

**Board of Tree Experts**

**Minutes**

**August 15, 2017**

The Board of Tree Experts met on this date at Jackson Township Municipal Building, 95 West Veterans Hwy, Jackson, NJ 08527, at 9:30 am, to discuss the business of the Board.

Those present were:

Steve Chisholm, Sr, President  
Rich Wolowicz, V. President/Treasurer  
Gary Lovallo  
Joe Greipp  
Kevin Downes  
Barry Emens  
Carrie Sargeant  
Pamela Zipse  
Michael Schuit, DAG  
Michael D'Errico, Program Manager  
Patricia Aufiero, Administrative Assistant

No Public in Attendance:

**I. Open Public Meeting Act:**

The Open Public Meeting Act was read by M. D'Errico.

**II. Approval of the Agenda**

R. Wolowicz made a motion. Second by B. Emens. Motion passed.

**III. Minutes of June 20, 2017 Meeting and July 12, 2017 Meeting:**

R. Wolowicz made a motion to approve the minutes of the June 20, 2017 meeting and the July 12, 2017 meeting. Second by B. Emens. Motion passed.

**Discussion:**

Minutes and Agenda should be sent to Board members in separate emails.  
Should lists of applications for approval be sent before meeting?  
answer: Last minute applications should be presented for approval at meeting.

**Minutes of June 20, 2017 and July 12, 2017 Closed Sessions:**

J. Greipp made a motion to approve, second by R. Wolowicz. Motion passed

**Discussion:**

Correct spelling of last name, J. Greipp on minutes of June 20, 2017 meeting.  
M. Schuit, DAG suggested the pages of minutes be numbered, 1 of 3, 2 of 3, etc.  
C. Sargent asked if her comments from June 20, 2017 meeting be moved from old business to new business.

answer: Comments will remain in Old Business, parenthetically. Motion to approve change by J. Greipp, second by B. Emens. Motion passed.

**Reciprocity Checklist:**

J. Greipp suggested removing “operating mini skid steer”.

The checklist limits the Boards discretion.

M. Schuit suggested spelling out category and abbreviation in parentheses, e.i. TCIA Certified Tree Safety Professional (CTSP).

M. D’Errico noted that closed sessions were usually centered around rules. Current sessions have been centered on decisions by the Board. Should these decisions be posted?

answer: Yes, post on website once the minutes are approved unless there is sensitive information. Motion by R. Wolowicz, second by B. Emens. Motion passed.

**July 12, 2017 Closed Session minutes.** Motion to approve by J. Greipp, second by R. Wolowicz. Motion passed

**Discussion:**

Should meeting be recorded on audio?

answer: no specific determination as there may be specific requirements for keeping audio recordings.

LTE/LTCO Reciprocity Committee should be acknowledged for their hard work regarding the checklist.

**IV. Administrator’s Report and Correspondence:**

- Remaining brochures will be changed to reflect the extended deadline for Business Registrations to September 14, 2017.
- Acceptance and denial letters for LTE, LTCO were modified to inform recipients that biennial license fee of \$150.00 in order to receive a license after approval.
- Follow up letters were sent to CTE’s that are in arrears.
- A new contract employee will start in September and will begin with Business Registration follow ups. Many applicants are confused about the order of compliance; business registration first, licensing next.
- G. Lovallo asked if the Board should have input and vote on hiring new employees. Perhaps a Hiring Committee should be appointed.
- M. D’Errico replied that we (staff) are concerned about our jobs. We are working very hard to keep up with the volume. Anyone on the Board can come to the office at any time to see what we do.
- The Board made a decision in June not to discuss the (inaccurate) audit.
- S. Chisholm will request 4 Seasonal Blanket employees. A letter was sent by the Board stating that we do not want any changes to the Board’s account until a decision on the location of the board is decided. The money collected will be deposited by the Board with no other authorization. The NJ Board of Tree Experts is an independent agency within the DEP.
- G. Lovallo suggest we move on to Old Business.

