

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
APRIL 29, 2019
MEETING MINUTES
(approved June 17, 2019)**

A regular meeting of the Board of Commissioners was conducted on April 29, 2019 at 5:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Joseph Comer presided:

Members of the Board present: Joe Comer, Chairman
 Anthony Pellegrino, Vice Chairman
 Kenneth Ayers
 Donald Provencher
 Wolfram von Schoen

Also in Attendance: Superintendent Ron Miner
 Jill Lavoie, Business Manager/Water Quality Support
 Michele Holton, Finance/H.R. Director
 Jamie Emery, President and CEO, Emery & Garrett Groundwater Inc.
 Keith Pratt, President, Underwood Engineers, Inc.
 Mike Metcalf, Senior Project Manager, Underwood Engineers, Inc.
 Bill Boyd, Councilor, Merrimack Town Council

FINANCIAL REVIEW – March, 2019

A. Analysis of Revenue and Expenditures Report

Michele Holton, Finance/H.R. Director, informed the Commission that being in March the District is 75% through the year. Overall income and revenues are at 71.1%. Account 40100 for Domestic Water sales is only at 63.5% but that is expected to increase as we enter a season of traditionally higher usage. Additionally, Director Holton noted that there may be more projects coming in that will include entrance fees, but the system development fees that come along with the projects too are always earmarked for the capital reserve fund.

In review of expenses, Director M. Holton informed the commission that administrative overtime will be on budget moving forward from the month of May. In April, there was catch up work following the Annual Meeting, and Director Holton was also unexpectedly out for a week.

Director Holton stated that the electricity budget is out of line with the previous year and is being reviewed. Director Holton also noted that the purchase of water is not aligned with the budget but there is forward motion in efforts to keep that in line, along with the possibility of a retroactive adjustment. It was also noted that the meeting expense (account 80300) was higher than projected due to the expansion of the number & what is involved in the meetings that was not known at the time of budgeting. The budget for Fiscal Year 2020 will find this to be more in line.

Commissioner W. von Schoen questioned the increase in overtime, despite earlier notion that this would decrease due to added staff. Director Holton reiterated that moving forward, starting in the months of May and June, this should be the case. Director Holton noted Michelle Thompson joined the District in January and training has taken time.

Commissioner D. Provencher mentioned account 40408, Service Charge - New Mains, stating that it looked as though we were above projected revenue. Asked if this was due in part to a one-time project. Director Holton responded that it is not always possible to project when a new main will come on, therefore causing this account to reflect more conservatively and actual results to be varied.

Director Holton informed the commission the Legal budget (account 81951) is slightly over the projections, but not too far off. She also noted that during the budget process, the direction of legal fees was unknown.

Overall, there is a net income of \$318,000 through the month of March.

Under “Other Expenses” the Trust Fund Investment Fee (account 92420) has been broken out and is 25 basis points of total investment. M. Holton noted this is a very reasonable charge and Cambridge Trust has made municipal trust fund investment a focus of their firm.

The Commission was informed that roughly \$10,000 has been spent in relation to the lime station project, which is significantly below the budget of \$210,000 in the Capital Budget Expense (account 9000), and it is unlikely there will be any additional expenditures on this project this year. In addition, there is \$22,500 budgeted for deductibles payable to the Town of Merrimack, and there are no projects that would require these payments through the end of the year. These under budget items will allow for budget transferring to offset accounts which are over budget.

In previous year comparison of Profit & Loss, Director Holton informed the Commission total income had a small increase. Major differences were noted amongst specific accounts, including new mains (40408), miscellaneous income (40407), and system development charges (40600), but the overall difference was \$32.5K, or 1.3%.

Director Holton noted an increase to account 50575, Worker’s Comp Insurance from year to year, which is due to how a refund was recorded in the prior year. Refunds are now reflected as miscellaneous income so the expenses can be properly compared. There were changes to the health insurance account, including new employees and level changes. Other major differences in accounts 70010 (office equipment) and 70650 (R & M Tanks) were due to previously recording capital budget expense items under related categories, versus all under account 90000 Capital Budget Expense

B. Bank Account Summary Review

Director Holton informed the Commission that final proposals from TB Bank have been received. She has been in contact with the New Hampshire Public Deposit Investment Pool (NHPDIP) and will work with Superintendent R. Miner and Business Manager J. Lavoie on a plan to transfer funds. The purpose of this will be to earn additional interest on funds that are not immediately needed for daily cash flow. It was also noted that the TD Bank accounts are currently not reflecting bank fees due to the fees being offset by a credit for investable funds held, and overall interest posted to the main operating account.

