

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
AUGUST 22, 2022
MEETING MINUTES
(approved September 19, 2022)**

A regular meeting of the Board of Commissioners was conducted on August 22, 2022, at 5:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided:

Members of the Board present: Wolfram von Schoen, Personnel Liaison
 Paul McLaughlin
 John Lyons (electronic participation)

Members of the Board Absent: Kenneth Ayers

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

REGULAR SESSION

RECESS

MOTION BY COMMISSIONER W. VON SCHOEN TO RECESS THE REGULAR BOARD OF COMMISSIONERS MEETING TO OPEN THE PUBLIC HEARING

MOTION SECONDED BY COMMISSIONER P. MCLAUGHLIN

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

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

4

Nay:

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MOTION CARRIED

4-0-0

The Public Hearing was opened at 5:05 pm.

The Public Hearing was declared closed at 5:15 pm.

MOTION BY COMMISSIONER W. VON SCHOEN TO RECONVENE THE REGULAR SESSION OF THE BOARD OF COMMISSIONERS MEETING

MOTION SECONDED BY COMMISSIONER P. MCLAUGHLIN

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

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

4

Nay:

0

MOTION CARRIED

4-0-0

REGULAR SESSION

At this time, the Commissioners voted whether or not to accept the proposed rate increase.

MOTION BY COMMISSIONER P. MCLAUGHLIN TO ACCEPT THE 11% RATE INCREASE, EFFECTIVE SEPTEMBER 2022

MOTION SECONDED BY COMMISSIONER W. VON SCHOEN

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

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

4

Nay:

0

MOTION CARRIED

4-0-0

FINANCE/HUMAN RESOURCES REVIEW – Michele Holton

NOTE: No financials are provided. July and August financials to be reviewed at the September BOC meeting due to audit.

REGULAR SESSION

1. Board of Commissioners to review draft Credit Card Policy (1st reading)

At this time, Director Holton referenced the draft Credit Card Policy that the commissioners had in front of them. It was noted that the draft Credit Card Policy is available to the public upon request and a full reading was not done at this time, as each member had read the policy. Director Holton explained to the commissioners that she had documented the actual processes that MVD had been following with any credit card or charge accounts that are had on behalf of The District. Director Holton informed the commissioners that when she was hired five years ago there were several local store charge accounts, such as Home Depot, Tractor Supply, O'Reilly, and NAPA. She also noted that it became apparent that sometimes obtaining necessities at the best rate required purchasing items online. It was determined that if a relationship for billing could not be set up, it would be beneficial for MVD to have a credit card. The current bank credit card holders are Director Holton, Superintendent R. Miner, and Business Manager J. Lavoie. Director Holton's card holds a higher value and is kept secure. Superintendent R. Miner and Business Manager J. Lavoie carry their cards in case a purchase is required after business hours. A charge is almost immediately reviewed with one of the other card holders; both will sign off on the documentation. Director Holton explained that controls for the charge accounts are constantly added. Staff typically turns in all receipts within one day, and the Operations Manager or Foreman review the charges. It is asked that it be clear what was purchased, and if not obvious, the business nature of the charge should be reported. The receipts are matched up with the statements when they arrive. Director Holton informed the Commissioners that if an account was found to not need the available limit, it has been lowered. She also noted that there has never been a cash advance or ATM option available. Purchasing money orders or cashiers' checks are strictly prohibited. Director Holton stated that if anyone were to have an issue turning in receipts, privileges would be removed. If misuse were to be found MVD reserves the right to pursue them to all that is available. All authorized card holders will receive a copy of

the policy and must sign and return the Credit Card and Charge Account agreement to the Finance Director.

Director Holton explained that the statements are given to the Board of Commissioners each month as part of the accounts payable manifest. Notes are made on all of the receipts to support the statement.

Commissioner W. von Schoen noted that the IRS does not require receipts for meals less than \$20 and suggested that MVD not follow that practice and collect all receipts. Director Holton was in agreement and stated that she collects receipts for everything. Commissioner W. von Schoen asked if he were to look now, how old is the oldest unreconciled charge on any of the current cards. Director Holton answered that as soon as the bank statements are received, they are immediately reconciled.

