

**Board of Commissioners
Minutes
December 17, 2018
(approved February 25, 2019)**

Present: J. Comer, T. Pellegrino, G. Keller, W. von Schoen, D. Provencher,
Superintendent R. Miner, Business Manager/Water Quality Support J. Lavoie

A consultation with Attorney was held in Non-Public session. No minutes were recorded for this attorney/client consultation.

Financial Review – November 2018 – Michele Holton

M. Holton noted that 42.67% of the budget year is complete. The revenues are at 43.5% and the expenditures are at 39%. She will be speaking with investment representatives to explore investing options for the District's funds. The District will be changing payroll companies due to some issues with the current payroll company. W. von Schoen asked that the prior month's balances be listed on the bank balance report. M. Holton replied that the requested information will be added to the report going forward.

1. Approve minutes from the October 15, 2018 Public Session (tabled from the 11/19/18 meeting) and the November 19, 2018 Public Session.

A motion was made by T. Pellegrino and seconded by D. Provencher to accept the minutes of October 15, 2018 as written. The motion passed 5-0-0.

The minutes for the meeting of November 19, 2018 meeting were tabled to the next meeting of the Board.

2. Board of Commissioners to discuss with Mike Metcalf of Underwood Engineers:

a. Final Feasibility Treatment Report for PFAS at Wells 2, 3, 7 and 8

M. Metcalf noted that the report had been finalized and addressed the questions previously raised by the BOC (see November minutes). He reiterated the answers to some of those questions, i.e. 1) PFBA will break through resins faster than other PFAS compounds, but it will break through even faster with GAC, 2) The rapid scale small column test (RSSCT) was done on Well 4 & 5 water only. No RSSCT's have been conducted on water from Wells 2, 3, 7, and 8, 3) GAC should be backwashed at start-up only, 4) There is no TOC data on Wells 2, 3, 7 & 8 except for tests on Wells 7 & 8 during the iron and manganese treatment pilot test, 5) Advanced oxidation is not really effective treatment for PFOA or PFOS, 6) There is no definitive experience or cost for systems using Zeolite. This is currently being tested and it may be a future option.

The “change out” time for GAC has been altered to one year. The “change out” time for resins is 1.5 years. These numbers affected the O&M numbers. D. Provencher questioned whether GAC change out being reduced from 2 to 1 year changes the projections for wells 4 & 5 in the Saint Gobain Performance Plastics (SGPP) Settlement Agreement. M. Metcalf noted he would look back to see the “change out” times projected for the treatment of wells 4 & 5, but he thinks the number used was 1.5 years. D. Provencher confirmed the Settlement Agreement assumed 2 years.

The recommendations in this report remain the same as in the draft report. The capital costs also remain the same. The next step in this process is the 30% preliminary design phase. He noted that if more information is obtained it will be added as a supplement to this report.

b. Final Water Rate Study Update

K. Pratt noted that some changes were made to the rate study to capture some changes that have taken place of the last few months, including a change to the Capital Reserve Fund contribution and the shortening of the GAC life. The O&M for wells 4 & 5 of \$106,000 (paid by SGPP) is assumed in his update so it won't impact rates until 5-years of operation. Rate increases are needed due to on-going expenditures. The PFAS projects have been separated out in the study update. The assumption is that consumption remains flat. There is a 3% increase in operating expenditures included for every year. The rate increases needed are 13% in the upcoming fiscal year and another 13% in the following fiscal year. Additional rate increase of 12%, 21%, or 40% are needed in FY2022 depending on the PFAS treatment pursued. Changes to this update could be made based on changes to the Capital Improvement Plan (CIP). If the proposed rate increases are made the District's rate-payers will now be paying rates close to the state average.

D. Provencher noted that this report answered all of his questions. The challenge to the Commissioners is to explain the two 13% rate increases.

Attorney G. Michael noted that rate increases are an issue for the Commissioners. There will need to be a public hearing on this matter. He noted that there cannot be a budget that needs a rate increase without the rate increase being adopted by the Commissioners.

