

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

Final

July 1, 2019 Meeting Minutes

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

Board Members:

Present

Jorge Berkowitz
Phil Brilliant
Lawra Dodge
Joann Held
Jeffrey Hoffman
Christopher Motta
Mark Pedersen
Kathi Stetser (via teleconference due to travel)
Peter Strom
Ira Whitman

Absent

None

Others Present

Board Executive Director Janine MacGregor
DAG Nielsen Lewis

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 - present
Mark Pedersen - present
Kathi Stetser - present (via teleconference)
Peter Strom - present
Ira Whitman - present

A quorum of the Board was in attendance.

- **Chairperson's Report**

Chairperson Pedersen reported that until new Board Members are appointed, there will be some minor changes to Committee appointments. Ira Whitman is hereby appointed to the Audit Committee, as he has expressed an interest in identifying and implementing ways to streamline the audit process. To keep a balance of appointments, Ira Whitman will no longer serve on the Outreach Committee. Also, Lawra Dodge will no longer serve on the Audit Committee, as she spends a substantial amount of time on the Continuing Education Committee.

- **Executive Director's Report**

No report.

- **Approval of the Board Meeting Minutes**

Motion by Mark Pedersen to approve the December 3, 2018 Board Meeting Minutes – Closed Session.

Joann Held seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Mark Pedersen to approve the January 7, 2019 Board Meeting Minutes – Closed Session.

Jeff Hoffman seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Mark Pedersen to approve the May 6, 2019 Board Meeting Minutes.

Phil Brilliant seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Mark Pedersen to approve the May 6, 2019 Board Meeting Minutes – Closed Session.

Kathi Stetser seconded the motion.

Roll Call Vote:

Jorge Berkowitz	- Yes
Phil Brilliant	- Yes

Lawra Dodge	- Yes
Joann Held	- Yes
Jeffrey Hoffman	- Yes
Christopher Motta	- abstained due to absence
Kathi Stetser	- abstained due to absence
Peter Strom	- Yes
Ira Whitman	- Yes
Mark Pedersen	- Yes

The motion was carried.

Motion by Mark Pedersen to approve the June 17, 2019 Board Meeting Minutes.

Phil Brilliant seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Mark Pedersen to approve the June 17, 2019 Board Meeting Minutes – Closed Session.

Jorge Berkowitz seconded the motion.

Roll Call Vote:

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

Mark Pedersen - Yes

The motion was carried.

Committee Reports

• **Continuing Education Committee – Lawra Dodge**

- Motion by Lawra Dodge to approve the following three CEC applications:

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	Undercurrents in Site Remediation	CPES, LLC	TBD	6.5 Technical	2019-061
2	2019 NDA Convention	National Drilling Association	September 27, 2019	1 CEC per 1 hour session for 3 of the sessions: A Game – 1 Tech Case Study – 1 Tech Drilling – 1 Tech	2019-062
3	Manufactured Gas Plant Conference 2019	Rutgers NJAES – OCPE	TBD	Up to 12 Technical and .5 Regulatory depending on Session Attendance: Session 1 – 1 Tech, .5 Reg Session 2 – 1.5 Tech Session 4 – 1.5 Tech Session 5 – 1.5 Tech Session 7 – 1.5 Tech Session 8 – 1.5 Tech Session 9 – 2 Tech Session 10 – 1.5 Tech	2019-063

Joann Held seconded the motion.

Roll Call Vote:

- Jorge Berkowitz - Yes to all, except abstained due to recusal for #1
- Phil Brilliant - Yes to all, except abstained due to recusal for #1
- Lawra Dodge - Yes to all
- Joann Held - Yes to all
- Jeffrey Hoffman - Yes to all

Christopher Motta - Yes to all
Kathi Stetser - Yes to all, except abstained due to recusal for #3
Peter Strom - Yes to all, except abstained due to recusal for #3
Ira Whitman - Yes to all
Mark Pedersen - Yes to all

The motion was carried with respect to all 3 applications.

Peter Strom commented that the “Undercurrents” course approved this evening as proposed course 2019-061 was given a proposed course number of 2019-055 in the June 17, 2019 minutes, where the “Wetlands” course was assigned 2019-061. Board staff was asked to renumber or clarify.

- Motion by Lawra Dodge to deny the application for approval of CECs from the American Institute of Professional Geologists – Pennsylvania for the “Wissahickon Formation Field Trip” due to lack of content relevant to an LSRP practicing in New Jersey.

Ira Whitman seconded the motion.

Board Members discussed whether the content was relevant, as the Wissahickon Formation does cross the state boundary into New Jersey.

