

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

September 10, 2012 Meeting Minutes

4:30 p.m., Public Hearing Room, DEP, Trenton

Board Members:

Present: Jorge Berkowitz, Phil Brilliant, Lawra Dodge, Karl Muessig, Christopher Motta, Mike Pisauro, Dave Sweeney, Constantine Tsentas, Ira Whitman

Absent: Richard Dewling, Joann Held

Others Present: Board Secretary Karen Hershey, DAG Kimberly Hahn, Executive Assistant David Haymes

Proceedings:

- Meeting called to Order at 4:33 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 August 6, 2012 minutes.
 - Motion by Constantine Tsentas to accept minutes as amended, seconded by Phil Brilliant; approved unanimously except for Ira Whitman who abstained due to absence at the August 6, 2012 meeting.
- Chairman's Report
 - The Chairman reported that the "Chairman's Message" on the Board's web site has been updated, and he briefed the Board on the Welcome package that was recently mailed to the new Permanent LSRPs.
- Committee Reports
 - Audit: A report was given by Committee Chair Phil Brilliant on behalf of the Audit Committee.
 - Phil Brilliant noted that five more audit questionnaire recipients were selected for September.
 - Phil Brilliant also announced that the following audits have been deemed complete:

505603 Andrew Michalski, Selected April 2, 2012; Completed September 10, 2012.
511332 Michael Akerbergs, Selected April 2, 2012; Completed September 10, 2012.
510690 Michael Myhowich, Selected April 2, 2012; Completed September 10, 2012.
510387 Jorge Berkowitz, Selected May 14, 2012; Completed September 10, 2012.
551306 Paul Hughes, Selected May 14, 2012; Completed September 10, 2012.
510684 Christopher Martell, Selected June 11, 2012; Completed September 10, 2012.
543886 Gregory Albright, Selected June 11, 2012; Completed September 10, 2012.
527355 James Ulrich, Selected June 11, 2012; Completed September 10, 2012.
574531 Karyn Norton, Selected June 11, 2012; Completed September 10, 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 various Continuing Education issues related to the training group meeting that took place on September 10, 2012 and the status of the course approval requests.
- Finance: Committee Chair Richard Dewling was absent. No report was given.
- Licensure: A report was given by Committee Chair Ira Whitman on behalf of the Licensure Committee.
 - Ira Whitman updated the Board on various issues related to the revised definitions in the draft rules and their impact on the license application review process. He also discussed a proposal to go to the Board via email regarding an independent IT data system for the Board.
 - Ira Whitman then made a motion to approve for examination the individuals named in the September 7, 2012 list of Exam Candidates Recommended for Approval plus the addendum (lists attached hereto and incorporated as part of these minutes).
 - Seconded by Jorge Berkowitz; motion adopted after debate (9Y, with abstentions as noted below).
 - Roll call vote as follows:
 - Berkowitz-Abstain as to J. Musco, All others Y
 - Brilliant-Abstain as to A. Krohn and J. Vanderslice, All others Y
 - Dewling-Absent
 - Dodge-Y
 - Held-Absent
 - Motta- Abstain as to G. Albright, All others Y
 - Muessig-Y
 - Pisauro-Y
 - Tsentas-Abstain as to M. Moore, All others Y
 - Whitman-Y
 - Sweeney-Y

Website/Outreach: A report was given by Committee Chair Christopher Motta on behalf of the Website/Outreach Committee.

- Chris Motta discussed the idea of LSRP outreach via a listserv message.
- Professional Conduct: A report was given by Committee Chair Jorge Berkowitz on behalf of the Professional Conduct Committee.
 - Jorge Berkowitz updated the Board on various issues related to professional conduct, noting the status of the pending disciplinary actions.
- Rulemaking: A report was given by Dave Sweeney for Joann Held on behalf of the Rulemaking Committee.
 - Dave Sweeney discussed Subchapter 2 draft Licensure rules (handout) and asked the Board to review the draft rules, and then vote for posting the subchapter at the next meeting. He indicated that the objective is to have the review take place prior to the meeting so that a recommendation can be made at the meeting. He stressed the importance of getting the work done outside the meeting so that members can come to the meeting ready to make decisions.
- Confidentiality and Release of Public Information (Ad Hoc): Committee Chair Mike Pisauro indicated he had nothing to report.
- Ongoing Business
 - Chairman Sweeney informed the Board that SRP staff is working on preparing a statement to clarify DEP's inspection and review function as distinguished from the Board's audit function. Once completed, the clarifying information will be posted on the Board's and SRP's web sites.
- New Business
 - Chairman Sweeney informed the Board that SRP is preparing to address community outreach on contaminated sites. Regardless of any contractual arrangement between an RP and LSRP regarding public notification, the public must be notified and the DEP will bring enforcement action against an RP who does not fulfill this legal obligation. The Chairman indicated that SRP is working on preparing

an announcement and may ask the LSRPA for assistance in getting the word out on this issue.

- Also, the Chairman, in accordance with the action taken by the Board at the July 9, 2012 meeting, addressed the issue of whether the September 24 meeting is necessary. It was pointed out that the next scheduled meeting is a week later on October 1, 2012. Chairman Sweeney then made a motion to not hold a meeting on September 24, 2012.
 - Seconded by Mike Pisauro, motion adopted after debate with all present voting Yes. (9 Yes, No Abstentions).
- Public Comment
 - Steve Posten, LSRPA
 - Informed the Board that the LSRPA is exploring mentoring and outreach to prospective LSRPs.
 - Also stated subcommittee of LSRPA is meeting with inspection and review team at SRP to learn about mistakes review team is finding on LSRP submissions.
 - John Oberer, LSRPA
 - Inquired about the role of the Ad Hoc Committee on Confidentiality and Public Information. Mike Pisauro explained the function of the Committee.
- The meeting adjourned at 5:40 p.m.