

**Minutes**  
**Steering Committee Meeting**  
**June 28, 2012**  
**2 – 5 pm**  
**AMEC Environment & Infrastructure**

**ROLL CALL**

In Person: K. Goldstein, S. Boyle, S. Posten, D. Toder, J. Oberer, B. Alter, J. Hochreiter, T. Toskos, R. Katz, J. Postorino, B. Call and D. Morris

Phone – M. First, J. Donahue, G. Martin, L. Voyce, T. Fusillo, D. Bonas

**PRESIDENT'S REMARKS**

- Exam follow up – next course

K. Goldstein reported that 78% of those who took the exam passed. The 217 individuals who passed the exam will be approved as permanent LSRPs during the Licensing Board meeting on July 9<sup>th</sup>. This is the first agenda item and Caviart will attend to discuss the exam and take questions from the public. Those who failed the exam received an email indicating their score and where improvement is needed. Ninety-three percent (93%) of those who passed the exam took the LSRPA Exam Prep Course.

- Executive Director Contract

The contract with GEI will double in terms of time and salary for the next six months. The changes are effective July 1, will terminate on December 31, 2012 and will be re-examined in several months for any further changes. The revised contract was approved by Board members. D. Bonas and G. Martin will modify the budget for the remainder of the year identifying the changes and reason for the changes.

- IPSC and Assistant Commissioner Sweeney meeting follow up

K. Goldstein, N. DeRose, S. Boyle, and S. Posten met with Assistant Commissioner Sweeney and Dave Haymes. Meeting notes will be circulated shortly. Subjects discussed during the meeting included September licensing exam, DEP's pleasure with the passing percentages, Caviart's performance and concept of apprenticeship program for LSRPs. K. Goldstein also discussed future LSRPs applying to become professionals, not members of the Association and possible ways to mentor LSRPA's Associate Members who want to become future LSRPs.

Requested the Association review the chapter on Licensure in draft regulations when it is posted on website. Suggestion made to possibly create a junior level membership. It was concluded that it appears LSRPs are not subject to OPRA, for work-in-progress documents by the LSRP. Documents submitted to DEP by the LSRP are subject to OPRA. K. Goldstein reported that Assistant Commissioner Sweeney emphasized that both the RP and LSRP should be responsive to public requests for information and encouraged communication. The requirement in the clean fill guidance for quarry sampling is being discussed. B. Call and R. Ferguson to follow the changes daily. A decision will be made shortly whether the LSRPA needs to take any actions. A copy of NFA/RAO reliance paper by S. Senior and A. Robins was

## **LSRPA SC Minutes for 28-Jun-2012**

requested. The Office of Science and Research is now involved with the VI Screening Level revision, since DEP is working on Department consistency with toxicity based standards. During the IPSC meeting a committee was formed to look into how to implement the policy. Discussed 2014 RI deadlines during the IPSC meeting during which DEP suggested it would not be sympathetic to delays. K. Goldstein urged providing clarification to LSRPs about Board Disciplinary Action #3, with respect to reporting of discharges. A Committee was appointed to look at this issue. Technical Impracticability will be placed in a separate guidance document.

- Assembly Committee Testimony

Testimony was given by Assistant Commissioner Sweeney, members of the business community and the LSRPA. Comments on the LSRP program were favorable.

- Remedial Priority Score

E-mail received from Frank Lawson from JCP&L who is having difficulty getting sites organized to respond to G. Klein letter to provide information on sites and will request an extension to the August 10 deadline and asked if the LSRPA will do the same. Members discussed their individual scenarios in responding to the questions and meeting this deadline. S. Posten and J. Davies will draft letter to Assistant Commissioner Sweeney requesting an extension to the deadline and requesting revision of the data submittal requirement to allow hard copies for previously-submitted reports.

### **SECRETARY'S REPORT**

Approved minutes from May 13 BOT conference call.

- LSRPA org chart

J. Oberer received comments on the org chart from members. Inquired whether a position should be included on the org chart showing one of the Vice Presidents serving as President-Elect.

Posting of documents on website – S. Boyle working with S. Danyew on updating website.

### **TREASURER'S REPORT**

G. Martin reported a current balance of 175K. Balance from Jan. 1 to present is up \$82K with \$66K spent to date. He will develop new projections for the remaining of the year. The Exam Prep courses were financially successful. No specific limit to remain nonprofit. It would be problem if we only showed revenue coming in. Conference call on budget will be scheduled.

### **EXECUTIVE DIRECTOR'S REPORT**

- Status of contact with Lew Goldshore to discuss panel at the League of Municipalities Conference

Contacted and got table for November LOM. Lew Goldshore, AC Sweeney and Sue on panel to discuss LSRP program.

## LSRPA SC Minutes for 28-Jun-2012

- Website meeting

Meeting held. Need to contact S. Danyew and Memberclicks. Update will be forthcoming.

