

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

January 6, 2020 Meeting Minutes

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

Board Members:

Present

Jorge Berkowitz
Phil Brilliant
Lawra Dodge
Joann Held
Jeffrey Hoffman
Christopher Motta
Mark Pedersen
Kathi Stetser
Peter Strom
Ira Whitman

Absent

None

Others Present

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

Proceedings

- Meeting called to Order at 4:04 PM by Chairperson Mark Pedersen
- Mark Pedersen read the Statement of Adequate Public Notice of the meeting required by the Open Public Meetings Act.
- Roll Call:
 - Jorge Berkowitz - present
 - Phil Brilliant - present
 - Lawra Dodge - present
 - Joann Held - present

Jeffrey Hoffman - present
Christopher Motta - present
Mark Pedersen - present
Kathi Stetser - present
Peter Strom - present
Ira Whitman - present

A quorum of the Board was in attendance.

• **Approval of the Board Meeting Minutes**

- Motion by Mark Pedersen to approve the December 16, 2019 Board Meeting Minutes.

Joann Held seconded the motion.

Roll Call Vote:

Jorge Berkowitz - Yes
Phil Brilliant - Yes
Lawra Dodge - abstained due to absence
Joann Held - Yes
Jeffrey Hoffman - Yes
Christopher Motta - Yes
Kathi Stetser - Yes
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen - Yes

The motion was carried.

- Motion by Mark Pedersen to approve the December 16, 2019 Board Meeting Minutes of the closed session.

Ira Whitman seconded the motion.

Roll Call Vote:

Jorge Berkowitz - Yes
Phil Brilliant - Yes
Lawra Dodge - abstained due to absence
Joann Held - Yes
Jeffrey Hoffman - Yes
Christopher Motta - abstained due to absence
Kathi Stetser - abstained due to absence
Peter Strom - Yes
Ira Whitman - Yes

Mark Pedersen - Yes

The motion was carried.

• **Chairperson’s Report**

- Motion by Mark Pedersen to appoint Joann Held to serve as the Vice-Chairperson of the Board for the Year 2020.

Jorge Berkowitz seconded the motion.

All present voted yes.

The motion was carried.

• **Executive Director’s Report**

Janine MacGregor reported that the Board will hold a closed session to discuss Complaints 011-2019, 012-2019, and 013-2019.

The first February Board Meeting of 2020 will be held on Tuesday February 4, 2020 from 5:00-7:00 PM at the LSRPA conference in New Brunswick, NJ. Janine MacGregor reminded the Board that attending the meeting does not entitle Board members to attend the conference. If they want to attend the conference they must register and pay on their own. In addition, Board Members attending the meeting but not paying or registering for the conference cannot accept any conference benefits, such as refreshments or other items that may be handed out. There will be several courses offered for CECs. Board Members can monitor courses without charge or advance registration or notice, but cannot earn CECs while monitoring a course. Monitoring of courses should be coordinated through the Continuing Education Committee, so please notify Janine MacGregor and Lawra Dodge of your intention to do so. Board Members can register and pay for any courses they would like to attend for credit.

Committee Reports

• **Continuing Education Committee**

- Motion by Lawra Dodge to approve the following CEC applications.

Kathi Stetser seconded the motion.

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	NJSRPLB Rules – What an LSRP Needs To Know	LSRPA	TBD	1 Regulatory	2020-1

2	Leveraging Thermal Source Remedy Heat Plume	LSRPA	February 4-5, 2020	.5 Technical	2020-2
3	Vapor Treatment Challenges	LSRPA	February 4-5, 2020	.5 Technical	2020-3
4	Quantifying Green Remediation Strategies	LSRPA	February 4-5, 2020	.5 Technical	2020-4
5	Unintended Consequences from Remedial Actions	LSRPA	February 4-5, 2020	.5 Technical	2020-5
6	Everyday Environmental Issues Facing Municipalities	Paulus, Sokolowski and Sartor, LLC	November 21, 2019	1 Regulatory	2020-6
7	The Importance of Sanitary Sewers	LSRPA	February 4-5, 2020	.5 Technical	2020-7
8	Performance of a New Activated Carbon Amendment	LSRPA	February 4-5, 2020	.5 Technical	2020-8
9	Colloidal Activated Carbon	LSRPA	February 4-5, 2020	.5 Technical	2020-9
10	LSRPA Regulatory Roundtable January 2020	LSRPA	January 21, 2020	1 Regulatory and 1 Technical	2020-10
11	Perimeter Air Monitoring	LSRPA	TBD	4 Technical	2020-11

Roll Call Vote:

Jorge Berkowitz - Yes to all
 Phil Brilliant - Yes to all
 Lawra Dodge - Yes to all
 Joann Held - Yes to all
 Jeffrey Hoffman - Yes to all
 Christopher Motta - Yes to all
 Kathi Stetser - Yes to all
 Peter Strom - Yes to all
 Ira Whitman - Yes to all
 Mark Pedersen - Yes to all

The motion was carried with respect to all applications.

