

MINUTES
MAINE WATER WELL COMMISSION

Wednesday, January 12, 2022

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**Zoom Meeting**

**ATTENDEES:**

Commission Members:

Dwight Doughty, (Chair)  
Hydrogeologist, DOT  
Daniel Locke  
Hydrogeologist, MGS  
Alex Pugh  
Hydrogeologist, DWP

Mike Otley  
Public Member  
Jesse Goodwin  
Master Well Driller  
Frank Hegarty  
Master Well Driller

Glenn Dyer  
Master Well Driller

Guests:

Margaret Machaiek  
State of Maine, AAG  
Joe Gallant  
Well Driller  
Randall Hinton & Elizabeth  
Dexter-Hinton  
Complainant

Stephen Jones  
Complainant  
Brandon Stewart  
Complainant  
David Philbrook  
MWWC Inspector

Karl Rudnicki  
Complainant  
Carol White  
Guest

Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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PROCEEDINGS: 9:09 AM

Review of Meeting Minutes:

Motion to accept the minutes from December 8, 2021

❖ **MOTION:** Alex Pugh **2nd:** Jesse Goodwin **VOTE:** Unanimous

Exam Applications:

1. NONE

Pending:

1. MICHAEL COLLINS_WD00607 – PI-M – pending complaint results

Motion to table application until complaint is resolved

(13:24:50)

❖ **MOTION:** Frank Hegarty **2nd:** Jesse Goodwin **VOTE:** Unanimous

Specialty Well Applications – Commission Review:

1. NONE

Specialty Well Applications – In-House Approval:

1. BERNIER-SCOTT TEMPLE_SWA
2. SHAFF-GOODWIN_SWA

Other Business:

1. BUDGET 2022 – Alex Pugh - discussion
 - a. discussed ideas to curb expenditures
 - b. proposing 30% increase to license fees
 - c. Dwight proposed building budget foundation on regular income monies
 - d. Apprentice fees?

2. Exams: **Thursday, February 10, 2021 @ 10am** at Key Bank Building, downtown Augusta
 - a. Eligible candidates will be notified by email

3. DRAFT: Rules and Regulations: Margaret Machaiek
 - **SOM WD&PI RULE 10-144 CODE OF ME RULES, CHAP 232**, (Braley Draft)
 - b. Will disperse hard copies and digital copies of the Draft to be reviewed at later date.
 - c. Discussed briefly, Chapter 9, considerations for investigations per case.

NEW COMPLAINTS:

STEWART-COLLINS – complaint, rcvd 12-27-21 – NEW

- a. 12-27-21, complaint received,
- b. 1-12-22, MWWC Review of Complaint

Motion to accept complaint.

❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer **VOTE**: Unanimous

COMPLAINTS:

JONES-A-Z WATER – complaint, rcvd 10-19-21 – OPEN

- a. 11-10-21, Motion to accept complaint and send MWWC Inspector.
- b. 11-10-21, Notice of Complaint sent to A-Z Water Systems/Carl Levesque
- c. 11-10-21, Notice of Acceptance sent to Stephen Jones
- d. 12-8-21, Motion to table complaint, and send MWWC Inspector

- Report given by David Philbrook, MWWC Inspector

- No motion - will send Frank Hegarty/David Philbrook to continue investigation by removing pump to get accurate current yield.

HANSCOM WD-CARMEL WD – complaint, rcvd 11-01-21 – OPEN

- a. 11-10-21, Motion to accept complaint and Motion to send Dave Philbrook
- b. 11-10-21, Notice of Complaint sent to Carmel Well Drilling/Karl Rudnicki
- c. 11-10-21, Notice of Acceptance sent to Hanscom Well Drilling/Ronald Hanscom
- d. 12-8-21, Motion to table complaint

Motion to table complaint, send letter outlining technical issues to be resolved before issue violations and penalties.

❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer **VOTE**: Unanimous

HINTON-AFFORDABLE & A-Z WATER – complaint, rcvd 11-03-21 – OPEN

- a. 11-10-21, Notice of Complaint sent to A-Z Water Systems/Carl Levesque
- b. 11-10-21, Notice of Complaint sent to Affordable Well Drilling Inc/James Bisson
- c. 11-10-21, Notice of Acceptance sent to Randall Hinton & Elizabeth Dexter-Hinton
- d. 12-8-21, Motion to table complaint, and send MWWC Inspector

1. Report given by David Philbrook, MWWC Inspector

2. Motions for violations assessed for Affordable Well Drilling:

- *Frank Hegarty recused from votes

Motion to apply violation **805.1**- concerning pressure tanks (09:48:30)

- ❖ **MOTION:** Alex Pugh **2nd:** Jesse Goodwin **VOTE:** 6 yea / 1 recused (09:55:30)
 - recused – Frank Hegarty

Motion to apply violation **801.1**- concerning pump type and size, at least minimum (10:09:20)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** 6 yea / 1 recused (10:09:50)
 - recused – Frank Hegarty

Motion to apply violation **300.3**- concerning ethical practices (10:18:20)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** 6 yea / 1 recused (10:19:30)
 - recused – Frank Hegarty

Motion to apply violation **300.1**- concerning professionalism and responsibility (10:20:20)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** passed (10:21:00)
 - 5 yea – Daniel Locke, Glenn Dyer, Mike Otley, Jesse Goodwin, Dwight Doughty
 - 1 abstain – Alex Pugh
 - recused – Frank Hegarty

Motion to apply violation **300.3.1**- concerning professionalism and responsibility (10:22:20)

- ❖ **MOTION:** Glenn Dyer **2nd:** Jesse Goodwin **VOTE:** 6 yea / 1 recused (10:22:50)
 - recused – Frank Hegarty

Motion to apply violation **300.3.2**- concerning ethics and personal conduct (10:23:00)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** 6 yea / 1 recused (10:23:20)
 - recused – Frank Hegarty

Motion to apply violation **300.3.3**- concerning false or misleading advertising (10:23:30)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** passed (10:26:00)
 - 2 nay – Dwight Doughty, Alex Pugh
 - 4 yea – Daniel Lock, Glenn Dyer, Mike Otley, Jesse Goodwin
 - recused – Frank Hegarty

Motion to apply violation **300.3.5**- concerning protection of professionalism/ethics (10:28:30)

- ❖ **MOTION:** Glenn Dyer **2nd:** Daniel Locke **VOTE:** 6 yea / 1 recused (10:31:30)
 - recused – Frank Hegarty

Motion to apply violation **300.3.6**- concerning cooperate w/ others in the profession (10:31:40)

- ❖ **MOTION:** Glenn Dyer **2nd:** Mike Otley **VOTE:** passed (10:35:00)
 - 2 yea – Dwight Doughty, Alex Pugh
 - 4 yea – Daniel Lock, Glenn Dyer, Mike Otley, Jesse Goodwin
 - recused – Frank Hegarty

Assessing Fines: \$150 / violation point, 13pts (\$150) = \$1,950.00 (10:35:40)

3. Motions for violations assessed for A-Z Water Systems

- *Frank Hegarty recused from votes

Motion to apply violation **801.1**- concerning electrical code (11:03:20)

- ❖ **MOTION:** Alex Pugh **2nd:** Daniel Locke **VOTE:** 6 yea (11:03:40)
 - recused – Frank Hegarty

Motion to apply violation **805.1**- concerning pressure tanks (11:05:20)

- ❖ **MOTION:** Glenn Dyer **2nd:** Alex Pugh **VOTE:** 6 yea (11:05:40)
 - recused – Frank Hegarty

Motion to apply violation **300.1**- concerning general ethics (11:06:00)

- ❖ **MOTION:** Alex Pugh **2nd:** Jesse Goodwin **VOTE:** 6 yea (11:06:40)
 - recused – Frank Hegarty

Motion to apply violation **300.3.1**- concerning professional/ethics (11:13:00)

- ❖ **MOTION:** Alex Pugh **2nd:** Mike Otley **VOTE:** 6 yea (11:14:30)
 - recused – Frank Hegarty

Assessing Fines: \$150 / violation point, 8 pts (\$150) = \$1,200.00 (11:20:00)

****NEXT MEETING****

Wednesday, February 9, 2022 at 9:00 am – REMOTE VIA ZOOM

Motion to Adjourn.

- ❖ **MOTION:** Glenn Dyer **2nd:** Mike Otley **VOTE:** Unanimous

ADJOURNMENT:

TIME: **1:27 PM**