C. Encumbered Funds Review

Director Holton noted that revision is needed on items carrying over from prior years, this will be reviewed later and signed off (the total is roughly \$45,000).

Commissioner W. von Schoen questioned the lack of interest being posted to bank Account 10150, as the balance has not changed. Director Holton responded that the interest is being posted to a different account (10100). This is the case for all TD Bank accounts aside from account 10102, which is being changed to do be same. An analysis is done of all fees & investable balances and the net interest is posted to the main operating account.

It was also noted by Director Holton that the engineering detail was not yet complete but would be available later.

Director Holton informed the Commission that there will be a change to their check schedule. Commissioners checks will be cut on the last calendar payroll date of the month for that month.

REGULAR SESSION

1. Board of Commissioners to elect Chairman, Vice Chairman and Personnel Liaison for 2019-2020.

Chairman J. Comer called for nominations for Chairman of the Merrimack Village District Board of Commissioners for the 2019-2020 term.

COMMISSIONER T. PELLEGRINO NOMINATED COMMISSIONER J. COMER

COMMISSIONER W. VON SCHOEN NOMINATED COMMISSIONER D. PROVENCHER

Commissioner J. Comer declined the nomination.

**VOTE ON ELECTION OF D. PROVENCHER TO THE POSITION OF CHAIRMAN OF THE
MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2019-2020
TERM**

MOTION CARRIED 5-0-0

Chairman J. Comer stepped down and Chairman D. Provencher presided.

Commissioner J. Comer called for nominations for Vice Chairman of the Merrimack Village District Board of Commissioners for the 2019-2020 term.

**COMMISSIONER T. PELLEGRINO NOMINATED COMMISSIONER J. COMER
SECONDED BY COMMISSIONER W. VON SCHOEN**

VOTE ON ELECTION OF J. COMER TO THE POSITION OF VICE CHAIRMAN OF THE MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2019-2020 TERM
MOTION CARRIED 5-0-0

Vice Chairman J. Comer called for nominations for Personnel Liaison of the Merrimack Village District Board of Commissioners for the 2019-2020 term.

COMMISSIONER J. COMER NOMINATED COMMISSIONER T. PELLEGRINO

VOTE ON ELECTION OF T. PELLEGRINO TO THE POSITION OF PERSONNEL LIAISON OF THE MERRIMACK VILLAGE DISTRICT BOARD OF COMMISSIONERS FOR THE 2019-2020 TERM
MOTION CARRIED 5-0-0

2. Board of Commissioners to discuss the Artificial Recharge Project with Jamie Emery of Emery & Garrett.

J. Emery informed the board of a “dire situation” at well 3, with concentration levels above 500 PPM of chloride and 250 PPM of sodium. These levels have continually risen. Well 5 is also having issues.

Emery presented the board with a brief explanation of how Artificial Recharge works by taking water from a surface water body, piping it into a groundwater system and adding it into the groundwater system to enhance the recharge. Emery noted that a pumping test had been done for the district in 2003 at wells 4 & 5. Pump test demonstrated that those wells could produce 1.25M gallons / day, but the safe yield that could be produced because of the nature recharge was only 600,000 gallons / day. Emery provided the commission with a quick review of a proposal as to how to go about using a pipeline to bring water to the areas of the wells. This could potentially increase the capacity of wells 4 and 5 by 600,000 gallons / day. The settlement agreement with Saint Gobain already provides that they will pay for the expanded treatment facility at Wells 4 & 5. MVD already owns the property and the facility, which are the most expensive areas to replicate.

