

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

December 4, 2017 Meeting Minutes

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

Board Members:

Present

Phil Brilliant
Joann Held
Jeffrey Hoffman
Christopher Motta
Mark Pedersen
Peter Strom
Ira Whitman

Absent

Jorge Berkowitz
Lawra Dodge
Kathi Stetser
Connie Tsentas

Others Present:

Board Executive Director Janine MacGregor
Board Staff Dana Haymes
DAG Nielsen Lewis

Proceedings:

- Meeting called to Order at 4:08 PM by Chairperson Mark Pedersen.
- Chairperson Pedersen read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.
- Roll Call– a quorum of the Board was in attendance

- **Chairperson's Report**

Chairperson Pedersen reported that there was a Board meeting on November 20, 2017, but a quorum was not present, so the meeting was adjourned to December 4, 2017.

Chairperson Pedersen acknowledged that the amount of work that Board Members are committed to and carry out is very high compared to other state boards. He wants to acknowledge the efforts and commitment of the Board Members for all their work that they do voluntarily. Board Members contribute a great deal of work, and do an amazing job. In order to keep the Board on track with having at least one meeting a month with a quorum, he requests that Board Members keep the first Monday of the month open in the upcoming year, and if absent, to participate by phone to the extent possible.

Ira Whitman noted that there are two vacancies on the Board, and would like to see those filled as soon as possible. Chairperson Pedersen agreed and noted that he and Executive Director Janine MacGregor are making efforts to fill those positions.

- **Executive Director's Report**

Executive Director Janine MacGregor requested that Board Members provide input on Audit Memos and Criteria to her by the end of this week.

Executive Director Janine MacGregor also noted that she has prepared a listserve and email to LSRPs that notifies them about various items of importance; including, announcing the next exam date of October 17, 2018, the need to promptly pay the annual licensing fee, the upcoming license renewals and the need to complete CEC requirements prior to submitting license renewal applications, particularly ethics, and the need to keep contact information up to date.

Executive Director Janine MacGregor noted that she has heard about concerns about One Drive. She noted that One Drive is the only sharing platform authorized by the State. She also noted that documents are saved in One Drive under their original file names. Phil Brilliant noted that once One Drive is properly set up, it is not that difficult to use. Peter Strom noted that One Drive now allows you to download an entire folder at once.

- **Committee Reports**

- **Report of the Audit Committee: Phil Brilliant for Jorge Berkowitz**

Five audits were picked today for the month of December 2016, and an Audit Review Team is being assembled. The number of LSRPs to be audited in 2018 will be calculated in January and reported at the January 2018 Board Meeting.

Audits reported as complete:

September 2016:

Chun-Ti Huang	594886
Kevin A. Niemeyer	714969

Kurt A. Martin	576432
Sandra L. Millward	580655
Stephen W. Taranto	668215

February 2017:

Geoffrey Clark	591304
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April 2017:

Robert W. Good, Jr.	574543
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Motion by Phil Brilliant to change the auditee selection process to allow for the random and non-random selection of LSRPs to be audited each month, and to approve the process and criteria used for the random and non-random selection on a pilot basis.

Motion seconded by Ira Whitman.

Joann Held questioned why the Audit Review Team should not be told who was selected on a non-random basis. Phil Brilliant stated that it is so that all the auditees are treated in the same way. Mark Pedersen added that it would ensure the objectivity of the audit process, and ensure that everyone is evaluated with the same criteria. Joann Held asked how long the pilot process would last. Janine MacGregor said that has not been determined.

Roll Call Vote:

Jorge Berkowitz – absent
Phil Brilliant – yes
Lawra Dodge – absent
Joann Held - yes
Jeffry Hoffman - yes
Chris Motta – yes
Kathi Stetser – absent
Peter Strom – yes
Connie Tsentas – absent
Ira Whitman – yes
Mark Pedersen – yes

The motion was carried.

- **Professional Conduct Committee – Phil Brilliant**

Motion to enter Closed Session to discuss Complaint 003-2017 and 001-2015 settlement terms.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Closed session commenced at 4:33 PM.

Open session resumed at 5:30 PM.

Motion by Phil Brilliant to authorize Chairperson Pedersen to sign a settlement agreement to settle the Administrative Order and Notice of Civil Administrative Penalty Assessment issued to Karyn Norton, a former LSRP, who has voluntarily terminated her license, for the sum of \$200, and to work out further details of the settlement agreement to settle Complaint 001-2015 in concert with the Professional Conduct Committee.

Motion seconded by Joann Held.

Roll Call Vote:

Jorge Berkowitz – absent
Phil Brilliant – yes
Lawra Dodge – absent
Joann Held - yes
Jeffry Hoffman - yes
Chris Motta – yes
Kathi Stetser – absent
Peter Strom – yes
Connie Tsentas – absent
Ira Whitman – yes
Mark Pedersen – yes

The motion was carried.

- **Report of the Ad Hoc Committee on Board Operations – Joann Held**

No Report.

- **Report of the Ad Hoc Committee on Discharge Notification – Joann Held**

No Report.

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

No Report.

Ira Whitman asked about the approval status of the In-Situ course held in November. He was concerned many LSRPs up for renewal may have taken it and may be depending on it for continuing education credits. Dana Haymes reported it is still under review. Janine MacGregor will ask Lawra Dodge if the course review can be prioritized for approval at the January Board meeting.

- **Report of the Finance Committee – Christopher Motta**

Chris Motta reported that the committee is required to prepare a fee calculation report. The committee prepared a report and calculated apparent fee increases, but felt that there was not sufficient justification to raise any of the fees due to a “carry-forward” item in the Board’s budget. The final draft of the report is ready, and will be circulated to Board Members so that they can conduct a courtesy review prior to publication of the report in the New Jersey Register.

Executive Director Janine MacGregor noted that the Board does not need to formally approve the report, as fees are not being changed.

- **Outreach Committee – Peter Strom**

No report.

- **Licensure Committee – Kathi Stetser**

No report.

- **Ongoing Business:**

None.

- **New Business:**

Joann Held suggested reactivating the rules committee early in 2018. She asks that Chairperson Pedersen appoint Board Members to the Rules Committee.

Phil Brilliant noted that he has been asked to represent the Board at the New Jersey Site Remediation Conference in January, and to update the LSRPA. He asked if any Board Members had objection. Chairperson Pedersen requested that if Mr. Brilliant plans to present any statistics, that he present them to the Board Members for their review.

- **Second Board meeting in December:**

Motion by Chairperson Pedersen to not hold a second meeting in December.

Phil Brilliant seconded the motion.

All present voted yes.

The motion was carried.

The next Board Meeting will be January 8, 2018.

- **Public Comments:**

Robert Kowalczyk, LSRP. He asked whether LSRPs will be reimbursed if a course is not approved. Mr. Kowalczyk also asked whether he could defer payment of his license fee, as he is out of work because his company has closed. Board staff explained that he could inactivate his license - contact Dana Haymes for more information.

Robert Morris, LSRP. Asked whether the non-random LSRP audit selection process will be made public. Chairperson Pedersen stated that it would be.

The meeting adjourned at 5:58 P.M.