was considered to ensure awareness of their eligibility. A general notice for some outreach is being developed in order to let anyone who submitted an application before April 2021 know their status.

- *Status Update on Website*

The website has been updated, and the meeting notice was posted online. The meeting minutes will also be added to the website once a separate page is created for the Board.

- *Questions Regarding Examination Process*

Members of the Board inquired about and raised PSI and ABC's examination process. NJDEP Staff noted that while they could not get a representative from either organization for this meeting, it will happen in the future.

Discussion: R. Genetelli asked about a time limit on the 200 applicants that were approved but have not scheduled an exam. K. Tedesco clarified that there is no time limit to schedule an exam. P. Gardner noted that the applicant should have received a notification from PSI directly. K. Tedesco then noted that there will be a follow-up sent out in case they did not receive that email.



R. Genetelli inquired about how proctors are chosen. K. Tedesco explained that her understanding was that there is a large number of trained and vetted proctors, but the specifics can be asked of PSI.

P. Gardner noted that NJDEP had recently met with an ABC representative to talk about questions the Department had, and the questions from this Board meeting should be recorded and asked. She also reiterated the possibility of the ABC representative attending a future Board meeting. R. Genetelli expressed recognition that online testing will be here to stay and encourages the NJDEP Staff to look into and ensure the validity of the online testing process.

J. Mondsini had a concern about applicants that had failed their exam 3 times and required a refresher course, but cannot find a proper course due to COVID-19; applicants had asked if that requirement could be suspended, allowing them to take the test again. K. Tedesco responded by stating that wastewater applicants in need of the refresher course have been coordinating with Joe Bonacorso, but NJDEP Staff is open to considering waiving a rule requirement. P. Gardner followed-up that NJDEP staff will work to publicize the list of approved refresher courses.

W. Simone noted that she had a few people inform her that they had 6 months to take the test. K. Tedesco responded stating that the first time a candidate sits, there is a deadline for the next two attempts and that the first test initiates the deadline. The candidates can contact the general email box if this occurs and they will be added to the PSI list to retake their test. W. Simone proposed the idea of included this in a Standard Operating Procedure (SOP).

- *Status Update on Pass/Fail Statistics*

K. Tedesco briefed the Board on a 4-page statistical report.

J. Mondsini inquired about an expansion of the analysis in order to see where the failures are occurring and would like to isolate significant failure rates in particular categories. K. Tedesco responded noting that candidates get a very detailed score breakdown on what they were tested on. K. Tedesco mentioned potentially being able to provide a second report with a more detailed breakdown.

R. Genetelli stated that a minimum, maximum and average score would be very helpful. and D. Fields agreed. P. Gardner stated she would also like to see how much they failed by. R. Genetelli pointed out that if “repeater” applicants (those who have taken more than one exam with PSI) have failed multiple times, this would skew the fail rate to the negative side. K. Tedesco agreed that there could be outliers, and that she will follow up on this and look for different ways to display the information.

R. Anastasio mentioned that he received some criticism from higher level operators, claiming that there were questions on the exam they believe to be outdated and not in their preparation study material. J. Mondsini mentioned she was interested to see if the basic math section was a culprit. W. Simone agreed, and noted that math appears to be a challenge because current ABC tests have more than previous tests. J. Mondsini mentioned she was putting together math courses for her applicants.



- *Status Update on Bylaws*

P. Gardner noted that there is a set of draft bylaws that are currently under review and will be sent to the Board hopefully by the next meeting.

- *Status Update on Reciprocity Applications*

P. Gardner noted that reciprocity applications need a Board vote. NJDEP had not received the out-of-state questionnaire for some applicants, so those applications will be tabled to the next meeting. K. Tedesco followed up stating that generally, reciprocity applications follow the same process as other examinations. There is a questionnaire sent to the state the applicant is seeking reciprocity from. NJDEP has sent out questionnaires for all the applicants, but states like New York had some additional questions and needed more time. K. Tedesco felt that there may be a need for a different form for reciprocity applications to organize the information and would like to look into it.

J. Mondisini stated that when looking at some of these applications, she saw that in order to get reciprocity in New Jersey they need to come from a state that has reciprocity with New Jersey. She saw that it was included on the questionnaire but would like to see it on the application as well. K. Tedesco agreed and noted she would look into this.

