

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

June 7, 2021 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

Others Present

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

Members of the Public that were present:

Candace Baker, Colin Childers, Dick Katz, Jeff Casaletto, Marlene Lindhardt, David Morris, Timothy Mangold, William Call, Caryn Barnes, David Hoffman

Proceedings

- Meeting called to Order at 4:02 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
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 May 3, 2021 Board Meeting Minutes.

Motion seconded by Jeffrey Hoffman.

Roll Call Vote:

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

The motion to approve the minutes was carried.

- Motion by Mark Pedersen to approve the May 3, 2021 Board Meeting Minutes of the Closed Session.

Motion seconded by Phil Brilliant.

Roll Call Vote:

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

The motion to approve the minutes was carried.

- **Chairperson's Report**

The Closed Session will be held early in the meeting in order to allow Phil Brilliant to attend as he has to leave the meeting early.

- **Executive Director's Report**

No Report.

Committee Reports

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to go into closed session to discuss Complaints 001-2020, 004-2020, and settlement of 004-2018 (Phil Brilliant recused)

Motion seconded by Mark Pedersen.

All present voted yes.

The motion was carried.

Open session resumed at 5:34 PM.

- Motion by Phil Brilliant, in the matter of Complaint 001-2020 to find no violation.

Motion seconded by Lawra Dodge.

Roll Call Vote:

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

The motion was carried.

- Motion by Phil Brilliant, in the matter of Complaint 004-2020 to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.5(a), 6.3(a) and 6.3(d), and to notify the subject through correspondence under signature of the Board chairperson of the Board's intent to assess a penalty of \$8,250.00 through a formal disciplinary action unless settlement is reached, and to authorize the Settlement Team to negotiate a settlement within the parameters discussed in closed session, and if no settlement is reached to proceed with formal disciplinary action.

Motion seconded by Lawra Dodge.

Roll Call Vote:

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

The motion was carried.

The subject of the complaint is LSRP Mark Annis, #668727.

- **Audit Committee – Jorge Berkowitz**

6 LSRPs were selected for June 2021 audits

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

Selected February 1, 2021:

Jenny Cutright, 625909

Selected March 3, 2021:

Kara Isgro, 714907

Melinda Schwartz, 594328

Michael Conlin, 584436

Number of Audits referred to PCC:

One additional December 2020 Audit has been referred to the PCC, bringing the total to two December 2020 Audits referred to the PCC.

- **Continuing Education – Lawra Dodge**

Lawra Dodge reported that the Continuing Education Committee has not completed review of pending applications for approval of continuing education credits. The providers of any programs for which there are pending applications for approval of continuing education credits will be notified when the Committee completes their review, and the Committee will report the approved programs at the next Board Meeting.

- **Ad Hoc Committee – Discharge Notifications – Phil Brilliant**

Phil Brilliant reported that the Committee has made progress, and will be meeting with the LSRPA this week.

- **Finance Committee – Janine MacGregor**

No report.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that of the 260 applications for license renewals received in April for July 2021 expirations, only 5 remain to be approved. The next big group of applications for license renewals will be received in July for October 2021 expirations.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held reported that the Rules Committee has been working on many different pieces of the rules and has forwarded some questions to the Continuing Education Committee and the Licensure Committee. The Rules Committee has also been working on the civil administrative penalty guidance section. The Committee will be focusing on Subchapter 6 and when their work is complete the Committee will report recommended revisions to the Board. After that, there are mostly loose ends that are left to be addressed.

- **Ongoing Business**

None

- **New Business**

None

- **Next Board Meeting**

- Motion by Mark Pedersen to cancel the Board meeting previously scheduled for June 21, 2021.

Motion seconded by Phil Brilliant.

All present voted yes.

The motion was carried.

The next scheduled Board Meeting will be July 12, 2021 at 4:00 pm via Microsoft Teams unless otherwise noted on the Board website.

- **Public Comments**

Marlene Lindhardt, LSRPA. Marlene noted the LSRPA appreciates the Board's response regarding timeframe issues. Marlene had a question about the Board rules requiring an LSRP to notify their clients and the Department when they are retiring. Does that include all clients including past clients, or only present clients? Also, is the notification form sufficient, or is an additional notification required. Joann Held requested that Board staff look into this and respond on behalf of the Board.

David Morris asked why the Board did not report on the third complaint. Mark Pedersen responded that the Board is still considering the outcome. David Morris also requested that the Board publish outcomes as soon as possible.

The Meeting adjourned at 5:45 PM.