



# Hole Talk

Summer 2017  
Published Quarterly

[www.nywelldriller.org](http://www.nywelldriller.org)

## ESWWDA Summer Meeting

Adirondack/Lake George, NY

July 17-19, 2017

*Nothing says vacation or summer demo quite like a game of golf.* What better resort in the Adirondack region than **Cronin's Golf Resort**?

For 75 years, Cronin's has served the Adirondack/Lake George, NY region. **Cronin's Golf Resort** is a family owned and operated resort that has been in business since 1945. The challenging golf course and gorgeous surroundings have made them a leading family destination and vacation getaway for almost 70 years. It's no



wonder that they were awarded "Best of the Adirondacks 2014" by readers' choice in *Adirondack Life* magazine. **Cronin's Golf Resort** offers an 18-hole 6,161-yard, par 70 course. This course can challenge even the most experienced golfer. Enjoy a round of golf on our perfectly maintained golf course, completely surrounded by the beautiful Adirondack Mountains and picturesque views of the Hudson River.

**This year's summer demo** will be set on this beautiful golf course. The ESWWDA is planning a **multiday drilling and pump work exposition** in July. This is going to be a learning event and all members are strongly asked to attend. We will be **drilling with sonic drill, mud rotary work, cable tool development and pump installations**. **Taylor Welding** will be onsite. **The final day is our first ESWWDA golf outing.**

This event is planned for weekdays as we felt it would give the attendees a better chance to start the week at the exposition and not take away from your family time on the weekend. **We encourage attendees to bring their children as we intend to have events for the little ones.**

**Please make your reservations soon** at the surrounding hotels listed in *Hole Talk*, on page 3. Bring with you your hard hat, safety goggles, work boots, etc to the site. So take this time to show your industry you care about your livelihood. Hopefully we get a chance to meet lawmakers, DEC, and DOH people at this event. **Pre-registration is required by July 1.**

*See page 2 for the complete meeting itinerary.  
See page 3 for Lodging options.*

### Mission

The ESWWDA is committed to taking a leadership role in protecting our natural resources through the promotion of the ground water industry. It strives to support a spirit of cooperation, communication, and education within the industry and with the consumers and regulatory agencies.



**Empire State Water Well Association**

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# Summer Exposition

2017 Empire State Water Well Drillers Association

Monday July, 17th & Tuesday July 18th, 2017  
& July 19th ESWWDA Golf Tournament



## Cronin's Golf Resort

Golf Course Rd, Warrensburg, NY 12885

(518) 623-9336 - [www.croninsgolfresort.com](http://www.croninsgolfresort.com)

Early arrival Sunday, July 16th, Check in at 4 p.m.

## Monday, July 17th:

- 7:30 – 8:30 a.m. **Meet and greet w/attendee sign in.**  
(Breakfast, coffee & donuts)
- 8:30 – 9:30 a.m. **Sonic Drilling presentation by Aztech Environmental of Ballston Spa, NY (NGWA 1 credit compatible)**
- 9:30 – 10 a.m. **Break time**
- 10:00 – 11:30 a.m. **Sonic Drilling demonstration on the Golf Course**  
(NGWA 1 credit compatible)
- 11:30 – 12:30 p.m. **Lunch on site**
- 12:30 – 3:30 p.m. **Mud Rotary drilling demonstration with 8" well casing & screen installation. The well will be surge developed using various additives.**
- 3:30 – 4:30 p.m. **Review the day Q/A forum**
- 4:00 – 4:30 p.m. **Board Meeting**
- 4:30 – 5:30 p.m. **ESWWDA Supplier/Manufacturer Cocktail Hour**
- 5:30 – 7:30 p.m. **Dinner**

## Tuesday, July 18th :

- 7 – 8:30 a.m. **Breakfast & General Membership Meeting**
- 8:30-11:00 a.m. **Redevelopment of an existing old 6" gravel well using the Cable Tool pump and surge method.**
- 11:00-12:00 p.m. **Lunch on site**
- 12:00-3:30 p.m. **Redevelopment of an existing 40 yr. old bedrock well using the Hydro Development method. If time allows, we will install a 6" cased x 3" well and screen into an overburden zone. This will be done using the Dual Rotary method.**
- 4:30-5:30 p.m. **Cocktail hour**
- 5:30-7:30 p.m. **Dinner**

## Wednesday, July 19th:

### ESWWDA Golf Tournament

First tee time is 7:30 a.m.

(Type of play TBD) – Call Cronin's to register

**PRE-Registration is required.**

Please contact **Julie** at [Julie@nywelldriller.org](mailto:Julie@nywelldriller.org) (or 845 225-3196)  
or **Sue** at [Sue@nywelldriller.org](mailto:Sue@nywelldriller.org) (or 315 339-8960)

Visit us on the Web: [www.nywelldriller.org](http://www.nywelldriller.org)

# 2017

## Board of Directors

### President

**Walter Wyckoff, CWD/PI,**

**Aqua-Tec Water Services, Inc.**

146 Polen Hill Rd, Gilboa, NY 12076

607 588-9413 • [Walter.aquatec@yahoo.com](mailto:Walter.aquatec@yahoo.com)

### Vice President

**Jim Wild, Jim Wild Well Drilling**

PO Box 131, Gardiner, NY 12525

845 255-4155

### Past President

**Roger Mills, CWD/PI**

**SES Small Excavating Service**

1050 Rt. 52, Carmel, NY 10512

845 225-9597 • Fax: 845 225-8420

[rrmills.rm57@gmail.com](mailto:rrmills.rm57@gmail.com)

