

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
NOVEMBER 18, 2019  
MEETING MINUTES  
(approved December 16, 2019)**

A regular meeting of the Board of Commissioners was conducted on November 18, 2019 at 4:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided:

Members of the Board present: Joseph Comer, Vice Chairman  
Wolfram von Schoen  
Kenneth Ayers

Members of the Board Absent: Anthony Pellegrino, Personnel Liaison

Also in Attendance: Ron Miner, Superintendent  
Jill Lavoie, Business Manager  
Michele Holton, Finance/H.R. Director

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**NON-PUBLIC SESSION**

**MOTION BY COMMISSIONER VON SCHOEN THAT THE COMMISSION, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3, II (a); RSA 91-A:3, II(d); and RSA 91-A:3, II(e)**

**MOTION SECONDED BY COMMISSIONER COMER**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Donald Provencher, Joe Comer, Wolfram von Schoen, Kenneth Ayers,  
4  
Nay: 0

**MOTION CARRIED**

*The Commission went into non-public session at 4:06 p.m.*

*The Commission came out of non-public session at 5:04 p.m.*

**SEALING OF MINUTES**

Board of Commissioners Non-Public Sessions . . . . . November 18,  
2019

**MOTION BY COMMISSIONER W. VON SCHOEN TO SEAL THE MEETING MINUTES OF THE NOVEMBER 18, 2019 BOARD OF COMMISSIONERS MEETING NON-PUBLIC SESSION**

**MOTION SECONDED BY COMMISSIONER J. COMER**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Donald Provencher, Joe Comer, Kenneth Ayers, Wolfram von Schoen,  
4  
Nay: 0

**MOTION CARRIED**

**FINANCIAL REVIEW – Michele Holton**

**A. Analysis of Revenue and Expenditures Report**

Michele Holton, Finance/H.R. Director, informed the Commission that being through October, the budget is 1/3 complete. The total income and revenues are at 46.9%. She noted that there a few large contributors to this, such as the Grant Revenue (account 40500), Service Charge – Entrances (account 40413), and System Development Charge (account 40600). Director Holton noted that it is expected to be ahead of budget at this point as these are historically stronger months. Director Holton informed the commission that most expense line items that have a percentage against budget greater than 33% are due to timing issues. Electricity (account 60000) is slightly over budget but that is to be expected during a time of higher output. Director Holton also noted that Motor Vehicle Maintenance (account 60500) is over budget, which falls in line with vehicle registration taking place in September. At this time, Director Holton noted that the total expenses are at 28.4%. The net ordinary income is roughly \$712,000.

The increase in Water Sales, both Domestic (account 40100) and Mercantile (account 40200), appropriately reflect the rate increase. Grand Revenue (account 40500) is ahead in comparison to the prior year as well as the current year budget. System Development (account 40600) also reflects ahead of the prior year comparison.

**B. Bank Account Summary Review**

Director Holton informed the commission that there will be a final proposal from TD Bank on Thursday November 21, 2019, to review their investment options in order to receive improved rates. She noted that they will not be able to reach the level that the New Hampshire Public Deposit Investment Pool (NHPDIP) has been consistently reporting.

**C. Billing issues**

At this time, Director Holton informed the commission that there were a few billing issues brought to the attention of the MVD today, November 18, 2019. Some customers were not aware of the rate increase that went into effect on July 1, 2019. Additionally, the MVD was made aware that roughly ninety (90) customers had not received their October 2019 billing statements. This will be brought to the attention of the United States Postal Service.

**REGULAR SESSION**

- 1. Board of Commissioners to discuss to discuss Capital Projects with Underwood Engineers to include:**

**a) Turkey Hill Booster Progress**

Tim Puls, of Underwood Engineers, informed the commission that bids for the Turkey Hill Booster Pump Station were opened on October 29, 2019. Six bids came in and the apparent low bidder was Penta Corporation at \$888,800. Puls noted that he was recommending a vote in order to award the contract to Penta. This project was approved for \$1.3M. Chairman D. Provencher questioned the difference between the approval and the bid. T. Puls informed the commission that the bid is simply that much lower, with a 20% buffer.

