

NEW JERSEY SITE REMEDIATION PROFESSIONAL LICENSING BOARD

FINAL

April 5, 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

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 Nielsen Lewis

Members of the Public that were present:

Candace Baker, Caryn Barnes, Rebecca Hollender, Jeffrey Casaletto, Marlene Lindhardt, Bill Hose, Timothy Mangold, William Call, Dick Katz

Proceedings

- Meeting called to Order at 4:15 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 (arrived at 4:21 PM)
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 as amended at the March 1, 2021 Board Meeting.

Motion seconded by Jeff Hoffman

Roll Call Vote:

Jorge Berkowitz - absent
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 Mark Pedersen to approve the March 1, 2021 Board Meeting Minutes.

Motion seconded by Lawra Dodge.

Peter Strom requested that for Course No. 2019-098 – “NJDEP Case Study Training for LSRPs – the Next Generation” Provided by Rutgers NJAES-OCPE, the minutes say that he is recused “to avoid the appearance of a conflict of interest” rather than that he is recused due to a conflict with respect to the vote to approve this course being offered in AVLF.

Staff will also remove “DAG Nielsen Lewis reported that DOL would be submitting comments on some of the Subchapter 6 amendments presented at this meeting” from the March minutes as this was an amendment for the January 2021 minutes and was already discussed at the February Board meeting.

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.

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

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 to approve the minutes was carried.

- **Chairperson’s Report**

None.

- **Executive Director’s Report**

Janine MacGregor apologized for the technical difficulties at the start of the meeting and will be sure to correct the issue. Janine also noted that any chat messages remain in the meeting history and are available to anyone who enters the meeting, therefore it is probably best to limit the use of chat.

Committee Reports

- Continuing Education – Lawra Dodge

Lawra Dodge reported that the Continuing Education Committee has approved 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
BCONE Regulatory Roundtables – April – December 2021	BCONE	April 6, May 11, June 17, July 13, August 10, September 14, October 12, November 9, December 9, 2021	2 Regulatory for each	2021-030, 031, 032, 033, 034, 035, 036, 037, 038
Environmental Workshops – January and February 2021	Environmental Workshops	January 19, 21, 26, 27, February 3, 16, 17, 23, 2021	2 Technical for each	2021-039, 040, 041, 042, 043, 044, 045, 046
Environmental Workshops – March 2021	Environmental Workshops	March 9, 10, 17, 18, 2021	2 Technical for each	2021-047, 048, 049, 050
Fill Material Guidance	LSRPA	June 15, 2021	1 Regulatory and .5 Technical	2021-051
Determination of Ideal Vapor Intrusion Sample Conditions Using Continuous Monitoring of	LSRPA	TBD	2 Technical	2021-052

Indicators, Tracers, and Surrogates				
LSRP Ethics	LSRPA	June 2 and 3, 2021	3 Ethics and 1 Regulatory	2021-053
NYCBP Regulatory Roundtable – April 2021	NYCBP	April 15, 2021	.5 Regulatory and .5 Technical	2021-054
NYCBP Regulatory Roundtable – December 2021	NYCBP	December 7, 2021	.5 Regulatory and .5 Technical	2021-055
NYCBP Regulatory Roundtable – June 2021	NYCBP	June 15, 2021	.5 Regulatory and .5 Technical	2021-056
PCBs and the Site Remediation Process	Rutgers NJAES – OCPE	TBD	3 Regulatory and 3 Technical	2021-057
Risk Assessment	CPES	TBD	1.5 Regulatory and 2 Technical	2021-058
Successful Remediation	LSRPA	TBD	2 Technical	2021-059
Tips for Submission of NJDEP Compliant Deliverables	LSRPA	TBD	1 Regulatory and .5 Technical	2021-060

Lawra Dodge also reported that the Committee denied the following applications:

An application by an LSRP for personal credit for attending the “Asbestos Project Designer Initial Course”

An application by Rutgers NJAES – OCPE for “Dam Removal”

The Continuing Education Committee also approved offering 2017-026 “Restoration Ecology” for 6.5 Technical CECs in AVLF.

