

REGULAR SESSION

1. Board of Commissioners to receive an update from Jamie Emery of Emery & Garrett Groundwater Investigations/GZA regarding:

a) Salt Mitigation Initiative

J. Emery informed the commissioners that there was a video taken by one of the board members that provided a great example of what not to do. Emery noted that it was important to move forward on some of the very aggressive salting that has been taking place in the regions that are adversely impairing the water quality in the Naticook Brook. Superintendent R. Miner and Business Manager J. Lavoie were able to establish a special Zoom meeting with a couple of stakeholders, which set for February 25, 2021. J. Emery and Chairman D. Provencher will both be present and there will be a presentation of the salt mitigation slideshow.

b) Naticook Brook Aquifer Drilling at MVD Well 9

J. Emery, of Emery and Garrett, informed the commissioners that they have drilled to the bottom. The total depth of the Well is 103'. This is an 18"x24" production well. Emery noted that they are ahead of schedule. The casing is set down to 103' and the screen is in. The screen is 17' of stainless-steel screen. They will be jacking the casing out, so the screen is exposed to the aquifer. After this, the project will move into development. At that time, preliminary groundwater samples will be taken and sent to Underwood Engineering to use. Emery and Garrett will then need to wait until the State responds to the preliminary application. Emery stated that there have been no public hearing requests by the nearby communities, which will save roughly sixty (60) days in the process.

Emery also informed the commissioners that he is asking the Board to consider signing a change order. He reminded the commissioners that in the early days of the project it was decided to put the production well in before running preliminary tests. Emery noted that in the long run, it will likely provide a savings of \$100,000. He has put together a change order that identifies, to the best of his ability, the work scope that will take them through the pumping test, the final hydrogeologic report, and meetings. The dollar amount for the change order is \$158,700. Emery then removed the amount from the original agreement (\$62,500), to total \$96,200. The amount of \$96,200 would be needed to continue moving the program forward. Emery noted that he has been having conversations with Superintendent R. Miner about how to get the temporary discharge pipe from Well 9 to a place that will not be influencing the pumping of Well 2 and the pumping of Well 9. Emery has been unable to put a dollar amount on this. The water will need to be discharged 2,000' away to get it out of the basin that will be tested. The current thought is that MVD will buy the pipe, run it to MVD Well 2, Emery and Garrett will then provide temporary piping to run an additional 1,000'. This is still under consideration, but a \$5,000 allocation has been put into the change order to put towards whatever solution is used.

Emery explained that the current contract is for the installation and development of the production well, and to do a submittal of a preliminary hydrogeologic report. He noted that they had put \$62,500 into the current contract for a preliminary pumping test, which will not be used. This has been described in the change order.

Chairman D. Provencher asked a question about a bullet in the information provided by Emery. The bullet reads, "What is the potential impact of pumping on the adjacent wetlands and stream

flow in Naticook Brook?” He noted the foot note that indicates this is only a preliminary assessment. J. Emery noted that this foot note was an error and should not be included with the bullet.

Chairman D. Provencher also asked about the day-by-day pump schedule provided for Well 2 during the pump test at Well 9. The testing will begin with a three-day (3) period with no pumping from existing Production Well MVD-2 to allow the aquifer to recover from normal operational conditions. Emery explained that they will go through the various days of how the both wells will be pumped in accordance with this test. This is the pumping test plan that will need to be approved by the State. Emery expects the state to approve this test. This is the detailed procedure of pump testing MVD-9.

Chairman D. Provencher pointed out that Emery & Garrett’s scope indicates MVD-2 to pump for three days before MVD-9 pumping begins, and the goal is for MVD-2 to continue to pump throughout and for 3 days after the 5 day pump test at MVD-9 ends. Chairman D. Provencher noted that the MVD staff will have to keep track of water levels in our storage tanks to avoid overflows, with MVD-2 pumping continuously, and may need to shut down other wells, or have a plan in place to deal with the potential overflows. Emery indicated that we may be able to shut MVD-2 off periodically.

Chairman D. Provencher asked Emery when he believed NHDES will provide their response on the preliminary report. Emery answered that he would expect an answer within the next 3-4 weeks. This would also avoid winter storm weather.

MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT CHANGE ORDER #1 FROM EMERY & GARRETT GROUNDWATER FOR PROJECT 33.0083056.07 DATED FEBRUARY 18, 2021, IN THE AMOUNT OF \$96,200, WITH THE FUNDS TO COME FROM NEW WELL FUNDS

MOTION SECONDED BY COMMISSIONER J. LYONS

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Wolf von Schoen, Kenneth Ayers, John Lyons, Paul McLaughlin

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Nay:

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MOTION CARRIED

5-0-0

c) Salt Mitigation Committee

Chairman D. Provencher stated that MVD is trying to get the participants lined up for the Salt Mitigation Committee. Emery noted that Superintendent R. Miner and Business Manager J. Lavoie have put together a list of people which will involve the Public Works, NHDES, and a number of stakeholders who have volunteered. The names of people include Kyle Fox (Merrimack Public Works), Lori Barret (Town of Merrimack Operations Manager), Casey Wolfe (Town of Merrimack Assistant Planner), Fidelity, Ken Dodd, Joe Murray, and Shawn O’Keefe. Superintendent R. Miner noted that there are additional names he would like to add to the list. He also stated that he is thinking about sending a certified letter to the DOT.

Chairman D. Provencher asked whether any properties in the Well-4/5 well head protection area had been invited, such as Merrimack Commons and the residential condominiums in that area. Jill Lavoie responded that she had been informed that Merrimack Commons is using sand in their parking lot. Chairman D. Provencher thought that was great, and recommended that we consider inviting other properties, such as along Continental Blvd., which is very close to Well-2 and the Naticook Brook watershed. D. Provencher explained that inviting properties that use sand instead of salt would be a great example to the salt users of what other methods can be done, and how other methods have worked out for them.

2. Board of Commissioners to receive an update from Underwood Engineers regarding the bidding process for the PFAS treatment plant at Well #2

Peter Pitsas stated that he wanted to start by informing the commission that Underwood will be including something in the specifications for the project that MVD can award the Well 9 portion up until December 31, 2021. Underwood feels that this gives the contractor enough time, once notified, to order the VFD, the pump, and the pitless adapter, and have it delivered before spring. This also gives time for the contractor to line up the directional driller.

Pitsas informed the commissioners that Underwood has received state approval to go out to bid on the project. It will be advertised in the paper on Wednesday, February 24, 2021. The bid opening is scheduled for March 26, 2021, at 2:00 p.m. Underwood will schedule a pre-bid meeting, which will likely be virtual. Pre-bid meetings are typically scheduled a few weeks before the bid opening to give contractors a chance to look at the specifications and ask questions. Vice Chairman W. von Schoen asked Pitsas if the contract included the discussed language. Pitsas answered that it does include the discussed language. Chairman D. Provencher asked if Underwood was able to make the modifications to the treatment plant building to add the electrical controls and VFDs. Pitsas informed the commissioners that Underwood was able to make the modifications. Chairman D. Provencher asked Pitsas if the two contractors currently working with MVD, Penta and ICC, have been made aware of this upcoming bid. Pitsas informed the commission that the contractors are aware, and it is unlikely that ICC will bid on it. ICC is a small contractor and in the midst of the Wells 7 & 8 project.

Vice Chairman W. von Schoen informed Keith Pratt that he would like to see a timeline for open orders. He noted that there are multiple open orders, such as the rate study, the corrosion management, and the possible chlorination distribution/reduction close to the wells. Vice Chairman W. von Schoen also noted that it would be a concern to spend a large amount of money cleaning the water to have people not drink it due to the taste of chlorine. Pitsas asked Vice Chairman W. von Schoen if there was a centralized area of where the complaints stem. Vice Chairman W. von Schoen noted that there is a concentration of people in the area of Wells 4 & 5, but it is not limited to that area. Vice Chairman W. von Schoen did note that it is usually people in close proximity to MVD wells. K. Pratt stated that Underwood would be happy to review this with MVD. Vice Chairman W. von Schoen noted that he would just like the commissioners and the MVD staff to be aware of the timeline as some engineering orders have been ongoing since October 2020. He stated that an email with this information would suffice.

3. Board of Commissioners to discuss and assign Warrant Articles and review the Budget Memo from the March 30, 2021 Annual Meeting

Chairman D. Provencher informed the commissioners that the Warrant Articles would be read aloud at the Public Hearing. Together, the board assigned a commissioner to present each Warrant Article. The following assignments were made:

- Article 1:* Commissioner K. Ayers
- Article 2:* Chairman D. Provencher
- Article 3:* Commissioner P. McLaughlin
- Article 4:* Commissioner K. Ayers
- Article 5:* Commissioner P. McLaughlin
- Article 6:* Chairman D. Provencher
- Article 7:* Commissioner K. Ayers
- Article 8:* Commissioner P. McLaughlin

4. Board of Commissioners to review the minutes from the December 15, 2020 Work Session, December 21, 2020 Regular BOC Meeting, January 11, 2021 Special Meeting, January 25, 2021 Regular BOC Meeting and January 25, 2020 Public Hearing.

