

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
JANUARY 24, 2022
MEETING MINUTES
(approved March 21, 2022)**

A regular meeting of the Board of Commissioners was conducted on January 24, 2022, at 5:04 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided electronically:

Members of the Board present: Wolfram von Schoen, Vice Chairman (electronic participation)
 Kenneth Ayers (electronic participation)
 John Lyons (electronic participation)

Members of the Board Absent: Paul McLaughlin

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

The January Board of Commissioners meeting was held via electronic participation and an emergency was declared by Chairman D. Provencher due to increasing numbers of Covid-19. As stated on the agenda, webinar and telephone access were available for members of the public wishing to participate.

Members of the Board were participating via Zoom. In accordance with RSA 91-A:2 III, each member of the Board was asked to state, for the record, where they were, and who, if anyone, was with them.

Roll call of Board members and their locations

- Don Provencher (Chairman) stated he was participating electronically from home at 6 Wasserman Heights, Merrimack
- Wolf von Schoen (Vice Chairman) stated he was participating electronically from home at 4 Conservation Drive, Merrimack.
- Kenneth Ayers stated he was participating electronically from home at 19 Jake’s Lane, Merrimack, NH.
- John Lyons stated he was participating electronically from home at 25 Windsor Drive in Merrimack.

FINANCIAL REVIEW

A. Analysis of Revenue and Expenditures Report

Michele Holton, Finance/H.R. Director, informed the Commission that having completed the month of December, Merrimack Village District (MVD) is 50% through the fiscal year. Current year income is coming in at 56.36% of the budget and expenses are at 42.32% of the budget. At this time last year, the income was at 51.1% of the budget and expenses were at 43.41%. The net ordinary income is almost \$628,000, which is roughly \$311,000 above the net ordinary income at this point last year. Director Holton informed the commissioners that there were a few items to review on the expense side of things that had changed. She noted that account 50120 (turnover costs) is being broken out and was previously grouped under “wages.” She also noted that account 60300 (purchase of water)

has gone up to \$58,000. She stated that she will be doing a reclass, as not all of that amount is to be paid from the budget. Director Holton and Superintendent R. Miner will review the Pennichuck and PUC agreements to determine how to track it. Director Holton also noted that account 70020 (rentals) is above budget due to main line breaks. Vice Chairman W. von Schoen asked if account 50202 (field staff overtime on call), which is 179% over budget, is also related to the water main breaks, and if so, will the overtime hours and the rentals be invoiced to the people who caused the water main breaks. Superintendent R. Miner explained that part of the rental was to locate a water main on Continental Boulevard, which would not be billed out, but if the break was due to a strike MVD does bill those additional costs out to the responsible party. Director Holton also noted that account 90000 (capital budget expense) will be detailed out for the February 2022 meeting but provided a brief overview for the commissioners. Chairman D. Provencher noted account 50180 (administrative sick pay out), and asked if this has been paid out, if that means the normal wages that are paid out have been reduced. Director Holton answered that this is something that is budgeted for separately. She explained that when staff have accumulated a six-week bank of sick time prior to rolling into a new year and gaining another two-weeks of sick time, they are eligible for a pay out of two-weeks or the number of hours over the six-week bank. This is usually done prior to the Christmas Holiday. It was clarified that this is not money that was paid out due to an employee being sick. Chairman D. Provencher asked if anyone has depleted their sick days with all of the recent COVID spike. Director Holton explained that there was a period when COVID sick pay out was reimbursed through a federal payroll tax credit program. This program has ended and time out related to COVID is to come out of an employee's sick bank. Chairman Provencher asked what determines an employee's eligibility to return to work after covid. Director Holton explained that MVD's guidelines are based on information from the CDC and the State of New Hampshire, as well as local guidelines from schools. MVD also bases a return on symptoms, such as 24-hours fever free without the use of fever reducing medication, symptom improvement, etc. A negative test is not a requirement to return to work as some will test positive beyond 90-days. Isolation is dependent upon vaccination status. Chairman Provencher asked if an unvaccinated person receives extra paid time off. Director Holton answered that, historically, yes, because the quarantine time for an unvaccinated person is longer than that of a vaccinated person. Chairman Provencher stated that he has a problem with that, as it becomes an incentive for employees to remain unvaccinated. Director Holton explained that this is to protect the other employees from becoming infected with COVID. She also stated that as of 2022 the pay will come directly from the employee's sick time. Vice Chairman W. von Schoen asked Director Holton if MVD had created reserves for the untaken paid time off. Director Holton answered that yes, for both accrued vacation and sick time. Commissioner J. Lyons asked about the idea behind having a policy that pays out for unused sick time. He asked if there was a law standing behind this. Director Holton answered that it was just a practice and is in many collective bargaining agreements in other municipal communities. This has been in practice at MVD for at least 20-years. Superintendent R. Miner clarified that this was only for sick time. Vacation time falls under a "use it or lose it" policy. Vice Chair W. von Schoen stated that this is why many employers have transitioned to general Paid Time Off (PTO) system. He stated that he prefers PTO. Commissioner J. Lyons stated that he would be against paying out accrued sick time. Commissioner K. Ayers noted that in his experience, paying out accrued sick time is not uncommon. He stated that this is a nice benefit to have, and he would disagree with taking this benefit away from employees, He also noted that allowing an employee to accrue sick time is truly beneficial for the employee should they find themselves in the position of needing surgery. Director Holton noted that they do require the six-week bank of sick time as an added level of financial security should an employee find themselves on short-term or long-term disability. Chairman D. Provencher asked if there was a cap on the number of sick days that can be accrued and then be paid out. Director Holton answered that six-weeks is the amount allowed to be accrued. When it comes time to add an additional two weeks at the start of the new calendar year, anything that will bring an employee above six weeks will then be paid out. At this time, it was stated

