

George McCarthy provided members with a copy of a draft letter to EPA WaterSense. The letter was requesting that EPA lift the Board's suspension as a WaterSense partner as a result of regulation changes that will include a continuing education requirement as of March 17, 2014.

George McCarthy provided members with a copy of a draft business permit application. A discussion was held. Comments included changing "company name" to "entity name"; whether or not the trade name should be listed on the application; whether it is necessary to track both the entity and trade names; the data base used for tracking limits the name to 45 characters; the application should include an email address; whether proof of insurance should be submitted with the application or a certification statement attesting to insurance coverage be included as part of the application; even though the form requests both liability and worker's compensation insurance information only liability insurance would be tracked. An instruction page should be included as part of the business permit application.

Tim Martin suggested that the Board design a logo to be used as an indicator of course approvals.. Mr. Martin indicated that the Irrigation Association would summarize the continuing education credit process for publication/distribution to their members. The summary would be reviewed by the Board prior to distribution.

The Board voted to enter into a closed session in order to discuss enforcement matters. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session.

The Board voted as follows:

Close case 064 based on the investigation

Issue case 735 a violation in the amount of \$1000.00 for advertising without a certificate. The Board with accept a settlement of \$500.00

George McCarthy nominated Bob Dobson and Guy Virone (if he is willing) to participate in meetings with Consumer Affairs along with DAG Rosenblum and the enforcement contractor (Jon or Ken).

The meeting was adjourned at 2:30 pm.

Respectfully Submitted,



George McCarthy, Chairman
Landscape Irrigation Contractors Board

March 27, 2014
LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 10:00 a.m. The following members were in attendance:

MEMBER

AFFILIATION

Linda Cantwell	NJDEP
Robert Dobson	Middletown Sprinkler
George McCarthy	Spring Irrigation Co Inc.
William Frederick Rapp	Atlantic Irrigation Specialties

Absent

Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation

Gene Rosenblum, DAG Michael Schuit, DAG, Matthew Orsini, Esq., Division of Law, Trish Conti and Annie Loh, NJDEP, were also in attendance.

Linda Cantwell read the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State and designated newspapers, as well as posted in DEP.

The open and closed session minutes from February 19, 2014 meeting were reviewed and accepted as presented.

The Board reviewed and accepted the Treasurer's report as presented.

Veronica Blette, Chief, EPA WaterSense Program, responded to the Board's correspondence concerning their WaterSense Program suspension. Ms. Blette informed the Board that their suspension will be lifted as of March 17, 2014. As a result, NJ landscape irrigation contractors will now be eligible to apply to become an EPA WaterSense partner.

A discussion was held concerning proceeding with hiring a temporary employee (temp) to assist with supporting the Board. The temp would be responsible for assisting with the business permit process. This assignment would last between three and six months. The temp would work two days each week. If time permits, the temp would be assigned other duties in order to support the Board. The Board voted to pursue this matter.

The Board voted to enter into a closed session in order to discuss enforcement matters at 10:40 a.m. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session at 11:05 a.m.

DAG Schuit informed the Board that he had been in contact with the DEP press office. The press office has agreed to assist the Board with any press releases. In addition, Bob Dobson informed the Board that he has sent a draft press release to Fred Sickles, DEP-Water Supply, to review and possibly issue.

The Board voted as follows:

Close case 749 – the Board determined that this company is not advertising irrigation

Bob Dobson left the meeting along with DAG Schuit, DAG Rosenblum, and Matthew Orsini, Esq.

The remaining Board reviewed business permit applications as follows:

13 initial applications were approved

3 initial applications are pending guidance concerning worker's compensation insurance.

The Board reviewed applications for the April examination as follows:

7 initial applications were approved

2 initial applications were conditionally approved pending confirmation of irrigation work under a designated certificate holder

3 re-applications were approved

The meeting was adjourned at 12:45 pm.

Respectfully Submitted,

A handwritten signature in cursive script that reads "George McCarthy". The signature is written in dark ink on a light-colored background.

George McCarthy, Chairman
Landscape Irrigation Contractors Board

June 3, 2014
LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 9:50 a.m. The following members were in attendance:

MEMBER	AFFILIATION
Linda Cantwell	NJDEP
Robert Dobson	Middletown Sprinkler
George McCarthy	Spring Irrigation Co Inc.
Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation
Absent	
William Frederick Rapp	Atlantic Irrigation Specialties

Gene Rosenblum, DAG Michael Schuit, DAG, Christine Baker, DAG, Maria Ryden, Division of Law, and Annie Loh, NJDEP, were also in attendance.

Linda Cantwell read the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State and designated newspapers, as well as posted in DEP.

