



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF WATER SUPPLY & GEOSCIENCE

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New Jersey Department of Environmental Protection Board of Examiners for Water and Wastewater Licensing Meeting Minutes for May 23, 2024 Meeting held via Microsoft Teams

Approved by the Board on August 15, 2024

Board Members Present: David Fields, Robert Genetelli, Ronald Anastasio, JoAnn Mondsini, Kouao- Eric Ekoue, James Mastrokalos, Wendy Simone, Linda Ofori

There were 8 Board members present, constituting a quorum.

Board Members Absent: Charles Jenkins

Board Legal Representatives Present: Deputy Attorney General (DAG) Kevin DeCristofer, NJ Division of Law

NJDEP Staff Present: Kristin Tedesco, Joseph duRocher, Malathi Prabhu, Casey Lippincott, Anthony Pipolo

Members of the Public: Josh Williams, Pat Lindsay-Harvey, Rick Howlett, Keith Smith, Jim Mackie, Mike Lata, Mike Rummell, Roger Budd

1. Call to Order

The meeting was called to order at 10:05 AM, it was noted that there were enough Board members present to constitute a quorum.

DAG Kevin DeCristofer read the Open Public Meetings Act Statement (OPMA).

This meeting was held via conference call. Notice of the meeting and instructions on how to participate by phone were provided by public notice in advance of the meeting.

2. Elections for Chairperson and Vice-Chairperson

R. Genetelli vacated the position of Chairperson. J. duRocher made a call for a motion to open the nomination process for Chairperson. R. Anastasio motioned and W. Simone seconded. R. Anastasio nominated R. Genetelli for the Chairperson position and J. Mastrokalos seconded the nomination. There were no other nominations for Chairperson. R. Anastasio made a motion to close nominations and J. Mondsini seconded. R. Genetelli is named Chairperson.

R. Genetelli made a call for a motion for nominations for Vice-Chairperson. J. Mondsini motioned and E. Ekoue seconded. J. Mondsini nominated W. Simone and R. Anastasio seconded the nomination. There were no other nominations for Vice-Chairperson. R. Genetelli made a call for a motion to close nominations. J. Mondsini motioned and E. Ekoue seconded. W. Simone is named Vice-Chairperson.

3. Adoption of Meeting Minutes

R. Genetelli made a call for a motion to approve the February 15, 2024 meeting minutes, asking if there were any comments or concerns. There were none. J. Mastrokalos motioned to approve and J. Mondsini seconded. All were in favor and the motion passed unanimously.

4. Membership Updates

J. duRocher stated that the Department has prepared a package with the Board member nominations to send up to the Commissioner's office for signature.

R. Genetelli asked if the Board's terms were all expired. J. duRocher and K. Tedesco responded that W. Simone is the only member not currently expired, as she is still serving an existing term that ends on December 5, 2025. R. Genetelli asked if there was any plan to have W. Simone on the same schedule as the other members. K. Tedesco responded that the Department will try to have everyone on a consistent schedule but may be easier to have W. Simone switch to everyone else's schedule.

5. Program Updates

Subcommittee Update

J. duRocher began with the Board Member Handbook, acknowledging that J. Mondsini had sent in a draft version in the past and that the Department is working towards incorporating additional items and placing more of an emphasis on past decisions and protocols of the Board.

J. duRocher moved on to the Revised Application Form, stating that it was forwarded to management for final review and approval and that there were only minor edits made to what the subcommittee originally submitted. R. Genetelli asked if the process still required any further subcommittee or Board involvement. J. duRocher stated that there was a chance it could be kicked back to the subcommittee, so R. Genetelli opted to keep the subcommittee active.

J. duRocher moved on to the ABC Exam Review, stating that the DAG began to review and came back with questions. J. duRocher prepared draft responses and sent to management for review. L. Ofori stated that she will review those draft responses and send comments back by the end of next week.

J. duRocher moved on to the DEP-065 Form Revisions, stating that the Department has received comments from the Board. He prepared draft responses to those comments and has sent them to management for review. R. Genetelli asked if the Department would wait to implement the new DEP-065 form until after the new Licensed Operator Rules and Regulations are adopted. J. duRocher stated that that could be a possibility, and also mentioned the potential development of an electronic version of the DEP-065 form.

J. duRocher moved on to the State-Specific Questions, noting that there had been no updates since the last meeting. J. duRocher restated that the meeting with WPI (formerly ABC) showed that the Department would be unable to simply insert ten state-specific questions into the standardized

examination. The Department would have to either retain the standardized examination that it currently utilizes or initiate the development of customized examinations that would be an intensive and long-term process.

Examination Updates and Pass/Fail Statistics

J. duRocher provided a brief summary of the pass/fail statistics that had been covered more in depth at the February 15, 2024 meeting. J. duRocher stated that he is still working on compiling data to compare pass/fail rates between those who took in-person training and those who took correspondence courses.

