



The State of New Hampshire  
**WATER WELL BOARD**



Bart Cushing, *Technical Driller, Chair*  
Peter W. Caswell, C.W.D. - P.I., *Water Well Contractor*  
Scott Costa, C.W.D. - P.I., *Water Well Contractor*  
NHDES Staff

Norman Harris, III, W.W.C., *Pump Installer*  
Rene Pelletier, P.G., *Dept. of Environmental Services*  
Shane Csiki, *State Geologist*  
H. Keith DuBois, P.G., *Public Member*

**DRAFT NH WATER WELL BOARD MINUTES**

August 3, 2023

The New Hampshire Water Well Board held a meeting on August 3, 2023 at 9:00 a.m. The meeting was held in Room 112 in the NHDES office at 29 Hazen Drive, Concord, NH. Members of the public, if necessary, could participate in this meeting in person.

Present were: Bart Cushing, Chair  
Board Members: Scott Costa, Shane Csiki, H. Keith DuBois, Norman Harris, Peter Caswell  
Interim NHDES Staff: Stephen Roy  
Public: David Hunt and Kelly Dobrowolski

*Mr. Cushing brought the Board meeting to order at 9:01 A.M.*

**Meeting Minutes**

The Board reviewed the minutes for the June 2023 Board meeting. Mr. Costa made a motion to accept the minutes as written. Mr. DuBois seconded this motion. The Board voted unanimously to accept the motion and minutes.

**Licensing**

The Board next reviewed the status of the 2023-2024 license renewal process, inclusive of the current count of renewed licenses, the current count of non-renewed licenses, and count of non-renewed licenses that have exceeded the expiration deadline and cannot be renewed without the former licensee re-applying for a new license and re-taking an exam.

The Board discussed the summary of renewed and non-renewed licenses, identified a subset of firms that may be working under expired licenses and discussed notifications that are to be sent to licensees that have not renewed or expired. Mr. Roy states that notifications will be sent to the first group of non-renewed licensees in August, the second group of non-renewed and expired licensees will receive a notice in September and a phone call. The Board requests that the letter provide a direct statement to the second group stating that the firm is not licensed to work in New Hampshire.

Mr. Costa states that he feels that many non-licensed individuals are doing work on pump equipment with no training, or training that is just on small horsepower pumps when, in fact, they are routinely working on larger horsepower pumps. Mr. Harris concurs and states that the Board many want to reconsider or review the current two-tier, pump installer license requirement approach because current business practices and equipment technology might support increasing the domestic pump installer license motor range to include up to 5 horsepower or to a point at which the power supply to a pump motor needs to change from single-phase to multi-phase power. Mr. Harris states that by a pump motor size of ~7 horsepower, multi-phase power is necessary. Mr.

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Cushing states that he would support reviewing and revising the license requirements and associated horsepower range and would support either a comprehensive single license or a different motor size range. Mr. Roy asks if the Board wants to consider a single license, noting that many current licensees may not currently qualify for work on larger pumps (motors) without additional education. Mr. Costa and Mr. Cushing state that perhaps the domestic licensees should be licensed up to 5 horsepower. Mr. Harris states that it may be a matter the Board wants to revisit during the next year or rule update.

Mr. Roy describes that the current (new) database of licensees enables the agency to track the absolute number of licenses (cumulative) each year. Mr. Cushing states that a possible reason that the number of licensees is reducing over time is because the process is more electronic than prior years and some licensees do not use computers.

#### **New License Applications**

No new license applications have been reviewed. Mr. Cushing describes his experience with a soon-to-be applicant.

#### **Probation and Enforcement Reports**

NHDES had no probation or enforcement activity to report on. Mr. Cushing suggests that other NHDES staff should come in for a Board meeting to discuss the importance of enforcement to encourage compliance.

#### **Old Business**

Mr. Roy provides a follow up to the license status of Mr. Bob Tupper, noting that Mr. Tupper was licensed for well installation through 2023, but not pump installer. Following the June Board meeting, Mr. Tupper was notified by staff that he needed to renew his pump installer license for the 2022-2023 year by June 30, 2023 or he would have to re-apply for the license and re-take the exam for the license. Mr. Tupper did bring in his renewed pump installer application for 2022-2023 and also submitted his driller/pump installer renewal applications for the 2023-2024 years.

Mr. Roy provided an overview of legislation (HB 534), which supports providing funding for low-income households to provide replacement of their water supply if it has been impacted by a natural disaster. Mr. Roy states that this bill has not passed out of a committee of conference, and the only money that remains for drought assistance is residual money from last year's appropriation from the drinking water and groundwater trust fund.