Emery noted that the concentrations of sodium and chloride are going up in wells 4 and 5. Emery informed the commission that the situation at well 3 is a health issue. Chairman D. Provencher asked at what level is it regulatorily prohibited. Emery answered that the cardiovascular professionals have recommended that water should be under 20 milligrams per liter of sodium, well 3 is at 250. The surface water in Merrimack is very low in sodium chloride. Artificial Recharge could potentially enhance the yield of the wells at 4 & 5, will use the existing infrastructure, will mitigate sodium and chloride that come in, and will likely extend the life of the charcoal by dilution. Emery noted this will reduce the cost of maintenance of the Granulated Activated Carbon (GAC) facility. The quality of the Souhegan River is not good enough, the Merrimack River quality is great. Emery informed the commission that the next step is pilot testing. Neither a proposal nor budget has been put together, but he is asking if the commission is willing to take the next step towards looking at those costs. Emery informed the commission that he believes the pilot testing would run roughly

\$400,000. Superintendent R. Miner noted that MVD would have to review how everything is currently operated.

Chairman D. Provencher questioned impounding Green's Pond and if that would aid in diluting the ground water. Emery stated that he did not know the surface water quality of Green's Pond, this could be investigated.

Chairman D. Provencher noted that the lines for Artificial Recharge for wells 4 & 5 would cross a private landowner's property. He suggested a conversation with the landowner earlier in the project to prevent future price increases, if work on the project starts prior to permission for access being granted.

Chairman D. Provencher raised the topic of virus and bacteria concern of Groundwater Under Influence (GUI) of surface water, to which Emery noted that this is not an issue. Commissioner W. von Schoen noted that he would like a better understanding of the input and output, and if this is truly a benefit. Emery explained that when you bring in Artificial Recharge you control the input and improve the output. Emery noted that this could mitigate two things, contamination from PFOS and PFAS and from sodium chloride. Emery informed the commissioners that for the Merrimack River Water Chloride tests at 12 and sodium at 9, which is low.

Chairman D. Provencher asked if the wells could pump at their capacity. J. Emery answered that yes, they could pump at their permitted capacity, however this would drain the aquifer if pumped at that level for too long.

Chairman D. Provencher noted that he would like to see a cost estimate on the infrastructure, including cost of access with the private landowner, along with a conceptual design cost estimate. Commissioner W. von Schoen noted that an estimated ROI would be simple.

Emery stated that an important component to this is deciding what MVD will accept for sodium chloride levels.

Due to the nature of Merrimack's location, Chairman D. Provencher noted his concern with road salt used on parking lots near aquifers, where those sites using road salt are grandfathered with no restrictions. It was noted by Emery that restrictions such as "sand only", requires meeting with the DOT, the state, the town, the planning board, etc. J. Emery noted that the Artificial Recharge is not just an enhancement on capacity, but also a mitigation tool.

Superintendent R. Miner noted that a public hearing to accept pending grants will be needed for Emery to move forward with the Wells 7&8 PFAS study. This hearing is planned for May 20, 2019. Emery stated that he will also provide a rough estimate for pricing to be available for May 20, 2019.

3. Board of Commissioners to hear updates from Keith Pratt and Mike Metcalf of Underwood Engineers, Inc. regarding:

- a. Wells 2 & 3 and 7 & 8 Treatment Plant projects

K. Pratt of Underwood Engineers provided the commission with a high-level overview of what the next 3-4 years is expected to look like.

Pratt addressed bond articles 2, 3, 7, & 8, noting a two-part design phase. This will include the preliminary engineering phase (piloting and preliminary design) and final design phase. Preliminary design phase has been set up into one contract. Final design phase will bring two, possibly three, separate contracts. Pratt referenced a provided schedule, noting that wells 7 & 8 are projected to be online approximately a year before wells 2 & 3, as it's a simpler project.

Pratt provided the commission with an MVD communication plan, including 2 proposed roles, Board of Water Commissioners Project Designee (TBD) and Project Liaison (Superintendent R. Miner). Chairman D. Provencher questioned when to designate those roles. Pratt answered that it did not need to be immediate, but as soon as possible. Chairman D. Provencher volunteered to be the Board of Water Commissioners Project Designee. Underwood's primary contacts will be Superintendent R. Miner and Chairman D. Provencher.

Commissioner W. von Schoen presented a question from the public, asking, about wells 7 & 8, if it will really take a year and a half to redesign filters for an existing build. Pratt responded by saying that the design phase for 7 & 8 is 8 months. Commissioner W. von Schoen asked about shuffling the schedule to make 7 & 8 happen faster, to be up and running in 2020. Pratt answered that these types of questions will be worked out in the design phase. Approach and risks will be discussed before moving forward. Chairman D. Provencher asked if any geotechnical work would be needed at wells 7 & 8. Pratt answered that geotechnical work was not needed. Chairman D. Provencher questioned if the building would be expanded beyond the area of soil that was previously improved. M. Metcalf answered no and informed the commission that additional groundwork would be needed for that. A floor plan provided previously was referenced and was noted as an accurate design.

