

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

August 3, 2020 Meeting Minutes

4:00 PM

Meeting held via Skype for Business

Until further notice, the open public meetings of the Board will be held via Skype for Business.

To participate by phone, use the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 842876008#

Board Members:

Present

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

Absent

Mark Pedersen

Others Present

Board Executive Director Janine MacGregor
Board Staff Dana Haymes
DAG Robert Lamilla
Frank DeFeo, NJDEP, Assistant Director of the Financial Services Element of the Site
Remediation Program
Kevin Seymour, NJDEP, Bureau of Fiscal Support and Contract Administration

Members of the Public that were present:

Caryn Barnes, Bill Hose, Marlene Lindhardt, Alex Salzman, Mark Pietrucha, Candice Baker

Proceedings

- Meeting called to Order at 4:03 PM by Vice Chairperson Joann Held
- Joann Held 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 - absent
 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 Joann Held to approve the July 13, 2020 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 - Yes
 Ira Whitman - Yes
 Mark Pedersen - Absent

The motion was carried.

- Motion by Jorge Berkowitz to approve the July 13, 2020 Board Meeting Minutes of the closed session

Jeff Hoffman 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	- Absent

The motion was carried.

- **Chairperson's Report**

Joann Held reported that she is filling in for Chairperson Mark Pedersen who is on vacation.

- **Executive Director's Report**

Janine MacGregor reported that the order of the agenda will be changed so that the Licensure Committee report will go first and then Professional Conduct Committee closed session.

Committee Reports

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the date of the exam is still September 22, 2020.

The Committee met today, after receiving information from the contractor Caviart with respect to options for administering the licensing exam since the Committee does not want to hold an indoor in-person exam in September. The Committee does not want to postpone the exam in order to hold it in person because it will probably not be able to be held in-person safely until April – June 2021, therefore exploring an online option is warranted. The Committee would like to discuss this option more with Caviart prior to making a decision on how and when the exam will be held. It is preferred that the exam date remains September 22, but if that is not possible the Committee will strive to hold the exam prior to the end of 2020.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 011-2015 and 004-2018.

Ira Whitman seconded the motion.

All present voted yes.

The motion was carried.

Open session resumed at 5:01 PM.

- Motion by Phil Brilliant, in the matter of Complaint 011-2015, to find the subject of the complaint in violation of N.J.S.A. 58:10C-16.i. and N.J.A.C. 7:26I-6.8(a), to authorize formal disciplinary proceedings against the subject to assess a penalty of \$1,500.00, and to authorize transmission of an offer of settlement at 80% of the assessed penalty under signature of the Board chairperson.

Motion seconded by Jorge Berkowitz.

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	- Absent

The motion was carried.

Phil Brilliant noted that the subject of Complaint 011-2015 is LSRP Harold Blaine.

Phil Brilliant noted that the Board is working diligently to move forward with complaints. There are currently 14 pending complaints, including complaint 011-2015 which was just voted on.

● **Continuing Education - Lawra Dodge**

No Report

● **Audit Committee – Jorge Berkowitz**

6 LSRPs were selected for Audit for the month of August 2020.

The Audit Committee completed audits of the following LSRPs, with no additional action required:

December 2019:

Charles McCusker – LSRP 577740

January 2020:

Amy Murphy – LSRP 586486

David Gabel – LSRP 781494

Andrew Cozzi – LSRP 576544

Eric Kohlsaas – LSRP 590910

- **Finance Committee – Christopher Motta**

Christopher Motta reported on four items to review: Spending freeze or reserve initiated by the Dept of Treasury, Annual Board Fee Calculation Report, logistics associated with quarterly appropriations for budgets for Fiscal Year 2021, and Fiscal Year 2020 Budget Summary.

The spending freeze was due to the public health emergency due to the Covid 2019 situation, and was implemented via establishment of a Board reserve. A total of \$465,000.00 of Board funds were put into reserve. Frank DeFeo noted that the Board met all its obligations and there is still money encumbered for remaining tasks from the 2020 Budget. The \$465,000.00 in reserve will carry forward to Fiscal Year 2021, but will not be released until the Board shows a need. There is no significant impact to the Board's financial state at this time.

SRPL Board Fee Calculation Report. The Board will conduct a fee calculation and publish the Report in the New Jersey Register this fall so that the Board can assess annual license fees. This process will remain unchanged.

For Fiscal Year 2021, Frank DeFeo explained that quarterly appropriations will be advanced to the Board from the Office of Management and Budget, but the amount advanced will be only 25% of the normal appropriations. The money in reserve and the money carried forward will also be available for the Board to operate until September 30. The DEP fiscal unit will work with the Board to develop a Fiscal Year 2021 Budget.

The Fiscal Year 2020 Budget Summary was distributed as a spreadsheet to Board Members. The carry forward to Fiscal Year 2021 was increased to about \$532,000.00 because the Board was under budget for Fiscal Year 2020.

Christopher Motta thanked Frank DeFeo and Kevin Seymour for their input.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held reported that the Committee continues to meet twice a month. The Committee has been making progress going through the rules. Since the last Board Meeting the Committee met again with the LSRPA to tie up loose ends from their previous conversation. The Committee has been discussing changes amongst itself, and these will be presented to individual committees of the Board, and then to the Board as a whole.

Joann Held presented a table that shows the stage of the process for various subchapters. At this time no one subchapter is complete. The Committee will bring subchapters to the specific committees for their review prior to finalizing the proposed language and then presenting to the full Board for review. The Committee hopes to present the Audit Subchapter to the Board at the September 14, 2020 meeting. Once all subchapters have been presented to the Board, the Rules Committee will present the entire proposed Rule revision to the Board. This is the process as envisioned now, but the Committee will revise the process based on the Board's feedback.

Ira Whitman suggested that when a revision is proposed that it include a notation if the revision is based on revisions made in SRRA 2.0.

- **Ongoing Business**

None

- **New Business**

None

- **Next Board Meeting**

The next scheduled Board Meeting will be September 14, 2020 at 4:00 pm via Skype for Business unless otherwise noted on the Board website.

- **Public Comments**

None

The Meeting adjourned at 5:41 PM.