

**NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD
MINUTES
FINAL**

**November 29, 2010
4:00 p.m. Public Hearing Room, DEP, Trenton**

Board Members:

Present: Chairman Dave Sweeney, Jorge Berkowitz, Philip Brilliant, Lawra Dodge, Joann Held, Christopher Motta, Karl Muessig, Michael Pisauro, Constantine Tsentas, Ira Whitman, Richard Dewling (by phone)

Others Present: DEP Director Tony Farro, DEP Chief Frank Pinto, Board Liaison Karen Hershey, DAG Kimberly Hahn

Proceedings:

- Meeting called to Order by the Chairman at 4:00 P.M.
- Statement by the Chair that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.
- Approval of November 15, 2010 minutes.
 - Jorge Berkowitz stated that minutes were not sufficiently detailed.
 - Motion by Jorge Berkowitz not to accept minutes, second by Mike Pisauro; 10 in favor, two oppose (Chairman Dave Sweeney, Karl Muessig)
 - Action: Jorge Berkowitz will revise minutes and present to Board at next meeting for approval.
- Committee Reports
 - Bylaws: Lawra Dodge-- Committee met earlier in the day to discuss bylaws; reviewed professional engineer bylaws.
 - Bylaws: Ira Whitman--Presented review of draft bylaws prepared by Liaison Hershey. Supports creation of Vice-Chairman and Secretary positions; clarification of when teleconferencing is appropriate; procedures for Board member removal; ad hoc committee to review bylaws annually.
 - Rulemaking: Joann Held--Phone conference last week; emergency rules and legislative changes not viable options. Consider going forward with simple rules which reflect enabling legislation and Massachusetts regulations; need to get rules drafted quickly; Committee to continue to review draft rules.

- Motion to approve meeting dates through July 2011; seconded and passed unanimously with condition that April 18 be rescheduled due to Jewish holiday.
- Presentation by Director Farro and Chief Pinto on exam development (with handout).
 - Highlights of Presentation: DEP preparing Request For Proposal for bids; LSRPs, Board members and members of the LSRPA to be utilized as sources for Job Analysis; expect only two or three bids; RFP can emphasize need for New Jersey Subject Matter Experts.
- Presentation by Director Farro on Budget and Temporary LSRP Annual Fees (with handout).
 - Year 1-Annual Fee Budget \$901,846 with estimated 1000 licensees=Annual Fee \$900
 - Year 2-Annual Fee Budget \$450, 846 with estimated 500 licensees=Annual Fee \$900
- Board Counsel DAG Hahn informed the Board that Attorney General opinion says that a quorum is the authorized membership of the Board. Quorum is seven members. Seven affirmative votes necessary for Board to take action.
- Joann Held raised the issue of audits and the statutory requirement that the Board shall audit annually the submissions and conduct of at least 10 percent of the total number of licensed site remediation professionals; Board discussion about DEP required inspection and review based on statutory requirements and its relationship to Board mandated audits. Discussions ongoing.
- Motion by Richard Dewling for Outreach (Web site) Committee to work with DEP on developing a Board web site; seconded and passed (unanimous).
 - Committee members: Lawra Dodge, Karl Muessig, Christopher Motta (Chair)
- Additional Discussion Items (No formal action taken):
 - Ira Whitman raised issue about latitude and flexibility during Board start-up period. Discussions ongoing.
- Public Comment
 - Clarification on statutory requirements relating to temporary licensed site remediation professionals versus permanent licensees.
- Motion to adjourn at 6:45 p.m.; seconded and passed unanimously.