**MOTION BY COMMISSIONER J. COMER TO THAT THE DISTRICT AWARD THE BID FOR THE PROJECT KNOWN AS “TURKEY HILL BOOSTER PUMPING STATION” TO PENTA CORPORATION OF MOULTONBOROUGH, NH IN THE AMOUNT OF \$888,800 BASED ON THE BID RESULTS AND SUMMARY OF BIDS AS PREPARED BY UNDERWOOD ENGINEERS, INC. AND AS REVIEWED BY THE MVD BOARD OF COMMISSIONERS ON NOVEMBER 18, 2019. THIS AUTHORIZATION IS CONTINGENT ON NHDES FINAL APPROVAL TO AWARD THE CONTRACT. MOTION SECONDED BY COMMISSIONER K. AYERS**

**MOTION CARRIED  
4-0-0**

Chairman D. Provencher asked about the time frame for the Turkey Hill Booster. T. Puls noted that the startup for construction would take place in the spring of 2020.

At this time, Commissioner W. von Schoen questioned the panel enclosure. T Puls informed the commissioners that the design incorporated a Nema 4 enclosure (waterproof / splash proof / spray proof). There is discussion of reclassifying this as a Nema 3R, due to the fact that ventilation needed to be included and will no longer be entirely enclosed.

**b) Repurposing ESR #42 funds**

At this time, Mike Metcalf, of Underwood Engineers, referenced ESR #42 Task 2 – putting in a Short-Term Temporary Caustic Feed at Well 7. Metcalf informed the commissioners that this task has been put on hold, since a treatment plant upgrade is now being done. Of the money allocated to task 2, \$16,742 remains. Underwood Engineers has reached out to Jim Malley with the University of New Hampshire (UNH) to review the Rapid Small Scale Column Test (RSSCT) work, to review the preliminary design reports, and to be available for technical resistance for all peer review questions, with a contract limit of \$10,000. Making this change will just reallocate funds and there will be no increase in terms of appropriations.

**MOTION BY COMMISSIONER W. VON SCHOEN TO REPURPOSE PROJECT FUNDS IN THE AMOUNT OF \$10,000 FROM THE TEMPORARY CHEMICAL FEED IMPROVEMENTS AT WELL 7 TO BE USED TOWARDS A PEER REVIEW BY UNH MOTION SECONDED BY COMMISSIONER K. AYERS**

**MOTION CARRIED  
4-0-0**

**c) Wells 4 & 5 treatment plant construction**

Peter Pitsas informed the commission that construction for the treatment plant of wells 4 & 5 was underway. The foundation walls are in, the tank slab/vessel pad is in, the containment area for the caustic room has been poured, and the plumber is now working on the under-slab piping. He noted that the mason is running behind schedule and will likely start in January rather than December. The vessels should come in February, as scheduled. The overall schedule should not be impacted.

P. Pitsas noted that Underwood has received the Evoqua shop drawing and made comments. It will be shipped back as a “furnish as corrected” shop drawing in the near future.

At this time M. Metcalf informed the commission that Barry Miller thought well replacement for Well 4 was the best course of action. NHDES has recommended that the replacement well be placed beside the current well 4 rather than over it, as initially proposed. The total cost is estimated to be roughly \$115,000, including permitting. This funding would need to come out of contingency, which is in Capital Reserve. Chairman D. Provencher asked what would happen to the existing well. M. Metcalf noted that MVD would abandon the well, which would likely include decommissioning the well (filling the well with sand and gravel and topping with concrete or bentonite). It was asked if the \$115,000 included the abandonment and decommissioning of the well. M. Metcalf stated that he was unsure if this was included. M. Metcalf informed the commission that the requirements for a well replacement are not as intensive as those for a new well.

M. Metcalf noted that the \$115,000 includes Emery & Garret, Underwood Engineers, the markup, and Barry Miller. He is unsure if it includes abandonment. He noted that this pricing is not out of line.