### Secretary / Treasurer

**Charles W. Crover, CWD/PI**

**Roarke Well Drilling, Inc.**

7 James Street, Harriman, NY 10926

845 783-9355 • Fax: 845 783-2331

[ChuckC@RoarkeWellDrilling.com](mailto:ChuckC@RoarkeWellDrilling.com)

### ESWWDA Correspondence Manager

**Julie Boyd**

1054 Route 52, Carmel, NY 10512

845 225-3196 • [Julie@nywelldriller.org](mailto:Julie@nywelldriller.org)

### ESWWDA Assistant Correspondence Manager

**Susan Bates**

900 N James St., Rome, NY 13440

315 339-8960 • [sue@nywelldriller.org](mailto:sue@nywelldriller.org)

### 3 Year Directors

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518 325-4679 • [ken.eswd@fairpoint.net](mailto:ken.eswd@fairpoint.net)

**Sean Kyle, Northeast Water Production, Inc.**

978 422-6673 • [sean@hydro-frac.com](mailto:sean@hydro-frac.com)

### 2 Year Directors

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**Senior Geologist, Alpha Geoscience**

518 348-6995 • [mpalleschi@alphageoscience.com](mailto:mpalleschi@alphageoscience.com)

**Chris Root, Root Contracting,**

585 593-4304 • [droot@eznet.net](mailto:droot@eznet.net)

### 1 Year Directors

**Dave Rosick, CWD/PI, Rosick Well Drilling, LLC.**

518 746-0173 • [rosickdrilling@yahoo.com](mailto:rosickdrilling@yahoo.com)

**Tyler Wills, MGWC, Smith Well Drilling**

518 758-6142 • [driller1234.tw@gmail.com](mailto:driller1234.tw@gmail.com)

### Supplier Directors

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585 746-8055 • [dchugg@groundwatersystemsinc.com](mailto:dchugg@groundwatersystemsinc.com)

**Bernie Kistner, Group One Northeast, Inc.**

845 473-1969 • [bckistner@aol.com](mailto:bckistner@aol.com)

**Rick Menshausen, Morris Pipe and Supply**

518 664-7775 • [rmenshausen@gmail.com](mailto:rmenshausen@gmail.com)

**Jeff Quinn, Preferred Pump**

603 931-0838 • [Jquinn@preferredpump.com](mailto:Jquinn@preferredpump.com)

## Values

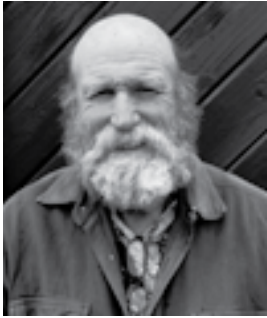
The Board of Directors and membership of E.S.W.W.D.A. believe in the promotion of the ground water industry through:

**Professional Standards • Communication  
Education • Integrity • Affordability**



# The President's Thoughts

## What about you?



### *I hope everyone had a good winter.*

We thoroughly enjoyed the January meeting at **Turning Stone** and are planning another great event there next year.

As you all know, there was pending legislation from the governor that would have impacted us on Water Testing. It has been denied at this

time, but may surface again in the future. I'd like to thank **Jeff Smith** and **Janice Baldwin** for following up with our lobbyist and department officials.

I just went to the spring meeting in **Kingston**. The education classes on Friday were well attended. Thank you to **Henry** and **Julie Boyd** for putting on the classes, creating an opportunity to study before taking a test. Also, I thank **Henry** and **Julie** for coordinating with **Jim Wild** for hosting this meeting.

We discussed many issues at the General Meeting. I am happy to announce we have an **eligible candidate to receive a scholarship at this time**. The committee will review his application and will be able to give you more details in July.

The guest speakers were great! We had two lawyers that specialize in estate planning and business succession planning. I myself learned many things that I need to have a transition at some point in the near future. I actually want to retire someday! What about you? From the questions that were asked and the participation, I think everyone learned something.

I would also like to thank **Jeff Smith** for taking time out of his busy schedule to go to the **Fly-in** at Washington and the **Water Quality meeting** representing all of us at ESWWDA.

The July meeting looks very educational and will be a lot of fun. Do note the different times for the event. It is on a **Monday and Tuesday** due to the activity at the golf course. *I do hope everyone can make an effort to attend.* The two days will give you many points towards your Certification and your Volunteer NYS continuing educational points.

