

WELL DRILLERS AND PUMP INSTALLERS
EXAMINING AND ADVISORY BOARD

BY-LAWS

Adopted: November 21, 2006

ARTICLE I - Board - Establishment and Purpose

1. The State Well Drillers and Pump Installers Examining and Advisory Board was created by N.J.S.A. 58:4A-8, for the purpose of recommending and consenting to the examinations questions, review of applications and qualifications for and issuance of licenses for well drilling and pump installing. In addition the Board shall formulate and recommend to the Department of Environmental Protection rules, regulations and standards for well construction and for the conduct of licensed drillers and pump installers.

2. The functions of the Board are:

- a. To recommend and consent to examination questions.
- b. To review applications to ascertain the experience and qualification of persons applying for a license.
- c. To review examination results.
- d. To recommend to the Department that licenses be issued or denied.
- e. To recommend by a majority vote of its members, rules, regulations, and construction standards for engaging in well drilling and/or pump installing.
- f. To recommend to DEP the revocation or suspension of the license of any well driller or pump installer for good cause as set forth in N.J.S.A. 58:4A-12.
- g. To adopt, amend, or repeal suitable by-laws for the management of Board affairs.
- h. To perform other functions, as provided by law.

ARTICLE II - Membership - Officers - Duties at the May Meeting of the Board

1. The Chairperson, who shall be chosen among the master well drillers appointed to the Board, shall be elected on an annual basis by a majority vote of the Board, shall:

- a. Preside at all meeting of the Boards;
- b. Rule on all questions of order;
- c. Appoint committees and designate the chairpersons thereof;
- d. Sign all resolutions adopted by the Board, and any other legal document or instrument approved by the Board;
- e. Submit such recommendations and information as deemed necessary concerning the business, duties, and offices of the Board;
- f. Have such other duties and powers as conferred by these by-laws, or by any resolution adopted by the Board.

2. A Vice Chairperson, who shall not be chosen from among DEP staff appointed to the Board, shall be elected by a majority vote of the Board, and shall possess such powers and shall perform such duties as may be assigned from time to time by the Board, and in the absence or incapacity of the Chairperson, shall assume and perform all duties and powers of the Chairperson.

3. The Secretary to the Board shall be a DEP staff person designated by DEP and in that capacity:

- a. He or she shall attend all meetings of the Board and act a Secretary thereof, and record all notes and shall keep a record of the proceedings at all meetings of the Board in minute books, and a resolution book, or both, which shall be open at all reasonable times to inspection by any member of the Board or member of the public;
- b. He or she shall cause a true copy of the minutes of every meeting to be prepared and delivered to the members of the Board;
- c. He or she shall maintain records of the Board's transactions, communications, and proceedings, and

such records shall be open at all reasonable times to inspection by any member of the Board;

4. Election of the Chair and Vice Chair shall take place on an annual basis. Board elections will take place at the regular May meeting. If no Board meeting takes place in May, then elections will take place at the next regular meeting of the Board.

ARTICLE III - Organization - Meetings

1. The Board shall meet as often as necessary to carry out its functions. Meetings shall be conducted at a time and place designated by the Chairperson, or by a majority of the Board.

2. To the extent consistent with these by-laws, the conduct of meetings shall be generally governed by Robert's Rules of Order.

3. An agenda for each meeting shall be prepared by the Secretary and staff after consultation with the Chairperson. Copies of the agenda shall be provided to each Board member seven days prior to the date of the meeting to the extent practicable.

4. The agenda shall be generally structured as follows:

- a. Open Public Meetings Act Statement and Roll call;
- b. Approval of minutes of previous meeting;
- c. Reports of Chairperson, Vice - Chairperson, and Committees.
- d. Testing and Licensing Issues;
- e. Old business;
- f. New business;
- g. Public participation;
- h. Closed session;

5. In addition, the Board may, by majority vote, direct that any item be placed upon the agenda for the next meeting.

6. Business may be conducted if a quorum of the Board is present at a meeting. Any Board member who participates by speaker phone shall be considered present for purposes of conducting Board business.

7. Each Board member shall be entitled to one vote. Votes may be cast only by members who are present at the meeting, or who participate by speaker phone, as set forth above.

8. The minutes of each meeting, and any corrections thereof truly adopted, shall be signed by the Secretary and kept in the Board's principal office.

9. All resolutions presented to the Board shall be in writing. Upon adoption, copies of all resolutions shall be attached to the minutes of the proceedings. All resolutions of the Board adopted in any one year shall be numbered from one consecutively upwards in order of their adoption.

10. It is the policy of the Board to provide citizens an opportunity to present suggestions, views, and comments respecting the Board's functions, responsibilities, and proposed actions during a reasonable period of time at each meeting.

11. Whenever the Board is required by law to hold a public hearing, or whenever it shall deem it advisable to hold such a hearing, the procedure followed shall be:

- a. Notice of public hearing shall be prepared, including a statement of time, place, the nature of the hearing, and matter or matters to be considered.
- b. Notice of public hearing shall be given pursuant to the Open Public Meeting Act, N.J.S.A. 10:1-6 et seq. And by mail, at least seven days prior to the hearing, to all persons who have made timely request of the Board of advance notice of public meetings;
- c. At least seven days prior to the date of such a hearing, all documents which explain or otherwise describe the subject of the hearing shall be made available for public inspection at the principal office of the Board;
- d. A record of all hearings shall be made, and within a reasonable time thereafter, make a copy of the record available for public inspections at the principal office of the Board;
- e. Board members may question speakers. The Chairperson may limit the time and number of

speakers, and exclude repetitious or irrelevant testimony.

ARTICLE IV - Amendments

1. These by-laws may be amended, repealed, or added to by the Board, as necessary, and, in its discretion, at any meeting by a majority vote of the Board.

2. No amendment, repeal, or addition to these by-laws may be considered unless notice of same is given in writing, and mailed, electronically or delivered personally to each member of the Board at his or her residence or office at least seven days in advance of the meeting at which the motion to adopt the amendment, repeal, or addition is to be presented.