

**Board of Commissioners
Public Session
Minutes
June 20, 2016
(approved July 18, 2016)**

Present: L. Woods, G. Keller, J. Comer, J. Balcom, Superintendent R. Miner, Water Quality Support/Administrative Manager J. Lavoie

Excused: T. Pellegrino

Financial Review – May 2016

L. Woods noted that account 60250 is for employee licensure only. The water purchase account is used to purchase water for back up to flush the system. This water is purchased from Pennichuck Water Works through the interconnection on Route 101A near Warren Avenue. It was confirmed that the mailings for the current PFOA issue can be separated and picked out readily from the mailing account to request reimbursement. The engineering account is overbudget due to their efforts for the PFOA issue.

1. Board of Commissioners to approve minutes from the May 12, 2016 Public and Non-Public sessions and May 16, 2016 Public and Non-Public sessions.

A motion was made by J. Balcom and seconded by J. Comer to approve the minutes from the May 12, 2016 Public and Non-Public sessions and the May 16, 2016 Public and Non-Public sessions with one correction. The motion passed 4-0-0

2. Board of Commissioners to discuss perfluorooctanoic acid (PFOA) issue and next steps with Emery & Garrett Groundwater Investigations and Underwood Engineers, Inc.

a) Review of 3-party agreement between MVD, UEI and Saint Gobain.

J. Emery noted that the most recent data showed a marked decline in PFOA levels at wells 4 & 5. A meeting has been held with representatives of Saint Gobain.

L. Woods questioned whether there is evidence that PFOA and PFOS is corrosive. M. Metcalfe noted there has been no discussion regarding corrosion, but he has done no particular research in this subject. The problem in Flint, Michigan was that the water had a high chloride content and no corrosion inhibitor was used.

L. Woods questioned whether PFOA leaves the water as a residue. J. Emery noted there is no evidence that PFOA is corrosive or leaves a residue. M. Metcalfe noted that PFOA does not stick to surfaces.

K. Pratt noted that the next step is a meeting with Saint Gobain to determine if they are willing to fund the costs of some work at wells 4 & 5. UEI will enter into a preliminary design phase. He noted that the District has enough water supply without wells 4 & 5 over the summer but without those supplies available there is no emergency back up for fire protection or if a well goes down..

L. Woods noted that the meeting that was held with Saint Gobain was attended only by CT Male, an engineering firm that works with Saint Gobain. St. Gobain has not currently agreed to pay for anything.

Attorney G. Michael noted that the District must make sure that anything that is done is in the best interest of the MVD.

K. Pratt noted that the 3-party agreement proposed would make Saint Gobain a party to the contract as the payee. It is important to UEI that the MVD remains as the client. Saint Gobain will need to agree to the scope and the costs. K. Pratt noted that a task 4 should be added to the 3-party contract. This new task will be the preliminary design for long-term treatment and a topographical and geographical survey at wells 4 & 5.

L. Woods noted that the District will remain in control of MVD operations. NHDES has asked Saint Gobain to pay for the interconnect improvements and booster station at the PWW pit on Route 101A. He questioned whether the MVD can be assured that fire protection is sufficient without the upgrade. K. Pratt noted that the pump requested is required at the interconnection with Pennichuck. This new pump is needed to keep the pressure up at ratepayers' establishments and push water into the Turkey Hill tank. Saint Gobain will be responsible for the new pump and the O&M associated with this pump. Wells 7 & 8 are now fully available to the District. The District needs to be assured that if water from Pennichuck Water Works is needed, it is truly needed.

L. Woods questioned the time frame on the installation of the new pump. The District needs to make sure that the town has fire protection. It makes sense to have this pump installed quickly.

A motion was made by J. Balcom and seconded by J. Comer to purchase and install a pump up to \$175,000 to enhance the current interconnection with Pennichuck Water Works at Route 101A.

K. Pratt noted that a pump can be picked inside of 5 days. Then there is lead time needed by the manufacturer, which is unknown at this time.

L. Woods noted that the money for this pump would come from the Capital Reserve Fund. The Board expects a quick turn around on this project.

The motion passed 4-0-0.

Non-Public Session:

A motion was made by J. Balcom and seconded by J. Comer to go into non-public session per RSA 91-A:3 II(d) "...Acquisition, sale or lease of property" and/or RSA 91-A:3II(e) "...pending claims or litigation...". The motion passed 4-0-0 on a roll call vote.

After the Non-Public Session:

A motion was made by J. Comer and seconded by J. Balcom to seal the minutes of the non-public session of June 20, 2016. The motion passed 4-0-0.

3. Board of Commissioners to hear update on the treatment plant:

- a) to review change orders
- b) Emery & Garrett to discuss the installation of monitoring wells

M. Metcalfe noted that Change Order 8 is for the Campus Communications, Day Tank level riser, emergency show switch, alarms, smoke detectors and redundant clear well sensor. The additional expenses total \$63,239.33. This money will come from the contingency fund of the treatment plant contract.