that the commissioners would like to become more familiar with the policy and decided to discuss this topic at a later time.

REGULAR SESSION

1. Board of Commissioners to take an official vote on the proposed changes to the MVD Salary Schedule as previously reviewed.

Vice Chairman W. von Schoen stated that he was in favor of moving forward with the updated salary schedule. He noted that it was previously discussed extensively and feels confident in his understanding of why the change was proposed. He explained that this was based on not having changed the salary ranges in the last ten years, as well as extensive study with comparable districts and municipalities. None of this has a direct and immediate effect on anyone aside from one individual who was below the new minimum. This also opens up room for further increases for individuals who have been at the max for a number of years. Director Holton stated that she would like to clarify that initially she had put an effective date of January 1, 2022, because she had thought this would have been reviewed earlier. She explained that there is one person who would need to be brought up to the new minimum of their range, and there are two people in particular who have not had reviews in a significant amount of time. One of these individuals had their last merit increase in 2014 and the other was in 2013. Both have repeatedly had positive reviews that would have been granted a 3% raise, but both were at their maximum pay. The review dates for these individuals are April and June. Director Holton is asking the board to consider making the new salary schedule effective February 1, 2022, in order to enable those who have been maxed to receive a merit increase, dependent upon their evaluation. She also noted that MVD is currently recruiting, and this would make the updated salary ranges available for MVD to offer to new candidates. Chairman W. von Schoen stated that he does not believe this should be done because it has not been budgeted for, and he would not be in favor. Director Holton stated that MVD is down by three staff so that is bringing the actual to budget lower than it would have been. Vice Chair von Schoen responded that he was not comfortable making that budget change without having it approved by the voters. Director Holton added that there would not be retroactive pay. Superintendent R. Miner stated that the two employees in question would have to wait another year before they would be eligible for a merit raise if the salary schedule was not updated. Commissioner J. Lyons stated that if he could be shown that the current budget could handle the update, he would be open to it. Director Holton stated that the budget could handle the update for the new hires, at the very least. Vice Chairman W. von Schoen that he would be against that, as that would not be fair for the employees MVD would like to retain. Commissioner K. Ayers asked why they could not make a merit increase effective July 1, 2022, when the new budget becomes effective, if the review permitted a merit increase. Director Holton noted that it could be done that way, and in terms of new hires, an increase could take place after an introductory period. Chairman Provencher stated that if positions needed to be filled, he would like the new pay rate increase to be available as an incentive. Director Holton stated that the maximum range for the Field Tech position is currently \$20.64, and there are a lot of openings available well above that rate, and some leeway may prove beneficial in the recruitment efforts. Vice Chair W. von Schoen stated that a floodgate is opened when stacking an updated salary schedule, COLA, and merit increases, noting that he is uncomfortable making these moves until the new budget is approved. Director Holton asked Vice Chairman W. von Schoen if he would be open to approving MVD to do the reviews in the last quarter with the proposed merit increase allowed to be effective July 1, 2022, with the passing of the budget, and any new hires could be hired at a certain level with something beyond the typical \$0.50 introductory increase. This would allow MVD to bring a new hire to a rate they may find more acceptable effective July 1, 2022. Vice Chairman von Schoen stated that he would be comfortable with that but reminded everyone that this