*Here's to a good season for all,*

**President, Walter Wyckoff** 🗨️

### Hotels in the Area:

#### **Alynn's Butterfly Inn B&B**

69 State Route 28  
Warrensburg NY 12885  
(518)623-9390

#### **Blue Water Manor**

4436 Lake Shore Drive  
Bolton Landing NY 12814  
(518)644-2535

#### **Cornerstone Victorian B&B**

3921 Main Street  
Warrensburg NY 12885  
(518)623-3308

#### **Creek Bed B&B**

243 Warrensburg Road  
Stony Creek NY 12878  
(518)696-3221

#### **Dunhams Bay Resort**

2999 State Route 9  
Lake George NY 12845  
(518)656-9242

#### **Fort William Henry Hotel**

2905 Lake Shore Drive  
Lake George NY 12845  
(518)668-2753

#### **Fran-Cove Motel**

2747 U.S. 9  
Lake George NY 12845  
(518)668-2161

#### **Lake George**

#### **Escape Campground**

175 E Schroon River Road  
Diamond Point NY 12824  
(518)623-3207

#### **Merrill Magee Inn**

3 Hudson Street  
Warrensburg NY 12885  
(518)260-7729

#### **Queen Village Campground**

4199 U.S. 9  
Warrensburg NY 12885  
(518)623-3184

#### **Ridin Hy Ranch**

95 N Sherman Lake Road  
Warrensburg NY 12885  
(518)494-2742

#### **Seasons Bed & Breakfast**

3822 Main Street  
Warrensburg NY 12885  
(518)623-3832

#### **Seven Dwarfs Motor Court**

2133 U.S. 9  
Lake George NY 12845  
(518)668-4100

#### **Super 8 Warrensburg**

3619 State Route 9  
Lake George NY 12845  
(518)623-2811

#### **Warrensburg Travel Park**

136 Schroon River Road  
Warrensburg NY 12885  
(518)623-9833

#### **Waters' Edge Cottages**

47 Sagamore Road  
Bolton Landing NY 12814  
(518)644-2511

# Spring Meeting Minutes

April 21-22, 2017 - Kingston, NY

**President Walter Wyckoff** called the *spring meeting of the Empire State Water Well Driller's Association* to order at **12:14 p.m.** on **April 22, 2017** with 20 members in attendance. **Rick Menshausen** will be selling 50/50 tickets.

A roll call of officers showed the following Board members to be in attendance:

**Walter Wyckoff**, *President*

**Jim Wild**, *Vice President*

**David Rosick**, *Director*

**Chris Root**, *Director*

**Mike Palleschi**, *Director*

**Tyler Wills**, *Director*

**Rick Menshausen**, *Director*

At that time **President Wyckoff** welcomed the guest speakers. Their presentations will appear in *Hole Talk* separate from the minutes.

**Dave Root** made a motion to accept the reading of the minutes as they appeared in the last edition of *Hole Talk*. **Rick Menshausen** seconded the motion, with no additions or corrections, and the motion carried.

**Treasurer's Report:** **Dave Root** made a motion to waive the reading of the treasurer's report. **Tyler Wills** seconded the motion. All in favor and motion passed.

**President's Report:** **President Wyckoff** hoped everyone had a good winter. The meeting at **Turning Stone** in January was a great success and we need to keep the momentum going. The water testing was denied and not in the budget. He thanked the **Boys** for the education classes. He thanked **Boys** and **Jim Wild** for hosting the meeting. **President Wyckoff** thanked **Jeff Smith** for traveling to Washington DC and attending the fly-ins for **NGWA** and **WSC**. He stated the July meeting looks interesting and full of continuing education points. He reminded the membership to remember to check themselves for ticks to prevent Lyme disease.

**Communications:** The association renewed our membership with **NGWA**. There have been a few responses from the letter sent out to other professional associations.

**Sickness & Health:** **Julie Boyd** notified the Board that **Malcolm Beal Sr** and **Frank Sabarese III** passed away.

**Insurance:** **Sherri Gray** reported at the Board meeting that renewals are staying flat or reducing on inland marine.

**Membership:** **Julie Boyd** reported a **total membership of 333**. The **contractor division** has a total of **207** with 165 paid and 42 unpaid. The **suppliers' division** has a total of **54** members with 38 paid and 16 unpaid. The **associates division** has a total of **72** members with 58 paid and 14 unpaid.

**Scholarship:** **Bryce Moravec** applied for the scholarship. The committee had recommended the Board approve the applicant. The board was in favor and **David Rosick** will be notifying **Bryce**.

**Certification:** **Jeff Smith** attended a meeting in February with our lobbyist and **Amy Nixon** who is on the **Government Affairs Committee for Health**. The WQ testing component and infrastructure was dropped and not included in the budget. **Jeff Smith** reported that we can still pursue continuing education and geothermal regulations.



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**NEWWA:** Henry Boyd reported that we had a great show this past March. The dates for next year are **March 16-17, 2018**. Thank you to the Suppliers and Manufacturers.

**Budget & Finance:** Jeff Smith made a motion to waive this report. Tyler Wills seconded the motion. All in favor and the motion passed.

**Education:** Henry Boyd reported that there were 24 people in the class. There is a new phone number as of May 4th to schedule tests. The new number for PSI is **800-733-9267** or you can go online to **www.psiexams.com**

**NGWA:** Jeff Smith reported that at the **Affiliate States** meeting in Las Vegas last December it was reported that the method used to calculate delegates for states will be revised due to the change of allowing AQWSE and the suppliers' division to have equal weight as the contractors' division. Our delegate count will be 23.

**Fly-in** was a joint venture with **NGWA**, the **Water Quality Association** and the **Irrigation Associations**. It was a successful meeting.

**WSC:** Jeff Smith reported that the **WSC** would be doing a project in Rensselaer County. Jeff will be attending their meeting next week.

**Hole Talk:** The next **deadline** is **May 1st**.

**Public Information:** No report given.

**DOT Issues:** Overweight violations involve a state penalty and town fees. Unsecured loads depending on the items can be a misdemeanor.

**Accreditation:** There was a discussion to have a lobby day next April. There was also discussion on exams, certification and liability.

**Past Presidents:** No report given.

**Old Business:** Jim Dwyer gave an overview of the summer meeting.

**The rooms at Cronin's will be**

**limited to those members donating equipment for the demos.** There will be a list of hotels in the area in *Hole Talk*. Rosicks will replace Jeff Williams for the mud demo. Everyone should bring his or her hard hats. The association will have hearing protection available and hard hats for guests. The October meeting will be at **Hunter Mountain**. Details will follow. The Annual Meeting will return to **Turning Stone** next January.

**There was no new business.**

The winner of the 50/50 raffle was **Jim Wild**. Jim donated the winnings back to the scholarship fund.