K. Pratt noted that the rates need to be set to meet the needs of the budget.

c. Wells 4 & 5 design update

M. Metcalf noted that the 60% drawings would be going to the District on Friday. He noted UE wants to sit down with R. Miner and K. Gurney again to make sure that the District is okay with the design. Then UE will meet with the town departments. One potential change UE is assessing is on-site backwash disposal. The intent has been for backwash to go to the sewer which will require MVD to go through the Industrial Pre-Treatment (IPT) program. For this process an equalization tank is likely to be needed due to the concern that a large volume of water will be released at one time. Untreated well water is used to backwash. An alternative to the sewer discharge is an infiltration basin. There is no cost estimate at this time for this potential alternative relative to the sewer connection cost but M. Metcalf noted he will update the District when these numbers are obtained.

K. Pratt noted that the budget for this treatment facility is approximately \$4.1M.

M. Metcalf noted that the design should be completed by winter 2018 with the ground-breaking in the spring of 2019 and the facility coming on line in 2020. There will be one contract for the entire project. The plans will include the potential for future expansion. There are no soil liquefaction issues at this site as there were at Wells 7 & 8, but the soil bearing capacity at this site will be reviewed.

3. Board of Commissioners to discuss with Jamie Emery of Emery & Garrett Groundwater:

a. Proposal to plot/graph sampling data and PFAS trends for MVD

J. Emery noted the majority of the water supply from the MVD is under 20 ppt of PFOA/PFOS. He noted he would like to begin plotting/graphing this data in 2019 and prepare an annual report on the water chemistry at the end of the year. J. Emery noted that the graphs could be given to MVD staff to add data in the future.

A motion was made by D. Provencher and seconded by T. Pellegrino to move that the Board of Commissioner authorize Emery & Garrett Groundwater Investigations to proceed with Proposal No. 33.P000115.19 in the amount of \$12,000 relative to water quality data collection presentation and reports dated 12/13/18 to the extent that fund are available in the current FY and to be funded by Capital Reserve fund money if the money is not available in the current FY operating budget. The remaining balance of the \$23,850 scope of work to be funded by the next fiscal year and/or Capital Reserve fund to the extent funds are available. The motion passed 5-0-0.

b. Additional grant requirements for the Witches Brook peat study

A motion was made by W. von Schoen and seconded by T. Pellegrino to move that the Board of Commissioners authorize Emery & Garrett Groundwater Investigation a sum not to exceed \$2,500 to file the Quality Assurance Project Plan (QAPP) as required by NHDES and USEPA for the Source Water Protection Grant study of peat and PFAS at Witches Brook. The motion passed 5-0-0.

c. Artificial Recharge project update

There was no discussion on this subject at this time.

d. Mitchell Woods status

The MVD is bound by the Large Groundwater Withdrawal permit for this site to do some sampling. The cost to continue to establish the baseline data for 2019 is \$7,850. The water produced from this well could be used to shave the peak usage demand. This well has no PFOA/PFOS and is very low in iron and manganese. J. Emery noted that in order to maintain the permit monitoring is required. He noted the well can produce 45 MG/year or 300 gal/min for 90-120 days. He noted this is relatively cheap money to keep a supply of this capacity in play.

e. Groundwater Monitoring

This is a water level monitoring study continuation. MVD collects data, and forwards to EGGI for trend analysis. The commissioners agree for EGGI to continue the study for \$12,500 pursuant to EGGI proposal no 33.P000116-19 dated 12/17/18.

4. Board of Commissioners to vote for acceptance of the Drinking Water and Groundwater Trust Fund grant in the amount of \$405,000 for the Wells 4 & 5 treatment plant (required for final grant application submission).

J. Lavoie noted that final grant approval by the Board is needed.

A motion was made by W. von Schoen and seconded by G. Keller to move that the Board of Commissioners of the Merrimack Village District accept a Drinking Water Ground Water Trust Fund Grant in the amount of \$405,000. The total project is estimated at \$810,000 of which the Merrimack Village District will be responsible for approximately \$405,000 with a \$405,000 match from the grant.

The grant is contingent upon acceptance by Governor and Council and a future public hearing. The motion passed 5-0-0.

5. Board of Commissioners to discuss adding a part time Public Relations position to MVD as proposed by Wolf von Schoen.

W. von Schoen noted that such a position would help make the District more understandable to the public. D. Provencher noted that he thinks that communication can be improved between the District/Board and the public. He noted this is a great idea, but is uncertain how to implement it. W. von Schoen noted he would be able to put something together and that this person may not do more than communicate with the public via social media.