Commissioner W. von Schoen asked what a replacement well will do to the drawings that have already been created. M. Metcalf and P. Pitsas noted that it will not make much of an impact.

It was noted that Underwood does not mark up their own subcontractors. Emery & Garret would be a subcontractor under Underwood for this project. The commission requested that Penta be asked to remove the well cleaning from the contract, since it will be replaced, in order to avoid the markup, or if they would be willing to lower their markup.

It was also noted by Underwood that there is no contingency in place for change orders. The commissioners discussed adding one. It was confirmed that there would still be an approval process for each change order prior to moving forward. Change orders require approval from Superintendent R. Miner.

**MOTION BY COMMISSIONER W. VON SCHOEN TO APPROPRIATE FUNDS, NOT TO EXCEED \$115,000, FROM EQUIPMENT AND FACILITIES CAPITAL RESERVES FOR WELL 4 REPLACEMENT  
MOTION SECONDED BY COMMISSIONER J. COMER**

**MOTION CARRIED**

**4-0-0**

The Commissioners discussed the value amount that they would like to assign to the contingency fund. Chairman D. Provencher asked if approving a contingency allowed for more flexibility with change orders rather than waiting for the monthly Board of Commissioners meeting. It was noted that it does in fact grant more flexibility. It was also reiterated that Superintendent R. Miner will still need to approve change orders.

**MOTION BY COMMISSIONER W. VON SCHOEN TO SET UP A CONTINGENCY IN THE AMOUNT OF \$50,000**

**MOTION SECONDED BY COMMISSIONER J. COMER**

**MOTION CARRIED**

**4-0-0**

**d) Wells 7 & 8 design progress**

P. Pitsas informed the commission that the 60% design has been reviewed and is now being worked. An infiltration basin is being graded out on the opposite side of the access road to determine feasibility. Superintendent R. Miner asked if an existing infiltration basin can be used. M. Metcalf noted that this can be further investigated.

**e) Wells 2 & 3 design progress**

At this time, P. Pitsas presented the commissioners with a site plan for Wells 2 & 3, which includes space for a future office as well as additional parking. Superintendent R. Miner noted that he would like to see the design flipped if possible. This will be reviewed. Superintendent R. Miner also requested that the hatch access be moved to avoid a possible trip hazard. Additional preferences, requests and questions regarding the design layout were brought up by the commissioners at this time. M. Metcalf suggested implementing an additional work session to review the design layout. The preliminary design, as presented, will be submitted by November 22, 2019, comments, questions, and concerns can be brainstormed and addressed in a work session.

Wells 2 & 3 are currently in preliminary design, to be followed by final design. The survey of the raw water main is set to take place in the final design, which will happen in the winter. Underwood has created an amendment to add the survey to the preliminary design contract to authorize forward motion. Further, Underwood has received a price of \$13,000 from Fieldstone in order to do the survey immediately. M. Metcalf clarified that this price was not included in the preliminary design but would have been included in the final design.

**MOTION BY COMMISSIONER J. COMER TO AMEND ESR #45 TASK 2 PRELIMINARY DESIGN IN THE AMOUNT OF \$13,000**

**MOTION SECONDED BY COMMISSIONER W. VON SCHOEN**

**MOTION CARRIED**

**4-0-0**

**f) Acceptance of NHDES Grant Funds**

At this time, Business Manager J. Lavoie informed the commission that the New Hampshire Department of Environmental Services (NHDES) brought it to the attention of the Merrimack Village District (MVD) that the Certificate of Vote to accept grand funds is not valid. An authorization is required to be signed by the Chairman, Donald Provencher, authorizing Superintendent R. Miner to sign on behalf of the MVD.

The Certificate of Vote Authorization was read to the Board of Commissioners by Chairman D. Provencher:

I, Donald Provencher, Chairman of the Merrimack Village District do hereby certify that at a meeting held on November 18, 2019, the Merrimack Village District Board of Commissioners voted to enter into a Drinking Water and Groundwater Trust Fund agreement with the NH Department of Environmental Services to fund a water system improvement project.

