

**NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD**

**FINAL**

**April 16, 2012 Meeting Minutes**

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

**Board Members:**

***Present:*** Jorge Berkowitz, Phil Brilliant, Richard Dewling, Lawra Dodge, Christopher Motta, Mike Pisauro, David Sweeney, Constantine Tsentas, Ira Whitman.

***Absent:*** Joann Held, Karl Muessig

***Others Present:*** Liaison Karen Hershey, DAG Kimberly Hahn, Executive Assistant David Haymes.

***Proceedings:***

- Meeting called to Order at 4:04 by Chairman Sweeney.
- Statement by Chairman Sweeney that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.
- Approval of the April 2, 2012 minutes.
  - Motion by Richard Dewling to accept minutes, seconded by Constantine Tsentas; Michael Pisauro and David Sweeney abstained due to absence at the April 2, 2012; all present voted Yes.
  - Chairman's Report
    - Chairman Sweeney reported that the new SRP web person, Anthony Teel, started on April 9, 2012. He will be providing web assistance to the SRP program and the Board.

**Committee Reports**

- Audit: A report was given by Committee Chair Phil Brilliant on behalf of the Audit Committee
  - Phil Brilliant updated the Board on various issues related to auditing, and then he announced that the following individual's audit has been deemed complete.

- 511637 John C. Potenza, Selected January 9, 2012; Completed April 16, 2012.
- Continuing Education: A report was given by Committee Chair Lawra Dodge on behalf of the Continuing Education Committee.
  - Lawra Dodge updated the Board on the activities of her Committee and discussed the three Course Approval Requests that were submitted by the American Institute of Professional Geologists (AIPG), Rutgers and the Commerce and Industry Association of New Jersey (CIANJ).
  - Motion by Lawra Dodge to approve for 8 technical credits the Geophysics Course Approval Request submitted by AIPG.
  - Seconded by Ira Whitman. Motion adopted after debate; all present voted Yes.
  - Motion by Lawra Dodge to approve for 8 regulatory credits the Understanding Site Remediation in New Jersey Course Approval Request submitted by Rutgers.
  - Seconded by Constantine Tsentas. Motion adopted after debate; all present voted Yes.
  - Motion by Lawra Dodge to approve for 6 regulatory credits the Practical Applications Course Approval Request submitted by CIANJ.
  - Seconded by Ira Whitman. Motion adopted after debate; all present voted Yes
- Finance: A report was given by Committee Chair Richard Dewling on behalf of the Finance Committee.
  - Richard Dewling indicated he had no report for this meeting.
- Licensure: A report was given by Committee Chair Ira Whitman on behalf of the Licensure Committee.
  - Ira Whitman updated the Board on various licensing issues and then made a motion to approve for examination Board member Lawra Dodge whose name appeared on the April 12, 2012 List of LSRP Exam Candidates Recommended for Approval (list attached hereto and incorporated as part of these Minutes).
  - Seconded by Phil Brilliant. Lawra Dodge abstained; all others voted Yes.
  - Ira Whitman then made a motion to approve Board member Chris Motta whose name appeared on the April 12, 2012 List of LSRP Exam Candidates Recommended for Approval.
  - Seconded by Phil Brilliant. Chris Motta abstained; all others voted Yes.

- Ira Whitman then made a motion to approve all other candidates (66) whose names appeared on the April 12, 2012 List of LSRP Exam Candidates Recommended for Approval.
  - Seconded by Jorge Berkowitz; Motion adopted after debate (9Y, 2 Absent, Abstentions as noted below).
  - Roll call vote as follows:
    - Berkowitz-Abstain as to S. Antonetti, C. Barnes, G. Zambrella, all others Y
    - Brilliant-Abstain as to J. Krulik, all others Y
    - Dewling-Y
    - Dodge-Abstain as to R. Harwood, M. Mauro, M. Meriney, E. Mertz, all others Y
    - Held-Absent
    - Motta-Y
    - Muessig-Absent
    - Pisauro-Y
    - Tsentas-Abstain as to R. Blauvelt, all others Y
    - Whitman-Y
    - Sweeney-Y
  - Ira Whitman then made a motion to temporarily suspend the licenses of the following individuals for failing to pay the annual fee subject to the conditions noted in the attached motion which are incorporated into these Minutes.
    - CHRISTOPHER W. MARTELL, License No. 510684
    - WILLIAM M. PARRY, License No. 512627
    - CHARLES N ELMENDORF, License No. 550944
  - Seconded by Jorge Berkowitz; Motion adopted after debate; all presented voted Yes.
- Website/Outreach: A report was given by Committee Chair Christopher Motta on behalf of the Website/Outreach Committee.
  - Chris Motta reported on various outreach issues noting that he met with the new SRP web person, Anthony Teel to discuss updates and modifications to the Board web site.
- Professional Conduct: A report was given by Committee Chair Jorge Berkowitz on behalf of the Professional Conduct Committee.
  - Jorge Berkowitz updated the Board on the activities of the Professional Conduct Committee, noting that Complaint #4 is still pending and that the Committee will be discussing with DAG Hahn and Karen Hershey the best way to respond to requests for clarification of the statute's code of conduct provisions.

- Rulemaking: A report was given by Board Secretary Karen Hershey for Committee Chair Joann Held on behalf of the Rulemaking Committee.
  - Karen Hershey reported that the Board's hourly staff person, Dana Haymes, is working conscientiously on the rules. The rules are progressing and the Board can expect to see drafts of completed sections soon.
- Ongoing Business
  - Board discussion about LSRP Tracking Tool Report.
- New Business
  - Board discussion about LSRP prep course for exam.
- Public Comment
  - Steve Senior, Attorney, Riker Danzig.
    - Commented that he does not favor the LSRP Tracking Tool Report since it is the responsible party's obligation to meet the deadlines.
    - Commented that the Board should treat suspensions for failure to pay the annual fee as a disciplinary issue.
- The meeting adjourned at 5:15 p.m.

## MOTION

### Temporary License Suspension For Failure To Pay Annual Fee

**WHEREAS** the following three Temporary Licensed Site Remediation Professionals have failed to pay their annual fee due on January 6, 2012:

CHRISTOPHER W. MARTELL, License No. 510684

WILLIAM M. PARRY, License No. 512627

CHARLES N ELMENDORF, License No. 550944;

**WHEREAS** the Department of Environmental Protection delivered three invoice notices and/or letters to each of the above-mentioned individuals requesting payment of the fee;

**WHEREAS** the Licensure Committee policy adopted by the Board on March 21, 2011 states that those individuals who have not paid their annual fee in 2012 shall be presented to the Board for temporary suspension;

**BE IT MOVED AND ADOPTED** that the Board is temporarily suspending the licenses of the above-named individuals effective upon adoption of this Motion by the Board subject to the following conditions:

- The suspension will be lifted by the Board if the \$900 annual fee is paid prior to December 31, 2012.
- If the fee is not paid by December 31, 2012, the individual shall not be permitted to renew their license; a new full credential review application will be required.
- The individual may not submit any documents to the Department as an LSRP until the suspension is lifted.
- The individual may not act, advertise or otherwise hold him or herself out to be an LSRP until the suspension is lifted.
- The individual shall not be approved to sit for the LSRP license exam.
- The individual's name shall be removed from the Department's public list of LSRPs.
- Upon adoption by the Board, the individuals named above shall be informed in writing by the Board Secretary of their temporary suspension and the conditions noted herein.

