



State of New Hampshire  
**WATER WELL BOARD**



Kelly M. Dobrowolski, *Pump Installer, Chair*  
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*  
Scott Costa, C.W.D. - P.I., *Water Well Contractor*  
Abigail Fopiano, P.G., *Staff*

Bart Cushing, *Technical Driller*  
Rene Pelletier, P.G., *Dept. of Environmental Services*  
Frederick H. Chormann, Jr., P.G., *State Geologist*  
Steve Lamb, P.G., *Public Member*

Final  
NH WATER WELL BOARD MINUTES

February 7, 2019

A meeting of the New Hampshire Water Well Board ("Board") was held on February 7, 2019, in the Department of Environmental Services (DES) Building in rooms 112 & 113, 29 Hazen Drive, Concord, NH 03301.

Present were: Kelly Dobrowolski, Chair  
Board Members: Rene Pelletier, Rick Chormann, Scott Costa, Bart Cushing, Steve Lamb and Peter Caswell  
DES Staff: Abigail Fopiano

*Ms. Dobrowolski opened the meeting at 9:30 A.M. The Board members introduced themselves and welcomed the public in attendance.*

**Approval of Minutes**

The Board reviewed the Minutes for the December 13, 2018 Board meeting. Ms. Dobrowolski noted that Mr. Cushing previously mentioned the idea of funds brought in by violations and enforcement could be used to update the online database. Mr. Cushing motioned to approve the December 13, 2018 Water Well Board Minutes. Mr. Pelletier seconded the motion and the Board unanimously voted to accept the minutes.

**License Suspension Review- Roth Artesian Well Company**

Mr. Roth was present and invited to the table to sit with the board. Ms. Dobrowolski reviewed the board's previous decision to suspend Mr. Roth license with the option of reinstatement at today's meeting, provided that Mr. Roth has devised a plan for the timely submission of future well completion reports. The board asked a few follow up questions regarding Mr. Roth's plan. Mr. Costa motioned to lift Mr. Roth's suspension. Mr. Lamb seconded the motion and the Board unanimously voted to lift Mr. Roth's suspension.

**DES Enforcement Reports**

Ms. Emily Jones presented a report for the Board on the enforcement actions initiated by DES for the violations of RSA 482- B and the rules of the Board, We 100 – 1000. The report included an overview of the violations, DES actions and the current status of the specific cases handled over the last year.

*Mr. Caswell arrived to the meeting at the beginning of the enforcement report*

### **New license Applications**

Three new applications were presented to the Board. The first applicant, Kevin Hanscom, is seeking a technical drilling license under S.W. Cole Explorations out of Maine. The Board invited Mr. Hanscom to the table to discuss the application. Following a discussion, Mr. Chormann motioned to allow the applicant to sit for the exam. Mr. Caswell seconded the motion. The Board unanimously voted to allow the applicant sit for the exam.

The second applicant, Jeffery Lee, is seeking a technical drilling license under S.W. Cole of Maine. The Board invited Mr. Lee to the table to discuss the application. Following review of the application, Mr. Cushing motioned to allow the applicant to sit for the exam, with the stipulation that Mr. Lee provide Ms. Fopiano with supplemental application material containing drilling logs before the exam date. Mr. Costa seconded the motion. The Board voted unanimously to allow the applicant sit for the exam as long as the stipulation of satisfactorily providing supplemental information is met.

The third applicant, Mark Perry, is seeking an industrial pump installer's license under Epping Well and Pump. Mr. Perry was not present. Mr. Cushing motioned to allow the applicant to sit for the exam. Mr. Caswell seconded the motion. The Board unanimously voted to allow the applicant sit for the exam.

### **Probation Report**

Ms. Fopiano reported that three licensees, Lucy Faxon (License # 1768), Tri-State Drilling & Boring (License #1762), and, Roth Artesian Well Company (License #20) are considered in compliance with the terms of their probation. The Board lifted the suspension on the license held by Mr. Roth at the start of this Board meeting.

### **New Complaints and Violations**

Ms. Fopiano informed the Board that she had discovered a number of late well completion reports filed by Mr. Robert Tupper of The Wash Well Company out of Swanzey, NH. The late reports range from 2016-2018. Mr. Cushing motioned to hold an administrative hearing on license holder Mr. Robert Tupper of the Wash Well Company (License #1464), for late reporting at the next meeting in April. Mr. Costa seconded the motion and the Board unanimously voted to hold an administrative hearing on License #1464 on April 4, 2019.

Mr. Cushing made the suggestion that any settlements or agreements made with any license holder would require them to sign an affidavit. The affidavit would require the license holder to confirm that he/she is completely up to date in reporting any wells they have installed since the creation of the Water Well Board. Ms. Fopiano stated she would bring this up with enforcement.

**Disinfecting a Private Well, WD-DWGB-4-11**

The Board discussed possible changes to be made to the DES fact sheet concerning the disinfection of private wells. Ms. Fopiano will work to have an updated factsheet published by DES.

**Water Well Board Legal Counsel**

Mr. Valley, the new Attorney General's Office legal counsel for the Water Well Board introduced himself to the Board. Mr. Cushing motioned to go into a non-meeting. Mr. Pelletier seconded the motion. The Board unanimously voted to go into a non-meeting at 11:10 to converse with counsel.

*Ms. Dobrowolski resumed the public meeting at 12:52 pm.*

**Old Business**

The board discussed the draft letter to DES's Commissioner's Office asking for resources to get and keep the well completion database up to date. Ms. Fopiano will make updates discussed by the Board for the Chair to sign.

The Board discussed the possibility of the NH Water Well Association working with legislators to sponsor a bill that would regulate the water treatment industry. The intent of the legislation would place water treatment installers under the authority of the Water Well Board, similar to pump installers and well installers.

Mr. Cushing motioned to deny the application of Jason Ferguson based on good and sufficient reason that the applicant has demonstrated incompetency to act as a water well contractor [RSA 482-B:8 I(c)]. The motion was seconded by Mr. Pelletier. The Board unanimously voted to deny the application of Jason Ferguson based upon RSA 482-B:8 I(c).

The Board opted to discuss the remaining two fact sheets they planned on reviewing to the April Board meeting. The remaining fact sheets are 1) Bedrock (Artesian, Drilled) Well Design, WD-DWGB-1-2, and 2) Point Well Design, WD-DWGB-1-6.

*Mr. Pelletier motioned to adjourn the meeting. Mr. Cushing seconded the motion, and the Board unanimously voted to adjourn at 1:04 P.M.*



Rene Pelletier  
Water Well Board Secretary