J. Emery noted that to comply with the permit additional monitoring wells need to be installed. This will cost the District \$18,160 from the contingency per M. Metcalfe.

4. Board of Commissioners to conduct annual review of the MVD investment policy.

A motion was made by J. Balcom and seconded by J. Comer to approve the investment policy as presented effective July 1, 2016. The motion passed 4-0-0.

5. Old Business

a) Flatley Agreement

The District is still working on the agreement with Flatley for the DW Highway project.

6. New Business

The Board decided to hold a regular BOC meeting on July 18, 2016. This meeting can be cancelled if not needed.

7. Superintendent's Report

T-Mobile – A meeting was held with a representative of T-Mobile to look at the Parker Drive Tank. T-Mobile is interested in the site for an antenna. A check with AT&T will be done to ensure that there are no conflicts with the frequencies.

Reeds Ferry Elementary School – RFS thanked the District for the use of a hydrant during their end of school year celebration.

Mitchell Woods – EGGI is sampling for PFOA at this site this week.

Town Council meeting – The District is scheduled to meet with the Town Council for an update on PFOA on Thursday, June 23, 2016.

NHDES Meeting – The District is scheduled to meet with NHDES for an informational meeting at James Masticola Upper Elementary School at 7:00 PM on Wednesday, June 29, 2016. Also on the 29th the NHDES has requested a meeting at 2:00 PM at NHDES in Concord to discuss potential paths forward for long term solutions.

8. Questions from the Public

James Bollengier, 36 Constance St, read a prepared statement to the Board (attached to these minutes). He noted that he and others are concerned that the ratepayers of the District are misinformed and uninformed regarding the PFOA issue. There is concern regarding fire protection. The District needs to get the facts out. He noted that the people have the power to make changes.

L. Woods noted that the District is in receipt of the letter written by Mr. Bollengier. The questions on it will be answered.

Nancy Harrington noted that wells 4 & 5 are not currently being used. R. Miner noted that the District is currently using wells 2, 3, 7, & 8. He noted that the use of these 4 wells is sufficient for current fire protection for the District.

J. Bollengier noted that the Commissioners have just voted to purchase a pump without a cost/benefit analysis. L. Woods noted that the estimated cost for this pump is \$175,000, which the Commissioners have voted to spend. L. Woods noted that he is comfortable that the District is directing itself toward maintaining fire protection. The

Board is concerned that it is able to tap into the resources needed. The District is working on the PFOA issue and will continue to do so.

N. Harrington noted that she is aware that the District is working hard on this project, but this information is not being communicated to the public.

J. Bollengier noted that there is a lack of knowledge about the MVD. He noted that the concept of blending is confusing. He questioned whether contaminated water is distributed to all 3 of the District's storage tanks. J. Emery noted that the District is dealing with an issue that was not an issue last year. The USEPA has finally given a standard in the last 3 weeks. The range of PFOAs as of May 26, 2016 (the latest date for lab results) found in the MVD wells currently being used is between 8 ppt and 13 ppt. The background PFOA contamination is 10 ppt. He noted that the MVD is taking an aggressive approach to this issue.

L. Woods noted that the District does not have any control over private wells. J. Emery noted that it is illegal for the District to produce water that is in excess of Drinking Water standards. R. Miner noted that the MVD wells are outside of the 1.5 mile radius from Saint Gobain. N. Harrington noted that the information from NHDES is overwhelming.

Don Provencher, 6 Wasserman Heights, noted that people do not understand where the MVD wells are. He noted that he hopes for an agreement with Saint Gobain.

L. Woods noted that the problem is that there are still many moving parts in this issue. The District is operating under the NHDES ambient groundwater standards. The District is moving forward to a solution.

10. Questions from the Press

There were no questions from the press at this time.

Adjourn

A motion was made by J. Comer and seconded by J. Balcom to adjourn the meeting at 6:25 PM. The motion passed 4-0-0.

Respectfully submitted,
Rita Pointon, Recording Secretary

PREPARED STATEMENT by JIM BOLLENGIER
To the
BOARD OF COMMISSIONERS, MERRIMACK VILLAGE DISTRICT
June 20, 2016

MR. CHAIRMAN AND DISTINGUISHED MEMBERS OF THE MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS.

MY NAME IS JIM BOLLENGIER FROM 36 CONSTANCE STREET, MERRIMACK, N.H. I
NEITHER REPRESENT ANY ORGANIZATION NOR ANY PERSONS OTHER THAN MY WIFE
AND I, BUT I'M SURE OTHER RESIDENTS HAVE SIMILAR CONCERNS. (Burdick)

I WANT TO ADDRESS THE SERIOUSNESS OF THE PFOA/PFOS CONTAMINATION
SITUATION THAT EXISTS IN OUR TOWN AND SURROUNDING AREAS.

PFOA/PFOS CONTAMINATION HAS MORE FAR-REACHING RAMIFICATIONS THAN JUST
WITH MVD AND NHDES. IT HAS HEALTH, POLITICAL, ECONOMIC, LEGAL, AND SOCIAL
IMPLICATIONS, AMONG OTHER THINGS.