K. Pratt proposed meeting in front of the commission at major design milestones, 30%, 60%, 90%, & 100% (or at least every three months). Design milestone workshops will likely be every other month, or as needed. Design check-ins via phone will happen frequently. Construction Progress Meetings will be dealt with in the future and will be monthly. This schedule specifically deals with the MVD stakeholders, but other stakeholders will be involved at times when appropriate.

M. Metcalf presented the commission with the Scope of Services. The Project Understanding outlines the reasoning work is being done. Wells 4 & 5 have combined concentrations of Perfluorooctanoic acid (PFOA) and Perfluorooctanesulfonic acid (PFOS) above the quality standard, which is why they are offline. Wells 2, 3, 7 & 8 are currently under regulatory standards. Well 3 has high iron and manganese. An evaluation determined that the best course of action was the addition of Granulated Activated Carbon (GAC) contactors to wells 7 & 8, and a combined treatment plan for wells 2 & 3 of Greensand Plus pressure filtration for iron and manganese removal from well 3 and GAC contactors for wells 2 & 3.

Metcalf informed the commission that the work of this preliminary design phase includes pilot testing and preliminary design. This was broken out by tasks.

Metcalf noted that Task 1 is the Pilot Study Services. Underwood Engineers will facilitate a 10-day iron and manganese pilot with Greensand Plus and/or other medias, with a pilot trailer parked at well 3.

Underwood uses Blueleaf, Inc., for piloting. Chairman D. Provencher asked if there was a significant risk to not piloting and moving directly to Greensand. Metcalf responded that there is not a significant risk and discussion of how to move forward, including length of pilot, will take place in the future. Superintendent R. Miner asked Metcalf what was previously done at well 7, to which Metcalf answered that a 10-day pilot had taken place. Metcalf informed the commission why piloting is done at each site, how water can change at various locations, and what is tested. Metcalf also noted that some systems have experienced high arsenic levels coming off of the GAC, so additional tests will be run.

Metcalf noted that Task 2 is the Preliminary Design and has laid out the basic recommendations, based on the evaluation study. Wells 7 & 8 will have a building addition, the floor of the addition will be at the lower level. Two trains each with one lead vessel, leaving room for either a lag GAC or resin vessel. Backwash of GAC vessels (only at startup or media changeout) from existing clearwell to existing infiltration basins. There will be raw water mains coming from wells 2 & 3 headed to the treatment plant at a rate of 800 gallons / minute from well 3 and up to 1500 gallons / minute from well 2, totaling a possible 2,300 gallons / minute. Pumps at wells may require replacement.

Metcalf informed the commission that geotechnical services are not required for wells 7 & 8 because it has been done. Regarding wells 2 & 3, Superintendent R. Miner noted additional work that may be needed based on varying sizes of water mains compared to what's currently in place. Once a site is decided, geotechnical services for wells 2 & 3 would take place. Underwood would also like to discuss the possibility of directional drilling and is waiting on information from Superintendent R. Miner regarding an easement. A detailed survey of the treatment plant site would be completed.

Metcalf noted that structural work would need to take place to consider foundations, floor slabs, wall and roof systems, and additional future tanks.

Metcalf informed the commission as far as mechanical work, the existing HVAC and plumbing systems at wells 7 & 8 would need to be evaluated. Upgrades and improvements to accommodate the building addition will be recommended if needed. In addition, Underwood would look to see what would be required for a new facility at wells 2 & 3.

Chairman D. Provencher questioned the financial markup due to subcontracting out specialty work. K. Pratt answered that there is no mark up. Commissioner W. von Schoen asked for a rate sheet. Underwood will provide an updated rate sheet.

Metcalf informed the commission that electrical & instrumentation would be involved in the preliminary design. Underwood Engineering would need to review the preliminary list of electrical loads as well as develop the preliminary electrical service and standby power requirements and alternatives based on the projected loads. Chairman D. Provencher asked what additional electric loads there would be. Metcalf answered that at wells 7 & 8 there may be an increase in the well pump size.

