



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
Board Meeting Minutes for May 11, 2022
Meeting held via Microsoft Teams

Approved by the Board on August 24, 2022

Board Members Present: Charles Jenkins, David Fields, Ronald Anastasio, JoAnn Mondsin, Wendy Simone, Robert Koches, Robert Genetelli, Eric Ekoue, Wendy Simone, Patricia Gardner

There were 10 Board members present, constituting a quorum.

Board Members Absent: None

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

NJDEP Staff Present: Kristin Tedesco, Patricia Gardner, Joseph duRocher, Malathi Prabhu, Casey Lippincott, Tyler Rowe, Matthew Lipnick

Members of the Public: Paul Schorr

1. Call to Order

P. Gardner presided over the virtual meeting and called the meeting to order at 10:05 am, noting there were enough Board members present to constitute a quorum. K. Tedesco initiated the Roll Call.

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

This meeting was held virtually through Microsoft Teams, with the option to call-in, due to the COVID-19 pandemic. Notice of the meeting and instructions on how to participate by phone were provided by public notice in advance of the meeting.

2. Review and approval of February 9, 2022 Meeting

P. Gardner stated the draft February 9, 2022, minutes were circulated prior to today's meeting and

noted there was a revised version that was sent out.

P. Gardner called for a motion to approve the minutes. J. Mondsini moved and R. Anastasio seconded the motion. Hearing no objections, the motion passed unanimously, and the minutes were adopted.

3. Board of Examiners Elections for Chair and Vice Chair

P. Gardner asked the Board if they were any nominations or discussions regarding the position of Chair of the Board of Examiners. J. Mondsini nominated R. Genetelli, which was seconded by R. Anastasio. All were in favor, and hearing no objections, the motion appointing R. Genetelli as Chair of the Board of Examiners was passed unanimously.

P. Gardner then asked the Board if there were any nominations or discussions regarding the Vice Chair of the Board of Examiners. R. Genetelli nominated W. Simone, which was seconded by J. Mondsini. All were in favor, and hearing no objections, the motion appointing W. Simone as Vice Chair of the Board of Examiners was passed unanimously.

P. Gardner thanked the Board and then transitioned the meeting over to R. Genetelli.

4. Old Business

- *Program Updates*

K. Tedesco assisted R. Genetelli with the agenda items and moved on to program updates. The first item discussed was that after recent conversation with ABC, the third quarter of 2022 should see additional testing modalities for exam applicants. The main option for an additional modality is to begin utilizing in-person testing centers. Independent sessions for applicants that saw technical issues are also being looked at by the Department.

K. Tedesco continued with the testing and estimated timeline for implementing an online electronic payment module. It is currently being tested by M. Prabhu and the NJDEP development team and is expected arrive sometime in the second half of 2022.

R. Genetelli asked if there were any further complaints about testing via ABC. K. Tedesco answered that from what she has seen, they have held steady.

P. Gardner asked if an in-person module would be best for certain individuals. K. Tedesco pointed out that an issue with in-person exams would be advertisement, keeping track of applicants and ordering examination booklets in advance, but the Department is trying to look into outreach.

R. Genetelli asked about any complaints regarding security issues and suggested an approved testing center where applicants' personal laptops can be brought in. He felt that this would be less onerous security wise and noted he does not want to return to paper applications and wants to eliminate any issues with electronic exams.



K. Tedesco explained that ABC would be less strict with proctoring if a location and IT infrastructure is provided, and that the Department will explore this.

R. Genetelli inquired about the ability for Board members to see ABC's examination questions. K. Tedesco stated that ABC has confirmed that Board members could look at the exams, but only after signing a confidentiality form.

W. Simone asked if this would be the way to add or change questions on the examinations. K. Tedesco explained that this is different, dealing instead with what is used on examinations nationwide and that New Jersey-specific questions are a separate module of the ABC contract agreement and would require a change in contract. This matter is not fully resolved, and the Department is still exploring it.

R. Genetelli asked about the Department's stance on this subject. P. Gardner stated that the Department would like to see the questions returned, and that it was not available at the time of the last contract renewal. P. Gardner also stated that the Department would like to see the Board and the Advisory Committee establish a contract person and come up with something.

J. Mondsini asked R. Genetelli if there was a New Jersey regulation section in the courses he taught. R. Genetelli stated that he does include a regulation section, and also how to fill out an application correctly. R. Genetelli, J. Mondsini and W. Simone all agreed that there should be questions regarding New Jersey regulations on the examination.