A motion to adjourn was made by **Jim Wild** and seconded by **Jeff Smith**. **President Wyckoff** adjourned the meeting at 2:34 p.m.

Respectfully Submitted,  
**Julie Boyd**

Correspondence Manager

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Keep your listing on the website [www.nywelldriller.org](http://www.nywelldriller.org) current.

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It affects how the public chooses a well driller, they no longer use the phone book. Contact Sue at [sue@nywelldriller.org](mailto:sue@nywelldriller.org) with any additions or corrections to your listing.

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## ESWWDA Values

The Board of Directors and membership of E.S.W.W.D.A. believe in the promotion of the ground water industry through:

**Professional Standards** ◦ **Communication**  
**Education** ◦ **Integrity** ◦ **Affordability**

### Membership Report May 2017

CATEGORY	PAID	UNPAID	TOTAL
Contractors	165	42	207
Suppliers/Manufacturers	39	15	54
Associates	58	14	72
	===	===	==
Total Members	262	71	333

*Payments may be made by mailing checks to:*  
ESWWDA, 1054 Route 52, Carmel, NY 10512  
PayPal at [www.nywelldriller.org](http://www.nywelldriller.org)

### Welcome New Member

#### Supplier/Manufacturer

*Emmons Pump & Control, Inc.*  
**K. Emmons**  
453 N Pearl St.  
Albany, NY 12204  
*Joined through the website*

## 2017 ESWWDA Committees

#### Scholarship

*Chairman* David Rosick 518-746-0173  
Tyler Wills 518-758-6142

#### Education

*Chairman* Henry Boyd 845-225-3196  
Tom Bates 315-337-2560  
Sandra Baldwin 518-885-7952  
Brian Frey 716-937-7977

#### Membership

*Chairman* Sue Bates 315-339-8960  
Rick Menshausen 518-664-7775  
Chris Root 585-593-4309  
Dave Chugg 585-746-8055

#### Insurance & Safety

*Chairman* Sherri Gray 888-869-3535  
Jeff Smith 518-758-6142  
Chuck Crover 845-783-9355

#### Certification/Legislative

*Chairman* Janice Hawk-Baldwin 518-885-7952  
Jeff Smith 518-758-6142

#### All Board of Directors

#### NEWWA

*Chairman* Henry Boyd 845-225-3196  
Julie Boyd 845-225-3196  
*Alt.* Jeff Smith 518-758-6142  
Ed Bates 315 337-2560

#### Liaisons to NGWA

*Chairman* Jeff Smith 518-758-6142  
Tom Bates 315-337-2560  
Henry Boyd 845-225-3196  
Ed Bates 315-337-2560

#### Budget & Finance

*Chairman* Chuck Crover 845-783-9355  
Bernie Kistner 845-473-1969  
Sherri Gray 888-869-3535

#### Hole Talk

*Chairman* Julie Boyd 845-225-3196  
Sue Bates 315-339-8960

#### By-Laws

*Chairman* Tony Ferraioli 518-861-8733  
Henry Boyd 845-225-3196  
Tom Bates 315-337-2560

#### Environment

*Chairman* Henry Boyd 845-225-3196  
David Rosick 518-746-0173

#### DOT

*Chairman* Mike Frey 845-496-2131  
Jeremy Baldwin 518-885-7952  
Brian Frey 716-937-7977  
Chris Root 585-593-4309

#### Supplier's Division

*Chairman* Bernie Kistner 845-473-1969  
Rick Menshausen 518-664-7775  
Dave Chugg 585-746-8055  
Jeff Quinn 603-418-5625

#### WSC

*Chairman* Jeff Smith 518-758-6142  
Rich Moravec 315-536-3911

# ESWWDA & You ... A Smart Alliance

The industry is in an era of change. To understand the changes taking place and to lead the industry through its transitions, drillers need to access the best minds available - each other.

That's why your affiliation with the ESWWDA is a smart investment.  
It's an alliance of individual drillers that work for you and with you.

Your membership gives you access to programs and services specifically formulated for the professional growth and success of water well drillers and pump installers.

## The association provides:

- **Educational programs in:** water well drilling, pump installation, general management.
- **Informative newsletter:** *Hole Talk* covers local, state and national issues and news.
- **Annual Tuition Scholarships**
- **A united voice:** ESWWDA speaks for drillers on issues of far reaching impact.
- **A voice:** A vote on the direction ESWWDA takes.



*Join or renew your membership and keep this powerful alliance alive!* 

## ESWWDA

**Affiliate State Membership Application Empire State Water Well Driller's Association ° Organized 1941**

Name: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

County: \_\_\_\_\_

Business Name: \_\_\_\_\_

Contractor/Driller \$125

Pump Installer \$125

Supplier/Manufacturer \$125

Associate Company Member \$25

Sponsor: \_\_\_\_\_

Date: \_\_\_\_\_

Work Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

National Member Yes No

CWD# \_\_\_\_\_

CPI# \_\_\_\_\_

NYS DEC Reg. #: \_\_\_\_\_

**\$100.00 OF THE \$125.00 DUES  
IS TAX DEDUCTIBLE**


Mail application to: **Susan Bates ° 900 N James Street, Rome, NY 13440** (checks payable to: **ESWWDA**)

## Empire State Water Well Drillers Association Accredited Well Driller/Pump Installer Program

In keeping with our statement to educate and promote the protection and use of groundwater, the following voluntary program will be implemented in 2017.