Metcalf noted that 30% preliminary design drawings would be provided. Anticipated drawings include, but are not limited to, Process Flow Schematics, Water Treatment Plant (WTP) Site Plan(s) (well 2 & 3), WTP Floor Plans, WTP Section View(s), and select details.

Metcalf informed the commission that a detailed cost opinion will be prepared and will incorporate subcontractors. Additionally, a Basis of Design report will be prepared to include recommended

treatment process, refined engineers' opinion of cost, and recommendations for phasing and scheduling work.

Metcalf stated that they have budgeted for 4 meetings, more may be required. Metcalf informed the commission that Underwood will provide funding assistance to get as much funding as possible and will include preapplications for Drinking Water State Revolving Funds (DWSRF), as well as preparation of a Special Project Drinking Water and Groundwater Trust Fund (DWGWTF) application. Underwood will attend up to two DWGWTF Advisory Commission meetings in support of the application. Once funding is secured, Underwood will assist with preparation of disbursement requests.

Metcalf noted that Underwood will prepare trending logs showing the usage of all operating MVD wells for the past 10 years.

Chairman D. Provencher asked if a DES discharge permit was required for the pilot study. K. Pratt noted that temporary permits have been given out and are straight forward.

K. Pratt presented the commission with an outline of the Construction Phase and Project Delivery. He noted that this is being set up as a design-bid-build approach.

Commissioner W. von Schoen expressed that voters just put 14 million dollars' worth of budget in front of MVD and there have been comments in the community questioning who is gaining from this. He suggested adding an independent third-party peer review to these projects. Several reasons were noted, including the possibility of missing something, and no one can say advantage has been taken of the situation at hand. K. Pratt responded that Underwood would welcome this. Commissioner W. von Schoen expressed positive reviews of Underwood Engineering; Chairman D. Provencher agreed. Chairman D. Provencher expressed interest in an overview of costs by a third party. K. Pratt offered information on consultants who specialize in pricing and others who specialize on technical aspects. One suggestion was using Jim Malley from The University of New Hampshire (UNH), it was noted that these evaluations are not done by students. Chairman D. Provencher questioned whether the fees associated with this evaluation were reasonable. Pratt gave a ballpark range of \$15,000-\$20,000. An additional review option of a value engineering phase was offered. Vice Chairman J. Comer asked if this is on a contract basis, to which Pratt replied that MVD would likely enter into an independent contract with the third party.

At this time K. Pratt presented the commission with an outline for funding. Sources of funds include Bond Article 2 and Bond Article 3, with a combination of \$14.5 million. Available borrowing sources have been broken up into two parts, available long term and available short term.

For long term, Pratt noted that MVD is not currently on last year's priority list for DWSRF due to timing. The preapplication is due on June 13, 2019. The shortcomings of DWSRF funding were noted, which included the possibility, but not guarantee, of added expenses. The benefits of DWSRF include a lower interest rate, interim financing, a credit line, no closing costs, and no upfront costs. Additionally, there is the DWGWTF, which has higher rates but no federal provisions, and comes with the possibility of a grant. The third and fourth options are Municipal Bond Bank and Commercial Lending.

For short term, it was noted that MVD has reserves. Pratt stated that DWSRF and DWGWTF allow for short term interest financing. Additional options are Municipal Bond Bank and Commercial Lending (credit line).

K. Pratt reviewed the estimated cash flow. The first year is a relatively low investment, allowing the possibility to use money from the reserves. Financing needs to be in place by June 2020, when construction starts on 7 & 8. An example of prior years' interest rates was provided. Pratt noted that rates will change in August 2019 and could change in either direction.

For discussion purposes only, a suggested funding approach was provided. Pratt believes that the design phase could be completed using just Capital reserves. Capital reserves would be a temporary borrow until long term funding is secured and capital reserves reimbursed.

K. Pratt informed the commission that he would like to meet with the DWGWTF Staff prior to May 17, 2019, due to the importance of the May 20th MVD BOC Meeting for meeting deadlines. Pratt informed the commission that a draft for the Special Projects application needs to be submitted to the DWGWTF by May 24, 2019, with a request of \$14.5 M. A suggested possible breakdown was offered. He would like to attend the DWGWTF Commission meeting on June 10, 2019.