is just his opinion, and the other commissioners may have differing opinions. Director Holton asked for a clarification on the date in the motion. Vice Chairman clarified that he stated, “as proposed” and it says July 1st. Vice Chairman W. von Schoen added that his opinion is not because he does not appreciate those affected by this, stating that he feels MVD has a great staff in general, but there are people on fixed incomes who will not be receiving an 8% raise this year and that needs to be taken into consideration. Commissioner K. Ayers noted that it is becoming confusing with the request of an updated salary schedule coinciding with an additional request of COLA. Vice Chair von Schoen agreed with this. Director Holton stated that her biggest concern was having the employees that were already capped at the maximum range, making them ineligible for deserved merit increases, forced to wait an additional year for the merit increases based on the timing of their reviews. She stated that she feels putting their merit increase into effect on July 1, 2022, is reasonable and solves the situation.

**MOTION BY COMMISSIONER W. VON SCHOEN TO MOVE FORWARD WITH THE UPDATED SALARY SCHEDULE AS PROPOSED, TO INCLUDE A MERIT INCREASE EFFECTIVE JULY 1, 2022, FOR EMPLOYEES WITH REVIEWS IN THE LAST QUARTER WHO ARE CURRENTLY CAPPED AT MAXIMUM PAY
MOTION SECONDED BY COMMISSIONER D. PROVENCHER**

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, John Lyons
4
Nay: 0

**MOTION CARRIED
4-0-0**

2. Board of Commissioners to take an official vote on the Cost of Living Adjustment (COLA) as previously reviewed.

Director Holton informed the commissioners that the Cost of Living Adjustment for 2022 is at 5.9%, as provided by the Social Security Administration. On behalf of the MVD staff, Director Holton is asking the board to consider a 5% COLA, as previously discussed. If approved by the board, it would become effective July 1, 2022.

**MOTION BY COMMISSIONER J. LYONS TO APPROVE THE 5% COLA INCREASE, EFFECTIVE JULY 1, 2022
MOTION SECONDED BY COMMISSIONER K. AYERS**

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Wolfram von Schoen, Kenneth Ayers, John Lyons
4
Nay: 0

**MOTION CARRIED
4-0-0**

3. Board of Commissioners to discuss appointing Lynn Christensen as Treasurer of the MVD.

Chairman D. Provencher asked Director Holton if Lynn Christensen has approached MVD and is willing and wants to take over the role as Treasurer of MVD. Director Holton answered that she is willing to take on the role and previously served as an interim Treasurer for MVD. She also noted that Lynn has been very service oriented towards the town, serving as a moderator for the town as well as a moderator for MVD. Lynn has an extensive banking background, mortgage lending background, and a flexible schedule. The role would no longer be a stipend but would still be working within the \$2,500 per year as annual compensation. Once there is a vote in favor, an agreement that has been drawn up by legal will be put together, Lynn will be able to take the oath and then start in the role of Treasurer.