- *Pass/Fail Statistics*

K. Tedesco moved on to pass/fail statistics, noting that the statistics were from the first quarter of 2022.

R. Genetelli asked if the Department has done any trend calculations with this data. K. Tedesco explained her concern that the available data does not go back very far, and instead should focus on how the data going forward would be presented. Several Board members agreed they would like to see the data graphed on a rolling basis each quarter.

W. Simone asked if the Department has been recording who has applied for an exam but has not yet sat for their exam. K. Tedesco confirmed that the Department has access to PSI system reports and does record them.

R. Genetelli asked if applicant's have a timeframe to take the exam. K. Tedesco and J. duRocher confirmed that they have a year window to take the examination and are considered "active" in PSI's system for 15 years. If the applicant is still active in PSI's system, they can reschedule.

J. Mondsini asked what happens when an applicant fails three times and must take a refresher course. J. duRocher explained that the applicant does not require reapplication but can be added back onto PSI's list after showing a certificate from the completed refresher course to the



Department. There is also a 30-day buffer between failure of an examination and any potential rescheduling. J. duRocher confirmed that the Department tracks this and that PSI notifies applicants directly of exam results.

R. Genetelli asked if there were any other questions on the New Business agenda item. Hearing none, the Board moved onto the next agenda item.

- *Reciprocity Applications*

K. Tedesco began with a status update on previous reciprocity applications. There were five from the February meeting, with four applications resolved by staff and one application carrying over to the May 11, 2022, meeting.

Vijay Rao (NY; T-4)

K. Tedesco reminded the Board that Vijay Rao is requesting a T-4 license from New York and was tabled at the last meeting due to a questionnaire being left out of the package.

P. Gardner noted that the degree was from India and did not include a transcript, but that the applicant's operating experience was sufficient to make the education requirement irrelevant. R. Anastasio agreed.

W. Simone stated she looked at her notes from the previous meeting and noted she was confused by the applicant's SOQ and was concerned about the size of the applicant's system. J. Mondsini noted he had 32 years' experience in Yonkers, NY. Several Board members agreed it was most likely a larger system.

R. Genetelli felt that the applicant's experience was sufficient and asked for a motion.

B. Koches motioned to grant the applicant a T-4 license and J. Mondsini seconded. Hearing no objections, the motion passed unanimously.

Sean Irwin (NY; T-4)

P. Gardner began the discussion by noting that the applicant's last place of employment only has the date and no other information, and that question 9c was left unanswered on his questionnaire.

R. Genetelli noted that the applicant currently has a W-2 and T-2 license in New Jersey, and questioned why the applicant would want to go through reciprocity. J. Mondsini noted that he did work in New Jersey but has worked in New York for two years.

B. Koches stated the applicant needed to take the examination. J. Mondsini agreed, stating the applicants' level of education and operating experience would warrant a T-3 examination.

R. Genetelli questioned why the applicant would want a New Jersey license if he is currently working in New York. R. Anastasio stated the applicant should sit for the T-3 examination, operate



with that license for a few years and then get a T-4 and felt the applicant was “line-skipping.” W. Simone, B. Koches, J. Mondsini and R. Genetelli agreed.

R. Genetelli asked for a motion. W. Simone motioned to have the applicant sit for his T-3 examination and R. Anastasio seconded. Hearing no objections, the motion passed unanimously.

Michell Velez (RI; S-3)

J. Mondsini began the discussion by stating that she had spoken to R. Genetelli about this application previously, and both were okay with granting reciprocity for an S-3 license. R. Anastasio seconded.

R. Genetelli stated that the application was clear-cut, and while there was a minor issue with her Rhode Island license’s expiry, there was no problem with granting an S-3 license.

J. Mondsini motioned to approve, and R. Anastasio seconded. Hearing no objections, the motion passed unanimously.

Michael Wolgemuth (PA, T-1)

K. Tedesco noted that there was no license selected on the application and asked J. duRocher and T. Rowe for clarification. T. Rowe stated that the applicant was seeking a T-1.

R. Genetelli asked if it was a previous applicant. T. Rowe stated that he was and had an S-1 license granted through reciprocity previously.

R. Genetelli stated that he has plenty of experience and coursework for a T-1. J. Mondsini agreed.

W. Simone motioned to approve the applicant for a T-1 and J. Mondsini seconded. Hearing no objections, the motion passed unanimously.

Chris Catlin (multi-state, T-4)

K. Tedesco noted that the applicant does have a T-4 license through ABC and has taken high level examinations in other states.

R. Genetelli asked if the applicant is presently working in New Jersey or just applying for a license. T. Rowe quoted an email from the applicant that provided some context regarding the applicant’s job description.

