

# NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

## MINUTES

### FINAL

December 20, 2010

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

#### **Board Members:**

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

***Others Present:*** Board Liaison Karen Hershey, DAG Kimberly Hahn, DEP Assistant Director Len Romino.

#### ***Proceedings:***

- Meeting called to Order by the Chairman at 4:05 P.M.
- Statement by the Chair that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.
- Approval of December 9, 2010 minutes.
  - Motion by Ira Whitman to accept minutes, seconded by Richard Dewling. Jorge Berkowitz abstained due to absence at December 9, 2010 meeting. Remaining members voted in favor of accepting minutes.
- Committee Reports
  - Bylaws (no formal action taken): Lawra Dodge—Board discussion of handout of draft bylaws. Included updates based on input from last meeting. Further discussion regarding the following:
    - Provisions relating to committees, minutes, vice-chair, conflict of interest, public participation.
    - In order to address new questions and issues, bylaws will be finalized at next meeting.
  - Rulemaking (no formal action taken): Joann Held— Discussion of rulemaking efforts to date. Rules committee met via phone on December 14. Committee is working on drafting language consistent with rule outline. Further discussion related to the following:

- Advisory rulings: Board discussed whether to have advisory rulings. If so, would be addressed in rule. DAG commented on legality of advisory rulings. Board will investigate Massachusetts advisory ruling process.
    - Discipline: Board discussed process for addressing disciplinary matters, including informal hearings and ways to protect confidentiality. Joann Held will check with Massachusetts about their process.
    - Continuing Education: Discussion regarding continuing education requirements. Offer to assist from LSRPA. Discussion about whether to wait until formation of Continuing Education committee. Board will investigate Massachusetts continuing education program.
  - Website/Outreach: Chris Motta--Discussion of revised web site outline (handout) reflecting Board input from last meeting.
    - Motion by Ira Whitman to accept revised web site outline and move forward to construct web site; seconded by Constantine Tsentas; passed unanimously (Jorge Berkowitz and Richard Dewling absent for this motion)
    - Discussion regarding options for hosting the site and the selection of a domain name.
- Ongoing Business
  - Audits: Presentation by Len Romino on DEP's inspection and review process with handouts. Presentation covered wording in SRRA statute, forms, level of review and statistics.
  - Problems with submissions are mainly administrative, and some technical.
  - Motion by Phil Brilliant to form audit committee; seconded by Richard Dewling; passed unanimously. Members are Constantine Tsentas, Ira Whitman, Philip Brilliant (Chair), Richard Dewling and Lawra Dodge.
- New Business (no formal action taken)
  - Discussion related to the following:
    - ISRA and trustee of funds misappropriation.
    - Terms of Board members.

- Extension of 3 year temporary licensed site remediation professional licenses; DAG advises Board cannot trump statute.
  - Awaiting legal opinion on Board's authority to take action without rules relating to disciplinary matters.
  - DAG advises notes taken by Board members not required to be disclosed under OPRA.
  - Next meeting: Presentation by representative of New Jersey Ethics Commission.
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- Public Comment
    - There were no comments.
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- Motion to adjourn at 6:55 p.m. by Mike Pisauo; seconded by Ira Whitman and passed unanimously.