

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

October 1, 2012 Meeting Minutes

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

Board Members:

Present: Phil Brilliant, Richard Dewling, Lawra Dodge, Joann Held, Karl Muessig, Christopher Motta, Mike Pisauro, Dave Sweeney, Constantine Tsentas, Ira Whitman

Absent: Jorge Berkowitz

Others Present: Board Secretary Karen Hershey, DAG Kimberly Hahn, Executive Assistant David Haymes

Proceedings:

- Meeting called to Order at 4:05 by Chairman Sweeney.
- Statement by Chairman Sweeney that adequate notice of the meeting was provided pursuant to the Open Public Meetings Act.
- Approval of the September 10, 2012 minutes.
 - Motion by Ira Whitman to approve minutes, seconded by Richard Dewling; approved unanimously except for Joann Held who abstained due to absence at the September 10, 2012 meeting.
- Chairman's Report
 - The Chairman indicated that he had nothing to report.
- Committee Reports
 - Audit: A report was given by Committee Chair Phil Brilliant on behalf of the Audit Committee.
 - Phil Brilliant noted that five more audit questionnaire recipients were selected for October.
 - Phil Brilliant also announced that the following audit has been deemed complete:

509309 Lanny Katz, Selected May 14, 2012; Completed October 1, 2012.

- Continuing Education: A report was given by Committee Chair Lawra Dodge on behalf of the Continuing Education Committee.
 - Lawra Dodge discussed four pending course approval requests. Ira Whitman then made a motion to approve the October 15, 2012 Innovative Environment Technologies Conference offered by the Environmental Business Council of the Commerce and Industry Association of New Jersey for 5.5 Technical CECs.
 - Seconded by Richard Dewling, motion adopted after debate. (7Y, 1N, 2 Abstentions, 1 Absent).
 - Roll call as follows:
 - Berkowitz-Absent
 - Brilliant- Abstain
 - Dewling-Y
 - Dodge- Y
 - Held-N
 - Motta- Y
 - Muessig-Y
 - Pisauro-Abstain
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
 - The Board also discussed the process for submitting and approving course requests.
- Finance: A report was given by Committee Chair Richard Dewling on behalf of the Finance Committee.
 - Richard Dewling discussed the need to approve a budget for FY 14 by the end of October, and to make a decision on the exam contractor for the next round of exams. He also discussed the importance of the Board deciding on an IT contractor to implement a Board LSRP data system.
- Licensure: A report was given by Committee Chair Ira Whitman on behalf of the Licensure Committee.
 - Ira Whitman updated the Board on various issues, noting that the next exam is November 15, 2012, but there is no date yet for the January exam.
 - Ira Whitman then made a motion to approve for examination the individuals named in the October 1, 2012 list of Exam

Candidates Recommended for Approval (lists attached hereto and incorporated as part of these minutes).

- Seconded by Richard Dewling; motion adopted after debate (10Y with abstentions as noted below, 1 Absent).
- Roll call vote as follows:
 - Berkowitz-Absent
 - Brilliant- Y
 - Dewling-Y
 - Dodge-Abstain as to S. Remz, All others Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Y
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
- Website/Outreach: A report was given by Committee Chair Christopher Motta on behalf of the Website/Outreach Committee.
 - Chris Motta updated the Board on a recent meeting with DEP staff to discuss the new Board web site which is under development; the re-designed web site is expected to be launched soon.
- Rulemaking: A report was given by Joann Held on behalf of the Rulemaking Committee.
 - Joann Held updated the Board on the status of the draft subchapters, and she also made a motion to post draft Subchapter 9, Prohibition Against Retaliatory Action rules on the Board's web site.
 - Seconded by Mike Pisauro; motion adopted after debate, all present voted Yes.
- Confidentiality and Release of Public Information (Ad Hoc): Committee Chair Mike Pisauro indicated he had nothing to report.
- Professional Conduct: A report was given by David Sweeney for Jorge Berkowitz on behalf of the Professional Conduct Committee.
 - David Sweeney made a motion to go into closed session to discuss disciplinary issues; seconded by Lawra Dodge. All present voted Yes.
 - Upon return from closed session, the Board voted as follows:

- In the matter of Complaint #004-2011: Motion by Chairman Sweeney for the Board to issue disciplinary order in the amount of \$1000 against the LSRP for failing to file a Retention Form pursuant to N.J.S.A. 58:10C-16(d) with additional provision stating that in the event LSRP wishes to continue to perform services as a Temporary LSRP or seek approval to sit for the exam, he must notify the Board and agree to additional training to be determined at the discretion of the Board.
- Seconded by Richard Dewling; motion adopted (10Y, 1 Absent).
- Roll call vote as follows:
 - Berkowitz-Absent
 - Brilliant-Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Y
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
- In the matter of Complaint #002-2011: Motion by Mike Pisauro for the Board to approve the settlement as presented.
- Seconded by Karl Muessig; motion adopted (8Y, 2 Abstentions, 1 Absent).
- Roll call vote as follows:
 - Berkowitz-Absent
 - Brilliant-Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Abstain
 - Muessig-Y
 - Pisauro-Y
 - Tsentas- Y
 - Whitman-Abstain
 - Sweeney-Y
- In the matter of Complaint #001-2012: Motion by Chairman Sweeney to dismiss complaint.
- Seconded by Richard Dewling; motion adopted (9Y, 1Abstention, 1 Absent).
- Roll call vote as follows:
 - Berkowitz-Absent

- Brilliant-Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Abstain
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
 - In the matter of Complaint #002-2012: Motion by Phil Brilliant to accept withdrawal of complaint.
 - Seconded by Constantine Tsentas; motion adopted (10Y, 1Absent).
 - Roll call vote as follows:
 - Berkowitz-Absent
 - Brilliant-Y
 - Dewling-Y
 - Dodge- Y
 - Held-Y
 - Motta- Y
 - Muessig-Y
 - Pisauro-Y
 - Tsentas- Y
 - Whitman-Y
 - Sweeney-Y
 - Ira Whitman inquired as to how soon the case summaries would be published on the Board’s web site.
- Ongoing Business
 - The Chairman responded to an inquiry about the vacancies on the Board, noting that there are no new developments.
- New Business
 - Chairman Sweeney informed the Board that he will be away next week on vacation, and Karen Hershey will be away for the next meeting on October 15. David Haymes will be substituting for Karen Hershey at this meeting.
- Public Comment
 - John Oberer, LSRPA

- Asked if the materials from the Welcome package could be posted on the Board's web site and he also renewed his request as to whether an LSRP's work product can be requested under OPRA.
- The meeting adjourned at 6:26 p.m.