- The program will be managed and record keeping done by the correspondence manager.
- The program will run concurrent with our membership dues (calendar year).
- Participants must be members of ESWWDA in good standing.
- Participants must be registered with NYSDEC or work for a registered company.
- Approved participants will be issued an Accredited number on their membership card.
- Sign an affidavit established for this voluntary program.
- Must submit five (5) continuing education points as established for this voluntary program, obtained during the year prior to renewal.
- Two (2) of the five (5) points must be from an ESWWDA sponsored event.

### Points can be accrued by the following methods:

1. Groundwater related conventions/expositions/meetings – one point per day.
2. ESWWDA meeting – one point per day.
3. Workshops/training schools – one point per hour of instruction.
4. High school career day presentation – one point per hour of presentation.
5. Writing an article for a groundwater related publication – two points max per year.
6. Presentation for a community service – one point each presentation.
7. Participation in groundwater related webinar – one point per hour instruction.
8. Presenting an education class or webinar – one point per hour instruction.
9. Other acceptance of points will be at the discretion of Accredited Program committee. 

Members can download the voluntary accreditation affidavit and continuing education forms at [www.nywelldriller.org](http://www.nywelldriller.org) or contact [Julie@nywelldriller.org](mailto:Julie@nywelldriller.org).





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Fax: (518) 761-9798 • [www.flomatic.com](http://www.flomatic.com)  
Email: [flomatic@flomatic.com](mailto:flomatic@flomatic.com)



# NGWA UPDATES REGISTRATION PROCESS FOR TAKING EXAMS THROUGH PSI

**PSI services** is the exam proctor that **NGWA** uses to administer exams for both **NGWA** and **NYS** certification.

**Effective May 4, 2017, candidates must call 800-733-9267 or [www.psiexams.com](http://www.psiexams.com)**

to schedule exam taking at a location near you.

## **Galaxy Aviation**

660 Hangar Rd. Suite 234  
Rome, NY 13440  
**315-336-4976**

## **Professional Career Center Inc.**

6443 Ridings Rd. Suite 108  
Syracuse, NY 13203  
**315-432-1045**

## **DGS Advanced Training Center**

4 Pine West Plaza  
Albany, NY 12205  
**518-869-1305**

## **Alliance Computing Solutions**

135-41 37th Ave. 4th Floor  
Flushing, NY 11354  
**718-661-9771**

## **Professional Testing Corporation**

1350 Broadway, Suite 1700  
New York, NY 10018  
**212-356-0633**

## **PSI Testing-Queens**

71-19 80th St.  
-The Shops at Atlas Pk-Ste 8307  
Queens, NY 11385  
*NO phone number listed*

## **Also the Heritage Flight Academy,**

Ronkonkoma, NY  
**631-471-3550**

## **Mid Island Air Service,**

Ronkonkoma, NY  
**631-588-5400**

## **Horizon Technical Consultants,**

Flushing, NY  
**718-261-1900**

Additional sites are listed  
on the PSI website

**[www.psiexams.com](http://www.psiexams.com)**



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# ESWWDA Invites HMPGA (Hudson-Mohawk Professional Geologists Association) to join the ESWWDA.

An invitation has been extended to geologists both in the HMPGA, region and across the state to join the ESWWDA.

For more information please contact:

**Kevin J. Phelan**, HMPGA President at  
**518-348-6995** or **kphelan@alphageoscience.com**

or

**Michael Palleschi**, ESWWDA Board Member  
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# For Professional Geologists

Some of our **ESWWDA** members may be interested in the status of licensure for professional geologists in New York State. A description of the licensure law is presented based on information provided by the **New York State Council of Professional Geologists** ([www.nyscpgeologists.org](http://www.nyscpgeologists.org)).

- **On Friday, November 21, 2014 the Governor signed Chapter 475 of the Laws of 2014** that provides for licensure of professional geologists under Title VII of the Education Law;
- Under provisions of this law, **Geology was added to the current State Board for Engineering and Land Surveying**;
- **On November 21, 2016 the Licensure law went into effect.** Applications for Professional Geologist licenses are now being accepted by the New York State Education Department ([www.op.nysed.gov/prof/geo/](http://www.op.nysed.gov/prof/geo/))
- **March 1, 2018 is the enforcement date for the law.** All persons and companies providing professional geologic services in New York must have completed their licenses and articles of incorporation. After this date, no one can legally offer geologic services in New York without the proper credentials.

Submitted by **Michael Palleschi**,  
*Alpha Geoscience*,  
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# Estate planning considerations

Presented by Richard D. Cirincione by McNamee Lochner Titus & Williams, P.C

## Common misconceptions

- I can only make gifts of \$10,000 before there is a tax.
- Wrong--The annual exclusion amount is \$14,000 per person per year.
- Wrong --There is no tax until you exceed the federal estate/ gift tax exemption
- The recipient of gifts pays income tax on the gift received.
- Wrong, if there is a gift tax it is paid by the transferor.
- If I don't have a will, my assets will go to the State.
- Unlikely, intestacy statute.

## Estate/gift tax exemptions

- Federal Exemption
- \$5 million indexed for inflation
- \$5,490,000 for 2017
- Portability
- Gift / estate tax
- Rate = 40%
- Annual gift tax exclusion -- \$14,000

- New York State exemption as of 4/1/17 \$5,250,000
- No portability
- No gift tax, but gifts within three years of death are brought back into your estate

## Estate planning considerations

- Will
- Health Care Proxy
- Living Will
- Power of Attorney
- Gift Rider
- Trusts (revocable / irrevocable)

## Intestacy – if no Will

- NYS has a statute which says how your assets get distributed if you have no will
- If a spouse and no children, all to spouse
- If spouse and children, \$50,000 plus 50% to spouse and 50% to children
- Only goes to state if no descendants of great-grandparents

- Exempt property by statute goes to spouse and minor children

## Health Care Proxy

- appoints an agent to make health care decisions
- only if you become unable to make such decisions for yourself.

