

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

March 2, 2020 Meeting Minutes

4:00 p.m., New Jersey Department of Environmental Protection
401 East State Street, Trenton, New Jersey

Board Members:

Present

Jorge Berkowitz
Lawra Dodge
Joann Held
Christopher Motta
Mark Pedersen
Kathi Stetser
Peter Strom
Ira Whitman

Absent

Phil Brilliant
Jeffrey Hoffman

Others Present

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

Proceedings

- Meeting called to Order at 4:04 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 - absent
 - Lawra Dodge - present
 - Joann Held - present

Jeffrey Hoffman - absent
 Christopher Motta - 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 March 4, 2020 Board Meeting Minutes.

Joann Held seconded the motion.

Roll Call Vote:

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

The motion was carried.

• **Chairperson’s Report**

Mark Pedersen noted that last month’s meeting at the LSRPA conference went very well.

• **Executive Director’s Report**

Janine MacGregor noted that Board Staff is trying to convey all committee meeting announcements to the Board Members in a manner that is timely and convenient for all. It was agreed that Board staff should use Outlook to schedule meetings going forward.

Committee Reports

• **Continuing Education Committee**

Motion by Lawra Dodge to approve the following CEC applications.

Joann Held seconded the motion.

	TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE #
1	Principles of Vapor Mitigation Design and Installation	Rutgers NJAES – OCPE	April 7, 2020	6 Technical	2020-024
2	PFAS: Background, Issues and Treatment Technologies	Rutgers NJAES – OCPE	April 2, 2020	5.5 Technical and .5 Regulatory	2020-025
3	Role of LSRPs and Environmental Consultants in Litigation	Rutgers NJAES – OCPE	March 31, 2020	2 Regulatory	2020-026

Lawra Dodge amended the motion to exclude “Role of LSRPs and Environmental Consultants in Litigation” because both Peter Strom and Ira Whitman are recused from voting on this application due to their conflict of interest, as Peter Strom is an employee of Rutgers and Ira Whitman is a presenter of this program.

Joann Held seconded the amended motion.

Roll Call Vote:

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

The motion was carried with respect to all applications.

Lawra Dodge stated that the Board will again present a course in ethics, tentatively scheduled for October 2020 at the EcoComplex in Bordentown, NJ. There will be a cost to attendees this time, since the Board will have to pay for the venue. The venue will cost about \$50 per attendee, with a maximum of 100 attendees. Board staff will work on the details and present to the Board at a future meeting.

- **Professional Conduct Committee – Phil Brilliant**

Jorge Berkowitz presented the committee report on behalf of Phil Brilliant.

Motion by Jorge Berkowitz to adopt a resolution to enter closed session to discuss Complaints 008-2017, 001-2018, 005-2020, 006-2020, and 007-2020.

Motion seconded by Mark Pedersen.

All present voted yes.

The Motion was carried.

Open session resumed at 5:08 PM.

Report from Jorge Berkowitz:

The Board will consider further Complaints 008-2017 and 001-2018.

Motion by Jorge Berkowitz, in the matter of Complaint 005-2020, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to authorize formal disciplinary proceedings against the subject of the complaint to assess a total penalty of \$500.00, and to authorize transmission of an offer of settlement at 80% of that total penalty under signature of the Board Chairperson; and if no settlement is reached, to initiate formal disciplinary proceedings.

Motion seconded by Mark Pedersen.

Roll Call Vote:

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

The motion was carried.

Motion by Jorge Berkowitz, in the matter of Complaint 006-2020, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to authorize formal disciplinary proceedings against the subject of the complaint to assess a total penalty of \$2,000.00, and to authorize transmission of an offer of settlement at 80% of that total penalty under signature

of the Board Chairperson; and if no settlement is reached, to initiate formal disciplinary proceedings.

Motion seconded by Joann Held.

Roll Call Vote:

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

The motion was carried.

Motion by Jorge Berkowitz, in the matter of Complaint 007-2020, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(c), and to authorize formal disciplinary proceedings against the subject of the complaint to assess a total penalty of \$250.00, and to authorize transmission of an offer of settlement at 80% of that total penalty under signature of the Board Chairperson; and if no settlement is reached, to initiate formal disciplinary proceedings.

Motion seconded by Mark Pedersen.

Roll Call Vote:

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

The motion was carried.

The subjects of the complaints were:

Complaint 005-2020 - Robert Trepp, Jr., License #586036
Complaint 006-2020 - Carol Graff, License #573809
Complaint 007-2020 – Maria Coler, License #519704

- **Audit Committee – Jorge Berkowitz**

- 6 LSRPs were selected for March 2020 audits
- The Audit Committee completed audits of the following LSRPs, with no additional action required:

May 2019

Nicholas DeRose, #573801

June 2019

Edward Phillips, #573682

Ronald Adams, #575208

- **Finance Committee – Christopher Motta**

No report.

- **Licensure – Kathi Stetser**

Kathi Stetser reported that the Board received 72 applications for the LSRP license, and 70 of those applications have been approved. The applicants will be notified of their status by mid-March. The examination is April 22, and registration is required by April 8.

Janine MacGregor noted that both applicants who were not approved had not taken the pre-requisite course.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held reported that the Rules Committee has been meeting twice per month to review the rules. The Committee will be meeting with representatives of the LSRPA at the first March meeting, and with the Department Rules Committee at the second April meeting to compare notes on how the Department is addressing SRRA 2.0 in their rule revisions. The Committee will meet with DAG Nielsen Lewis in May. The Committee will be bringing some early revisions to the Board for their review.

- **Ongoing Business**

None

- **New Business**

None

- **Next Board Meeting**

- Motion by Mark Pedersen to cancel the March 16, 2020 meeting.

Motion seconded by Ira Whitman.

All present voted yes.

The motion was carried.

The next Board Meeting will be April 6, 2020 at 4:00 pm in the DEP Public Hearing Room, 401 East State Street, Trenton, NJ.

- **Public Comments**

None.

The Meeting adjourned at 5:27 PM.