Bill Boyd, 139 Joppa Road, Councilor, Merrimack Town Council, suggested to the commission that using capital reserve funds adds credibility to the Special Projects application; K. Pratt agreed. Councilor Boyd also suggested including, "voters approved the bonding," to the application. K. Pratt informed the commission that Underwood has started the applications and will include the 92% in favor of the article. Commissioner W. von Schoen suggested that the number of voters also be included so no one is under the impression that there was a low turnout. Chairman D. Provencher asked if a footnote is allowed on the application, to which Pratt replied that there is in fact room for explanation.

MOTION BY COMMISSIONER D. PROVENCHER TO AUTHORIZE TASK 1 AND TASK 2 OF THE APRIL 29, 2019 ESR 44, WITH \$285,500 TO BE FUNDED FROM THE EQUIPMENT FACILITIES CAPITAL RESERVES
MOTION SECONDED BY COMMISSIONER W. VON SCHOEN
MOTION CARRIED 5-0-0

b. Wells 4 & 5 Status Report

M. Metcalf presented the preliminary results of the Rapid Small Scale Column Testing (RSSCT). This testing estimates how many months the CAG will last before breakthrough is present. In testing, breakthrough was seen immediately, the laboratory believes this to be lab error and is running a second test on the duplicate samples. Metcalf noted that the testing shows anywhere from 16 – 24 months before breakthrough of PFOA. Metcalf would not expect any breakthrough before 14 months.

Commissioner W. von Schoen asked which short chains were tested for. Metcalf responded that the standard test is for 6, however Underwood added two and tested for PFOA, PFOS, PFBS, PFHPA, PFHXS, PFHXA, PFNA, PFPEA. Underwood did not test for PFBA, which does typically break through first. Chairman D. Provencher requested to add PFBA testing to the back up samples. Underwood will investigate this.

In terms of additional funding, K. Pratt informed the Commission that the state is expecting Underwood/MVD to eventually be asking for additional money. Chairman D. Provencher noted the goal would be to offset any of the rate payers' money if possible.

In terms of approvals, Metcalf noted that plans had been submitted to the building inspector and Underwood is expecting comments back soon. DES has informed Underwood that there is an approval letter waiting. A sampling plan was needed and has been submitted. Chairman D. Provencher relayed a question from the public regarding sampling taps and if this is incorporated into the sampling plan to track vertically. Metcalf responded that that is the plan. Plans need to be finalized with the Wastewater Treatment Plans in terms of accepting the backwash.

K. Pratt informed the Commission that the current report has the initial sampling plan from 2017, so breakthrough can eventually be predicted. State has an improved sampling plan in their hands. This information is currently public on the portal, the most recent sampling plan will eventually be public as well.

Metcalf reiterated to the Commission that Underwood needs to close the loop with the wastewater treatment plant about accepting the backwash. Working to see what can be accepted. Some concern about the arsenic. Chairman D. Provencher questioned GAC media giving off arsenic. Metcalf noted that this is a side effect of the carbon. Calgon recommends using the acid rinsed carbon to prevent this issue. Water quality impacts could cause an issue with either arsenic or pH level and has been shown at two locations (outside of MVD), with no known reasoning.

Metcalf noted that Underwood needs to propose a construction phase contract with MVD, to be done at next meeting. This will be a public bid. The state requires that it be posted statewide. Underwood typically posts in the Union Leader, among other sources, MVD can post wherever they choose.

c. Turkey Hill Booster

K. Pratt informed the Commission that construction for Turkey Hill is not starting until 2020, behind the initial proposed schedule. Funding allows for construction until 2021. Pratt noted that by having projects run in parallel, it would be more cost effective. Chairman D. Provencher asked if Turkey Hill could handle waiting another year, to which Superintendent R. Miner responded yes, both booster pump motors work.

d. Schedule for Rate Adjustments

K. Pratt noted to the Commission that rates will need to be adjusted for July billing. The Commission should count on the May 20, 2019 meeting as a hearing and the June 17, 2019 meeting as a vote for rate adjustments. Pratt would like to refresh the rate model based on current budget increase and on May 20th propose a recommendation on which direction to take.

e. Water Balance Report and email of April 16, 2019

There were no questions regarding the email from Underwood.