A discussion was held concerning the agreement prepared by the Irrigation Association in an attempt to secure them for both software upgrades and tracking continuing education credits for landscape irrigation contractors. The Board was advised to pursue three telephone quotes in order to move forward with this matter. Guy Virone offered to obtain the telephone quotes.

The Board reviewed and accepted the Treasurer's report as presented.

The open and closed session minutes from March 27, 2014 meeting were reviewed and accepted as presented. Guy Virone and Ken Scherer abstained.

The Board was informed that staff will begin interviewing for a temporary employee to assist with Board matters.

The Board voted to authorize staff to review and approve business permits.

Correspondence was received from a contractor inquiring as to whether or not he would be required to obtain eight credits in water conservation. Bob Dobson agreed to prepare a response.

Correspondence had been received from an individual recently receiving an advertising inquiry. The correspondence indicated that it cost \$45 to update the website and that we should have more important things to do.

The Board reviewed and approved exam results from the April 2014 examination as follows 4 passed, 18 failed.

The Board voted to enter into a closed session in order to discuss enforcement matters at 12:00 p.m. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss “any investigations of possible violations of law” and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State’s ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session at 12:30. Since there was no further business to discuss, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in cursive script that reads "George McCarthy". The signature is written in dark ink on a light-colored background.

George McCarthy, Chairman
Landscape Irrigation Contractors Board

July 23, 2014
LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 9:50 a.m. The following members were in attendance:

MEMBER

AFFILIATION

Linda Cantwell	NJDEP
George McCarthy	Spring Irrigation Co Inc.
William Frederick Rapp	Atlantic Irrigation Specialties
Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation

Absent

Robert Dobson	Middletown Sprinkler
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Bid packages were sent to Intrepid Investigations, Excel Investigations, Dylan Group LLC, and Investigative Solutions LLC. Excel Investigations and Dylan Group LLC were returned as undeliverable. Staff contacted both companies via email. Excel Investigations provided updated contact information and indicated that they were interested in responding to the bid. As a result the bid package was resent via email. Dylan Group LLC did not respond to the email. On September 15, 2014 DiJoseph Investigations contacted staff via email indicating that they were interested in submitting a bid. The bid package was emailed to them.

The Board reviewed the responses to their bid solicitation for an enforcement contractor (Investigative Solutions LLC and DiJoseph Investigations.) Based on a review of the information submitted, the members agreed to accept the lowest bidder. As a result, Investigative Solutions LLC was awarded to contract.

Trish Conti and Annie Loh, NJDEP, was also in attendance.

Linda Cantwell read the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State and designated newspapers, as well as posted in DEP.

The open and closed session minutes from June 3, 2014 meeting were reviewed and accepted as presented.

The Board was informed that a Treasurer's report was requested but not received. Once it is received, it will be emailed to the members.

George McCarthy informed the Board that the Irrigation Association of NJ (IANJ) sent out their Summer Technical Bulletin. The Bulletin included a backflow course which indicated that this course was eligible for water conservation credits. It was noted that this course did not go through the Board's approval process. As a result of telephone conversations with Mr. McCarthy, Guy Virone contacted Roy Nau (IANJ) and the water conservation credits have been retracted.

A discussion was held with regard to a Board member becoming a liaison with the IANJ's Board. Guy Virone will follow up with the IANJ.

Bob Dobson emailed a new EPA WaterSense application. The email indicated that the Board would need to re-apply for WaterSense recognition. The Board will follow up on this matter.

Staff informed the Board that approximately 135 business permit applications have been received. Lena, the temporary employee hired to process these business permits has completed entering most of them. The permits are about ready to be mailed. However, the computer system is generating the business permits with three year expiration dates rather than two year expiration dates. The Board was previously informed that this could be an issue/limitation of the system. While a request has been submitted to modify the system, it is unknown when this request will be completed. A discussion was held concerning whether or not to issue the business permits as created by the system. The members were informed that the actual business permits could be edited in order to change the expiration date. However, the system would not recognize this "new date" for reporting purposes and during the renewal process. The Board agreed to issue the business permit, as created by the system, until the request modifying the system has been completed. In addition, the Board will prepare a cover letter to be included with the business permit. The cover letter will remind business permit holders what they will need to do.

The members were informed that staff is currently working on updating their website.

The Board voted to enter into a closed session in order to discuss enforcement matters at 10:50 a.m. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session at 11:30.

A brief discussion was held concerning the continuing education credit process. The Board agreed that the topic should be included on agenda for the September meeting.

It was agreed that the November meeting would be changed due to conflicts with the Irrigation Association's upcoming show.

Since there was no further business to discuss, the meeting was adjourned at 12:10 p.m.