Chairman D. Provencher explained to the public that Kathy Stack was the previous Treasurer and had agreed to continue in the role of Acting Treasurer since the Annual Meeting in March of 2021. No one volunteered to run for the position of Treasurer at that meeting and the position was changed by a warrant article to appointed rather than elected.

MOTION BY COMMISSIONER K. AYERS TO APPOINT LYNN CHRISTENSEN AS TREASURER OF THE MVD

MOTION SECONDED BY COMMISSIONER J. LYONS

A Viva Voce was conducted, which resulted as follows:

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

4

Nay:

0

MOTION CARRIED

4-0-0

Chairman D. Provencher congratulated Lynn on the position of Treasurer and thanked Kathy Stack for her time participating as the acting Treasurer beyond her normal time.

- 4. Board of Commissioners to review the minutes from the November 10, 2021 Emergency Meeting, Regular Session, the December 20, 2021 Regular and Non-Public minutes.**

APPROVAL OF MINUTES

Board of Commissioners Emergency Meeting November 10, 2021

No amendments were offered.

MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE NOVEMBER 10, 2021 BOARD OF COMMISSIONERS EMERGENCY MEETING AS PRESENTED

MOTION SECONDED BY COMMISSIONER J. LYONS

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

Yea: Wolf von Schoen, Ken Ayers, John Lyons,

Nay: 0

MOTION CARRIED

3-0-1

Commissioner D. Provencher abstained

Board of Commissioners Regular Session December 20,
2021

The following amendments were offered:

Page 8, line 29: add mg/l (milligram per liter) after “there was a reading of 1.0...”

**MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF THE
DECEMBER 20, 2021 BOARD OF COMMISSIONERS MEETING AS AMENDED**

MOTION SECONDED BY COMMISSIONER W. VON SCHOEN

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

Yea: Wolf von Schoen, Don Provencher, John Lyons,

3

Nay:

0

MOTION CARRIED

3-0-1

Commissioner K. Ayers abstained

Board of Commissioners Non-Public Session December 20,
2021

No amendments were offered.

**MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF THE
DECEMBER 20, 2021 BOARD OF COMMISSIONERS NON-PUBLIC MEETING AS
PRESENTED**

MOTION SECONDED BY COMMISSIONER W. VON SCHOEN

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

Yea: Donald Provencher, Wolf von Schoen, John Lyons,

3

Nay:

0

MOTION CARRIED

3-0-1

Commissioner K. Ayers abstained

5. Board of Commissioners to review and discuss draft Warrant Articles for the March 29, 2022 Annual Meeting.

Business Manager J. Lavoie explained to the commissioners that the Warrant Articles are written in the standard language, as required by the DRA, but the dollar amounts are not listed because the final budget meeting has not taken place. Vice Chairman W. von Schoen noted that he believes the Warrant Articles incorrectly list the role of District Moderator as needing to be filled (Article 2). Business Manager J. Lavoie stated that the role has been filled for two years and will need to be voted on again. Vice Chair informed Business Manager J. Lavoie that the MVD website lists his term as ending in 2023. Business Manager J. Lavoie stated that she will look into that.

At this time, Chairman D. Provencher explained what each article is about:

Article 1: To choose one (1) Commissioners for a three-year (3) term of office.

Article 2: To choose one (1) District Moderator for a two-year (2) term of office.

Article 3: To see if the Merrimack Village District will raise and appropriate the sum of _____ for general municipal operations for the 2022-2023 fiscal year with said sum to come from water related charges. This article does not include appropriations contained in special or individual articles addressed separately.

Article 4: Shall the Merrimack Village District vote to establish a contingency fund, pursuant to RSA 52:4-a, by raising and appropriating the amount of twenty thousand dollars (\$20,000) to meet the cost of unanticipated expenses that may arise during the fiscal year 2022-2023 with said funds to come from water related charges?

Article 5: Shall the Merrimack Village District vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to add to the District's Non-Capital Reserve Fund under provisions of RSA 35:1-c, for the purpose of emergency water and/or the operations and maintenance of GAC Treatment facilities. This sum to come from unassigned fund balance.