4. Board of Commissioners to discuss any updates from Bill Boyd regarding the Drinking Water and Groundwater Trust Fund

Bill Boyd, Councilor, Merrimack Town Council, previously addressed the BOC under agenda item #3a.

5. Board of Commissioners to review minutes from March 18, 2019 Regular Session and March 26, 2019 Annual Meeting.

March 18, 2019

The following amendments were offered:

Commissioner W. von Schoen requested a change to page 1, 2nd paragraph to say that he also reminded staff that there was an open action item to establish a policy when to buy water third party. Additionally, on page 1, Commissioner W. von Schoen requested that a change be made to the first sentence in paragraph 5 to reflect that he asked if the backhoe purchase was complete.

Chairman D. Provencher offered an amendment to the last sentence in the 2nd paragraph of page 4, item 4. Commissioner Provencher would like to add “of detected PFAS compounds in the future between MVD wells and Saint Gobain wells.

MOTION BY COMMISSIONER T. PELLEGRINO TO APPROVE THE MEETING MINUTES OF THE MARCH 18, 2019 REGULAR SESSION OF THE BOARD OF COMMISSIONERS, AS AMENDED

**MOTION SECONDED BY COMMISSIONER W. VON SCHOEN
MOTION CARRIED 4-0-1**

Commissioner Ayers Abstained

March 26, 2019

The following amendments were offered:

Commissioner W. von Schoen requested a change to the start of the 4th paragraph on page 3, to read that “in response to an inquiry from the public, W. von Schoen noted...”

He would also like to remove the last sentence from the 3rd paragraph on page 4.

Commissioner W. von Schoen also offered an amendment to the first (partial) paragraph on page 5. Changes should include reference to the states that have much larger environmental agencies and departments of Health than New Hampshire does that found that these chemicals are harmful, specifically for children.

Chairman D. Provencher offered an amendment to the first line on page 5, to insert, “due to recommended safe levels of PFAS declining over the prior years he is unaware if...” prior to the start of the first word (“these chemicals”). Also requested to remove the word “not” from the same sentence.

Chairman D. Provencher requested to amend page 2 by inserting an additional paragraph after paragraph 3, stating that M. Metcalf confirmed there is not a downward trend in PFAS in his subsequent presentation.

Additionally, he requested a change on page 3, paragraph 2, line 2, to read, “wells 2, 3, 7 and 8 have no lag GAC filter redundancy...”

Chairman D. Provencher also requested to make a change to page 3, paragraph 4, to read, “...district wells do not exceed current maximum contaminant levels.” Commissioner W. von Schoen offered another amendment to the same sentence to read, “... as the levels in the currently productive district wells...”

Chairman D. Provencher offered an amendment to fifth paragraph on page 3, second line, to insert the words “and replacement,” to read, “...costs includes the removal and replacement of this material.”

Chairman D. Provencher offered grammatical corrections to the 2nd sentence in paragraph 7 of page 4, changing the word “than” to “then” as well as adding a question mark.

**MOTION BY COMMISSIONER W. VON SCHOEN TO APPROVE THE MEETING MINUTES OF THE MARCH 26, 2019 ANNUAL MEETING, AS AMENDED
MOTION SECONDED BY COMMISSIONER J. COMER
MOTION CARRIED 4-0-1**

Commissioner Ayers Abstained

OLD BUSINESS – None

NEW BUSINESS – Chairman D. Provencher noted a potential meeting with Governor Chris Sununu for the town of Merrimack. He questioned if there was desire of MVD to participate. Chairman Provencher noted that he would be interested in going. Currently, there is no date set for this meeting.

SUPERINTENDENT’S REPORT

Ron Miner, Superintendent, informed the Commission that part of the Flatley conditions was to loop the water mains. These water system improvements have been scheduled for May 11, 2019 and posted on MVD’s website as such. Superintendent Miner noted that details still needed to be worked out with the fire department, as a water main will need to be shut down. Superintendent Miner will look to see if there’s a way to create a temporary bypass to allow water through. Affected areas can be found on MVD’s [website](#).

Chairman D. Provencher questioned what kind of notice is required for something of this nature. Superintendent R. Miner informed the commissioners that a notice had gone out to impacted businesses and residents on April 29, 2019. An electronic road sign will also be posted.