- Motion by Lawra Dodge to approve the application of an LSRP for 1.5 Regulatory Credits for attending the 16th Annual Regulatory Update Conference provided by the NJDEP and Northern and Central Chapters of the Air and Waste Management Association.

Mark Pedersen seconded the motion.

Roll Call Vote:

Jorge Berkowitz	- Yes
Phil Brilliant	- Yes
Lawra Dodge	- Yes
Joann Held	- abstain
Jeffrey Hoffman	- Yes
Christopher Motta	- Yes
Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- abstain

The motion was carried.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to adopt a resolution to enter closed session to discuss Complaints 011-2019, 012-2019 and 013- 2019.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Open Session Board Meeting resumed at 5:04 PM.

- Motion by Phil Brilliant, in the matter of Complaint 011-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to assess a penalty of \$500.00, to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson; and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Jorge Berkowitz.

Roll Call Vote:

Jorge Berkowitz	- Yes
Phil Brilliant	- Yes
Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Christopher Motta	- Yes

Kathi Stetser - Yes
 Peter Strom - Yes
 Ira Whitman - Yes
 Mark Pedersen - Yes

The motion was carried.

- o Motion by Phil Brilliant, in the matter of Complaint 012-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to assess a penalty of \$750.00, to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson; and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Joann Held.

Roll Call Vote:

Jorge Berkowitz - Yes
 Phil Brilliant - Yes
 Lawra Dodge - Yes
 Joann Held - Yes
 Jeffrey Hoffman - Yes
 Christopher Motta - Yes
 Kathi Stetser - Yes
 Peter Strom - Yes
 Ira Whitman - Yes
 Mark Pedersen - Yes

The motion was carried.

- o Motion by Phil Brilliant, in the matter of Complaint 013-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to assess a penalty of \$500.00, to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson; and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Jorge Berkowitz.

Roll Call Vote:

Jorge Berkowitz - Yes
 Phil Brilliant - Yes
 Lawra Dodge - Yes
 Joann Held - Yes
 Jeffrey Hoffman - Yes
 Christopher Motta - Yes

Kathi Stetser	- Yes
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- Yes

The motion was carried.

- **Audit Committee – Jorge Berkowitz**

Jorge Berkowitz reported that at least 71 LSRPs must be audited in 2020, so 6 LSRPs will be selected for audit per month, except for December 2020 which will be 5. 6 LSRPs were selected on January 6, 2020 for January 2020 audits.

- **Finance Committee – Christopher Motta**

No Report.

- **Licensure – Kathi Stetser**

Kathi Stetser requested that Janine MacGregor provide the report. Janine MacGregor reported that the Board has received 61 applications for the LSRP license. Janine anticipates a few more may come in post-marked by the December 31, 2019 due date. Janine will be meeting with Wayne Howitz to begin the process of reviewing the applications.

- **Outreach Committee – Peter Strom**

Peter Strom requested that Janine MacGregor provide the report. Janine MacGregor reported that the fee report has been posted in the New Jersey Register and is posted on the Board Website. The fact that the period for applying for the LSRP license is now over has also been posted on the Board Website.

- **Rules Committee – Joann Held**

Joann Held reported that the Rules Committee has been meeting twice per month. The Committee has agreed to meet with the LSRPA, and will also meet with any groups that would like to meet with the Committee. Board Members should let any interested parties know that the Committee is willing to meet with them.

The Committee has also been discussing the definition of Independent Professional Judgment and will bring it to the Board for input at the February 2020 meeting.

- **Ongoing Business**

None

- **New Business**

None

- **Next Board Meeting**

- Motion by Mark Pedersen to cancel the January 21, 2020 meeting.

Motion seconded by Lawra Dodge.

All present voted yes.

The motion was carried.

The next Board Meeting will be February 4, 2020 at 5:00 pm in New Brunswick, NJ.

- **Public Comments**

None

The Meeting adjourned at 5:33 PM.