Article 7: Shall the Merrimack Village District vote to raise and appropriate the sum of _____ under provisions of RSA 35:1 I and II to add to the District's "System Development Capital Reserve" fund for the future system expansion and improvement of the existing system? This sum to come from the fiscal year 2020-2021 unassigned fund balance; these are the system development charges collected during the 2020-2021 budget year.

Article 8: Shall the Merrimack Village District vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) under provisions of RSA 35:1, I and II to add to the District's "Equipment and Facilities Capital Reserve" fund for associated costs with existing storage, transmission and production of water? This sum to come from unassigned fund balance.

Chairman D. Provencher asked why Article 5 was needed again. Superintendent R. Miner explained that it will need to be replenished as the water that is currently being purchased will likely be paid for out of this fund if it cannot be paid for with the budget. Chair D. Provencher asked if Superintendent R. Miner thought the amount of \$100,000 would need to be appropriated. Superintendent R. Miner stated that he was not sure but likely would not know until the end of the year. He also explained that is for any emergency or purchase of water over and above what is budgeted for. Once the budget is set, these numbers can be adjusted, or the article can be removed all together.

Chairman D. Provencher stated that he was unsure if this Annual Meeting was the appropriate time or not, but previously the board had discussed a warrant article for the customers to direct whether they want MVD to replace the media in the Wells 4/5 GAC filters with the goal of non-detect of PFAS compounds coming through or leave it to the regulated compounds. This will have an effect on the

frequency of replacing the media. He also stated that he believes PFBA has broken through both filters at Wells 4 & 5. Chair Provencher asked if it makes sense to consider a warrant article at this point or if it should be considered for the following year. Keith Pratt, of Underwood Engineers stated that his immediate response would be to poll this in a way that is non-binding. Vice Chairman W. von Schoen stated that considering the current budget situation, it would not hurt to have an additional cycle of media replacement before the next fiscal year. The board could make the call based on the current budget, but also continue to collect data to provide an informative article the following year. Vice Chair stated that he does not want to dismiss the fact that he wants to be cautious and proactive. It was agreed to not pursue a warrant article for treating to non-detect of all PFAS routinely tested at the next annual meeting.

Vice Chairman W. von Schoen was excused from the meeting at 6:21 pm.

6. Board of Commissioners to hear project updates from Underwood Engineers, Inc to include:

a) PWW Cost of Service Study

Keith Pratt explained that back in June (2021) Underwood issued the Water Supply Update Study that looked at various alternatives for new supply. One of the alternatives presented was to consider a wholesale arrangement with Pennichuck Water Works (PWW). MVD currently has an emergency connection with PWW on route 101A, near Home Depot. Underwood had suggested asking PWW what a wholesale arrangement at that location would look like. Underwood also suggested looking at a wholesale arrangement on Route 3. Pratt reminded the commissioners that the retail emergency options have MVD paying retail rates any time the water is turned on, but there is no guarantee that PWW will provide the water. A wholesale arrangement provides a commitment from PWW that the water will be available if needed. PWW had their hired consultant put together a Cost of Service Study. Pratt explained that they looked at roughly a half million gallons per day, with a max day of one million gallons per day, based on information from Underwood. If MVD were to purchase a half million gallons per day, it will cost roughly half a million dollars annually. As MVD purchases more water, or guarantees the purchase of more water, the rates will decrease. Pratt explained that if MVD were to purchase a million gallons per day the cost may only go up an additional 25%. Pratt informed the commissioners that the plan that PWW would present would include a guaranteed minimum that MVD would pay regardless of water use, leaving an incentive to use the water. Pratt explained that Underwood and MVD can play around with the information for various scenarios to determine if one would be a better application for MVD. Pratt shared a chart with the commissioners showcasing the various options as well as the costs. He explained that the PWW option compared to some of the available wells that MVD has, was initially thought to be a lower cost option. He noted that it still could be that way, especially on the upfront cost. Pratt explained that there would be no buy in cost, just a commitment made for a certain number of years. Pratt explained that the area on Route 3 would require a pump station. The capital cost to the district would be to build the infrastructure, and then the wholesale arrangement. Pratt stated that if MVD wanted to continue to pursue this, Underwood would want to review the various scenarios of take-or-pay, and volumes wanted for an average and max use day, to see how it fits. Pratt informed the commissioners that this information fell where he expected it to, or slightly better than expected. He also stated that PWW does have water available, but there are multiple towns looking towards PWW at this time, including Milford and Hudson.

