



LSRPA Steering Committee / Interim Board of Directors

Meeting Minutes, November 5, 2009

Location: ENVIRON International Corporation, Princeton, NJ

In-Person: Sue Boyle, Ken Goldstein, Richard Katz, Nick DeRose, Michael van der Heijden, Tom Fusillo, Julian Davies, Mark Fisher, Steve Posten, Jim Mack, Drew Bonas

Telephone: Dave Carlson, Tracy Straka

The meeting was called to order by S. Boyle, President, at 8:30 am.

K. Goldstein provided update on sponsorship for 12/1/09 membership meeting. He noted that an environmental law firm had offered to become one of the sponsors of the meeting and requested Steering Committee discussion and approval, since there could be an apparent conflict based on attorneys referring LSRPs to their clients. Based on the committee discussion, it was decided that eliminating an entire profession in such a manner was inappropriate and the sponsorship was approved.

The minutes from the October 15, 2009 IBOD meeting were moved and approved.

League of Municipalities Meeting

The LSRPA has confirmed Table (#43) for NJLOM meeting in Atlantic City on 11/17/09. LSRPA representatives will include J. Hochreiter, L. Dodge and P. Brilliant.

DEP/LSRPA LSRP Training Courses

Scheduled dates for LSRP training courses are 11/9/09 (S. Boyle), 11/24/09 (S. Boyle; R. Katz), 12/8/09 (M. van der Heijden). S. Boyle gave update on expected LSRPA participation during these courses. LSRPA will have approximately 20 minutes at the close of the meetings. The committee discussed what the focus of LSRPA presentation should be during the allocated time since the time would not be enough for a detailed briefing. Decided the emphasis should be on the structure and activities of LSRPA. S. Boyle will try to get the attendees list for each session to participating LSRPA speakers.

11/2/09 Mandatory LSRP Training Meeting @ DEP

Members who attended the 11/2/09 DEP LSRP training meeting provided updates. A primary topic was professional judgment and DEP comments on the matter, particularly LSRP

responsibilities when conducting initial due diligence work. S. Boyle noted that she, N. DeRose, J. Berkowitz and S. Senior received an e-mail from Irene Kropp on the subject and that they were scheduled to have a conference call @ 3.30 pm that afternoon. R. Katz, K. Goldstein and J. Davies provided comments from DEP regarding the annual fee structure.

SRAG Meeting

N. DeRose attended the SRAG meeting and noted that it was very similar to 10/7/09 stakeholder meeting in both content and structure.

NJ Gubernatorial Election

Brief note was made of the NJ gubernatorial election and possible effects on SRRA and the LSRP program. Questions/comments from various Steering Committee members including: Will Irene stay? Will new governor look @ expanding LSRP program? What is going to happen with the LSRP Licensing Board during the gubernatorial transition process? T. Straka was asked to make contact with Senator Gordon's office and confirm if he will be attending the LSRPA Annual Meeting on December 1.

EBC-LSRPA LSRP Seminar

T. Straka gave a brief update and noted that 118 people were signed up to attend the seminar.

12/1/09 LSRPA Annual Membership Meeting

K. Goldstein had no new information regarding venue. He noted that contact had been made with Senator Gordon's office and Senator Gordon wants to attend the meeting. K. Goldstein is to find out if Senator Gordon wants to give a keynote address. As noted above, T. Straka will act as point on this matter.

T. Straka suggested that Senator Smith and Assemblyman McKeon should also be invited. This was assigned as task for T. Straka. Irene Kropp and Janice Brogle may also be attending as guests.

Agenda Discussion: K. Goldstein noted that the June 2009 meeting was largely a briefing on the LSRPA; he is looking to change the structure for the 12/1/09 meeting and asked for comments/suggestions from the Steering Committee.

S. Boyle mentioned that Jean Mrosko has volunteered to provide notes on panel boards as she did during the June 2009 meeting.

Discussion centered on the idea that the focus of the meeting business should be:

1. Nominate/approve permanent Board of Trustees
2. Approve the budget
3. Keep the focus of the meeting on the association and not on invited guests

Suggested agenda items from committee members:

1. Highlight LSRP code of conduct;
2. Due diligence issues;
3. Risk management.

4. S. Posten commented that we could highlight the ARRCs regulations. Other members noted that the rule is too large for discussion during a meeting of this type and length; the matter can be handled through the training sessions.
5. A primary focus of the meeting should be to show our current and future association activities;
6. A suggestion was made about discussing the LSRP licensing board, but it was noted that there is no information available about the board yet.