**V. Treasurer’s Report:**

The Treasurer’s Reports for Fiscal Year 2017 and for August 15, 2017 were provided by R. Wolowicz. Motion to approve both reports were made by G. Lovallo, second by J. Greipp. Vote passed, one abstention by C. Sargeant on the basis that the account is not online or in compliance with the 2013 - 2014 audit.

**Fiscal Year 2017**

Balance 7/01/2016.....	\$30,737.54
Disbursements.....	\$24,710.39
Receipts.....	\$51,675.00
Checking Account Balance.....	\$57,702.15
Asset Balance as of June 30, 2017.....	\$57,702.15

**August 15, 2017**

Balance 7/01/2017.....	\$57,702.15
Disbursements.....	\$ 4,700.00
Receipts.....	\$33,425.00
Checking Account Balance.....	\$86,427.15
Asset Balance as of August 15, 2017.....	\$86,427.15

**Discussion:**

The Board discussed the original fiscal estimates that was listed by Office of Legislative Services for the first and second years. G. Lovallo states Dave Johnson’s original financial estimate was \$234,000 the first year and \$264,000 the third year.

Request for speaker at NJNLA (NJ Nursery & Landscape Assoc.)

**VI. General Public Comment:**

None

**VII. Old Business:**

**A. Web-Site success** - Website is being updated with databases for Business Registration, LTE Directory and LTCO. Some CTE’s that have not updated will be removed from the directory. At the ISA Conference in Washington DC, S. Chisholm distributed the Board’s brochures and information about the law. He also showed the website. This was well received.

P. Zipse asked if we would email LTE/LTCO’s about opportunities for CEU’s.  
answer: CEU opportunities that have been approved by the Board will be posted on website.

**B. Meeting with Agriculture and A-5168 – BTE Transfer Committee** -. S. Chisholm, J. Greipp, K. Downes and Assemblyman Ron Dancer met with Agriculture Secretary Doug Fisher. It was a good meeting as the Board discussed with the Secretary the possible move to Agriculture. The Secretary was very prepared for the meeting and asked many questions.

S. Chisholm informed the Board that Assemblyman Ron Dancer has already introduced A-5168, which transfers the Board to Agriculture. Additional legislators will be signing on to the bill, including Assemblyman Tim Eustace of Bergen County, who is on the Environmental Committee. The Board's Transfer Committee is waiting for a date in September to meet with the Departments of Community Affairs and Consumer Affairs. The new two-year cycle of the legislature begins January 2, 2018. DAG M. Schuit asked which Department would be more useful as far as funding and staffing. B. Emens stated we will need one full time compliance officer since the law is now in effect.

**C. Other - None**

**VIII. New Business:**

**A. LTE/LTCO Examinations – certifying the list – LTE Exam Review Committee** – The Board discussed the exams: P. Zipse stated that grading the exams is a huge responsibility; A) the Field exam is such a strong exam. The committee works together in a fair and meaningful way. And B) The Written portion has some questions that could be worded more clearly. Psychometrics is still something to look into. S. Chisholm stated are those questions wrong or do those individuals not really know the answers. P. Zipse stated that we should continue to improve the exam. Should we throw out a good question because the majority have not answered it correctly? Maybe they don't know the answer and should not be an LTE. M. D'Errico on anatomy of the exam; tree I.D., Latin names stump people but I.D. is important. S. Chisholm stated tree I.D. is a better idea than what is wrong with the tree. J. Greipp stated that the highest written score was 81 and that may indicate the need for an outside company. P. Zipse stated that some questions relate, just worded differently. M. D'Errico stated we have a lot of data, we know how long they spend on the exam and the correlation between time and knowledge. We made a change from writing in T or F to circling True or False. G. Lovallo stated that some take the exam just to know what is in it, and they don't study before.

List read of LTE's July 2017 Class that passed the exam.