Roll Call Vote:

Jorge Berkowitz - Yes
Phil Brilliant - No
Lawra Dodge - Yes
Joann Held - No
Jeffrey Hoffman - No
Christopher Motta - No
Kathi Stetser - No
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen - Yes

The motion was not carried.

Continuing Education Committee will review content and seek input from Jeff Hoffman, then report back to Board at next meeting.

- Motion by Lawra Dodge to amend the June 17, 2019 approval of 1.5 Technical CECs for “Wetlands Management for LSRPs”, which was a typographical error, and instead approve 2 Regulatory and 3.5 Technical CECs as was indicated on the review table provided in the June 17, 2019 Board meeting package.

Mark Pedersen seconded the motion.

Roll Call Vote:

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

The motion was carried.

- **Audit Committee – Jorge Berkowitz**

Jorge Berkowitz thanked Lawra Dodge for her service to the Audit Committee and welcomed Ira Whitman to the Committee.

The Audit Committee is in the process of restructuring the audit review so as to allow audits to be conducted more quickly and thoroughly.

Six LSRPs have been selected for audit this month.

The audits of the following six LSRPs are complete:

Brian Grodzki – 599022 – selected July 9, 2018
Lawrence Galiano – 627718 – selected July 9, 2018
Christopher Grassi – 668770 – selected November 2, 2018
John Grellis – 577327 – selected November 2, 2018
Kevin Koch – 591320 – selected November 2, 2018
John Pavlik – 715001 – selected November 2, 2018

- **Finance Committee – Christopher Motta**

Christopher Motta presented the Fiscal Year 2019/2020 budget.

He noted that the Board is cutting into the surplus by about \$50,000.00 to \$60,000.00 each year and that the salary category has increased since 2014.

Discussion ensued once again regarding the Information Technology effort, the staff and DAG salary, and that an allocation from the State could serve to decrease the annual LSRP fee. There were no decisions made nor substantive changes to the proposed budget.

It was noted that there is a typographic error on the budget, it should be Fiscal Year 2019/2020, not 2018/2019.

Motion by Christopher Motta to accept the budget with corrections as noted.

Peter Strom seconded the motion.

Roll Call Vote:

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

The motion was carried.

- **Licensure – Kathi Stetser**

No Report.

- **Outreach Committee – Peter Strom**

No Report.

- **Rules Committee – Joann Held**

Rules Committee had a teleconference on June 19, 2019 to discuss and begin the process for proposing and adopting the revised Board Rules. The next teleconference is scheduled for July 3, 2019.

- **Professional Conduct Committee – Phil Brilliant**

Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 006-2015, 009-2017, 003-2019, 004-2019, 005-2019, and 006-2019.

Joann Held seconded the motion.

All present voted yes.

The motion was carried.

Kathi Stetser exited the meeting.

Open session resumed at 6:45 PM.

Motion by Phil Brilliant, in the matter of Complaint 003-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c) and to assess a penalty of \$4,250.00 and to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Lawra Dodge seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Phil Brilliant, in the matter of Complaint 004-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c) and to assess a penalty of \$2,500.00 and to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Joann Held seconded the motion.

Roll Call Vote:

Jorge Berkowitz	- Yes
Phil Brilliant	- Yes

Lawra Dodge - Yes
Joann Held - Yes
Jeffrey Hoffman - Yes
Christopher Motta - Yes
Kathi Stetser - absent
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen: - Yes

The motion was carried.

Motion by Phil Brilliant, in the matter of Complaint 005-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c) and to assess a penalty of \$1,750.00 and to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Jorge Berkowitz seconded the motion.

Roll Call Vote:

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

The motion was carried.

Motion by Phil Brilliant, in the matter of Complaint 006-2019, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c) and to assess a penalty of \$2,000.00 and to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board Chairperson, and if no settlement is reached, to proceed with formal disciplinary action.

Ira Whitman seconded the motion.

Roll Call Vote:

Jorge Berkowitz - Yes
Phil Brilliant - Yes

Lawra Dodge - Yes
Joann Held - Yes
Jeffrey Hoffman - Yes
Christopher Motta - Yes
Kathi Stetser - absent
Peter Strom - Yes
Ira Whitman - Yes
Mark Pedersen: - Yes

The motion was carried.

- **Next Board Meeting**

The next Board Meeting is August 5, 2019

- **New Business**

Motion by Mark Pedersen to authorize the Board to reimburse Janine MacGregor for purchases of cookies for Board Meetings.

Jeff Hoffman seconded the motion.

All present voted yes.

The motion was carried.

- **Public Comments**

None.

Motion by Mark Pedersen to adjourn the meeting.

Jeff Hoffman seconded the motion.

All present voted yes.

The motion was carried.

Meeting adjourned at 7:03 PM.