Superintendent Miner noted that the schedule for the Saint Gobain work for water main extensions is available on MVD's website.

QUESTIONS FROM THE PUBLIC

Kathryn Stack, Knollwood Drive, State Representative, noted that constituents had asked if Joppa Road is connected to the sewer. Superintendent R. Miner responded that he was unsure of the answer. Representative Stack followed up by questioning if blasting of the ledge was set to occur, might it be sensible to inquire about doing the sewer line at the same time? Vice Chairman J. Comer noted that the sewer line stops at the condos. Representative Stack questioned if they would want to move it up. Vice Chairman J. Comer noted that question was better posed to the Town of Merrimack.

Nancy Murphy, Brenda Lane, State Representative, questioned if it would be possible to have public comments come earlier on the agenda. This would avoid the public having to sit through lengthy sections that do not necessarily involve them, such as approving meeting minutes. Chairman D. Provencher asked if the Town Council has two public comment sections. Representative Stack answered that they do.

Representative Murphy noted what she believes to be 34 PFAS compounds having been found on site at Saint Gobain. Questioned if there has been thought given to testing for more of what we know. Business Manager J. Lavoie answered that MVD now tests for 32 (increase from 12).

Representative Murphy also stated her concern with the issues regarding Sodium Chloride. She noted that she asked J. Emery how many years this has been a problem and he informed her that it has been talked about since the 1990s. Representative Murphy questioned if this is something that could potentially bring discussions of legislation, bringing it to Concord, to help with enforcement of road salt usage, given the health concerns. Chairman D. Provencher agreed that this was a good point, but there were unclear aspects, such as if the laws are already in place, and who oversees enforcement. Superintendent R. Miner noted that the Planning Board sets the restrictions based on MVD's recommendations, Community Development oversees enforcement. Representative Murphy asked if it is known what the rationale is for grandfathering properties allowed to still use salt. It was noted that timing of developments preceding the bylaws must have played a role. Representative Murphy noted the increased development of Merrimack in the last 10 years.

Chairman D. Provencher expressed worry with the general lack of concern with road salt effect on the water until the water becomes unusable. Representative Murphy stated that she thought it would be helpful to gain a sense of what the regulations are, who made them, and make changes based on that. Chairman D. Provencher asked where we get answers to those questions. Vice Chairman J. Comer noted that he thought that would fall under Community Development and noted that codes are not retroactive. Chairman D. Provencher proposed sending a proactive letter showing graphs of the sodium & chloride problem, with hopes that changes will be made willingly without enforcement.

It was also noted by Representative Murphy that she is pleased to see that MVD is doing everything possible to limit costs, including overtime. It was stated that people have asked, with summer coming, is MVD going to drive around enforcing water irrigation restrictions? Will this be overtime, or will there be

staggered shifts to prevent overtime? She noted that she believes others will also be pleased to see that MVD is trying to reign in what they do have control over.

In terms of the Governor's meeting, Representative Murphy has met with his scheduler and is looking for a Town Hall style meeting. She expressed hope that everyone from MVD would show up as they are at the forefront of the ongoing issue. Town Council has been invited. Date has not yet been set but meeting will most likely take place at the end of May, during evening hours.

Commissioner W. von Schoen expressed interest in going to the meeting with the support of the Board of Commissioners (BOC), as a quorum. Commissioner W. von Schoen asked that the chair make a motion.

**MOTION BY COMMISSIONER D. PROVENCHER THAT WHOEVER IS AVAILABLE TO GO FROM MVD ONCE A DATE AND LOCATION IS ESTABLISHED, THAT WE GO TO PROVIDE PRESENCE AND REPRESENTATION OF MVD AT THAT MEETING
MOTION SECONDED BY COMMISSIONER T. PELLEGRINO
MOTION CARRIED 5-0-0**

QUESTIONS FROM THE PRESS - None

ADJOURNMENT

**MOTION BY COMMISSIONER J. COMER TO ADJOURN
MOTION SECONDED BY COMMISSIONER T. PELLEGRINO
MOTION CARRIED 5-0-0**

The April 29, 2019 meeting of the Board of Commissioners was adjourned at 9:02 p.m.

Submitted by Amanda McKenna, Recording Secretary