## Living Wills

- states that it is your desire not to have your life prolonged by life-sustaining measures
- if you have a terminal condition, are permanently unconscious or have an irreversible condition which although not terminal causes severe and progressive physical and mental deterioration.

## Power of Attorney/Statutory Gift Rider

- The Durable General Power of Attorney grants the named agent the power to perform all the functions listed in this document.

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- It is "Durable" meaning that it survives any subsequent disability.
- It gives the agent broad powers, including the power to make gifts consistent with the Statutory Gift Rider.

### Who needs a Living Trust

- If you own real estate outside of your state of domicile
- If you don't have close "distributees" or have a clean family tree
- Disinheritance of a distributee
- Privacy

### Living Insurance Trusts

- Purpose is to keep the life insurance out of your taxable estate
- Crummey letters
- Independent Trustee

### Nursing Home – Asset protection planning

Ways to pay for nursing homes:

- Private pay
- Medicare for a limited period of time – 100 days
- Long term care insurance
- Medicaid

### 5 Year Rule

When applying for Medicaid, there is a 5 year look back.

If any gifts were made during the 5 year look back period, there will be a penalty during which the applicant will not be eligible for Medicaid.

### Medicaid Penalty

- The penalty is calculated as the amount which was gifted divided by a penalty factor.
- That factor is known as the "average cost of care in the community" which is released by NYS each year by region.

- For 2017 the upstate NY factor is \$10,242.
- If gifts were made totaling \$102,420 the penalty period would be 10 months.

### Medicaid Trusts

- Someone other than the Grantor is the Trustee.
- All the income is paid to the Grantor annually.
- The Grantor reserves the right to live in any real estate and continues to pay all expenses related to the occupancy of the real estate.
- The right of occupancy results in continued entitlement to STAR and veteran exemptions.

### Principal

- The Grantor cannot receive any principal from the Trust.
- The Trustee can have the discretion to invade principal and distribute the same to beneficiaries (usually a child).
- The child can then do as they wish with the distribution and can give the money back to the Grantor.

### Revocation of Irrevocable Trust

- Although it is an Irrevocable Trust, it can be amended or revoked upon the consent of all interested parties.
- Accordingly, the Trust document will name one or more persons only as the beneficiaries *(to be amended by a separate document)*.
- That way the Trust can be amended or revoked only upon consent of that person(s).

- The Trust Amendment, known as the Exercise of the Limited Power of Appointment to include other beneficiaries, including the descendants of any deceased child ("issue per stirpes").

### Trust Protector

- The Trust will also give a person, usually the drafting attorney, the power to make limited changes.
- i.e. to change provisions for changes in law
- i.e. to change a trustee
- i.e. beneficiary changes are only within the Grantor's family or other limited group

### Future creditors

- Other than for Medicaid, the assets in the Trust are immediately protected from future creditors

### Deeds with life estates

- House is transferred to another person (i.e. children), but the current owner (parent) retains a life estate.

### Pros of deeds with life estates

- Starts 5 year look back
- Inexpensive compared to a trust
- Step up in cost basis at death
- Parent continues to get exemptions

### Cons of deeds with life estates

- If sell house during life of parent, the children will have capital gains.
- If child dies before parent, its part of that child's estate.

### Conclusion

- Every person's circumstances are different
- Be sure to consult with an attorney

### Contact Information:

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# Succession Planning

By Jeremy H. Speich, Esq. McNamee, Lochner, Titus & Williams, P.C.

## Goal

Successful transition of your family or closely-held business to the next generation of owners and managers. Your business has a life of its own and the value of the business depend upon how prepared your successors are to run the business.

## Two Major Issues

- 1 – Financial Security
- 2 – Transfer of Power and Control

## Financial Security

This need for "Financial Security" must be discussed with the potential successors so that they are aware of the needs of the current owners and the burdens that will be placed on the business to meet such requirements.

## Considerations for Financial Security

- Do you need health insurance coverage for a portion of your retirement?
- Can the business support payments which would be necessary to provide your security and provide for the new owners with sufficient capital to operate the business? Don't let the well run dry.
- At what age do you plan to retire?
- Can the real estate used by the business be retained by the owner and spouse?
- What liquid assets outside of the business will be needed as a security blanket?
- Is there a way to create a safety net in case of emergency:
- for the business, or
- for the owner and spouse in retirement?

## Transfer of Power and Control

- Am I ready to transfer power?
- If no, stop and then ask again!

## Considerations for Transfer of Power

- How will a successor be chosen?
- What values, qualifications and level of commitment is necessary?
- Which option provides the best results for the owner?
- Which option provides the best results for the successor?

## Methods to Transfer Power and Control

- Outright gifts of ownership interests in the business
- Redemption of the current generation's ownership interest
- Sale of the business to family members
- Sale of the business to key employees
- Sale of the business to third parties (*i.e. competitors, colleagues, larger business, etc.*)

## Payment for Business

- Cash – Up - front!
- Promissory notes in payment for the owner's interest/assets of the business
- Non-Compete Agreements
- Consulting Agreements
- Employment Agreements
- Deferred Compensation Agreements

## Protecting Payment for Business

- Personal guarantees from new owners
- Security interest in the business assets in favor of seller

- Limitations on withdrawal of funds from the business
- Salary caps for new owners
- Insurance requirements on life or disability of new owner
- Cash flow and balance sheet requirements
- Restrictions on financing consent of seller
- Restriction on sale of assets consent of seller
- Restrictions on transfer of ownership interest
- Restrictions on acquisitions, mergers or expansions consent of seller

## When is the best time for the transition to occur?

- This must be viewed from both a financial and emotional standpoint.
- It is important that both generations understand the process and the plan.
- The current owners must be prepared to let go and the new owners must be prepared to accept responsibility.
- Start Planning Now!