William Anderson Martinsville, NJ	LTE # 645	Brian McDonald Mt. Holly, NJ	LTE # 655
Christopher Busak Stamford, CT	LTE # 646	Charles Moren, Jr. Bergenfield, NJ	LTE # 656
Gary DeFelice Red Bank, NJ	LTE # 647	Peter Lomax Cape May Court House, NJ	LTE # 657
John Dwyer West Chester, PA	LTE # 648	Richard Picatagi Brick, NJ	LTE # 658
Jamie Gillem Branchville, NJ	LTE # 649	Brick Reilly Springfield, NJ	LTE # 659

Joseph Hufnagel Cliffside Park, NJ	LTE # 650	Paul Schmelter Woodbury, NJ	LTE # 660
Kieran Hunt South Amboy, NJ	LTE # 651	Jason Smith Manchester, NJ	LTE # 661
Mark Inzano Far Hills, NJ	LTE # 652	George Sweetin Chatham, NJ	LTE # 662
Duane Juhasz Somerset, NJ	LTE # 653		
Christopher Jurgensen West Milford, NJ	LTE # 654		

Motion to approve by R. Wolowicz, second by G. Lovallo. Motion passed.

List read of the individual that passed the LTCO' exam.

Michael Naticchia                      LTCO # 020  
Ewing, NJ

Motion to approve by R. Wolowicz, second by J. Greipp. Motion passed.

M. D'Errico: letter and packet will go out to those that passed.

**B. LTELTCO Examinations** –The next LTE and LTCO Exams are scheduled for September 26, 2017. The location will be Meadow Lakes in East Windsor for the indoor portion. The Field portion will be within walking distance but not at Meadow Lakes since the Prep Course is held there.

If an individual failed a portion of the exam they can re-take just that portion.

J. Greipp asked about sending an email blast to the ISA about the test date.

M. Schuit suggested a Press Release through DEP Press Office.

**C. NJEMS Computer Delays** - NJEMS: generates the license numbers. It is being updated so cards and numbers are not being assigned yet. NJEMS should be up and running in September then it will take approximately 4 weeks for turnover time. Letters were sent to approved businesses and licensees for their official use. If the Board were under the Dept. of Agriculture we would do this ourselves and not through NJEMS. We are working on getting access to NJEMS for the Jackson office. M. Schuit stated he covers Dept. of Agriculture, not Community Affairs.

Princeton alone, has list of 60 companies approved to do tree work in their community. As of this date the NJBTE has 246 companies that have submitted applications for Business Registration.

LTE Exam Results: 21 of 58 passed the written portion. 18 passed both. If an individual failed half the exam that portion can be retaken within the year.

ADA Requests for Exam Applicants: how should these be handled depends on the request. If someone needs a scooter/wheelchair/golf cart that is a simple accommodation. If someone has a learning disability i.e. dyslexia, and needs someone to read aloud and/or write down answers for him/her that can be done only by a Board appointed proctor not family member or other. Exam applicant will also need to provide a doctor's note explaining the disability/limitation.

#### **D. Compliance with the Law/Rules - Update with Numbers**

The Board was provided with a handout with the updated numbers of compliance with the law.

#### **E. Review of Applications and Approval**

##### 1. LTE Reciprocity and the Checklist – LTE Reciprocity Committee

P. Zipse stated one LTE applicant, Steven Shriener, was initially denied and was given 30 days to resubmit his qualifications which he did and he qualifies for Reciprocity to be an LTE.

M. D'Errico: This is an indication of the success of the Checklist and there is no need for a narrative. Motion to approve S. Shriener's LTE by Reciprocity made by J. Greipp, second by R. Wolowicz. Motion passed.

The Board discussed if applicants, Mike Flynn and John Hosbach will be sent the completed filled in checklist. The Board agreed that both individuals will be given their checklist. P. Zipse will send PDF.

DAG M. Schuit suggested some changes to the Checklist and provided those suggestions to the LTE Reciprocity Committee.

##### 2. CTE to LTE

113 Applications up for approval

Motion by R. Wolowicz, second by B. Emens. Motion passed.  
No Discussion

##### 3. Grandfathering (LTCO) – LTCO Grandfathering Committee

10 Applications up for approval

Motion by R. Wolowicz, second J. Greipp. Motion passed  
Discussion.