- Audit Committee – Jorge Berkowitz**

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

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

Selected January 6, 2021:

Alison Kokorsky – 714991

Ayesha Dolasa - 591153

Number of Audits referred to PCC:

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

- Finance Committee**

Janine MacGregor reported that the Committee is preparing to work on the budget and fees for next fiscal year. Summaries are as follows:

FY2020 revenues were 40K less than anticipated due to the delay in the exam and collection of licensing fees, as well as retirement of 12 LSRPs. However operating costs were 143K less than expected due to IT, DAG and exam costs either not realized or shifted to FY2021. The bottom line is that our carry-forward was diminished by only \$100K, compared to an expected \$176K.

FY2021, Q1 and Q2 revenues were 23K less than expected due to collection of annual fee delays, however this will even out in the next two quarters. Salary costs are \$28K below our estimates due to the mandatory furlough of state workers and updated fringe/indirect costs. Operating costs for these quarters are also lower than expected but will be shifted to the next two quarters, when exam invoices will be paid. Some of the unexpended amounts from operating will be used up by the extra costs for the remote exam and shifting the exam payments, and also through hiring of an hourly employee to help Board staff with renewals and possibly other Board functions.

- **Licensure Committee – Kathi Stetser**

Kathi Stetser reported that the applications for license renewals are continuing to be submitted and processed by the Board.

Board discussed how LSRPs retire and the processes the Board staff follow to ensure that the LSRPs' status is recorded.

- **Outreach Committee – Peter Strom**

No report.

- **Rules Committee – Joann Held**

Joann Held reported that the Rules Committee is still working on Section 7.10 of the Rules to incorporate some of the Board's process into the Rules. The Committee is making progress and hopes to report more to the Board next month.

- **Professional Conduct Committee – Phil Brilliant**

- Motion by Phil Brilliant to approve a resolution to enter closed session to discuss Complaints 004-2018 and 002-2019.

Motion seconded by Joann Held.

All present voted yes.

The motion was carried.

Open session resumed at 6:42 PM.

- o Motion by Phil Brilliant, in the matter of Complaint 004-2018, to find the subject of the complaint in violation of N.J.A.C. 7:26I-6.8(a) and 6.2, and notify the subject in correspondence under signature of the Board Chairperson of the Board’s intent to assess a penalty of \$10,000.00 through a formal disciplinary action unless settlement is reached, and to authorize the Professional Conduct Committee to serve as a settlement team to negotiate a settlement within the parameters discussed in Closed Session, and if no settlement is reached, to proceed with formal disciplinary action.

Motion seconded by Joann Held.

Roll Call Vote:

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

The motion was carried.

Phil Brilliant reported that the Subject of the Complaint is Sameh Habib, LSRP 594909.

• **Ongoing Business**

Mark Pedersen reported that an ad hoc committee has been formed to consider the issue of discharge notification. Phil Brilliant is the Chairperson. Kathi Stetser, Peter Strom and Jorge Berkowitz will be serving on the Committee. The Committee will be reporting to the Board each month.

• **New Business**

None

• **Next Board Meeting**

- o Motion by Mark Pedersen to cancel the Board meeting previously scheduled for April 19, 2021.

Motion seconded by Phil Brilliant.

All present voted yes.

The motion was carried.

The next scheduled Board Meeting will be May 3, 2021 at 4:00 pm via Microsoft Teams unless otherwise noted on the Board website.

- **Public Comments**

Bill Hose, LSRPA. Bill Hose asked about the numbering of the approved continuing education programs. Janine MacGregor responded that the correct numbers will be posted on the Board website in a revised agenda and in the minutes.

The Meeting adjourned at 6:58 PM.