

The Board of Tree Experts met on this date at the Forest Tree Nursery in Jackson, N.J. at 9:37 a.m. to discuss the business of the Board.

Those present were:

Steve Chisholm, President	Jennifer Dalia, DAG
Joseph Greipp	Barry Emens
David Johnson, Treasurer	Mark Goggin
Richard Wolowicz	Gary Lovallo
Michael D'Errico, Program Coordinator	Eric King
Don Swaysland	Alec McCartney

The open public meetings act was read by David Johnson. R. Wolowicz made a motion to approve the minutes of the July 16, 2013 meeting. B. Emens seconded the motion which was unanimously approved.

Correspondence/ Administrative Report:

M. D'Errico reported that the Board had received three pieces of correspondence (two by the same individual) that the Board needed to address. The first letter was from Chris Nash of Honor Tree Service, Inc. concerning his lapsed certification. The second and third letters were received from Victor Donahue of West Orange concerning what he said was gross negligence by a person under the Tree Expert and Tree Care Operators Licensing Act.

In the case of the first letter the Board discussed and reaffirmed its earlier decision that the individual had to take the entire exam over again because the lapse in time was greater than the system permitted. D. Johnson made the motion to reaffirm the Board's original decision, M. Goggin seconded. Motion was approved.

In the case of the two letters received from Mr. Donahue, the Board discussed that the individual identified within the letters was not a certified tree expert and the amended LTE Law was not yet in place due to the delay in rule approval. A letter will be sent stating the fact that the LTE rules have not yet been approved, and advise Mr. Donahue to contact his county's Consumer Affairs office for assistance. It was also decided that the individual noted in the letters should receive from the board a letter stating that a complaint was lodged against him, and that once the rules are approved, all tree care services will have to follow the LTE law. A copy of that letter is also being sent to CTE Richard Manus of West Orange, since the board was made aware that he sometimes does work for the individual named in the letter.

Treasurers Report:

Dave Johnson reported:

Balance 7/01/13 = \$	15,398.65 (FY2014)
Disbursements = \$	3,377.25
Receipts= \$	<u>0.00</u>
Checking Account balance = \$	12,021.40

R. Wolowicz moved to accept the Treasurer's report. J. Greipp seconded the motion. Motion was approved unanimously.

General Public Comments:

Don Swaysland, Chief of the NJ Forest Service reported that State Forester Lynn Fleming would like to be briefed on the LTE Rules once they are done and before they are sent over to the DEP Commissioner. He also informed the board that the State Forester will be the Commissioner's designee on the Board. D. Swaysland asked the Board what needs to be done now that D. Johnson has left state service. The Board discussed with the Chief several needs including access to the NJEMS database tracking system from the Jackson office. A concern was expressed by the Board that with the soon to be implementation of the LTE law, a minimum exposure to NJEMS is not good enough as the workload will be increased significantly.

Eric King of Monroe Township spoke to the Board about setting up a new tree business. He had several questions relating to the LTCO license for the Board which were answered by the Board.

Old Business:

A. Discussion on Rules – D. Johnson discussed with the Board that final preparation of the “unofficial/internal” rule document draft was done from the comments received at the July meeting. D. Johnson noted that he is working on the Summary and Impact Statements as well. S. Chisholm asked the DAG for clarification of how the rules get reviewed internally before they are sent over to the governor. DAG J. Dalia spoke about the integrity of the rule making process and the process which has been established. DAG Dalia stated that she will contact the State Forester to discuss the movement of the rules.

B. Other - None

New Business:

A. Certification of CTE Exam Results - M. D'Errico provided a report of the grades for the written and field portions of the exam for each CTE candidate. It was noted that 10

individuals passed the exam and can be certified by the Board. 8 individuals passed both the written and field portions of the exam, while one individual passed the written and one the field to obtain a passing grade, in combination with last year's results. Three individuals passed one half of the exam and will only have to retake the half that they failed. The following individuals were read into the minutes as passing the 2013 CTE exam by Board member R. Wolowicz: Stephen Jordan, Lars Teschauer, Douglas Bocchino, Andrew Hutchins, Andrew Niemira, Gerard Marzocca, Keith Bimbi, Tyson Maloney, Daniel Nowakowski, and Pieter Slump.

R. Wolowicz motioned that the names read into the minutes be certified by the Board, B. Emens seconded the motion. Motion was approved.

B. Board Staffing – The Board discussed staffing needs and how the program would move forward given that D. Johnson left his State position and Forestry Services has indicated that staffing for CTE work would be an issue due to lack of personnel. DAG J. Dalia agreed to look into the staffing issue for the Board. Several ideas were discussed including the use of the DEP's Examinations and Licensing unit. Board members also asked how enforcement would be done. It was discussed that independent contractors or local code enforcement at the local level could accomplish the enforcement part of the law. D. Johnson also agreed to provide a list of administrative duties to the Chief of the Forest Service and to the Board.

C. Other – The CAA will be training 25-30 OSHA personnel in September. An alliance with OSHA is being renewed this October at the Shade Tree Federation Conference. M. D'Errico will provide a copy to all Board members. J. Greipp suggested that the Board's electronic hard drive files be backed up. G. Lovallo mentioned the company "Carbonite.com" as one way. It was estimated to be \$50.00 per year to do so. M. D'Errico will look into. The printer was having some interface problems with the new computer system. R. Wolowicz made a motion to purchase a new printer if necessary, G. Lovallo seconded the motion. The motion passed. B. Emens mentioned that he had talked to Congressman John Runyan about the safety issue of trees and tree personnel and felt the Congressman was very in tune with the ideas. G. Lovallo inquired about using the term "as submitted" when referring to accepting the monthly treasurer's report.

General Public Comments: Alec McCartney of the NJ Forest Service discussed the annual Community Forestry Achievement Awards with the Board. He thought that OSHA might be a great recipient because of all of the outstanding cooperative work they are doing with trees and NJ tree organizations.

Closed Session: None

Next Meeting - Tuesday, September 17, 2013 at 9:30 am at Forest Tree Nursery, 370 E. Veterans Highway, Jackson, NJ

R. Wolowicz moved to adjourn and D. Johnson seconded the motion.

Meeting adjourned at 11:35 p.m.