R. Anastasio stated the applicant looked highly qualified. Several Board members agreed.

W. Simone motioned to approve the application and J. Mondsini seconded. Hearing no objections, the motion passed unanimously.



Gregory Tolwinski (NY, W-4?)

K. Tedesco stated that the applicant was amongst those discussed at a prior meeting and was previously granted a license. J. duRocher added that he was granted a W-1 because New York only has one level of distribution license and was also granted the ability to sit for an unspecified higher level distribution license exam. J. duRocher added that Mr. Tolwinski indicated that he would like to sit for the W-4 examination.

B. Koches noted that the applicant's qualifications would satisfy both a W-3 and W-4. Several members of the Board agreed.

B. Koches motioned to approve the applicant to sit for the W-4 examination and W. Simone seconded. Hearing no objections, the motion passed unanimously.

Open Discussion

P. Gardner asked for some clarification on the Board's decision on Gregory Tolwinski. T. Rowe responded, stating that he was previously granted a W-1 license but there was a distinction in the motion to let him sit for a higher level, which he is currently asking to do.

R. Genetelli stated that this would be a topic for guidance in a potential handbook some Board members have been discussing, and that this decision was a result of Board members not knowing past practices. R. Genetelli continued, stating that the Board should consider a qualified individual's ability to qualify for higher licenses.

J. Mondsini stated that the regulations have level 3 licenses requiring a certain amount of Direct Responsible Charge (DRC) and the acquisition of a level 2 license. J. Mondsini was also concerned that the decision would set a bad precedent.

R. Genetelli replied, stating that he does not think the Board made a bad decision. He continued, saying that the regulation requirements are expected to apply to New Jersey applications, but when dealing with out-of-state licenses a case-by-case basis would be best. He added that the Board is granting the applicant the ability to test, not giving the license outright.

J. Mondsini stated that it may be more appropriate to issue a W-3, hold the W-3 and then apply for the W-4. Feels that the decision was skipping a step and that level 1 and 2 do not matter because those levels do not require DRC. J. Mondsini stated that she will leave her vote as is but wanted to point out that the Board subcommittee has discussed if the Board will allow applicants to jump levels.

R. Anastasio stated that he hears both arguments but feels that an individual with thirty years of experience and DRC trumps what we are "supposed to do." He agreed with J. Mondsini and would want to know where that cutoff is. J. Mondsini agreed that the subcommittee will need to come up with guidelines on what is acceptable.



4. New Business:

K. Tedesco moved on to report on the subcommittee item under New Business. K. Tedesco restated the subcommittee's request for a manual or handbook for new members of the Board and asked the Board for any relevant points

J. Mondsini mentioned another organization that has an annually updated manual that provides helpful information and other reference material, including general guidance documents on applications and the implementation of subcommittees that go over denied or appealed applications.

- *Applicability of Lower Classification Experience*

K. Tedesco stated that the Department would like to memorialize certain policies and decisions for consistency. Volunteer-based subcommittees were proposed to discuss applicants who have been denied or require further discussions.

The topic of applicants who applying for a license class higher than their facility of employment was given as an example. K. Tedesco stated that some applicants have been approved but others had not and would like to set up a subcommittee on this item.

W. Simone stated that water systems in New Jersey are set up with ranges of points, which can be different elsewhere. Feels that a Class 3 license requires performance at a Class 3 system. R. Anastasio agreed. K. Tedesco stated that it is a grey area, the regulations do not directly address it.

J. Mondsini agreed with W. Simone and R. Anastasio and would like the rules and regulations to be updated to make that experience requirement clear.

R. Genetelli stated he adamantly disagrees. He agreed that applicants cannot skip multiple levels but disagrees that applicants cannot work at a higher-level system with a lesser license. It denies advancement in the field and is unfair to require operators to drastically uproot and change their lives.

E. Ekoue stated that operators should work at a system the same classification of their license, agreeing with W. Simone, R. Anastasio and J. Mondsini.

P. Gardner stated that she felt this was a good discussion and mentioned that if any applications are denied, those denials should be reviewed by a subcommittee to maintain consistency. She stated that if anyone is interested in participating in subcommittee, they should email K. Tedesco.

K. Tedesco gave the Board a brief update on the status of the Advisory Committee and that the upcoming Board meeting schedule has been posted.



5. General Public Comment:

There were no public comments.

6. Adjournment:

R. Genetelli asked for a motion to adjourn, which was made at 11:40 AM by R. Anastasio and seconded by R. Koches. Hearing no objections, the meeting adjourned at 11:40 AM.