The Merrimack Village District further authorized the Superintendent, Ronald Miner, Jr., to execute any documents which may be necessary to effectuate this grant agreement.

IN WITNESS WHEREOF, I have hereunto set my hand as Chairman of the Merrimack Village District of the 18<sup>th</sup> day of November, 2019.

**MOTION BY COMMISSIONER K. AYERS TO ENTER INTO A DRINKING WATER GROUNDWATER TRUST FUND GRANT AGREEMENT WITH NHDES IN THE AMOUNT OF \$1.45 MILLION FOR PFAS TREATMENT OF WELLS 2, 3, 7 & 8  
MOTION SECONDED BY COMMISSIONER J. COMER**

**MOTION CARRIED**

**4-0-0**

**2. Board of Commissioners to hear update on Saint Gobain main extensions and private well hook ups**

At this time, Business Manager J. Lavoie informed the commission that as of Friday, November 15, 2019, there are three hook ups left to complete.

**3. Board of Commissioners to review the minutes from the September 16, 2019 Public and Non-Public sessions (tabled from the October 21, 2019 meeting) and October 21, 2019 Public and Non-Public sessions.**

**APPROVAL OF MINUTES**

Board of Commissioners Public Session . . . . . September 16, 2019

*The following amendments were offered:*

On page 3, line 29, the word “availability” should be replaced with ability.

Page 6, line 4, should read “... PFOA is the one that exceeds the new MCL...”

Board of Commissioners Non-Public Session . . . . . September 16, 2019

*Amendments were offered*

Board of Commissioners Public Session . . . . . October 21, 2019

*No amendments were offered*

Board of Commissioners Non-Public Session . . . . . October 21, 2019

*No amendments were offered*

**MOTION BY COMMISSIONER J. COMER TO ACCEPT THE MEETING MINUTES OF THE SEPTEMBER 16, 2019 PUBLIC BOARD OF COMMISSIONERS MEETING AND THE SEPTEMBER 16, 2019 NON-PUBLIC BOARD OF COMMISSIONERS MEETING AS AMMENDED AND THE OCTOBER 21, 2019 PUBLIC BOARD OF COMMISSIONERS MEETING, AND THE OCTOBER 21, 2019 NON-PUBLIC BOARD OF COMMISSIONERS MEETING AS PRESENTED  
MOTION SECONDED BY COMMISSIONER K. AYERS**

**MOTION CARRIED**

**4-0-0**

**OLD BUSINESS**

At this time Commissioner W. von Schoen asked if there was any new information regarding the Saint Gobain meeting with the Merrimack Town Council. Business Manager J. Lavoie noted that she did not have any additional information. Chairman D. Provencher questioned if there were two seats for the MVD to choose representatives to sit on the Community Advisory Council. The commissioners noted that they would be interested in having three seats on the committee. Superintendent R. Miner asked the commissioners if the MVD should reach out to Gregory Michael, of Burnstein Shur, regarding the committee. The commissioners agreed.

Chairman D. Provencher informed the commission that he has not yet put together a thank you letter to the Drinking Water Groundwater Trust Fund. At Chairman D. Provencher's request, Commissioner W. von Schoen offered to handle the task of the thank you letter.

Chairman D. Provencher asked if anyone had reached out to MVD regarding the mailing that went out to property owners in the Well Head Protection Area. It was noted that no one has contacted MVD.

**NEW BUSINESS** – None

**SUPERINTENDENT'S REPORT** - None

**QUESTIONS FROM THE PUBLIC** – None

**QUESTIONS FROM THE PRESS** - None

**ADJOURNMENT**

**MOTION BY COMMISSIONER J. COMER TO ADJOURN**

**MOTION SECONDED BY COMMISSIONER K. AYERS**

**MOTION CARRIED**

**4-0-0**

The November 18, 2019 meeting of the Board of Commissioners was adjourned at 8:02 p.m.

Submitted by Amanda McKenna, Recording Secretary