At this time, Pratt informed the commissioners that the State of New Hampshire is looking at extending municipal water into the Londonderry area, and other parts of south/central NH that

have been hit with water quality issues. Pratt stated that PWW and Manchester Water Works (MWW) are the primary suppliers that could potentially be used for this movement.

Chairman D. Provencher looked for clarification, referencing an email, about the cost at the 101A connection (PWW) being less than the cost at the Route 3 connection, noting that he thought Pratt had stated the opposite to be true. Pratt explained that he believed this cost is at a lower consumption rate. He noted that when the model is run at higher consumption rates the costs quickly shift to show the lower cost to be at the Route 3 connection. Chairman Provencher asked if PWW would be responsible for building the connection at DW Highway. Pratt answered that he believed PWW would be willing to do it if MVD chose to have them manage it, but MVD would be responsible for the cost. Pratt explained that PWW estimated it to be slightly under \$1M, and Underwood had estimated it to be slightly above \$1M. Pratt also noted that PWW amortized the rate, suggesting that it would not be an upfront cost. Chairman D. Provencher asked for clarification on the take or pay, and Pratt explained that MVD would be expected to pay a certain dollar amount whether they used the water or not. It was clarified that this dollar amount is not in addition to usage. Commissioner J. Lyons asked K. Pratt what this connection would replace for MVD. Pratt answered that MVD would likely look into whether or not they would use Mitchell Woods. He explained that MVD needed to find a source with the potential for 500,000 gallons per day. Mitchell Woods or a new potential Well in the Wilson Hill area had previously been discussed. Superintendent R. Miner informed the board that Wilson Hill did not pan out. He is still waiting for the report. Pratt explained the commissioners that the model could be manipulated with a guaranteed annual usage, and high demand days in the summer, to estimate cost. Chairman Provencher expressed that he would be interested in seeing that data. Pratt was able to manipulate the model but expressed that he would like to connect with PWW to ensure he was manipulating it correctly. Pratt stated that with the information he has, he feels it is worth investigating this option. Commissioner J. Lyons stated that he would trust Underwood to determine how much water is needed. It was explained that a study had been done and it was determined that MVD would need roughly 500,000 gallons per day. On average, this amount from PWW would provide 20% of MVD's annual usage. Commissioner J. Lyons asked if MVD could use PWW seasonally. It was pointed out that the maximum day was 900,000 gallons of water. Chairman D. Provencher asked if it could be used at 900,000 gallons per day for four months, and not used for eight months. Pratt noted that as long as MVD was in the terms of the agreement, he would think this was acceptable. This would need to be confirmed. Pratt stated that he will connect with Don Ware of PWW to answer some of the questions that MVD presented. Chairman D. Provencher requested that Don Ware come to the March BOC meeting scheduled for March 21, 2022.

b) Rapid Small Scale Column Test (RSSCT)

Pratt informed the commissioners that a report should be available for February 7, 2022 and explained that a summary regarding the pilot columns set up at Wells 4 & 5 will be provided soon.

c) Wells 7 & 8

Peter Pitsas, of Underwood Engineers, informed the commissioners that the vessels have been started up successfully and they were run again two days post start up. Pitsas explained that the compliant samples were taken on Friday January 24th and sent to the lab. Results should take a few weeks. The contractor will not be completed with everything, but the control system was already set up and is ready to go. There is final work to be completed with the lights, carpentry work, and a small amount of programming. Pitsas stated that nothing that is left to complete effects the operation of the vessels. This is expected to be done in the March time frame. Pitsas

informed the commissioners that the contractor suffered a medical emergency a few weeks back and is out of commission for a little while. The contractor does have help moving forward with the project.