NJDEP IT Project Update

M. Prabhu gave a status update on the various IT projects the Department is working on. M. Prabhu stated that so far there was a joint application design session where the examination process requirements were discussed and outlined so that exam applications can be submitted via an online portal. Additionally, the portal will allow for DEP-065 forms to be submitted online. The second project is the development of an online portal for Training Contact Hours (TCH) submittals. The third project is the development of a web platform where operators can view and register for upcoming TCH courses. M. Prabhu stated that this project has been underway and that the Department's OIT is looking to set up a test for the platform and hopes to have implementation soon.

R. Genetelli asked if the Advisory Committee was involved in the IT projects. M. Prabhu responded that so far they have not had any involvement. The web platform will first be tested internally and then the Department will reach out to course providers to test it before going fully live.

6. New Business

Reciprocity Applications

Joshua Williams (S-4, WA)

R. Anastasio began the discussion with a brief overview of Mr. Williams' application and stated that the applicant does have the operating experience to satisfy the S-3 requirements but does not appear to have enough Direct Responsible Charge (DRC) experience. R. Anastasio recommended approving Mr. Williams for an S-2 license today, but conditionally approve an S-3 if the applicant can provide an amended Statement of Qualification (SOQ) showing the requisite DRC experience.

A brief discussion between Mr. Williams and the Board occurred, clarifying that the Board was seeking an amended SOQ to demonstrate Mr. Williams' DRC experience. This could be submitted to the Executive Committee between Board meetings.

R. Anastasio motioned to grant a reciprocal S-2 license, and conditionally approve an S-3 pending receipt and review of an amended SOQ. J. Mondsini seconded. All were in favor and the motion passed unanimously.

Oleg Zonis (S-4, PA)

J. Mondsini began the discussion with a brief overview of Mr. Zonis' application and indicated she was in favor of granting the applicant an S-4 license. There were no other comments. J. Mondsini motioned to grant a reciprocal S-4 license and W. Simone seconded. All were in favor and the motion passed unanimously.

7. 2024 Workplan Goals

R. Genetelli noted that this was already discussed previously.

R. Genetelli also announced that he would like to form a new subcommittee for Board decision appeals. The goal of the subcommittee is to generate a process for applicants to appeal Board decisions related to individual applications. R. Genetelli stated that if someone is not happy with the determination made by the Board, they should have the ability to question the Board's decision and enable additional review. R. Genetelli added that applicant's questions should be directed at the Board and not the Department, and that he will move forward with the subcommittee unless the DAG's office says otherwise.

R. Genetelli appointed himself as chairperson of the Appeals Subcommittee and nominated W. Simone as co-chairperson. W. Simone, David Fields and J. Mastrokalos agreed to join the subcommittee. R. Genetelli added that any recommendations that come from the Appeals Subcommittee must be brought before the entire Board and receive a vote, as per the Board's bylaws.

J. Mastrokalos stated that the Appeals Subcommittee may help with consistency on Board decisions.

R. Genetelli noted that he found the recommended bylaw changes from a previous Board, which included guidance on how to handle operational experience and DRC. Would like the current Board to review it and would like to consider adding it to the Handbook.

Dual Modality – Business Rules for Remote Exams

J. duRocher explained that WPI (formerly ABC) had upgraded their platform last year and now allows multiple examination modalities, when in the past only one modality was supported. The Department initiated the request to upgrade to two modalities, both remotely proctored examinations and in-person examinations at testing centers. WPI responded with a document seeking clarification on certain rules for examinations. J. duRocher sent a request for information from PSI and also sought input and comments from the Board.

J. Mondsini noted that applicants should not be allotted breaks in the test but should be allowed to use the bathroom and take medication.

A discussion between several Board members followed, identifying that a five (5) minute bathroom break should be permitted, taking medication should be permitted, and access to water in a glass or clear bottle should be permitted during examinations.

J. Mondsini inquired about the fifteen (15) year window applicants receive to take the examination upon approval. J. duRocher responded that the Department will allow unlimited attempts at examination upon approval, and PSI's platform automatically allows for a 15-year window.

Ethics Compliance Document Reminder

J. duRocher explained that these documents are sent to all Department boards and advisory bodies and must be completed and sent back to the Department. Note that one document only applies to individuals that are leaving their board or committee.

J. Mondsini asked where it should be sent. J. duRocher responded that it should be sent to either T. Rowe, M. Prabhu or himself.

Advisory Committee Update

D. Fields stated that the Advisory Committee has not met yet as the first quarter meeting was not held. Noted the second quarter meeting is to be held on June 13, 2024 and the third quarter meeting is to be held August 29, 2024.

8. Public Comment

R. Genetelli opened the public comment section, requesting that anyone commenting should state their name and affiliation, and keep comments within two to five (2-5) minutes.

P. Lindsay-Harvey (Commissioner and Chairperson for Willingboro Municipal Utility Authority) expressed her support for an Appeals Subcommittee and inquired about the specifics the Board is looking for in an application.

R. Genetelli responded that there are specifics laid out in the LO Rules and Regulations (7:10A) that gives all the minimum requirements to sit for each license. Noted that there are often mistakes in applications stemming from the applicant's understanding of operating experience and DRCand added that applicants can contact any Board member for additional guidance and information.

There were no other comments.

9. Adjournment

R. Genetelli asked for a motion to adjourn the meeting. J. Mondsini motioned and W. Simone seconded. The meeting adjourned at 11:16 AM



