

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

October 5, 2020 Meeting Minutes

4:00 PM

Meeting held via Microsoft Teams

Until further notice, the open public meetings of the Board will be held via Microsoft Teams.

To participate by phone, use the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 906475949

Or connect via the link on the Board Website www.nj.gov/l srpboard

Board Members:

Present

Jorge Berkowitz

Phil Brilliant

Lawra Dodge

Joann Held

Jeffrey Hoffman

Mark Pedersen

Kathi Stetser

Peter Strom

Ira Whitman

Absent

Christopher Motta

Others Present

Board Executive Director Janine MacGregor

Board Staff Dana Haymes

DAG Nielsen Lewis

Members of the Public that were present:

Bill Hose, Candace Baker, Caryn Barnes, Rebecca Hollender, Dick Katz, Ken Haduch, Marlene Lindhardt, David Morris, Alan Uminski

Proceedings

- Meeting called to Order at 4:07 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 - absent
 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 September 14, 2020 Board Meeting Minutes.

Motion seconded by Jeffrey Hoffman.

Joann Held requested that the minutes be amended by moving the sections recording the votes to approve the minutes of the August 3, 2020 meeting to after the report of the Executive Director.

Roll Call Vote:

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

The motion to approve the minutes as amended was carried.

- Motion by Mark Pedersen to approve the September 14, 2020 Board Meeting Minutes of the Closed Session.

Motion seconded by Phil Brilliant.

Roll Call Vote:

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

The motion was carried.

- **Chairperson’s Report**

No report.

- **Executive Director’s Report**

No report.

Committee Reports

- **Continuing Education - Lawra Dodge**

- Motion by Lawra Dodge to approve the following CEC application to be offered in both in-person and AVLF:

TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE NUMBER

Commingled Plumes: Technical and Legal Expertise on Getting It Done	LSRPA	TBD	1 Technical and 1.5 Regulatory	2020-076
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Motion seconded by Mark Pedersen.

Roll Call Vote:

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

The motion was carried.

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

Rutgers NJAES – Office of Continuing Professional Education:

2015-059 – Ecological Evaluation – 1 Regulatory and 6 Technical

2012-016 – Ground Water in Fractured Bedrock – 6.5 Technical

2012-015 – The Science and Practical Aspects of In Situ Technologies – 6 Technical

Motion seconded by Mark Pedersen.

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 - absent
 Kathi Stetser - Yes to all
 Peter Strom - recused
 Ira Whitman - Yes to all
 Mark Pedersen - Yes to all

The motion was carried with respect to all applications.

• **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaint 008-2019.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Open session resumed at 4:49 PM.

Motion by Phil Brilliant to find no violation in the matter of Complaint 008-2019.

Motion seconded by Jeffrey Hoffman.

Roll Call Vote:

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

The motion was carried.

Phil Brilliant noted that for many Board Members, next month marks 10 years of serving on the Board. As of today, there have been 71 outcomes of complaint reviews, and there are 20 reviews on-going. The Board has done a fantastic job working hard together as a team, and all are working in the best interest of this new profession of licensed site

remediation. Dr. Dewling sends his best to the Board and thanks all Board Members for what they do on behalf of the environment of New Jersey.

- **Audit Committee – Jorge Berkowitz**

6 LSRPs were selected for October 2020 audits

The Audit Committee completed audits of the following LSRPs, with no additional action required:

December 2019:

Robert Koto – LSRP 586789

January 2020:

Corey McCormack – LSRP 627737

April 2020:

Christine Arico – LSRP 748553

Christopher Pittarese – LSRP 573750

Karen Diehl – LSRP 592587

May 2020:

Kevin DeMauret – LSRP 586356

Michael Murphy – LSRP 714309

Monette Dalal – LSRP 780392

- **Finance Committee – Christopher Motta**

Janine MacGregor presented the report on behalf of Christopher Motta.

Janine MacGregor introduced the budget which she is hoping that the Board will approve next month.

Basic changes are as follows:

Revenue will be down about \$40,000.00 from last year, because it is expected that there will be no application fees submitted during 2021, and there will be fewer application fees submitted than in 2020.

Salary coding will be down about \$20,000.00 because fringe and indirect costs have gone down.

About \$105,000.00 will not be spent because the Board will not hold an exam in 2021.

The Budget is approximately \$130,000.00 less than 2020. This affects the carry forward.

- **Licensure Committee – Kathi Stetser**

The exam will be held in December 2020.

Janine MacGregor is waiting for the scope of work from the contractor and sub-contractor.

No licenses are currently up for renewal but a large group of renewals is expected beginning in early 2021.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held presented the full text of Subchapter 4 in the format that it would appear in the New Jersey Register, with explanatory notes which would not be included in the New Jersey Register. Joann requested comments on the helpfulness of the notes.

Joann noted the following recommended revisions to Subchapter 4:

1. 4.3 a – continuing education categories have been modified, with a new category added
2. 4.5 a – continuing education activities are enumerated
3. 4.3 f – LSRPs are permitted to earn CECs that the LSRP verifies, limited to 18
4. 4.4 c – an application for approval of CECs must be submitted within 90 days of the continuing education program being held for the first time
5. 4.4 c 12 – allows LSRPs to earn CECs based on affidavit for attending a large format conference that does not use sign in and sign out sheets for individual sessions
6. 4.4 b 4 – inclusion of category of independent professional development continuing education credit. Would include educational content designed to advance the ability of an LSRP to provide service to clients, including project management, communications, preparation of written reports, use of databases, and preparation of the technical components of proposals and scopes of work.

Ira Whitman noted that the addition of the new category of independent professional development codifies a type of continuing education that the Board has approved. The language describing the content that may be approved was carefully chosen because the Board does not want to approve courses that improve the ability of an LSRP to run a business, or prepare contracts, or select insurance, or the like. The language includes what is considered professional enhancement or development, and excludes business development.

Joann Held thanked the Continuing Education Committee for collaborating on the revisions to this subchapter.

- **Ongoing Business**

None

- **New Business**

- Motion by Mark Pedersen to accept the proposed calendar of Board Meetings for 2021:

- January 4
- January 19 (Tuesday)
- February 1
- February 16 (Tuesday)
- March 1 and 15
- April 5 and 19
- May 3 and 17
- June 7 and 21
- July 12
- August 2
- September 13
- October 4 and 18
- November 1 and 15
- December 6 and 20

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

The motion was carried.

- **Next Board Meeting**

Motion by Joann Held to cancel the Board meeting previously scheduled for October 19, 2020.

Motion seconded by Mark Pedersen.

All present voted yes.

The motion was carried.

The next scheduled Board Meeting will be November 2, 2020 at 4:00 pm via Microsoft Teams unless otherwise noted on the Board website.

- **Public Comments**

Marlene Lindhardt. Commented that the online meetings are going well. Requested that the Board Meeting agenda be placed on the Board website in advance of the meeting. The independent professional development category of continuing education sounds like a great opportunity for LSRPs.

Ira Whitman requested that when the open session resumes after closed session, that the names of public participants are read to the Board.

The Meeting adjourned at 5:38 PM.