Respectfully Submitted,

George M. McCarthy, Chairman
Landscape Irrigation Contractors Board

September 23, 2014
LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 10:45 a.m. The following members were in attendance:

MEMBER

AFFILIATION

Linda Cantwell	NJDEP
Robert Dobson	Middletown Sprinkler
George McCarthy	Spring Irrigation Co Inc.
Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation

Absent

William Frederick Rapp	Atlantic Irrigation Specialties
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Linda Cantwell read the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State and designated newspapers, as well as posted in DEP.

A discussion was held concerning the continuing education credit (CEC) process. There are many contractors due to expire on January 31, 2015 that have not submitted CECs. In addition, there are contractors due to expire that do not have sufficient credits to renew their certification. Staff will prepare correspondence to contractors expiring in January 2105 that have not submitted CECs. Once a list has been compiled, individuals expiring in 2015 that do not have sufficient credits to renewal of their certificate should also be notified.

The Board was informed that 145 business permit applications have been received and issued. A discussion was held and it was agreed to send out a second notice reminding contractors of this requirement.

Bob Dobson suggested that an audit be done of the courses previously for consistency purposes. At that time it will be determined whether or not attendees will receive credits in water conservation.

A discussion was held with regard to canvassing areas looking for uncertified contractors. Since uncertified individuals may be in the process of closing irrigation systems, this would be a good time to investigate.

Bob Dobson reported that the CEC tracking software should be available in about 45 days

The IANJ has offered to post a list of the audit we have done. The Board motioned and approved to publish a list of all credits with the IANJ.

Staff have identified contractors with expired certifications that are still eligible to renew their certificate but have not provided CEC information.

The Board should encourage course providers to submit proof of CECs as the classes are completed. This will allow for the review of one class with many attendees.

As discussion was held concerning whether or not water conservation (WC) credits should be given to courses previously approved. It was agreed that the backflow courses would be given no WC credit. A discussion was held concerning basic courses verses advanced courses and whether or not basic course should be assigned any WC credits. Courses will be evaluated for WC credits as 0-50 percent; 100 percent. The Contractor Review Course should fall in the 50 percent category.

Bob Dobson left at 11:00

Annie Loh arrived at 11:11

Bid packages were sent to Intrepid Investigations, Excel Investigations, Dylan Group LLC, and Investigative Solutions LLC. Excel Investigations and Dylan Group LLC were returned as undeliverable. Staff contacted both companies via email. Excel Investigations provided updated contact information and indicated that they were interested in responding to the bid. As a result the bid package was resent via email. Dylan Group LLC did not respond to the email. On September 15, 2014 DiJoseph Investigations contacted staff via email indicating that they were interested in submitting a bid. The bid package was emailed to them.

The Board reviewed the responses to their bid solicitation for an enforcement contractor (Investigative Solutions LLC and DiJoseph Investigations.) Based on a review of the information submitted, the members motioned and accepted the lowest bidder. As a result, Investigative Solutions LLC was awarded to contract.

A discussion was held with regard to assigning the enforcement contractor areas to canvass in search of uncertified individuals closing irrigation system. A sub-committee would meet with the enforcement contractor to communicate the process and discuss the locations to be investigated. The members were reminded that the enforcement contract would not be in effect until it has been signed. The anticipated date would be September 30th.

The open and closed session minutes July 23, 2014 meeting were reviewed and accepted as presented.

The treasurer's report was reviewed and accepted as presented

The Board was informed that 623 reminder notices were sent concerning the business permit process. In addition 145 business permits have been issued and one application is pending.

The Board voted to enter into a closed session in order to discuss enforcement matters at 10:50 a.m. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

George McCarthy informed the Board that the Irrigation Association of NJ (IANJ) sent out their Summer Technical Bulletin. The Bulletin included a backflow course which indicated that this course was eligible for water conservation credits. It was noted that this course did not go through the Board's approval process. As a result of telephone conversations with Mr. McCarthy, Guy Virone contacted Roy Nau (IANJ) and the water conservation credits have been retracted.

A discussion was held with regard to a Board member becoming a liaison with the IANJ's Board. Guy Virone will follow up with the IANJ.

Based on an investigation, the Board agreed to close cases 614, 747, 657, 717 and 692A. Settlement offer letters will be issued to cases 700, 508, and 445 for advertising without a business permit. A settlement offer letter will be issued to case 740 for working without a business permit.

The Board was informed that a report of the business permits has been developed, but is currently not available to the public. Staff has expressed concerns that due to the fact that only 145 business permits have been issued, and influx of complaints could be received due to the fact the a business permit has not yet been applied for.

The Board reviewed and approved applications for the October 2014 examination as follows:

14 repeats, 4 reapplications and 10 initials

There being no further business to discuss, the meeting was adjourned at 2:50 pm.