#### **New Business**

Mr. Roy describes to the Board the current status of the Board's administrative support staffing level as follows: the prior NHDES employee that served in the role of the water well program manager has retired and, due to that employee's accrued annual and sick leave balances at the time of their retirement and the funding source for the position, the position cannot be rehired until mid-to-late November. Until that time, Andrew Koff of DWGB has agreed to manage the driller/pump installer license renewal process, and Stephen Roy of DWGB has agreed to handle other aspects of the water well program position. The Board discusses the administrative process of hiring a position after retirement as it relates to the appropriation for the position in the State's budget, and the leave payout processes upon staff retirement. Mr. Caswell asked about duties of the position in the interim period, specifically the issue of non-covered duties like enforcement. Mr. Roy states that staff commitments would limit enforcement at this time to just formally submitted complaints.

Mr. Harris asks why the last staff departed from the position in the manner that they did and why the position is hard to fill. Mr. Roy stated that the staff who last left the position specifically requested to handle the announcement of their own departure themselves. Mr. Roy stated that the reason for departure is not fully known and generally identified possible issues related to salary and work duties. Mr. Roy also stated that licensing, and more specifically license renewals, is a large time sink that consumes much of the position's time between about April and August each year, and that the Board may want to consider moving license renewals to the joint board of licensure. Mr. Roy also stated that some licensees seem to believe the agency should be the training agency and the licensing agency, and therefore at the renewal period those entities lack training hours and tell the agency staff that we (NHDES) need to provide it to them. Mr. Cushing describes past training efforts sponsored by different parties included NHDES, and further states that he does not believe the agency should provide training because there are plenty of training opportunities available through industry material/equipment vendors and suppliers.

#### **Board Member Nominations**

Mr. Cushing references the fact that two member's term on the Board are expiring this September, his own and Mr. Costa's, and states that he has two potential nominations he would like to discuss. Mr. Harris asks if the Board has a process it follows with respect to publicly announcing to all licensees that the positions on the Board are available, noting that his experience with appointment to the Board was one based on direct outreach. Mr. Cushing states that he spoke with Dan Grace, head of NHWWA and discussed the matter with him and his suggested nominees. Mr. Harris suggests that, in the future, some sort of notice be issued to license holders to broadly announce the availability of Board seats and garner interest from all licensed persons in the industry. Mr. Roy stated that he is not aware of the formal process for notice of Board seats, and stated that to his knowledge this Board has done informal individual outreach in the past. Mr. Harris states that he is concerned that there may be legal implications to not announcing Board seat availability to the wider audience.

Mr. Cushing states that he has talked to a number of people and that he would like to nominate Ms. Kelley Dobrowolski for the position of water well contractor and nominate David Hunt for technical driller position and recommend to G&C for appointment. The motion is seconded by Mr. Caswell. Mr. Caswell, Mr. Cushing and Mr. Costa discuss when the current Board member terms expire relative to the fact that the two members that are leaving have completed two consecutive terms, in addition to being at the end of their appointment duration. The motion is moved, all in favor of motion. Mr. Roy requests email addresses from Ms. Dobrowolski and Mr. Hunt and will send them a formal letter of intent to send to the G&C.

#### **Election of New Board Officers**

After discussion about when would be the best meeting to nominate and appoint a new chairperson, Mr. Caswell moves to nominate Mr. Harris for new Board chairman. The motion is seconded by Mr. Dubois. The motion is moved, all in favor, none opposed. Mr. Harris moves to nominate Mr. Caswell for vice chairperson. The motion is seconded by Mr. Dubois. The motion is moved, all in favor, none opposed. Mr. Caswell moves to nominate Mr. Pelletier for Board secretary. The motion is seconded by Mr. Cushing. The motion is moved, all in favor, none opposed.

#### **Other Items**

Mr. Cushing encourages the Board members to think about non-used wells they've drilled over the years for possible inclusion into the statewide monitoring network. Mr. Csiki describes the NHGS's last experience with the groundwater monitoring network during the drought, and the State's typical experience with landowners who hold land on which the current monitoring wells exist.

At 10:30, Mr. Costa made a motion to adjourn the meeting, and Mr. Harris seconded this motion. The motion was moved, all in favor, none opposed.

A handwritten signature in black ink, appearing to read "Rene Pelletier". The signature is written in a cursive style with a large initial "R".

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Rene Pelletier, Water Well Board Secretary