

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

May 16, 2016 Meeting Minutes

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

Board Members:

Present

Jorge Berkowitz
Philip Brilliant
Lawra Dodge
Joseph Fallon
Joann Held
Jeffrey Hoffman (arrived at 4:06 PM)
Christopher Motta
Mark Pedersen
Kathi Stetser
Peter Strom
Constantine Tsentas
Ira Whitman

Absent

None

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 May 2, 2016

Motion to approve the minutes by Joseph Fallon.

Motion seconded by Constantine Tsentas.

Lawra Dodge noted that the minutes incorrectly state that Joann Held gave the Continuing Education Report and made the motion to approve nine applications for approval of continuing education credit. The minutes should state that Lawra Dodge gave the report and made the motion.

All present voted to approve the minutes with the revisions noted, with the exception of Kathi Stetser and Christopher Motta who abstained, and Jeffrey Hoffman who was absent.

The motion was carried.

- **Chairman's Report:**

Chairman Pedersen noted that the May 7, 2016 deadline was successfully passed. He will give a full report at a future meeting.

Chairman Pedersen also noted that Commissioner Martin gave budget testimony last week. Senator Smith was in attendance and commented to the Commissioner on the amazing success of the LSRP program.

Senator Smith also commented that he has heard from LSRPs with regard to minor proposed changes to the Site Remediation Reform Act. The Board may want to provide input with respect to revisions to the Site Remediation Reform Act.

- **Executive Director's Report:**

Janine MacGregor noted that she has been making revisions to the Board website. She will begin looking at each committee tab in order to find anything that needs to be updated. The administrative hearing process form has been revised to conform with the Board rules and to be fillable. The work to make the website more user friendly and to keep it up to date will continue.

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

Jorge Berkowitz yielded to Joann Held.

Joann Held noted that the Professional Conduct Committee has initiated two complaints against individuals stemming from Complaint 005-2014 and 006-2014.

Joann Held yielded to Jorge Berkowitz.

Jorge Berkowitz noted that the Professional Conduct Committee is continuously working to revise the complaint review process. At this time there are currently 10 pending complaints.

Jorge Berkowitz made a motion to move to Closed Session to discuss Complaint 007-2014.

Phil Brilliant seconded the motion.

All present voted yes.

The motion was carried.

Closed session commenced at 4:30 PM.

Closed session ended at 5:00 PM.

Motion by Joann Held that the Board agree with the finding of the Professional Conduct Committee to find no violation in the matter of Complaint 007-2014.

Phil Brilliant seconded the motion.

Roll Call Vote:

Jorge Berkowitz – recused

Philip Brilliant – Yes

Lawra Dodge – Yes

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.

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

The Continuing Education Committee has considered the applications for approval of ethics CECs from Red Vector and determined that all 9 should be disapproved because they do not contain content related to the Site Remediation Reform Act. In addition, the Committee feels that ethics training should be in-person, rather than online.

Motion by Lawra Dodge to disapprove the following 9 applications for approval of CECs from Red Vector:

1. Ethics for the Practicing Engineer – An Introduction (RV-10726AW)
2. Ethical Decision Making for Engineers #1 (RV-10506)
3. Ethical Decision Making for Engineers #2 (RV-10507)
4. Ethical Decision Making for Engineers #3 (RV-10508)
5. Ethical Decision Making for Engineers #4 (RV-10509)
6. Ethical Decision Making for Engineers #5 (RV-10510)
7. Green Design: The Ethics of Green Design (RV-10685)
8. Ethics: Shades of Green Webcast (RV-10465AW)
9. Ethical Decision Making for Design and Construction Professionals Webcast (RV-10297AW)

Motion was seconded by Connie Tsentas.

All present voted yes.

The motion was carried.

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

The audits of two LSRPs have been completed:

Nelson Luzzetti - 576302 – November 2015

Roy Rittman – 575596 – September 2015

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

Joseph Fallon requests that all Committee Chairs provide him with projected exceptional expenses for next year to include in the budget – please provide by June 30 at the latest.

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

The progress for issuing the Request for Proposals for the exam contract is proceeding slowly.

There have been settlement discussions with an LSRP whose application for license renewal was denied. The LSRP has the draft settlement agreement, and the Board is awaiting his comments.

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

Senator Smith's office has been communicating with Chris Motta and Executive Director Janine MacGregor with respect to getting the word out about successes of the site remediation program, and with respect to the Board's experience with the Site Remediation Reform Act, and potential revisions to the Act.

Janine MacGregor suggests that the Board Members coordinate their suggestions for proposed revisions to the SRRA. She suggests that Committee Chairs poll their committees for suggestions, which can be compiled into a working list.

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

No Report. Joann Held requested that the Rules Committee be removed from the agenda as a standing item.

- **Ongoing Business:**

Joann Held reported on the status of two ad hoc committees:

Discharge notification language committee plans to meet next Monday 5/23/16.

Ad hoc committee of 6 committee chairs is addressing the functioning of the Board. The Committee had a meeting today, and developed a list of items. The Committee will report recommendations at the next meeting of the Board.

- **New Business:**

Chris Motta commends the Department on getting the NJDEP online service up and running.

- **Public Comments:**

Steven Posten, LSRPA. Mr. Posten mentioned that the LSRPA created a SRRA 2.0 committee about 18 months ago, and they have met with Senator Smith and Assemblywoman Spencer. The focus of a lot of suggestions has been improvements to clarity. In order to publicize the success of the LSRP program, the LSRPA is looking to hire a publicist, and has included a section on the SRRA in “Congress” magazine.

Meeting adjourned at 5:49 PM.