

MINUTES

MAINE WATER WELL COMMISSION

Wednesday, February 8, 2023

Meeting – HYBRID (In-Person/Zoom)
18 Elkins Lane, Rm 109, Harlow Bldg., Augusta, ME

ATTENDEES:

Commission Members: (IN-PERSON)

Alex Pugh
Hydrogeologist, DWP
Ryan Gordon
Hydrogeologist, MGS

Mike Otley
Public Member
Frank Hegarty
Master Well Driller

Jesse Goodwin
Master Well Driller

(ZOOM)

Glenn Dyer
Master Well Driller

Guests:

Margaret Machaiek
AAG

Stephanie Everette,
Stephen Everette,
Daniel Bowden
Complainants

Brian Streeter
Mst. Well Driller/Pump
Installer

Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

PROCEEDINGS: 9:07 am

Review of Meeting Minutes:

Motion to accept the minutes from Wednesday, January 08, 2023, Monthly Meeting *(HYBRID) and change exceptions on second page.

- ❖ **MOTION:** Alex Pugh **2nd:** Frank Hegarty **VOTE:** 5 yea / 1 recused
*Jesse Goodwin, not present at last meeting

Exam Applications:

1. THEODORE R MCLEOD III_WD00410 - (WD-M)

Motion to accept the exam application.

- ❖ **MOTION:** Frank Hegarty **2nd:** Alex Pugh **VOTE:** unanimous

2. DYLAN KIERKLEWSKI_WD02225 - (WD-J)

Motion to accept the exam application.

- ❖ **MOTION:** Mike Otley **2nd:** Frank Hegarty **VOTE:** 5 yea / 1nay
*Glenn Dyer voted no

3. BENJAMIN BOURASSA_WD02314 - (PI-J)

Motion to accept the exam application.

- ❖ **MOTION:** Frank Hegarty **2nd:** Mike Otley **VOTE:** 5 yea / 1nay
*Glenn Dyer voted no

Specialty Well Applications – Commission Review:

1. NONE

Specialty Well Applications – In-House Approval:

1. JOHNSON-HASKELL_SWA
2. STEPHENS-WEEKS_SWA

Other Business:

1. EXAMS: **Tuesday, March 7, 2023 @ 10am** at Key Bank Building, downtown Augusta
 - a. Eligible candidates will be notified by email

2. SWA Document changes: Alex Pugh
 - a. proposed changes to include new language for the specialty well application
 - b. proposed that the new language be placed in “rules” before changing application language due to issues of enforcement

Motion to new add Specialty Well Application parameters to include the maximum distance of placement.

❖ **MOTION**: Alex Pugh **2nd**: Frank Hegarty **VOTE**: Unanimous

Proposed Language:

“The driller shall make every reasonable effort to maximize the separation between the well and the contamination source.” ~Alex Pugh

NEW COMPLAINTS:

EVERETT-WESTERN - complaint, rcvd 2-1-23 - new complaint

- a. 2-1-23, pending commission review
- b. 2-8-23, Stephanie/Stephen Everette attended meeting, mentioned **video of well available**, will make available at next meeting.
- c. 2-8-23, complaint accepted

Motion to accept the complaint, (2-8-23)

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

OPEN COMPLAINTS:

TUFTS - A-Z WATER SYSTEMS – complaint, rcvd 9-13-22 – OPEN

- a. 9-14-22, complaints accepted
 1. FOUNDATIONS EARLY LEARNING CENTER – ME0092430
 2. ~~SEBAGO LAKE LODGE – ME0016855~~ - closed, *(12-14-22)
- b. 10-6-22, Notification Letter sent via email and regular mail, has 14-days to respond
- c. 10-12-22, Alex Pugh reached out to DEP and Plumbing Board and reported,
 - i. Plumbing Board stated, “A-Z was not the last to touch the well.”
- d. 10-20-22, Response Letter, Heidi Levesque
- e. 11-9-22,
 1. FOUNDATIONS EARLY LEARNING CENTER – ME0092430
 2. ~~SEBAGO LAKE LODGE – ME0016855~~ - closed, *(12-14-22)

Carl Levesque: statements

- Jed Haws - approved and inspected
- Kate Tufts - said it is resolved, after-the-fact permit issued
- Levesque - issue is over 2 1/2 -years *(3-15-20)

f. 12-14-22, Alex Pugh: to do follow-up with statements and information gathering

- Sebago LL-A-Z portion of complaint closed
- complaint, tabled for more information gathering
- information request sent (1-3-23), to Kevin Levesque, Levesque WD about A-Z complaint

g. 2-8-23, No response received from Kevin Levesque,

- will attempt to contact via phone and/or email, and send another request for information

*Alex Pugh - to inquire and discuss with Kate Tufts about possible amending complaint to include Kevin Levesque

*Tina Lemieux - will attempt to make contact via phone and/or email, and possibly send another request for information

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

a. 5-11-22,

- o Motion to table issues until all 4 – quarterly samples are taken. *(2022-2023, Spring/Fall)
Hegarty/Locke – Unanimous
- o Motion to turn over alleged SWA forgery issue to Margaret Machaiek, AAG office
Dyer/Goodwin – Unanimous
- o Motion to table complaint until next meeting (6-8-22).
Otley/Dyer - Unanimous

b. 6-8-22,

- o Water well was difficult to assess, decided to have Carmel WD take periodic samples, over the course of 1-2 years
- o Waiting upon sampling compliance, Spring/Fall 2022, (June 20, 2022)
- o Karl Rudnicki is appealing the MWWC decision; issue is tabled until compliance is met

c. 9-13-22, * **Follow-up Conducted: Karl Rudnicki and Alex Pugh**

***** To be Continued *****

FAIR HEARINGS:

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

- a. 4-13-22, Violations assessed for A-Z Water Systems and Affordable Well Drilling
- b. 5-5-22, Violation Letters sent to A-Z and Affordable
- c. 5-11-22, A-Z Appeal Response letter
- d. 5-23-22, Affordable Appeal Response letter
- e. 6-8-22, Pending Fair Hearing scheduling (date and time), (MOU, FHRF)
- f. 10-19-22, **Hinton - A-Z, Settlement Proposal received**

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

- a. 6-8-22, Violations assessed for A-Z Water Systems
- b. 7-1-22, Violation letter sent to A-Z
- c. 7-12-22, A-Z Appeal Response, received
- d. 7-13-22, Fair Hearing to be scheduled after paperwork submitted, (MOU, FHRF)
- e. 10-19-22, **Jones - A-Z, Settlement Proposal received**

FAIR HEARINGS:

Cancelled/to be rescheduled –

~~Fair Hearing HINTON AFFORDABLE complaint 10 20 22, 9am~~

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME / [Zoom Meeting Link](#)

Cancelled/ to be rescheduled –

~~Fair Hearing HINTON A Z complaint 11 14 22, 9am~~

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME / [Zoom Meeting Link](#)

Cancelled/to be rescheduled –

~~Fair Hearing JONES A Z complaint 10 18 22, 9am~~

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME / [Zoom Meeting Link](#)

**** For current FAIR HEARING dates, times, and access via Zoom, please go to the MWWC webpage****
([MEDWP.com](#) → Professionals → Maine Water Well Commission)

****NEXT MEETINGS****

MONTHLY MEETING:

Wednesday, March 8, 2023, at 9am – (In-Person/Zoom)

Location: 18 Elkins Lane, Room 109, Harlow Building, Augusta, ME

Motion to Adjourn.

❖ **MOTION**: Mike Otley

2nd: Jesse Goodwin

VOTE: Unanimous

ADJOURNMENT:

TIME: **10:42 am**