## Contact Information

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## for your Company's Safety Meeting

# Wheelbarrow Safety

*From NGWA's Safety Talks and The Hartford*

**You can't beat wheelbarrows for fuel economy and low maintenance costs.** They're also safe when used correctly.

However, they are often used in an unsafe manner which results in serious injuries. Maybe that's because their elementary design lulls some people into carelessness. But whether you are working around the lawn or on a job site, there is probably little concern shown about how to use a wheelbarrow correctly.

Like in the old joke about the fellow who was stealing wheelbarrows, the simplicity of a wheelbarrow and its innocent appearance make the load more conspicuous than the wheelbarrow itself.

Despite these assurances, the actual use or misuse of wheelbarrows can be hazardous. For instance, if you use a wheelbarrow for a job that should be handled by a hand truck, you could be headed for trouble. Your load could be damaged and so could the wheelbarrow. More importantly, an injury could result.

In a recent safety publication, a typical example of a wheelbarrow accident was outlined. A man was moving a loaded wheelbarrow when the wheel struck a rock. The

wheelbarrow tipped and the handle struck his knee causing a painful lost-time injury.

In another case, a man was taking a wheelbarrow filled with scrap to a scrap box. The wheelbarrow gained speed as it went down a ramp, and when the wheel struck the edge of the scrap box, the whole wheelbarrow flipped. The man didn't let go of the handles and was thrown into the scrap box. He suffered bad lacerations on his arms and legs and was lucky it wasn't worse.

As some of you may have already found out, lacerated knuckles are common injuries in moving wheelbarrows through doorways or in other tight quarters.

However, there are safe procedures which can be used to eliminate the painful aspects of using a wheelbarrow. First of all, balance the load over the wheel.

In addition, you should raise and lower the handles using precautions similar to those for other lifting jobs that may threaten your back. When you raise and lower the handles, keep your back and arms straight and your knees bent, making use of your leg muscles.

You'll find that it pays to plan ahead.

Observe the route you're going to take. Avoid obstacles in your path which can throw the wheelbarrow off balance and tip it over.

Be sure to keep a tight grip on the handles and keep your speed under control. Should the wheelbarrow go out of control, let go of it. Shout a warning if others are nearby.

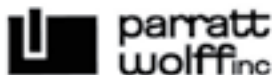
Safety glasses, safety shoes and a hard hat, if required for the job, are standard items of safety equipment which offer protection. In addition, work gloves should be worn. If a wheelbarrow is consistently used in tight quarters, it should be quipped with knuckle guards.

Never overload a wheelbarrow or attempt to move more than you are physically able to handle. Always watch out for other workers and also equipment or objects which might be damaged if bumped.

Wheelbarrows should be properly lubricated and stored in areas where they will not obstruct aisles, fire equipment or cause tripping hazards.

It should be apparent that although operation of a wheelbarrow requires a minimum of training, it also requires proper precautions if it is to be used safely. 🗨️

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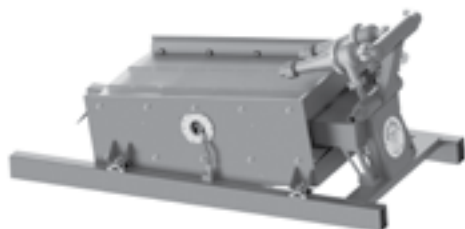
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# LEGISLATIVE UPDATE

By Janice L. Hawk-Baldwin, CWD/PI

*It was a busy winter legislatively.* Jeff Smith and I were in constant contact with Mark Glaser and Josh Oppenheim regarding the **Water Quality Bill**. The content in this article is taken from an email received by Jeff and me, from Mark and Josh, late in the evening, on April 4. The Legislature formally rejected the Governor's proposal regarding the testing of private wells.

A budget for \$2.5 billion program for water quality projects (municipal systems and infrastructure) was included.

The final Health budget bill included a modified version of **Senator Hannon's** water quality institute legislation. We had been aware of this legislation. They agreed to language to establish, within the Department of Health a **"Drinking Water Quality Council"**. This council will be made up of representatives from DOH, DEC and then another eight appointees (*4 by the Governor and 2 by Senate and 2 by Assembly Leadership*) with specific water quality related expertise (*water purveyors, background in toxicology or health risk assessment, background in microbiology and environmental engineering*). ESWWDA is looking for a seat at this table.

This body, which is required to conduct public meetings at least twice a year, is tasked with making various

recommendations to the Department of Health relating to issues such as emerging contaminants, how to make certain public notifications, ways to collaborate with other governmental entities regarding cleanup projects, certain data collection and "the development of educational materials regarding private water testing". There is no authority to mandate any private well testing but it could result in new educational materials on the topic

The statute expressly states that the Council is not permitted to make any recommendation to DOH before providing *"an opportunity for public and stakeholder comments"*. At the very least we will have an opportunity to provide suggestions for educational materials once the council is implemented.

This is a positive outcome when you think about what we were looking at in January regarding mandating private well testing for all wells. We will continue to work with DEC on continuing education, enforcement and other issues. We will be meeting with them again at the end of May. We will update you at the summer meeting.

If you have any questions do not hesitate to contact Jeff or me.

