

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

**March 1, 2021 Meeting Minutes**

4:00 PM

Meeting held via Microsoft Teams

Until further notice, the open public meetings of the Board will be held via Microsoft Teams.

To participate by phone, use the following:

Toll free number: 1-(856) 338-7074 and Conference ID: 906475949

Or connect via the link on the Board Website [www.nj.gov/l srpboard](http://www.nj.gov/l srpboard)

**Board Members:**

***Present***

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

***Absent***

***Others Present***

Board Executive Director Janine MacGregor  
Board Staff Dana Haymes  
DAG Buffy Wilson

***Members of the Public that were present:***

Alan Uminski, Candace Baker, Caryn Barnes, Rebecca Hollender, Jeffrey Casaletto, Richard Katz, Marlene Lindhardt, Mark Pietrucha, Rose DeLorenzo, one unidentified person

***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 - present  
Lawra Dodge - present  
Joann Held - present  
Jeffrey Hoffman - 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 February 1, 2021 Board Meeting Minutes.

Motion seconded by Jorge Berkowitz

Joann Held requested the following revisions be made to the February 1, 2021 Board Meeting Minutes:

Under “Audit Committee Report”:

*Jorge Berkowitz reported that the Board will include in the “Audit Results” table on the Board website audits referred to the PCC as complaints. If the Board voted to find a violation the table will provide the complaint number in the outcome column, and if the Board voted to find no violation the table will indicate that the audit is “concluded” in the outcome column. The date in the “date audit outcome reported to Board column” will be the date that the Board voted on the outcome of the complaint.*

Motion by Mark Pedersen to table the motion to approve the February 1, 2021 Board Meeting Minutes in order to make sure the proposed amendments accurately reflect what the Audit Chairperson and Board members said and meant at the February 1, 2021 meeting.

Motion seconded by Jorge Berkowitz.

All present voted yes.

The motion was carried.

- Motion by Mark Pedersen to approve the February 1, 2021 Board Meeting Minutes of the Closed Session.

Motion seconded by Jeff Hoffman.

Roll Call Vote:

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

The motion to approve the minutes was carried.

- **Chairperson’s Report**

Mark Pedersen noted that the Department has conveyed information to LSRPs regarding extensions to timeframes due to the Governor’s Covid Emergency Orders.

- **Executive Director’s Report**

Janine MacGregor advised that chats for the Open and Closed Sessions of the Board meeting are available to be seen by everyone, even if they are not present in the meeting. Board staff is working on evaluating ways to avoid this scenario and will report back to the Board.

***Committee Reports***

- Continuing Education – Lawra Dodge

- Motion by Lawra Dodge to approve the following applications for approval of continuing education credit for continuing education programs to be offered both in-person and in AVLF:

TITLE	PROVIDER	DATE	CECs	PROPOSED COURSE NUMBER
Aligning Regulatory Climate Change Risk with Developmental Decision Making	BCONE	3/9/21	2 Regulatory	2021-028
Environmental Forensics	CPES	4/20/21 and 4/22/21	8 Technical	2021-029

Motion seconded by Joann Held.

Roll Call Vote:

- Jorge Berkowitz - Yes for the BCONE course, recused due to conflict for the CPES course
- Phil Brilliant - Yes for the BCONE course, recused due to conflict for the CPES course
- Lawra Dodge - Yes
- Joann Held - Yes
- Jeffrey Hoffman - Yes
- Kathi Stetser - Yes
- Peter Strom - Yes
- Ira Whitman - Yes
- Mark Pedersen - Yes

The motion was carried with respect to all applications.

- o Motion by Lawra Dodge to approve the following application for approval of continuing education credit for a continuing education program submitted by an LSRP for personal credit:

“Pennsylvania Asbestos Management Planner Initial Course” Provided by Access Training Services, Inc. on November 12-13, 2020 for 2 Regulatory and 2 Technical CECs

Motion seconded by Joann Held.

Roll Call Vote:

- Jorge Berkowitz - Yes
- Phil Brilliant - Yes
- Lawra Dodge - Yes
- Joann Held - Yes
- Jeffrey Hoffman - Yes

- Kathi Stetser - Yes
- Peter Strom - Yes
- Ira Whitman - Yes
- Mark Pedersen - Yes

The motion was carried.

- Motion by Lawra Dodge to approve the following previously approved continuing education program to be offered in Alternative Verified Learning Format:

Course No. 2019-098 – “NJDEP Case Study Training for LSRPs – the Next Generation”  
Provided by Rutgers NJAES-OCPE for 2 Regulatory and 5 Technical CECs

Motion seconded by Joann Held.

Roll Call Vote:

- Jorge Berkowitz - Yes
- Phil Brilliant - Yes
- Lawra Dodge - Yes
- Joann Held - Yes
- Jeffrey Hoffman - Yes
- Kathi Stetser - recused due to conflict of interest
- Peter Strom - recused to avoid the appearance of a conflict of interest
- Ira Whitman - Yes
- Mark Pedersen - Yes

The motion was carried.

- Motion by Lawra Dodge to correct the type of CECs approved for course 2018-073 RCRA Hazardous Waste Management presented by Lions Technology from 7 Technical CECs to 7 Regulatory CECs.

Motion seconded by Joann Held.

Roll Call Vote:

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

Mark Pedersen - Yes

The motion was carried.

- Motion by Lawra Dodge to revise the Board By-Laws to allow the Continuing Education Committee to approve applications for approval of CECs without the need for full Board vote. By-Laws to be revised as follows:

Replace the language in item 4 and highlighted in yellow below with the following language:

“Review and approve or deny applications for approval of continuing education credit for continuing education programs and activities and report decisions to the Board.”