Commissioner W. von Schoen also asked if MVD employees were utilizing a separate program to enter and track expenses. Director Holton explained that documents and explanations are handed in. There are no current plans to utilize a separate program. It was also clarified that the field staff do have cards to Home Depot and Tractor Supply. Currently, O'Reilly's and NAPA allow MVD to use a store charge account. Chairman D. Provencher asked the approximate credit limits for each account. Director Holton answered that Home Depot charge is at \$2,250, which is shared among all the field techs, Tractor Supply is at \$4,000, but MVD will be reducing this, and the credit cards for Superintendent R. Miner and Business Manager J. Lavoie each hold \$1,500, while Director Holton's card limit is \$10,000.

2. Board of Commissioners to receive an update from Underwood Engineers for ongoing projects to include:

a) Wells 4 & 5 media warranty update

Keith Pratt informed the commissioners that there is a swap out of the media on the schedule of Wells 4 & 5 for September 2022. Superintendent R. Miner informed the commissioners that that is correct, and he will be in touch with Jeremy from Evoqua for help completing the forms. Labs will need to be done before the media is regenerated. Chairman D. Provencher asked how the media is being handled. Superintendent R. Miner stated that it will be regenerated. The lead vessel will be opened, and the media will be reconstituted. The wells will be functioning on one vessel during that time. Chairman D. Provencher asked if there was an anticipated time frame on that. Superintendent R. Miner explained that once the initial lab work is done the turn around time is 2-3, or 3-4 weeks, he could not remember which, but was relatively quick.

Chairman Provencher asked if there was any new information on the warranty concerns with the premature breakthrough. Pratt explained that it was still on the table, and he was unsure of where it currently stands. He noted that there was a meeting he was unable to attend so he does not have the latest information.

b) Wells 2 & 3 (9)

Pitsas informed the commissioners that Wells 2 & 9 are still on track, as previously scheduled. Wells 2 & 3 are targeted to be available to MVD in Fall of 2022.

Superintendent R. Miner informed the commissioners that, assuming the VFDs have arrived for at least Well 2, there is a shutdown planned for the week before Labor Day. This depends on demand levels. Chairman D. Provencher stated that he was "kind of" in favor of delaying the shut down of well 2, depending on usage. Merrimack is currently experiencing drought conditions.

Commissioner W. von Schoen stated that he recently drove through Massachusetts and noticed pretty severe water bans. He questioned how MVD is doing in that regard. Superintendent stated that MVD has a water ban in place and have not received the high level of complaints seen in years past regarding residents watering on the wrong days. MVD did slightly scale back well 4 due to water levels but is generally doing okay.

Commissioner J. Lyons stated that if there is no disadvantage to delaying the shut down of well 2, it should wait. K. Pratt noted that his only caution would be if it were going to impact something to the contract. He would need to check in with Peter Pitsas before advising. Commissioner W. von Schoen stated that he would caution against relying on the provided delivery date for the VFD. Pratt noted that Underwood would find out if there are any implications regarding cost, warranty, or anything else of significance, but stated that water needs to get to the users so delay if possible.

Commissioner W. von Schoen reminded everyone that at the last meeting the permit for Well 9 had been discussed, including the letter in response to the permit application. He noted that the commissioners had discussed how the letter almost seemed as though NHDES is attempting to argue that MVD does not need additional water. It was discussed that NHDES needs to realize that MVD needs to move away from the average rates and go off of peak rates for permitting. It was discussed that either Jamie Emery or staff would reach out to NHDES. Commissioner W. von Schoen stated that he wants to be sure this is being done, as it may affect the timeline. Chairman D. Provencher stated that Jamie Emery was going to respond to the comment letter from NHDES, and include those comments.

c) Wells 7 & 8

Keith Pratt informed the commissioners that there are still a few loose ends being worked out for the Wells 7 & 8 long term maintenance warranty with the district's attorney. Detailing the maintenance bond is one of the only things left to work out.

Chairman Provencher asked Pratt if the pressure was still holding steady. Superintendent R. Miner answered that it needed to be backwashed again and is an ongoing issue. Evoqua has been made aware.