Chairman D. Provencher asked if the interconnect with PWW could be shut off by using Wells 4, 5, 7, & 8, if Wells 7 & 8 could be ready to deliver water into the system by May 2022. Pitsas stated that water from Wells 7 & 8 will be ready by mid-February. Superintendent R. Miner answered that that was the plan. He also noted that MVD is trying to plan a cleaning and surging of Wells 7 & 8, likely in the month of April. Pitsas informed Superintendent R. Miner that this will have to be coordinated with Well 2, as April is the timeframe that Well 2 is expected to be shut down. He explained that during the construction of the Well 2 Treatment Plant there is some work that will need to be done at the Well 2 station that will require Well 2 to be offline. It will be shut down for a week at maximum.

d) Well 2

Pitsas made the commissioners aware that the block wall should be completed the week of January 31, 2022. He informed the commissioners that the vessels were delivered on January 21st and were set. The pipe racks were also set, as well the vertical pipes that run from the pipe racks to the vessels. He stated that the carpenter should be in with in the next week to start putting the plates on the block walls and the roof should be on the first week of March 2022. Pitsas explained that the substantial completion has slipped from September 1, 2022, to September 16, 2022. Underwood has sent them a letter noting that substantial completion has slipped for the last four months, asking how the additional delays will be avoided and the plan to bring the project back on track. A response has not yet been received. There is nothing in particular that has provided a major setback. Pitsas noted that the contractual substantial completion date is September 11, 2022.

7. Board of Commissioners to review Action Items from previous meetings and those to be added from this meeting.

The Commissioners reviewed the list of Action Items, removing tasks that have been completed.

8. Old Business

None

9. New Business

Business Manager J. Lavoie informed the commissioners that MVD received an email from NHDES regarding the PFAS Remediation Loan Fund. She explained that MVD requested \$12,764,500, with the combination of grant and loan. MVD was awarded a grant in the amount of \$3,369,375, and a loan in the amount of \$9,219,024. With the approval letter MVD will need to move forward with the final application, but the money has been officially awarded and will need to be spent by December 31, 2026. The total between the grant and the loan is roughly \$171,000 short because certain things done prior to September 30, 2019, are not eligible. Chairman D. Provencher asked if this was on top of the Drinking Water Groundwater Trust Fund grant. Business Manager Lavoie explained that it was in addition to the DWG Trust Fund grant. This will be applied against the warrant articles and treatment at Wells 2, 7 & 8. The grant money will be disbursed first. MVD will only be required to pay interest on the portion of the loan that is used, and not the total amount. It was explained that this is a conversion from the SRF loan to

the PFAS Remediation loan. Superintendent R. Miner added that if the state settles their lawsuit, up to half of this loan may be eligible for forgiveness. A public hearing will be needed to accept this.

Business Manager Lavoie directed the commissioners to the “additional information” section of the board packets and explained that there is a legislative bulletin regarding remote meetings. The New Hampshire Municipal Association is advocating to have greater flexibility as it pertains to holding remote meetings.

10. Superintendent’s Report

Superintendent R. Miner stated that the next regular Board of Commissioners meeting is scheduled for February 28, 2022, at 5 pm. MVD will be closed on February 21, 2022, in observance of Presidents’ Day.

The filing dates for elected positions on the Board of Commissioners are February 2-11, 2022.

11. Questions from the Public / Press

None

ADJOURNMENT

MOTION BY COMMISSIONER K. AYERS TO ADJOURN MOTION SECONDED BY COMMISSIONER J. LYONS

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

| | |
|--|---|
| Yea: Donald Provencher, Ken Ayers, John Lyons, | 3 |
| Nay: | 0 |

MOTION CARRIED 3-0-0

The January 24, 2022 meeting of the Board of Commissioners was adjourned at 7:39 p.m.

Submitted by Amanda McKenna, Recording Secretary