The Continuing Education Committee shall carry out the following functions and duties of the Board:

1. Recommend for Board approval revisions to the continuing education requirements of LSRPs set forth in N.J.A.C. 7:26I-4.3 when deemed necessary;
2. Recommend for Board approval revisions to the requirements for approval of continuing education credit for continuing education programs and activities set forth in N.J.A.C. 7:26I-4.4 and 4.5 when deemed necessary;
3. Prepare and publish on the Board website forms to be used to apply for approval of continuing education credit for continuing education programs and activities;
4. Review and recommend to the Board approval or denial of applications for approval of continuing education credit for continuing education programs and activities;
5. Oversee the list of approved continuing education programs on the Board website; and
6. Any other functions and duties set forth in the SRPL Board Rules Subchapter 4 or delegated to the Continuing Education Committee by the Board.

Motion seconded by Jeff Hoffman.

Board discussed and propose that the language be revised as follows:

“Review and approve or deny applications for approval of continuing education credit for continuing education programs and activities and report decisions to the Board, or request Board guidance;”

Motion by Lawra Dodge to amend the language as follows:

“Review and approve or deny applications for approval of continuing education credit for continuing education programs and activities and report decisions to the Board, or request Board guidance;”

Motion seconded by Jeff Hoffman.

Roll Call Vote:

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

The motion was carried.

- o Motion by Lawra Dodge to extend existing waiver of 18 AVLF CEC limit, currently expiring December 31, 2021:

In response to restrictions on gatherings and cessation of in-person classes due to the State of Emergency established by Executive Order 103, motion to authorize suspension of the Board rule provision at N.J.A.C. 7:26I-4.3(c) limiting Alternative Verifiable Learning Format (AVLF) credits to 18 for renewing LSRPs that have an application due before the end of calendar year 2022, or with an expiration date concurrent with the end of Executive Order 103, through issuance of a Notice of Suspension of N.J.A.C. 7:26I-4.3(c) pursuant to Executive Order 103 substantially in the form submitted, signed by the Board Chairperson on behalf of the Board, subject to legal review and approval by the Governor’s Office.

Motion seconded by Jeff Hoffman.

Roll Call Vote:

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

The motion was carried.

- **Audit Committee – Jorge Berkowitz**

Jorge Berkowitz reported that 6 LSRPs were selected for March audits.

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

**Selected October 5, 2020:**

Richard Snyder – 573518

**Selected November 2, 2020:**

Gregory Carr - 576004

**Selected December 3, 2020:**

Karen McGahan – 574139

**Selected January 6, 2021:**

Edward Huss, Jr. – 574061

Frank Jasiulewicz – 585751

Number of Audits referred to PCC:

No December 2020 or January 2021 Audits have yet been referred to the PCC.

- **Finance Committee**

No Report.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the 200 LSRPs who expire on July 9, 2021 should have received emails notifying them that their application for license renewal will be due between March 11 and April 10, 2021. If an LSRP who has an expiration date on July 9, 2021 has not yet received an email and invoice, please contact the Board.

Of the 41 LSRPs that passed that exam, all have been sent invoices and 39 have paid as of 3/1/21. The Board will send welcome packages to them all.

Any LSRP that has a change in email address or other contact information please contact the Board with your updated contact information.



• **Outreach Committee – Peter Strom**

No report.

• **Rules Committee – Joann Held**

Joann Held reported that the Rules Committee is working on Section 7.10 of the Rules to incorporate some of the Board’s process into the Rules.

• **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaint 001-2014.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Open session resumed at 5:33 PM.

- Motion by Phil Brilliant, in the matter of Complaint 001-2014, to accept that the LSRP will not renew his license on or before April 10, 2021, and his license will expire on July 9, 2021, and the LSRP agrees to not submit an application for license renewal or an application for a new license to the Board in the future, and to authorize transmission of this settlement offer 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
- Kathi Stetser - Yes
- Peter Strom - Yes
- Ira Whitman - Yes
- Mark Pedersen - Yes

The motion was carried.

Phil Brilliant noted that the Subject of the Complaint is John Bee, LSRP 573502

- **Ongoing Business**

None

- **New Business**

Joann Held stated that the Rules Committee has noted some issues that may require guidance or statements of interpretation to convey information to LSRPs. One of those issues is the responsibility to report a discharge. Joann would like to convene an ad hoc committee to address this issue. Kathi Stetser explained the need to clarify the situations in which an LSRP must report a discharge. Joann would like to bring together the information regarding the responsibility to report a discharge and prepare a posting for the Board website which would be approved by the Board prior to posting. Kathi Stetser, Phil Brilliant, Jorge Berkowitz and Lawra Dodge all volunteer to serve on the committee, and Kathi, Phil and Jorge also offer to serve as the chairperson of the ad hoc committee.

Motion by Joann Held to establish an ad hoc committee to complete the Board’s statement of interpretation regarding the responsibility to report a discharge as described in SRRA Section 16k and in the Board Rules Section 6.10, beginning with the draft prepared by a previous ad hoc committee and dated June 12, 2017.

Motion seconded by Phil Brilliant.

Roll Call Vote:

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

The motion was carried.

- **Next Board Meeting**

Motion by Mark Pedersen to cancel the Board meeting previously scheduled for March 15, 2021.

Motion seconded by Phil Brilliant.

All present voted yes.

The motion was carried.

The next scheduled Board Meeting will be April 5, 2021 at 4:00 pm via Microsoft Teams unless otherwise noted on the Board website.

- **Public Comments**

Marlene Lindhardt, LSRPA. Marlene asked how newly approved continuing education programs would be announced. The continuing education programs approved for continuing education credit will be reported to the Board and included in the meeting minutes.

The Meeting adjourned at 5:49 PM.