

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

July 13, 2020 Meeting Minutes

4:00 PM

Meeting held via Skype for Business

Until further notice, the open public meetings of the Board will be held via Skype for Business.

To participate by phone, use the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 842876008#

Board Members:

Present

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

Absent

Others Present

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

Members of the Public that were present:

Bill Hose, Marlene Lindhardt, David Morris, Mark Pietrucha, Candice Baker

Proceedings

- Meeting called to Order at 4:03 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 June 1, 2020 Board Meeting Minutes.

Jeff Hoffman 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 - Yes
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen - Yes

The motion was carried.

- Motion by Mark Pedersen to approve the June 1, 2020 Board Meeting Minutes of the closed session

Jorge Berkowitz seconded the motion.

Roll Call Vote:

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

The motion was carried.

- **Chairperson's Report**

Mark Pedersen reported that Department has undergone some furlough initiatives for employees in titles subject to union membership. Furloughs will end on July 24. The amount of time that staff members have been furloughed varies from 4-12 days. The Department has made sure that Department operations continue, and that any matters pertaining to public health, safety and the environment are prioritized, such as Immediate Environmental Concern matters. All consideration has been given to ensuring that the impact to Department programs is minimized, as well as the financial impact to staff. Board staff members have been included in furloughs. Further information regarding furloughs can be found at the CWA website.

Phil Brilliant asked if there were any retirements expected that would impact the Board. Mark Pedersen responded that there will be individuals retiring in the next fiscal year, which may impact the Board if these individuals are involved in complaints.

Mark Pedersen also noted that the State is in a substantial budget deficit.

- **Executive Director's Report**

No report.

- ***Committee Reports***

- **Continuing Education - Lawra Dodge**

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

TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE NUMBER
LSRPA Regulatory Roundtable November 2020 – Ground Water Modeling	LSRPA	November 17, 2020 (in person and via AVLF)	1 Technical and 1 Regulatory	2020-058
LSRPA Regulatory Roundtable December 2020 – Vapor Intrusion Mitigation System Design and Construction	LSRPA	December 15, 2020 (in person and via AVLF)	1 Technical and 1 Regulatory	2020-059
Using UVOST, TarGOST and DyeLIF to Characterize NAPL	LSRPA	July 23, 2020 (via AVLF)	2 Technical	2020-060
CID Training	LSRPA	August 6, 2020 (via AVLF)	2.5 Regulatory	2020-061

Motion seconded by Joann Held.

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.

- o Motion by Lawra Dodge to approve the following previously approved continuing education programs to be offered in Alternative Verified Learning Format:

Rutgers NJAES – Office of Continuing Professional Education:

2014-015 - Discharge Prevention Program: Compliance in New Jersey for 5.5 Regulatory CECs

2016-019 - Flood Hazard Area Control Act Rules: Technical Standards Part One

for 3 Regulatory and 3 Technical

2016-020 - Flood Hazard Area Control Act Rules: Technical Standards Part Two
For 6 Regulatory

CPES, LLC:

2017-062 - New Jersey Real Estate and Corporate Transactions for 1 Regulatory

2019-089 - RAPs and RAOs for 3.5 Regulatory

2014-054 - Regulatory Training in USTs for 6.5 Regulatory

2018-056 - Investigating Child Care Centers and Educational Facilities in NJ for
3 Regulatory and 3 Technical

New York City Brownfields Coalition:

2020-033 - NYCBP Regulatory Roundtable June 2020 for 1 Regulatory

2020-034 - NYCBP Regulatory Roundtable December 2020 for 1 Regulatory

LSRPA:

2018-044 - Due Diligence in New Jersey for 3.5 Regulatory and 3.5 Technical

BCONE:

2020-029 - BCONE Northeast Sustainable Communities Workshop for 2
Regulatory and 2 Technical

Motion seconded by Mark Pedersen.

Roll Call Vote:

Jorge Berkowitz	- Yes to all except recused from the 4 listed CPES, LLC courses
Phil Brilliant	- Yes to all except recused from the 4 listed CPES, LLC courses
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 except recused from the 3 listed Rutgers
NJAES courses	
Ira Whitman	- Yes to all
Mark Pedersen	- Yes to all

The motion was carried with respect to all applications.

- **Audit Committee – Jorge Berkowitz**

- 6 LSRPs were selected for Audit for the month of July 2020.
- The Audit Committee completed audits of the following LSRPs, with no additional action required:
 - August 2019 – Kenneth Nieuwenhuis , LSRP #591318
 - September 2019 – Charles Metzger, LSRP #668158
 - October 2019 – Edward Keffer, LSRP #627887
 - November 2019 – Clint Catania, LSRP #591315
 - November 2019 – Thomas Francis, LSRP #626929
 - May 2020 – Scott Bisbort, LSRP #746569

Peter Strom noted that the Audit Committee has also referred an LSRP to the PCC and asked that the Audit Committee consider reporting referrals to the PCC.

- **Finance Committee – Christopher Motta**

No report.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the date of the exam is September 22, but this will be changed if necessary to meet health guidelines.

All licenses have been renewed for the year.

Reminder that anyone renewing in the year 2021 can use as many AVLF credits that they need to reach the number of credits required for renewal. A listserv has been sent notifying LSRPs of this, and this information is also posted on the Board website.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held reported that the Committee has been working on Subchapter 6 – Professional Conduct. She expects that the Committee will complete its work on this Subchapter in another meeting or two.

Also, the Committee has developed a chart to track progress by Subchapter, and would like to share this chart with the Board at the next Board meeting on August 3.

The Committee would also like to share some of the subchapters to get the Board’s feedback.

Jorge Berkowitz noted that he has had some concerns with regard to how the stakeholder process is proceeding, particularly with respect to perceived conflict of interest. He is persuaded however that the Board has conducted significant due diligence regarding solicitation of participation by stakeholders.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 001-2014 and 011-2015.

Mark Pedersen seconded the motion.

All present voted yes.

The motion was carried.

Open session resumed at 6:28 PM.

- Motion by Phil Brilliant, in the matter of Complaint 001-2014, to issue a Notice of Intent to Revoke License pursuant to N.J.A.C. 7:26I and paragraph 1d of the Settlement Agreement, under signature of the Board Chairperson.

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.

- Phil Brilliant noted that the Board has continued to work and investigate complaints using means to meet remotely.

- **Ongoing Business**

None

- **New Business**

None

- **Next Board Meeting**

The next scheduled Board Meeting will be August 3, 2020 at 4:00 pm via Skype for Business unless otherwise noted on the Board website. Mark Pedersen requests that Joann Held chair that meeting.

- **Public Comments**

Bill Hose asked Joann Held to repeat part of her report regarding the Rules Committee.

The Meeting adjourned at 6:34 PM.