Respectfully Submitted,

George M. McCarthy, Chairman
Landscape Irrigation Contractors Board

November 14, 2014

**LANDSCAPE IRRIGATION CONTRACTORS
EXAMINING BOARD**

The Landscape Irrigation Contractors Examining Board held their meeting at the DEP Complex, Trenton, NJ. George McCarthy called the meeting to order at 11:10 a.m. The following members were in attendance:

MEMBER

AFFILIATION

Linda Cantwell	NJDEP
Robert Dobson	Middletown Sprinkler
George McCarthy	Spring Irrigation Co Inc.
Ken Scherer	Hillsborough Irrigation
Gaetano Virone	Environmental Designers Irrigation

Absent

William Frederick Rapp Atlantic Irrigation Specialties

DAG Michael Schuit, DAG Gene Rosenblum, Michael Kukol, Irrigation Association of NJ representative, and Annie Loh were also in attendance.

Linda Cantwell read the Open Public Meetings Act statement for the Landscape Irrigation Contractors Examining Board and announced that adequate notice of this meeting had been provided to the Secretary of State and designated newspapers, as well as posted in DEP.

The open and closed session minutes from September 23, 2014 meeting were reviewed and accepted as presented.

After a brief discussion, the treasurer's reports was reviewed and accepted as presented.

Correspondence was received from a contractor requesting a waiver from the continuing education requirement due to an existing disability which has created a financial hardship. A discussion was held. Staff will contact the contractor in order to determine whether or not he has the ability to attend and participate in any free educational courses. The Board will be updated once the information has been obtained.

Guy Virone informed the Board, that due to a conflict, his was unable to attend the last IANJ meeting. Mr. Virone requested that IANJ updates be added to future agendas.

A discussion was held concerning the upcoming Irrigation Association of NJ (IANJ) conference. Guy Virone or George McCarthy along with Bob Dobson will represent the Board at the conference. The enforcement contractor will not be attending the conference.

The Board was informed that correspondence has been sent to contractors who have not submitting continuing education credits for review. It was noted that there has been a tremendous response.

The Board was informed that all of the business permits have been re-issued with a two year expiration date. It appears that a significant number of contractors have still not applied for a business permit. In addition, as a result of a mailing correspondence was returned by the post office due to the fact that the contractor moved to Arizona. Staff happened to recall that this particular contactor was designated a certificate holder (DCH) for an irrigation company located in NJ. A discussion was held. Since the DCH is responsible for supervision and inspection of landscape irrigation contracting work to be performed by the permittee concerns were expressed. Staff indicated that there may be others not including the Pennsylvania, New York, and Delaware areas. The Board will prepare correspondence

to this company. Staff will review business permits in order to determine whether or not there are other contractors in this situation.

A discussion was held concerning the new Irrigation Association agreement, specific to the costs associated with the actual exam/scoring. The Board will contact the Irrigation Association in order to determine if these costs can be reduced.

Bob Dobson informed the Board that the CEC tracking system should be available by December 1. A discussion was held concerning the process of getting the CEC information to the vendor. While it appears the Board agreed that course providers could streamline the process by submitting a roster of contractor attending each course, including a copy of their course certificate, DAG Schuit informed the Board that the rules are clear the each contractor was responsible for submitting their own CECs. DAG Schuit will investigate whether the following approach would resolve his concerns: naming the course roster "CEC Submission Form" and including the following statement on the form: "By signing this form, I authorize the course provider to submit this training information on my behalf."

The Board motioned and approved to accept the exam results; 3 passed 21 failed.

Mike Kukol inquired as to the status of A3397 which would abolish the Landscape Irrigation Contractors Examining Board, currently in the Department of Environmental Protection, and transfers all of the functions of the board to the Department of Community Affairs. The Board informed Mr. Kukol that the bill was out of the committees.

Mr. Kukol also inquired as to the upcoming renewal process, specific to the CEC requirement. Renewals will be sent to those contractors that have submitted sufficient CECs. Contractors with insufficient CECs will be sent a letter.

The Board voted to enter into a closed session in order to discuss enforcement matters at 3:28 pm. Whereas the Open Public Meeting Act provides that a public body such as the Landscape Irrigation Contractors Examining Board may meet in closed session to discuss "any investigations of possible violations of law" and any pending or anticipated litigation; Whereas the Board desires to retire to closed session to discuss possible violations of law and litigation matters; Now therefore, be it resolved that the Board shall at this time meet in closed session to discuss the above mentioned matters. The substance of the closed session will be disclosed publicly only when it will not impede the State's ability to investigate the possible violation of law in question or participate in the litigation or breach an attorney-client privilege.

The Board returned to open session at 3:44 pm.

Since there was no further business to discuss, the meeting was adjourned at 3:45 p.m.

Respectfully Submitted,

George M. McCarthy, Chairman
Landscape Irrigation Contractors Board