G. Lovallo asked can we pull one individual out to vote?  
Answer: yes (good character)

#### 4. LTCO Reciprocity

None

#### 5. Business Registrations

26 applications up for approval

Genie Tree Service was very appreciative of the customer service.  
Greenwood Tree Service information given to them by B. Emens and they complied.

Motion to approve by R. Wolowicz, second by J. Greipp. Motion passed

**F. Shade Tree Federation - CEU Committee** - P. Zipse and B. Emens are in agreement regarding CEU's, Total of 10 Continuing units or 5 CEU's per day for the meetings  
Should CEU's be different for LTE and LTCO? The Committee will discuss.

Rutgers Urban Forestry asked about students doing inventory, is this in violation of the law?

Discussion: The law states that an assessment is done by an LTE.

CORE Training and CEU's: Core Training has never been approved for CEU's, while it is useful it is geared toward the volunteer, not a professional. The ISA approved CORE for 5.75 CEU's.

S. Chisholm stated CEU's for a license with NJBTE vs voluntary Certification with the ISA.

Board does not approve CORE for CEU's.

C. Sargeant stated CORE is useful but it is all remedial, not appropriate for LTE.

Normally the Committee would have enough time review the NJSTF's CEU's but they are going to print this week. NJBTE is supposed to have submission 75 days prior. The Board does want to assist people in getting their CEU's.

**G. Two Formal Complaints - Compliance and Violation Committee** M. D'Errico: There are two formal complaints filed with the Board. No discussion as the investigation is not complete. One is from an individual in Clifton, New Jersey and from an individual through the County of Ocean Consumer Affairs Department. Any discussion of these must be done in closed session.

#### **H. Other -**

League of Municipalities has requested an article for their newsletter. It is too late for a presentation at their fall meeting in Atlantic City. J. Greipp will make changes to the draft written article that was developed. C. Sargeant asked to be put on the Ethics Committee. She will bring the electronic version of the ethics training to the next BTE meeting. That will satisfy the annual update/renewal requirement. This will be in Closed Session at the end of the next meeting.

Business Registration deadline is September 14, five days before the next meeting. Non-compliance first offense is \$1000.00, second is \$1500.00 and third is \$2500.00.

S. Chisholm asked who will do the enforcement?

answer: M. Schuit asked for a letter to request him to do the enforcement or to ask for a second DAG if M. Schuit is not available. S. Chisholm stated we should have an investigator before enforcement. Hire as needed, outside consultants to do investigation.

M. Schuit will give us the name of someone on the Landscape Irrigation Board to advise us on how they proceeded to get investigator:

Landscape Irrigation Board

George McCarthy, Chair

Email: springirr@verizon.net

P. Zipse, back to the college students doing inventory for a municipality: such as condition rating of trees, maintenance, and risk assessment. They are OK for basic inventory not categories that would require an LTE. They are landscape architect students.

#### LTE Reciprocity Denials

R. Wagner qualifies to take Field portion of Exam, without having to take the written exam

P Colgan qualifies to take Field portion of Exam, without having to take the written exam

C. Sargeant regarding NJBTE staff: the audit states that the Board must go through the State. The last letter states that they would put the Board online. S. Chisholm: Ask them to please inform us of the audit which was inaccurate. The NJBTE has no connection with DEP or Forestry according to Special counsel of the DEP, J. Hoagland. Mr. Cantor said the Delaware-Raritan Canal Commission doesn't always take advice. The law States that the Board controls the money. C. Sargeant stated the Board should be transparent. The Board seems to want to "flout" state processes. C. Sargeant stated she is here to uphold state processes and policies.

#### **IX. General Public Comments (3 minutes/person)**

None

#### **X. Closed Session – if necessary**

None

**XI. Adjournment** - Motion to Adjourn by G. Lovallo, second by B. Emens. Motion passed  
Adjournment: 1:35pm