- Proposal to conduct half-day seminars, seek CEU approval for courses and invite other organizations to partner

Invite other organizations to partner with the Association. The Builders Association wants access to Members Only section for insurance information. Reciprocal membership suggested and want to partner on events. Nick DeRose and Caryn Barnes working on external outreach list. Builders Association should also be represented on Steering Committee. Suggestion made to re-examine corporate membership. K. Goldstein suggested that T Toskos, S. Boyle and Bylaws Chair discuss possibility of company and organizational memberships with N. DeRose and C. Barnes.

Commerce and Industry Magazine requesting success stories of the LSRP program. Send any stories to S. Boyle.

Camden County College graduating Environmental Management trainees to become 40-hour certified, good entry level employees looking for employers. E-mail blast will be prepared.

R3 Conference in Atlantic City focusing on redevelopment and innovative technologies. Want nonprofits to get the word out. Possibly have LSRPA representative on panel.

### COMMITTEE REPORTS

#### Continuing Education Committee

- Exam review course and ethics course being scheduled.

D. Toder reported that an Exam Prep course scheduled for September 6<sup>th</sup> and next exam is scheduled for Sept. 24<sup>th</sup> Ethics course being planned for sometime in October. David Abbott, who has given many ethics courses, will give course, which is approved for CEU credit. Presenters at April sessions to consider possible modification to their presentations for upcoming exam prep course with August 10<sup>th</sup> deadline for any modifications.

No Code of Conduct category on Exam. It would be acceptable to raise question concerning what was not on the test, since disclaimer only referred to what was on the test.

E-mail sent to Committee to schedule meeting to discuss upcoming training courses.

- Proposed course addressing LSRPs concerns with contract language and insurance coverage

B. Call proposes this course to be held during October or November.

## **LSRPA SC Minutes for 28-Jun-2012**

Discussed technical conferences receiving CEU credit. D. Toder explained the process for credit approval by the Licensing Board.

### **Regulatory Outreach Committee**

- Follow-up on 6/20 NJDEP Stakeholder Meeting on New Guidance Documents

M. Fisher reported that a list of suggested topics was submitted for new guidance consideration. Meeting was well attended by LSRPA, DEP. Suggestions posted and attendees scored guidance topics in order of importance. G. Nicholas will prioritize list based on feedback and circulate for discussion at July 19<sup>th</sup> meeting. List will be basis for short-term guidance document priorities and developing working groups to work on documents.

ROC subcommittee organization – new committees may be formed based on guidance document priorities. Will contact individuals interested in getting involved with subcommittee.

S. Posten reported that LSRPA has been very successful in participating in stakeholder process to date in the creation of technical guidance documents. There is some ongoing discussion among the membership and RPs regarding whether the current focus should be revisiting existing guidance documents rather than generating new ones.

### **Legal and Legislative Committee**

Update at next meeting.

### **Risk Management and Loss Prevention Committee**

- LSRP Licensing Board updates

J. Oberer reminded everyone that draft rules are posted on the Licensing Board's website and comments are solicited. Any comments should be forwarded to J. Oberer or R. Ferguson. Caviart will attend July 9 Licensing Board meeting to take comments on the previous exam. J. Oberer to ask Board what will be done with responses received on exam included at the back of the booklet.

- LSRP Professional Liability Insurance Survey

B. Call reported receiving 20 responses to the survey to date. A breakdown of the responses indicates that 2/3 of respondents feel there is a higher liability now, 1/3 have not reviewed their insurance provisions with employer or broker; 1/2 would get a secondary insurance product if available in \$1-3M range at a cost of \$2500 - \$3500 annually, 80% not sure if they were named insured on their policy, most don't have a copy of insurance policy.

There is interest in a course on this issue. Planning a fall seminar on insurance and e-mail blasts will continue over the next couple months.

- Recent legal rulings in MA regarding LSRP's obligations to third parties (J. Scagnelli memo)

## **LSRPA SC Minutes for 28-Jun-2012**

A. Robins reported that whenever a document, such as an RAO or NFA is circulated to the public there are third-party liability issues. Risk Management will review. Although LSRPs are not government entities, their signoff on reports and documents could be relied upon by a third party. Discussed whether this information should be shared with membership. Concern is whether we are taking a position that could be used during litigation to support or oppose an LSRP's claim they are not liable. Informative as an issue or update and seek comments from membership. Discuss at Best Practices seminar rather than circulate. A. Robins will speak with J. Scagnelli and S. Senior on suggested format for distributing information to membership as opposed to posting on website.

### **Membership Committee**

T. Toskos reported there are 546 paid members and 10% of the membership comes from three companies. Working on developing a membership survey.

### **Communications Committee**

L. Voyce contacted ANJEC, who agreed to include an article from the LSRPA in their fall magazine. Requested an outline of the article beforehand. Circulate the outline within the Committee before sending to ANJEC. The magazine is circulated to planning board directors and environmental commissioners throughout the state.

### **External Stakeholder Committee**

J. Postorino advised of interest in growing the associate membership. Will speak with members of the Society of American Military Engineers on its young member sector membership and develop short and long-term ideas.

### **Finance Committee**

- No report

### **STAKEHOLDER COMMENTS**

John Donahue will work with J. Postorino and provide input on young member sector. He was very supportive of K. Goldstein's testimony on the Assembly hearing.