Respectfully submitted, Janice Hawk Baldwin



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# Condolence Corner

The ESWWDA wishes to express its condolences to the family and friends of:

**Malcolm Beal, Sr.** of Brewster, NY, passed on August 12, 2016 at the age of 90. **Malcolm** was the owner and operator of his business, **P.F. Beal & Sons**, until his retirement in 1981. He is survived by his wife of 70 years, Marjorie, and 4 children.

Contributions in his name may be made to: **Hospice Care, Westchester and Putnam, Inc.** White Plains, NY 10591

**Frank Sabarese III**, son of Frank Sabarese, Jr. of **Frank Sabarese, Inc.** out of Clintondale, NY, passed away on March 1, 2017.

Frank was the twin brother of Phil Sabarese.

Calling hours and cremation services were held. Donations in **Frank's** name may be made to the **American Diabetes Association**

**David A. Rowe** of Altmar, NY passed away at his home on April 19th, 2017.

**David** was owner/operator of **Rowe's Well Drilling** for 43 years until his retirement in 2013.

A graveside service was held Tuesday, May 2nd at Riverside Cemetery in Altmar. 🗣️

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Please call Susan Bates at **315 339-8960** if you have any questions, or email your advertisement to: [sue@nywelldriller.org](mailto:sue@nywelldriller.org) 🗣️

## Scholarship Money Available

As we approach the beginning of another school year, college-bound students and their families are searching for available funds to help offset the cost of further education. The ESWWDA offers **\$2500.00 a year** to applicants whose course of study is **related to the water well industry**. Preference is given to family members of association members and secondly to those attending 2-year programs at an accredited school.

Further information is available by contacting the Scholarship Committee of **Dave Rosick** or **Tyler Wills**. 


## Albert H. Mack Scholarship Guidelines

Guidelines for the establishment of the scholarship fund and awarding of scholarship monies for ESWWDA:

### A. Scholarship Fund

1. Maximum funds available in one calendar year: \$2,500.
2. One thousand dollars per year to be set aside until the fund reaches \$7,500.

### B. Awarding of Scholarships

1. Preference to be given to sons or daughters of association members.
2. Preference to be given to students attending 2-year programs.
3. Scholarships available only to persons whose course of study is related to the water well industry.
4. Persons may make application to the scholarship committee only after acceptance at an accredited school, offering a program related to the water well industry.
5. Funds may be distributed to more than one person in any one calendar year. 

## Important Contacts:

### NYS DEC: **Dan Kendall**

(877) 472-2619

[NYSWells@gw.dec.state.ny.us](mailto:NYSWells@gw.dec.state.ny.us)

### NGWA Main Office:

(800) 551-7379

[www.ngwa.org](http://www.ngwa.org)

### PSI Exams:

800-733-9267

[www.psiexams.com](http://www.psiexams.com)

### Water Systems Council:

(202) 625-4387

[www.watersystemscouncil.org](http://www.watersystemscouncil.org)

### American Ground Water Trust

(603) 228-5444

[trustinfo@agwt.org](mailto:trustinfo@agwt.org)

### ESWWDA: **Julie Boyd**

(845) 225-3196

[Julie@nywelldriller.org](mailto:Julie@nywelldriller.org)

### ESWWDA Testing Opportunities:

**Julie Boyd**

(845) 225-3196

[Julie@nywelldriller.org](mailto:Julie@nywelldriller.org)

### NYS DOT

#### Division of Permitting

**Ken Dodge**

(888) 783-1685

#### Truck Safety

**Bill Leonard**

(518) 457-2019

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**Any ESWWDA member** wishing to voice their concern with the contamination of ground water by injection wells should contact:

**Dennis McChesney**, US EPA Region 2, 290 Broadway, New York, New York 10007-1866

or by phone at **212-637-4232**, or by email at [mcchesney.dennis@epa.gov](mailto:mcchesney.dennis@epa.gov)



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Affiliate Organization  
member of NGWA

The membership of the ESWWDA consists of contractors involved in the water supply industry including but not limited to:

- Drilling Contractors
- Water System Installers
- Manufacturers and Suppliers
- Engineers & Hydrogeologists
- Contractor Associates
- Student Associates

## Send us your events!

To place an item in this calendar, or to submit an article or advertisement, please email [julie@nywelldriller.org](mailto:julie@nywelldriller.org) or [sue@nywelldriller.org](mailto:sue@nywelldriller.org) no later than **August 1, 2017**, the next **Hole Talk** deadline.

## UPCOMING EVENTS

### July 17-18, 2017

#### **ESWWDA Summer Meeting and Drilling Demo**

\*\*Sonic Drilling Demo  
by Aztech Environmental  
\*\*Mud Rotary Drilling Demo

#### **Cronin's Golf Resort**

Golf Course Rd., Warrensburg, NY  
Go to [www.nywelldriller.org](http://www.nywelldriller.org)  
for more information

### October 6-7, 2017

#### **ESWWDA Fall Meeting Hunter Mountain Resort**

Hunter, NY  
Hosted by The Wyckoffs  
Go to [www.nywelldriller.org](http://www.nywelldriller.org) for more details

### January 16-17, 2018

#### **ESWWDA Annual Meeting**

Turning Stone Casino, Verona, NY  
Go to [www.nywelldriller.org](http://www.nywelldriller.org)  
for more details

### March 16-17, 2018

#### **NEWWA Expo**

Marlborough, MA

### April 2018

#### **ESWWDA Spring Meeting**

#### **NYS Lobby Day**

Hosted by Jeff Smith

**Visit [www.nywelldriller.org](http://www.nywelldriller.org)**