

# Maine Board of Licensure of Water System Operators

## Meeting Minutes

~ Friday, October 29, 2021 – 9:00 am ~

Meeting via In-Person / Zoom

### Members Present:

- Brian Tarbuck – Chair, Professional Engineer Representative, Greater Augusta Utility District
- Kerry Smart – Class II Representative, Alfred Water District
- Mary Ellen Bowers – Vice Chair, NTNC Representative, Waterworks Management LLC
- Gregory Kidd – Educator Representative, NEWWTA
- Amy Lachance – Maine DHHS, Drinking Water Program; Director
- Keith Levasseur – Class III Representative, Sanford Water District
- Brian McBride – Class IV Representative, Kennebunk, Kennebunkport, and Wells

### Members Absent:

- Suzanne Yerina – VSWWS Representative, CES, Inc.

### Board Coordinator and Clerk:

- David Welch – Maine DHHS, Drinking Water Program; Licensing Coordinator
- Tina Lemieux – Maine DHHS, Drinking Water Program; Licensing Clerk

### Guests:

- Sarah Flanagan, DWP
- Nate Saunders, DWP
- Chuck Applebee, W&CS
- Thomas Demaso, Norlens Water LLC
- Margaret Machaiek, AAG
- Abe Habib, DWP
- Kathy Rodgers, RCAP Solutions

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Meeting called to order at **9:02 AM** by Brian Tarbuck.

1. Introduction of Guests and Board Members
  - a. 7 members present, 1 member absent, 6 guests
2. Remote Meeting policy
  - a. Review and adopt Remote Meeting policy pursuant to new Maine State Law
  - b. Policy to take effect immediately following the vote and allow members and guests online access to meeting via Zoom

Motion to adopt reviewed Remote Meeting policy for the BLWSO

❖ **MOTION:** Kerry Smart      **2<sup>nd</sup>:** Mary Bowers      **VOTE:** 5 yea, 0 nay

3. Public Comment
  - a. None
4. Agenda Additions
  - a. Reminder: 2022 ABC National Conference – funding available
    1. Conference dates: January 18-21, 2022, Albuquerque, New Mexico
    2. Possible member participants Greg Kidd and Mary Bowers

5. Old Business  
 a. Complaint review

**i. Charles M Applebee – OP02314**

1. Complaint, Notice of Complaint, Response, Additional response documents presented.
2. BLWSO reviewed documents, discussed issues, made motion

Motion to dismiss complaint and waive enforcement action.

❖ **MOTION:** Greg Kidd                   2<sup>nd</sup>: Kerry Smart       **VOTE:** 6 yea / 0 nay

\* Mary Bowers – recused from vote.

**ii. Thomas M Demaso - OP02128**

1. Complaint, Notice of Complaint, Response, Additional response documents presented.
2. BLWSO reviewed documents, discussed issues, made motion
3. Letter to be sent, to be evidence of complaint and complaint verdict with recommendations for Demaso in case of future violations  
 \*(Brian Tarbuck, Nate Saunders, Margaret Machaiek)

Motion to dismiss complaint and waive enforcement action, with letter of recommendation citing the following: implementation of a chain of custody and tracking system for samples

❖ **MOTION:** Greg Kidd                   2<sup>nd</sup>: Kerry Smart       **VOTE:** 7 yea / 0 nay

**iii. Thomas R Murphy - OP04117**

1. Complaint received; Notice of Complaint sent
2. No response documents received
3. BLWSO reviewed documents, discussed issues, made motion
4. Letter to be sent, for revocation of license, and allow for 30 days for appeal  
 \*(Brian Tarbuck, Nate Saunders, Margaret Machaiek)

Motion to revoke license, send letter, and allow for 30 days appeal.

❖ **MOTION:** Greg Kidd                   2<sup>nd</sup>: Kerry Smart       **VOTE:** 7 yea / 0 nay

6. Budget – David Welch  
a. Reviewed and discussed.

Motion to approve the budget.

❖ **MOTION:** Kerry Smart      **2<sup>nd</sup>:** Mary Bowers      **VOTE:** 7 yea / 0 nay

7. Rulemaking

- a. Update BLWSO rules for clarity  
i. License Classification  
ii. Examination Requirements  
iii. License Requirements  
b. Streamline complaint procedure, \*(first discussed 3/6/2020)

**\*\*Next scheduled meeting: Friday, December 10, 2021**

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Motion to adjourn.

❖ **MOTION:** Kerry Smart      **2<sup>nd</sup>:** Brian McBride      **VOTE:** 7 yea / 0 nay

ADJOURN – **11:34 AM**