J. Lavoie noted that Amy is currently running the District's website and that all information from the District is more readily available with this in-house resource. She noted that all general District information is on the website. She noted that she is not in favor of a FACEBOOK page. W. von Schoen noted that a FACEBOOK page that does not allow for input from the public can be created. This page would allow for news, updates, and links to the Board meetings. It

would allow for the public to subscribe and passively receive updates in their social media feed. It would allow for a more targeted broadcast of District information.

Attorney G. Michael noted that this idea has merit. The person doing this would need to be someone who sees what the MVD is doing and what can be done to get this information quickly and efficiently to the public.

W. von Schoen noted that technical advice would be needed to set this up, but the content would come from the Board of Commissioners. He noted that both the Department of Public Works and the Police Department have similar methods of communication with the public and have offered to help set this up with the MVD. He noted he would be willing to assist in this matter.

J. Comer suggested that research be done and further information be given to the Board. The Board unanimously supported this effort and it was decided to take the funds out of the general operating budget.

6. Board of Commissioners to discuss request by Nancy Murphy for the BOC to put forth a warrant article relative to PFAS treatment for wells 2, 3, 7 and 8.

J. Comer noted that no decision on the creation of such a Warrant Article has been made at this time.

J. Lavoie noted that Warrant Articles will be sent to the Department of Revenue Administration (DRA) for review.

D. Provencher noted that it was his intent to support this request, but he will not make such a motion this evening. He noted that more input is needed.

N. Murphy noted that she is disappointed. The public initiated a request to the Board to create such a Warrant Article. She noted that she feels that this should have been a priority for the Board. She stated that she knows there is a need for such treatment. She suggested that the Board let the voters decide this issue. She stated that she does not feel that this request is unreasonable. She stated that she feels it is more unreasonable that this request has not been met.

W. von Schoen noted that the voters have the right to tell the Board what to do. He noted that work has been done to get this information about this issue to the public. He noted that cost estimates for treatment at these wells is available. He stated that there are reasons why such a Warrant Article cannot be put forward by the MVD at this time. The tools have been given to the members of the public to allow them to create changes.

7. Old Business

There was no old business at this time.

8. New Business

There was no new business at this time.

9. Superintendent's Report

Sanitary Survey – NHDES will be at the District on 12/18/18 to do this survey.

Zeolite testing – Sampling of water from wells 4 & 5 was used in a study of Zeolite. The iron and manganese in the water samples was reduced to non-detect. The District is awaiting the results of the use of this material on PFAS.

10. Questions from the Public

Kathy Stack noted that the District has done a tremendous job making itself more visible, more transparent. She noted that the Board not presenting a Warrant Article regarding treatment for PFOA/PFOS at wells 2, 3, 7 & 8 is negligent. She noted that there is information that a consultant was discussing PFAS in 2014.

N. Murphy noted that lack of planning and forethought now becomes a problem

for the ratepayers with the proposed rate increases. She noted that the District is paying money on bond money that they are holding. She questioned whether the District should hire a paid manager. She suggested the Board include an item for legislative updates on their agenda.

Laureen Allen noted a petition signed by 349 requesting that the Board of Commissioners initiate a Warrant Article to filter out PFAS in all public water supply wells. She presented the Board with potential (draft) PFAS treatment Warrant Articles and indicated that she would like the Board to consider these articles. She questioned how much more must be done to force action from the District.

Katherine Hodge noted that such a Warrant Article will sound better coming from the Board, rather than as a petitioned Warrant Article.

L. Allen noted that the public will listen if this article is proposed by the District. She suggested that the District let the voters decide.

D. Provencher noted that he agrees with what has been said this evening, but noted that there are other compelling reasons why this motion may be more financially disadvantageous.

W. von Schoen noted that the information available to the public has given this issue a platform; that the Board has empowered the public and the public has tools it can use that they never had before. He noted the democratic process allows the public to take action.

R. Miner noted that February 15, 2019 at 5:00 PM is the deadline to submit petitioned Warrant Articles.

11. Questions from the Press

There were no questions from the press at this time.

Adjourn

A motion was made by W. von Schoen and seconded by G. Keller to adjourn the meeting at 8:12 PM. The motion passed 5-0-0.

Respectfully submitted,
Rita Pointon, Recording Secretary