For the association board election, K. Goldstein reminded all that nomination information for board positions requested by nominating committee was due to B. Alter today or tomorrow.

K. Goldstein will draft the 1st agenda for the annual meeting and circulate to all for review and comments.

S. Boyle said she would give additional information about the LSRPA board and the transition process from interim to permanent board during her introductory remarks.

K. Goldstein gave an update on membership and dues. As of Tuesday, there were 185 registered and paid members and the association had received approximately \$28,000 in membership dues. He noted that there were some technical issues in getting a list of members that paid via credit card. It seems that the current format provided by the credit card carrier will work with Quickbooks® and is planning to buy the appropriate version of the software for the Association – an allowance included in the proposed budget. Sponsorship pledges for the meeting were up to \$3,200 (including environmental law firm). Some of the sponsors have inquired about a higher level of sponsorship. Committee members discussed this, with suggestions of gold, silver, regular sponsorships. This brought up the previously tabled topic of corporate sponsorships and whether the association should accept them. N. DeRose asked whether we should offer membership to organizations, thereby allowing a number of individuals to join the LSRPA under a single associated organization's banner; he saw this as a way to encourage more stakeholder involvement. S. Boyle suggested tabling discussion on this topic until next year.

S. Boyle suggested including an agenda item of "What are the benefits of being an associate member?" R. Katz agreed.

COMMITTEE REPORTS

Membership and finance committee updates provided during annual membership meeting discussion, above.

Risk Management and Loss Prevention – Michael van der Heijden

The breakfast seminar jointly sponsored with EBC is confirmed for November 12. Most of the logistic arrangements are being made by EBC and we are waiting for the latest agenda version from EBC. M. van der Heijden and J. Hochreiter are to be moderators for the seminar. It was suggested that LSRPA membership application forms be made available on a table during the seminar. S. Boyle noted that J. Hochreiter, L. Dodge and P. Brilliant had put together a membership package for the NJLOM meeting and that M. vdH should make contact to get a copy. T. Fusillo will also get a copy from them. K. Goldstein noted he will be moderator at 11/18/09 NJWEA meeting and will have LSRPA membership packages present.

M. van der Heijden noted that initial draft FAQs have been tabled and RM&LP is going to revisit and redo.

Communications Committee – Tom Fusillo

The committee is continuing work on the website with K. Stetser developing a calendar. T. Fusillo asked whether we should post NJDEP regulations and guidance or just provide links to the DEP pages. The consensus was to link to the DEP website. N. DeRose recommended posting LSRPA letter on criteria for licensing board; he also asked whether to post “Interested Party Technical Guidance Development Process” letter on website. This generated a discussion of Stakeholder process with comments from S. Boyle, N. DeRose and R. Katz. S. Boyle noted we should bring the LSRPA’s involvement in the promotion of the Stakeholder process with the DEP as an agenda item during 12/1/09 annual meeting. M. Fisher also made note of this.

T. Fusillo reminded all that he had circulated the LSRPA organization charts, and his committee is preparing them as slides for the annual meeting.

Continuing Education – Sue Boyle

Nothing new of significance.

Licensing Board Advisory Committee – Tracy Straka

Nothing new of significance.

Regulatory Outreach – Nick DeRose

ROC meeting of subcommittee chairs is being scheduled for either 11/24/09 or 12/3/09 after iBOD meeting.

M. Fisher reported on an IEC subcommittee meeting with Ed Putnam’s group at DEP. In summary, LSRPA members placed great emphasis on chronic vs. acute levels and E. Putnam paid close attention to the discussion. J. Berkowitz suggested to him that there may be an opportunity to use a matrix model to drive IEC response. E. Putnam again was interested in the comments but noted that IEC guidance needs to be ready now; but he also stated that DEP is interested in exploring the issues further. M. Fisher thinks the IEC subcommittee should work on the matrix suggested by Jorge and use that to request another meeting with the Putnam team.

