

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

April 4, 2016 Meeting Minutes

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

**Board Members:**

*Present*

Jorge Berkowitz  
Philip Brilliant  
Joseph Fallon  
Joann Held  
Jeffrey Hoffman  
Christopher Motta  
Mark Pedersen  
Kathi Stetser  
Peter Strom  
Constantine Tsentas  
Ira Whitman

*Absent*

Lawra Dodge

*Others Present:*

Board Executive Director Janine MacGregor  
Board Staff Dana Haymes  
DAG Kimberly Hahn

*Proceedings:*

- **Meeting called to Order at 4:02 PM by Chairman Pedersen**
- **Roll Call**
- **Approval of the Minutes**

**Minutes of March 7, 2016**

Motion to approve the minutes by Joann Held.

Motion seconded by Jeffrey Hoffman.

Jeffrey Hoffman noted that “Executive Assistant” should be changed to “Executive Director”.

All present voted to approve the minutes with the revisions noted.

The motion was carried.

- **Chairman’s Report:**

Chairman Pedersen noted that the Board welcomes all viewpoints. He recognizes that the passions of the Board Members results in heated discussions. He urges Board Members to remember that they are working together for common goals and thanks the Board Members for their hard work

- **Executive Director’s Report:**

No Report.

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

Five LSRPs have been selected for audit for April 2016.

The audits of five LSRPs have been completed:

June 2015 – Crystal Leavey – 590956

June 2015 - Frank Rossi – 628856

June 2015 - John Gear – 587819

June 2015 - Mark Meneghin – 573797

June 2015 - W. J. Llewellyn – 575611

The Audit Committee will be meeting with staff to discuss the audit process on April 11, 2016.

- **Report of the Continuing Education Committee: Joann Held**

Motion by Joann Held to approve five applications for approval of CECs.

Motion seconded by Philip Brilliant.

The applications are:

- Application for approval of CECs from Rutgers NJAES – OCPE for “Glacial Deposits of NJ” for 5 Technical CECs
- Application for approval of CECs from NJSWEP and BCONE for “NJDEP Regulatory Update” for 3 Regulatory CECs
- Application for approval of CECs from Montclair State University: CEEP for “Critical Drinking Water Issues” for 1.5 Technical and 1.5 Regulatory CECs
- Application for approval of CECs from the Society for Ecological Restoration for “Mid-Atlantic Chapter Society for Ecological Restoration Annual Conference” for 3 Technical CECs
- Application for approval of CECs from Montclair State University: CEEP for “Flood Hazard Area Control Act Rules: Overview” for 6 Regulatory CECs

Roll Call Vote:

Jorge Berkowitz – Yes to all, except abstain with respect to 2 Montclair courses

Philip Brilliant – Yes to all, except abstain with respect to 2 Montclair courses

Lawra Dodge – absent

Joseph Fallon – Yes to all

Joann Held – Yes to all

Jeffrey Hoffman – Yes to all, except abstain with respect to “Glacial Deposits of NJ”

Christopher Motta – Yes to all

Kathi Stetser – Yes to all

Peter Strom – Yes to all, except abstain with respect to “Glacial Deposits of NJ”

Constantine Tsentas – Yes to 4, no to “Mid-Atlantic Chapter Society for Ecological Restoration Annual Conference”

Ira Whitman – Yes to all

Mark Pedersen – Yes to all

The Motion was carried with respect to all applications.

Motion by Joann Held to disapprove application for approval of CECs from AEG (New York-Philadelphia) for a presentation at the December 2, 2015 AEG Meeting “Retaining Data Quality in a Mobile World” because the application was received more than 90 days after the date of the presentation.

Motion seconded by Connie Tsentas.

Roll Call Vote:

Jorge Berkowitz – Yes

Philip Brilliant – No

Lawra Dodge – absent

Joseph Fallon – Yes

Joann Held - Yes

Jeffrey Hoffman – Yes

Christopher Motta – Yes

Kathi Stetser – Yes

Peter Strom – Yes

Constantine Tsentas – Yes

Ira Whitman – Yes

Mark Pedersen – No

The Motion was carried with respect to the application.

- **Report of the Finance Committee: Joseph Fallon**

Motion by Joseph Fallon to increase the line item in the budget for the AG’s office by \$40,000.

Motion seconded by Connie Tsentas.

All present voted Yes.

The motion was carried.

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

The LSRP licensing examination was held on Tuesday, March 15, 2016. 50 people took the examination. Results are expected to be available by the next Board Meeting.

The Draft Request for Proposals for the examination contract was sent by the Department to the Department of Treasury. The Department of Treasury is expected to give comments shortly.

Motion by Ira Whitman that the Site Remediation Professional Licensing Board request NJDEP and the Department of Treasury to initiate a one-year (August 2016-August 2017) extension of its existing contract with Caviart for the purpose of developing, presenting and grading an LSRP licensing examination in March 2017, subject to Site Remediation Professional Licensing Board approval. If it becomes clear that a new examination contract can be advertised, bid and executed by August 2016, the Board will rescind its request for a contract extension.

Motion seconded by Joseph Fallon.

All present voted Yes.

The motion was carried.

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

Christopher Motta suggests that “Dreamweaver” be installed on Dana Haymes’s and Janine MacGregor’s computers so that they can make more rapid changes to the website, and not have to go through Anthony Teel.

Senator Smith’s office expressed an interest in attending the Board meeting in June 2016.

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

The Committee has developed a draft penalty matrix to be used as guidance in the development of penalty amounts for violations. The Board will review the draft penalty matrix and provide feedback at the next Board meeting.

Motion by Jorge Berkowitz to enter into closed session to discuss Complaints 009-2015 and 007-2014.

Motion seconded by Phil Brilliant.

Closed session commenced at 6:05 PM.

Closed session ended at 7:02 PM.

Motion by Jorge Berkowitz to dismiss Complaint 009-2015.

Motion seconded by Kathi Stetser.

Roll Call Vote:

Jorge Berkowitz – Yes

Philip Brilliant – Yes

Lawra Dodge – absent

Joseph Fallon – Yes

Joann Held - Yes

Jeffrey Hoffman – Yes

Christopher Motta – Yes

Kathi Stetser – Yes

Peter Strom – Yes

Constantine Tsentas – Yes

Ira Whitman – Yes

Mark Pedersen – Yes

The Motion was carried.

Nothing to report on Complaint 007-2014.

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

No Report.

- **Ongoing Business:**

None.

- **New Business:**

Request by Jorge Berkowitz to have a calendar that lists all courses and that the Board and Department coordinate the training that is given.

Request by Jorge Berkowitz that the Board clarify the obligations of an LSRP to report a discharge.

- **Second Monday Meeting Discussion**

Motion by Joann Held to not hold a meeting on April 18, 2016.

Motion seconded by Jeffrey Hoffman.

All present voted yes, except Joann Held abstained.

The motion was carried.

- **Public Comments:**

David Hoffman commented with respect to disapproval of the AEG course. He stated that the secretary for the AEG went in for surgery in January, and was not able to submit the application until March 6. He requested that the Board reconsider the application.

Rodger Ferguson commented with respect to Jorge Berkowitz's comment. He stated that this is an opportunity for the Board to issue an advisory opinion so that the regulated community knows whether to report a discharge on a contaminated site when the LSRP is retained for an AOC on the contaminated site.

Meeting adjourned at 7:20 PM.