C. Jenkins said that some applicants are missing their Statement of Qualifications (SOQ), and asked if those should be tabled until missing information is received. K. Tedesco said that some applicants did not follow New Jersey's structure, but ultimately referred that decision to the discretion of the Board of Examiners.

J. Mondisini noted that she really appreciates the Board Review Summary and thanked the NJDEP staff that put it together.

K. Tedesco presented the individual reciprocity applications and stated that an application, a summary sheet, an out of state questionnaire, and a Board Review Form was sent to the Board. K. Tedesco opened up discussion.

Edmond Pisani - applying for C4

R. Genetelli noted that the applicant's SOQ and proof of education was lacking. R. Genetelli called for a motion to reject Mr. Pisani's reciprocity application for a C-4, with no recommendation on a different license. Hearing no objections, the motion to deny passed unanimously.

Kevin Russell- applying for N3

K. Tedesco noted there was no response on the out-of-state questionnaire from New York, and unless there are suggestions this application be tabled for a future meeting The Board agreed. P. Gardner noted that the applicant would be contacted, and outstanding information will be secured.



Thomas Varley- applying for S4

R. Genetelli noted that Mr. Varley's application was beyond sufficient. R. Genetelli called a motion to grant Mr. Varley reciprocity for a S4 license. C. Jenkins seconded. Hearing no objections, the motion passed unanimously.

Michael Wolgemuth- applying for S1

J. Mondini had a question regarding his SOQ, noting that the facility classification is a water system, but the questionnaire related to a wastewater system. R. Genetelli responded that he was unsure on what license Mr. Wolgemuth actually holds. K. Tedesco advised that the applicant was also seeking a treatment classification license. K. Tedesco proposed tabling this application until the next meeting and the Board agreed.

William Feliz- applying for S1 and N2

K. Tedesco noted the applicant was a New York applicant, and the NJDEP received a questionnaire for his application.

Discussion: R. Koches noted that the applicant did not receive a high school diploma and asked if it was missing.

R. Genetelli noted that the applicant's SOQ was signed in 2012 and would prefer the applicant submit an updated signature testifying to his recent experience. R. Genetelli also stated that he is against granting an N2 license due to lack of industrial experience. The Board agreed.

R. Genetelli called a motion to conditionally approve the applicant's S1 application and reject the N2 application. J. Mondini seconded. Hearing no objections, the motion passed unanimously.

Jan Meinecke- applying for S2 and C2

K. Tedesco noted the applicant was from Germany. K. Tedesco stated that there was no state to send the questionnaire to, but that a translated summary was provided.

The Board agreed unanimously to table the application until further information is secured. Specifically, the application needs to be signed, a German license needs to be provided, and we do not know if there is reciprocity for New Jersey licenses in Germany.

Joshua Engelking- applying for W4

K. Tedesco noted that there was no questionnaire from New York and would propose to table the application. P. Gardner responded that she thought the application was pretty much complete and would like a review.

K. Tedesco noted that the applicant currently holds a T-4 license in New Jersey.

The Board agreed to table the application until further information is secured.

Jonathan Arneth- applying for T4

R. Genetelli noted that the applicant signed the SOQ himself. P. Gardner called a motion to conditionally approve Mr. Arneth's application, requiring the information for someone to attest to his experience. R. Genetelli seconded. Hearing no objections, the motion passed unanimously.



Gregory Towlinski- seeking a W license, did not specify class
K. Tedesco noted that there was no questionnaire received.

R. Genetelli called a motion to issue Mr. Towlinski a conditional approval for W1 license pending receipt of a questionnaire. J. Mondisini seconded. Hearing no objections, the motion passed unanimously.

Brock McCracken- seeking a T3

K. Tedesco noted the applicant is licensed in several states. J. Mondisini noted that West Virginia does not recognize New Jersey licenses; she also noted the applicant does not have a level 3 equivalent license in any other state. J. Mondisini noted the applicant has a high school diploma and a Class 2 in West Virginia, so the applicant can sit for the T2 exam. R. Genetelli noted that the applicant's Direct Responsible Charge experience is lacking.

J. Mondisini called a motion to deny the reciprocity application but approve the applicant sitting for the T2 examination. R. Genetelli seconded. Hearing no objections, the motion passed unanimously.