MOST IMPORTANTLY, THE HEALTH, SAFETY, AND WELFARE OF OUR CITIZENS AND
THEIR FAMILIES ARE OF UTMOST CONCERN. THIS FACTOR MUST BE ADDRESSED
IMMEDIATELY WITH VIABLE SOLUTIONS SOUGHTAFTER. I HAVE SEEN SIMILAR
SITUATIONS THROUGHOUT THE NATION. FOR EXAMPLE, HOOSIC, NY, NORTH
BENNINGTON, VERMONT, OHIO, COLORADO, AND WEST VIRGINIA, TO NAME A FEW.
THERE IS EXPERT SCIENTIFIC DOCUMENTATION, TO INCLUDE INFORMATION FROM THE
EPA THAT PROVIDES DATA ON THE EFFECTS ON THE HUMAN BODY RESULTING FROM
PFOA/PFOS CONTAMINATION. THERE IS ALSO MUCH DOCUMENTATION ON

PREPARED STATEMENT by JIM BOLLENGIER
To the
BOARD OF COMMISSIONERS, MERRIMACK VILLAGE DISTRICT
June 20, 2016

BUREAUCRATIC PROCRASTINATION AND STONEWALLING. THE TOWN, MVD, AND SOME SORT OF COORDINATING COMMITTEE NEED TO TAKE IMMEDIATE ACTION SUCH AS COORDINATING BLOOD TESTS FOR ALL RESIDENTS. MY SUGGESTION IS SOLELY BASED ON THE PFOA MAP DATA PROVIDED BY THE NHDES AND THE SYSTEM DISTRIBUTION DESCRIPTION OF MVD WATER WORKS DOCUMENTED ON ITS WEBSITE.

IT IS MY PERSONAL OBSERVATION THAT MVD WANTS TO FORWARD ALL PFOA/PFOS CONCERNS AND QUESTIONS TO NHDES AND ITS WEBSITE. AS A RESIDENT OF MERRIMACK, I TURN TO YOU TO ANSWER MY SPECIFIC QUESTIONS, NOT NHDES OR SOME OTHER ORGANIZATION. IT IS THE MVD BOC THAT HAS THE RESPONSIBILITY TO OPERATE AND MAINTAIN OUR WATER SYSTEM. THEREFORE, IT IS ENCUMBENT UPON YOU TO ENSURE THAT OUR WATER QUALITY IS SAFE. RESIDENTS DESERVE NOTHING LESS FROM YOU.

MY WIFE AND I ARE BEING FORCED OUT OF OUR MERRIMACK SHANGRI-LA DUE TO REAL ESTATE TAX INCREASES. NOW WE HAVE A WATER CONTAMINATION ISSUE TO DEAL WITH THAT MAY SEVERELY IMPACT OUR HEALTH. IF NOTHING HAPPENS ABOUT THE WATER PROBLEM IN THE IMMEDIATE FUTURE, WE CAN ONLY ASSUME THAT OUR PROPERTY AND RESALE VALUES WILL DIMINISH TO A POINT THAT OUR PROPERTY WILL BE VALUELESS BECAUSE OF PFOA/PFOS WATER CONTAMINATION.

PREPARED STATEMENT by JIM BOLLENGIER
To the
BOARD OF COMMISSIONERS, MERRIMACK VILLAGE DISTRICT
June 20, 2016

I DO NOT WANT TO BE PART OF THE PROBLEM, BUT PART OF THE SOLUTION. I RECOMMEND THAT THE MVD BOC IMMEDIATELY COORDINATE WITH THE TOWN COUNCIL AND TOWN MANAGER IN ORDER TO FORM A PFOA/PFOS COORDINATING COMMITTEE, CHAIRED BY THE TOWN MANAGER OR SOMEONE OF EQUAL STATUS. COMMITTEE MEMBERS SHOULD INCLUDE, AT A MINIMUM, MERRIMACK SELECTMEN, THE HEALTH INSPECTOR, FIRE DEPT, LAWYERS, TAX ASSESSOR, TAX COLLECTOR, SUPERINTENDENT OF MVD WATER WORKS, AND OTHERS AS NEEDED SUCH AS A COMMUNITY DEVELOPMENT AND CHAMBER OF COMMERCE REPRESENTATIVES.

I AM WELL AWARE OF THE DISPARATE ORGANIZATIONS OPERATING WITHIN THE TOWN OF MERRIMACK. NONE OF WHICH REALLY ANSWERS TO A SINGLE LEADER, RESULTING IN FRUSTRATION WHEN COORDINATING ACTIVITIES.

HOWEVER, YOU MUST BE AWARE THAT YOU ANSWER TO ONE ENTITY AND THAT IS THE RESIDENTS OF MERRIMACK. WE DO HAVE A VOICE AND WE VOTE.

THANK YOU FOR YOUR TIME.