Mission Statement/Guiding Principles – Lisa Voyce/David Morris

L. Voyce & D. Morris (not present) had sent three versions of proposed guiding principles to N. DeRose, who will circulate the versions to the iBOD within a week for comments.

Meeting Schedules

S. Boyle discussed the meeting schedule for the remainder of the year. K. Goldstein made a suggestion for LSRPA to create membership cards; this is seen as a membership perk, since DEP is not issuing any sort of LSRP identification; he also thought it might be worth considering including the license numbers on Regular Member cards. He will check into costs for producing the cards.

The Steering Committee meeting was concluded at 10.30 am, and was immediately followed by the iBOD meeting.

INTERIM BOARD OF DIRECTORS MEETING

LSRPA Board Nominating Committee

K. Goldstein provided the reminder self-nomination responses are due to Ben Alter by Friday, November 6. The committee is planning to conduct the vetting process and produce a slate of candidates by November 17. That slate will be reviewed by the three permanent Trustees and then distributed to the Board.

S. Boyle inquired about the follow-up process for board candidates not included on the slate. N. DeRose recommended that the iBOD hold a call with the nominating committee to discuss this and other items regarding the nomination process. K. Goldstein asked about the process for the elected Board to elect/select officers; he suggested that the functions of the Secretary and the Treasurer should be discussed at the 1st business meeting of the new board. Also that the new board must quickly establish a regular meeting schedule. S. Boyle suggested that the call with the nominating committee clarify that the by-laws do not include selection of Board Officers by the nominating committee but rather by the Board of Trustees itself.

K. Goldstein raised the point that the association may have to make a filing to the NJ Secretary of State as part of requirements of non-profit 501(c)6.

Licensing Board Rules & LSRPA Role

N. DeRose brought up this topic for discussion and noted that there has not been much work done on this issue yet. He indicated that Steve Senior has been tagged to spearhead this matter. S. Boyle wondered whether the LSRPA commenting on the Licensing Board Rules might appear to be a conflict of interest. N. DeRose asked for volunteers; M. Fisher and S. Posten stepped forward and S. Senior was volunteered in absentia.

Administration

N. DeRose suggested that the association should look into using member firms' Business & Development groups for support in developing unique education programs, rather than relying on Rutgers. This has the potential for significant revenue-stream enhancement. S. Boyle recommended that this be referred to the Education committee and that she will bring it to their attention.

N. DeRose brought up information that CCNJ had issued an RFP to associate CCNJ member firms to develop position papers on behalf of CCNJ. S. Posten suggested that the association consider hiring an attorney to provide defined task positions on behalf of the association – such as risk management issues, contract language, etc. T. Straka added that the association could have such papers for sale as a revenue source. Some concern was expressed over both liability and possible charges of collusion (particularly related to contracts). Further discussion on this was tabled.

A motion was made and passed to adjourn the meeting.

ACTION/FOLLOW-UP ITEMS

S. Boyle to get attendees list for each session of DEP/LSRPA training courses to LSRPA speakers.

N. DeRose to follow-up with Irene Kropp on stakeholder process from SRAG meeting.

T. Straka and/or K. Goldstein to contact Senator Gordon about attending our annual meeting and giving keynote speech.

T. Straka to reach out to Senator Smith and Assemblyman McKeon and invite them to our annual meeting.

Steering Committee members to provide agenda suggestions for the annual meeting to K. Goldstein.

Members interested in permanent Board positions to submit responses to B. Alter by 11/6/09.

K. Goldstein to generate 1st draft of agenda for annual meeting and circulate to Steering Committee.

K. Goldstein to find out costs for LSRPA membership cards.

M. van der Heijden/K. Goldstein will obtain the membership packages prepared by NJLOM attendees to use during 11/12/09 EBC & 11/18/09 NJWEA meetings.

N. DeRose to circulate guiding principle versions to Steering Committee.

S. Boyle to bring member firm B&D usage to attention of Continuing Education committee.

Post coalition letter on LSRPA website – need to confirm ok for Communications Committee.

N. DeRose, S. Senior, M. Fisher and S. Posten to review Licensing Board rules and issues when they are produced

Dec. 1 – annual membership meeting.

Dec.3 – iBOD/Steering committee meeting to be held at AMEC offices in Somerset.

Dec 12 – iBOD conference call, 8:30-9:30 a.m.