

**BOARD OF TREE EXPERTS**

**MINUTES**

**March 21, 2017**

The Board of Tree Experts met on this date at Jackson Township Municipal Building, 95 West Veterans Highway, Jackson N.J. at 9:38 a.m. to discuss the business of the Board.

Those present were:

Steve Chisholm, President	
Rich Wolowicz, V. President/Treasurer	Gary Lovallo
Joe Greipp	Kevin Downes
Mark Goggin	Pamela Zipse
Jennifer Moriarty, DAG	Carrie Sargeant
Michael D’Errico, Program Manager	Lynn Fleming

Public in Attendance:

Robert “Scott” D’Amico  
Brian Hartel Sr.

**Open Public Meetings Act:**

The Open Public Meetings Act was read by M. D’Errico

**Minutes of the Last Meeting:**

R. Wolowicz made a motion to approve the minutes of the February 21, 2017 meeting, M. Goggin seconded the motion which was approved with small changes.

**Administrative Report & Correspondence:**

M. D’Errico reported to the Board on the following: The Department of Health’s Fatality Investigation Program provided an update to the Board on the 26<sup>th</sup> fatality that occurred to the 24-year-old owner/operator of a tree care service in Warren County. Directory requests increased due to the recent snow storms and the Nor’easter that hit New Jersey. A follow-up of the misuse of a Certified Tree Expert’s CTE number on a tree care company’s web-site, found that it was corrected.

**Treasurer's Report:**

The Treasurer’s Reports for March 21, 2017 were provided by R. Wolowicz:

Treasurer’s Report – March 2017

Balance 7/01/16	\$ 30,737.54 (FY2017)
Disbursements	\$ 9,067.80
Receipts	<u>\$ 7,565.00</u>
Checking Account Balance	\$ 29,234.74
Asset Balance as of March 21, 2017	\$ 29,234.74

J. Greipp moved to accept the Treasurer's report for March 2017 as reported, K. Downes seconded the motion. Motion was approved. L. Fleming abstained.

### **General Public Comments:**

Robert "Scott" D'Amico spoke to the Board that he dropped off his CTE Exam application before the meeting, and why he decided to take the exam now.

### **Old Business:**

A. Rules and BTE Adopted Document – DAG J. Moriarty informed the Board that the Governor's office had approved the Board's rules. The next step for the rules is to be transmitted to OAL for review. The Board was given a copy of the 2017 NJ Register Publication Schedule. The Board was looking for a filing date with OAL by March 23<sup>rd</sup> for an April 17<sup>th</sup> NJ Register publication date. The Board discussed the proposed office contract with Jackson. The Board also discussed how other Licensing Boards handle their meetings; in particular, what a typical agenda might be. The License biennial renewal fee was discussed as it related to the 2017 Certified Tree Expert's renewal notices that will be produced in early May. G. Lovallo suggested regional meetings to inform the industry of the changes coming with the implementation of the law. Finally, the Board discussed the License late fee listed in the rules.

B. Disclaimer – DAG J. Moriarty provided the Board with the final directory disclaimer that included both licensees and businesses. A motion was made at the February meeting to accept the language of the disclaimer as written for licensees and businesses.

C. PP Presentation @ GSTC – what was the response – G. Lovallo and J. Greipp discussed with the Board the power point presentation of the Law and the rules as written given at the New Jersey Arborists – ISA Chapter's Garden State Tree Conference. The presentation was provided live over a feed on the NJ AISA website. The session had between 105 and 120 individuals attend, with most being non-certified tree experts. The group asked lots of questions on topics ranging from pesticide applications by LTCO's, to enforcement of the law and how consulting activities are viewed. P. Zipse passed around a PowerPoint created by Mickey Riggins about the law. S. Chisholm said he will look at it for any inconsistencies with the law or rules.

D. Other – J. Greipp brought up covering the cost of taking examinations for Board members with potential reciprocity credentials such as the BCMA. The Board discussed. S. Chisholm suggested the use of an outside agency to evaluate both exams. The Board asked for a list with phone numbers and emails of individuals who have both credentials, the BCMA and the CTE. J Greipp made the motion to approve reimbursement for two reciprocity committee members for the total cost of the BCMA examination. M. Goggin seconded the motion. Motion passed. L. Fleming abstained.

### **New Business:**

A. Test and Grading Policy – listing of exam subject matter – The Board tabled discussion on the test and grading policy until next meeting as the documents were left behind at the Board's office. The Board was provided with a listing of subject matter for the LTE and LTCO exams. The Board discussed providing these listings on the website. The Board discussed the phrase "Repairing" as found

under services provided by an LTCO. The Board also discussed the use of “endorsements” for licensees in the future, kind of like a CDL classification on the state’s drivers license. G. Lovallo made a motion to remove cable and bracing from under tree repair section in LTCO references on the website and in print. The motion was seconded by J. Greipp. Motion vote was 4 to 1. K. Downes and S. Chisholm abstained. Motion did not pass as a majority is 5 votes to have a motion passed.

B. NJEMS Business Certificate and Licensee Format – NJEMS certificates were handed out to the Board for businesses and licensees. The Board discussed.

C. More Forms and the Canons & Conduct – The Board was provided with copies of the Board’s Canons & Conduct for licensees and businesses. These canons and conducts listings will be placed on the website and printed for handouts. G. Lovallo suggested that licensees and business owners sign and return the code of ethics and conduct to the Board. The Board discussed. The signing of both forms is not required under the law or in the proposed rules

D. Website – The Board discussed the website and how changes will be made once the rules are approved. DAG J. Moriarty will look into what requirements the Board will need to follow concerning posting when approval of the rules occurs.

E. Other – S. Chisholm told the Board that the meeting with the Secretary of Agriculture to discuss moving the Board was postponed due to his car accident. That meeting and meetings with the Division of Consumer Affairs and the Department of Community Affairs will occur after the Secretary is healthy again. The Board discussed if these other agencies have the licensing computer program like the one the board uses now in the DEP? The Board also discussed the status of the office lease with Jackson Township. L. Fleming announced that she is retiring in ten days and this will be her last Board meeting. L. Fleming left the meeting at this point. The Board still maintained a quorum. The Board discussed the DEP Commissioner’s designee going forward. The Board is waiting to hear from the Governor’s appointment office the status of P. Zipse’s appointment to the Board. DAG J. Moriarty suggested that the Board look into how the tree care industry defines “repair”. The New Jersey Forest Service’s report was provided by C. Sargeant. She reported that the CSIP grant is out to the municipalities.

#### **General Public Comments:**

Brian Hartel, Sr. asked the Board for a clarification on the culpability of compliance if the April 17<sup>th</sup> posting becomes real. Mr. Hartel suggested the need for an education program for tree care company owners. Mr. Hartel spoke about cable and bracing and the two licenses. G. Lovallo restated his suggestion of regional meeting to educate and bring awareness to the law and rules.

#### **Closed Session:**

None

**Next Meeting - Tuesday, April 18, 2017, 9:30 am at the Jackson Township Municipal Building 95 W. Veterans Highway, Jackson, NJ**

R. Wolowicz moved to adjourn and M. Goggin seconded the motion. Motion passed

**Meeting adjourned at 12:32 p.m.**