APPROVAL OF MINUTES

Board of Commissioners Work Session December 15, 2020
No amendments were offered.

MOTION BY COMMISSIONER P. MCLAUGHLIN TO ACCEPT THE MEETING MINUTES OF THE DECEMBER 15, 2020 BOARD OF COMMISSIONERS WORK SESSION AS PRESENTED

MOTION SECONDED BY COMMISSIONER K. AYERS
A Viva Voce Roll Call was conducted, which resulted as follows:

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, Paul McLaughlin
4
Nay: 0

Commissioner J. Lyons abstained

MOTION CARRIED

4-0-1

Board of Commissioners Public Session December 21, 2020
No amendments were offered.

MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE DECEMBER 21, 2020 BOARD OF COMMISSIONERS MEETING AS PRESENTED
MOTION SECONDED BY COMMISSIONER K. AYERS

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

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, John Lyons

4

Nay:

0

Commissioner P. McLaughlin abstained

MOTION CARRIED

4-0-1

Board of Commissioners Special Meeting January 11,
2021

No amendments were offered.

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES
OF THE JANUARY 11, 2021 BOARD OF COMMISSIONERS SPECIAL MEETING AS
PRESENTED**

MOTION SECONDED BY COMMISSIONER K. AYERS

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

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, Paul McLaughlin, John Lyons

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Nay:

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MOTION CARRIED

5-0-0

Board of Commissioners Public Session January 25, 2021

TABLED

Board of Commissioners Public Hearing January 25, 2021

No amendments were offered.

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES
OF THE JANUARY 25, 2021 BOARD OF COMMISSIONERS PUBLIC HEARING AS
PRESENTED**

MOTION SECONDED BY COMMISSIONER K. AYERS

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

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, John Lyons

4

Nay:

0

Commissioner P. McLaughlin abstained

MOTION CARRIED

4-0-1

5. Questions from the Public

None

6. Questions from the Press

None

RECESS

MOTION BY COMMISSIONER D. PROVENCHER TO RECESS

MOTION SECONDED BY COMMISSIONER K. AYERS

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Wolf von Schoen, John Lyons, Kenneth Ayers, Paul McLaughlin

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Nay:

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MOTION CARRIED

5-0-0

The public session of the MVD Board of Commissioners was recessed at 6:24 pm to be reconvened after the Public Hearing at 38 McElwain Street, Merrimack, NH.

PUBLIC HEARING

The Public Hearing relative to the Merrimack Village District's Proposed Operating Budget for Fiscal Year 2021-2022 and the Warrant Articles for Fiscal Year 2021-2022 was opened at 7:01 p.m. and was closed at 7:15 p.m.

RECONVENE REGULAR SESSION

MOTION BY COMMISSIONER K. AYERS TO REOPEN THE BOARD OF COMMISSIONERS PUBLIC MEETING

MOTION SECONDED BY COMMISSIONER P. MCLAUGHLIN

MOTION CARRIED

3-0-0

The commission reconvened at 7:16 pm.

7. Warrant Articles – 2021 Annual Meeting

Chairman D. Provencher informed the public of the intent to receive and incorporate any public comments on any of the Warrant Articles, however, there were no public comments.

Chairman D. Provencher informed the commissioners and the public that Vice Chairman W. von Schoen had requested a comment be made in his absence. On behalf of Vice Chairman W. von Schoen, Chairman D. Provencher stated that for Article 2, which is the vote to change the office of Treasurer from an elected position to an appointed position, Vice Chairman W. von Schoen was in favor of leaving the position of Treasurer to be an elected position. He noted that Vice Chairman W. von Schoen indicated that this would allow for a greater opportunity of checks and balances on behalf of the public.

**MOTION BY COMMISSIONER P. MCLAUGHLIN TO APPROVE WARRANT ARTICLES 2, 4, 5, 6, 7 AND 8, AS WRITTEN
MOTION SECONDED BY COMMISSIONER K. AYERS**

**MOTION CARRIED
3-0-0**

ADJOURNMENT

**MOTION BY COMMISSIONER K. AYERS TO ADJOURN
MOTION SECONDED BY COMMISSIONER P. MCLAUGHLIN**

**MOTION CARRIED
3-0-0**

The February 22, 2021 meeting of the Board of Commissioners was adjourned at 7:20 p.m.

Submitted by Amanda McKenna, Recording Secretary