Suzanne DeLorenzo- seeking a T2

K. Tedesco noted that no questionnaire from Oregon has been received. J. Mondisini asked if New Jersey has reciprocity with Oregon and K. Tedesco responded that it would have to be looked into.

P. Gardner commented that EPA and AWWA have report summaries and that some of those are reciprocity reports. R. Anastasio commented that the Board would like to have some sort of guide. P. Gardner agreed and said that the Department will work on that.

R. Genetelli stated that the applicant listed her title at her facility as a "water quality manager" but was unsure on what her operating experience was for this facility and would like to request more information on her experience. R. Genetelli also noted that she was given a license "by education" due to her doctorate, and her transcript did not illuminate what her doctorate related to.

W. Simone was aware the applicant did have a SOQ but is unsure on why the Board did not receive it. W. Simone clarified that the applicant has mostly lab experience in Oregon and did oversee operations.

E. Ekoue stated that as a water quality manager there should be evidence of the reviewing of sampling plans and water quality plans even if she is under the laboratory and would need an SOQ reflecting that.

J. Mondisini called for a motion to table the application, holding for a SOQ and a questionnaire from Oregon. The Board agreed and the motion was seconded by R. Genetelli. Hearing no objections, the motion passed unanimously.



K. Tedesco concluded the reciprocity application review.

4. New Business:

Continuing Education

P. Gardner noted that the Department has prepared a recommendation for how to move forward, but it is still under legal review and should be out within the next few weeks.

K. Tedesco noted that the Department had received feedback outlining complaints about the size of classes, and that there is a lack of training available. As a result, the Department reached out to course providers for upcoming trainings.

R. Anastasio recommended erring on the side of caution regarding waiving requirements in order to avoid operators getting shorted and backlogging the system. P. Gardner responded, stating that that is one of the areas where the Board of Examiners and the Advisory Committee should work more closely and that it is an area that needs to be looked at moving forward.

R. Genetelli proposed a waiver closer to October when the TCH cycle closes, because he is concerned if the waiver is granted now, it will shut down the education. P. Gardner responded with assurance that the Department was getting as much information as they could and would come up with a way to move forward that will limit harm to those who were impacted. The Department would have to go back and discuss waiting to waive until later.

K. Tedesco noted that invoices go out in August for those who have met TCHs and that there is a rolling process that is constantly changing, so that timeline is critical in order to avoid more questions and confusion.

W. Simone proposed giving operators another year for TCHs but shorten the next cycle to compensate. R. Genetelli responded by saying the TCH cycle is in the regulations. W. Simone responded by saying it was the same for TCH requirements.

K. Tedesco noted that these are items that the Department has been considering, but asked S. Carney or P. Gardner to step in. P. Gardner confirmed that these are items that are being weighed by the Department and that there is a pro and cons list. This will be a Department-issued document, but the NJDEP Staff wanted the Board of Examiner's opinion on the progress so far. S. Carney noted that there was an emergency rule waiver specifically for licensed operators in March of 2020. The Department has not really taken action on TCH credits until now, and wants a narrow scope, is looking into it very closely and to avoid any violations of the rules/regulations.

Upcoming Meetings

P. Gardner inquired whether the appointments for the next two meetings had gone out. K. Tedesco responded, stating that yes, there are dates selected based on submitted schedules but can also adjust things accordingly. If there is an issue with the schedule, send an email to the Department. Currently it is June 30th and July 28th.



Some Board members did not receive the schedule, K. Tedesco stated that she will follow up with them with separate emails.

5. General Public Comment:

P. Gardner then moved on to the public comment section, but in the interest of time limited each speaker to 3 minutes.

D. Palmer of LSA began by congratulating the new members of the Board of Examiners. He expressed concern that during the February 2021 meeting, the Board did not take any action on the approval of licensing and would like to know where they stand, and also raised concern regarding distance/remote testing. D. Palmer expressed concern that processes should be consistent from the prior Board, and the recently new appointed Board members, and does not feel that there is transparency from the Department. P. Gardner acknowledged and noted the comment responding that the Board is operating pursuant to the governing statute, rules and regulations.

6. Adjournment:

P. Gardner asked for a motion to adjourn, which was made at 12:18 PM by J. Mondini and seconded by B. Koches. Hearing no objections, the meeting adjourned at 12:18 PM.