d) ESR #64 Water Rate Model Update

At this time, Keith Pratt explained that the Water Rate Model Update has been on the recommended list for a while and has been on the Capital Plan ever since the original Water Systems Management Plan was done ten years ago. He stated that the reason it is being brought forward is because the scope is now ready, and the question will be whether or not the funds are available this year. Pratt explained that the hydraulic model that is being used in the District is a schematized model, it does not overlay or integrate with the GIS system. It will be a much-improved model when it does, and more importantly, the updated model will allow for more fine tuning especially with the larger developments. It will also begin the ability to start looking more at water age, which gives tools to start looking more at water quality. Pratt stated that it is really overdue. He explained that it's a \$20,000 effort, which requires a lot of data migration and some field work. Pratt expressed that this update is truly a matter of "when" versus "if." Chairman D. Provencher asked what the name is of the program that Underwood would like to go with. Pratt answered that they will be putting the water model in Water Gems. Superintendent R. Miner stated that it was not built into the budget, but it could be done. He asked Pratt if the field data

collection would be done this time of year or would wait until next year. Pratt explained that he would not do it during high demand times but would like to do it before winter. He asked Superintendent Miner if there was a fall flushing schedule. Superintendent Miner answered that it needs to be done, but it depends on if the water is available or not. Pratt stated that, if possible, they would like to line up the field work with the flushing schedule, so the notifications are lined up. If water becomes a hardship, it can be delayed until spring. Superintendent R. Miner explained that MVD typically splits the flushing into two phases, with fall flushing typically being done for the high service area, and spring flushing done in the main pressure service area.

Chairman D. Provencher mentioned that the next agenda item was regarding mainline extensions and asked if the current model would suffice to suit those needs, or if the upgrade would have to happen before that. Pratt answered that the current model would be sufficient, but the new model would provide a more robust, finely tuned model. Chairman D. Provencher asked Pratt to put something together for the September meeting. It was noted that the board members had not received the ESR prior to this meeting. It was decided that the board will review and decide in September.

At this time, Commissioner W. von Schoen reminded Pratt that they had discussed adding the dates of when the GAC filtration vessels had been backflushed to the PFAS trend charts. Pratt stated that he will make sure this has not been forgotten.

3. Board of Commissioners to hear update on a possible grant from NHDES to extend mainlines to private well areas affected by PFAS.

At this time, Superintendent R. Miner provided an update on a possible grant from NHDES to extend mainlines to private well areas affected by PFAS. Superintendent R. Miner shared a PowerPoint and informed the commissioners that there were five areas that were identified in the information that Amy Rousseau sent to MVD. Area 1 is the South Baboosic Lake Rd /Four Seasons area, with 27 homes affected. Superintendent R. Miner referenced the PowerPoint and explained that the red dots were affected homes, all of which are in exceedance of the MCLs. Superintendent R. Miner explained that the grants are in the amount of \$1.5 M and there is no limit as to how many grants MVD can apply for. Chairman D. Provencher explained to the public that \$1.5 M will buy approximately one mile of 12” watermain. Superintendent R. Miner stated that he believes the funding made available to DES to be \$10M per year for five years. According to Pratt, this is funded by the PFAS Remediation Loan Fund. Superintendent R. Miner informed the commissioners that Area 2 is the Tomahawk Dr / Greatstone Dr. area, with 9 affected homes. The PowerPoint showed mainline cost estimates. Chairman D. Provencher asked what would happen if MVD were to exceed the \$1.5M grant on one of the projects. Superintendent R. Miner confirmed that MVD would have to cover the difference or scale back the project. Chairman Provencher asked if the grant was approved and the project came in at less than the grant amount, what would be done with the remaining money and could the mainline be extended further than planned. Superintendent R. Miner answered that he would need to ask Amy. Pratt explained that MVD could choose to plan the extensions in phases, which would give the room to do more if the money is available but does not commit MVD to do something if the money is not available. Superintendent Miner questioned this, and Pratt suggested it could be done as a supplemental phase. Pratt stated that he may have misunderstood but believed there to be some flexibility. In reference to the map on the PowerPoint, Chairman D. Provencher suggested asking Amy that if there were wells tested that were below the MCLs, would they be presented as green dots. Superintendent R. Miner noted that there was another map that had green dots on it, which was not included in the PowerPoint. Chair Provencher expressed concern about showing the public a map with a specific price,

but no engineering has been done in the area, and hiccups, such as bedrock, could develop. This could leave MVD with costs to cover. Superintendent R. Miner explained that the pricing was just to give MVD an idea if the area qualified for the grant. The current maps would be used for the pre-app, and then if/when accepted for the final applications, MVD can go over the engineering and design works. Commissioner W. von Schoen asked if any of the property owners with red dots have been approached yet. Superintendent R. Miner answered that he has called some of them. He also noted that there are reimbursement programs out there for them. The programs include a \$5,000 grant for point of use or whole house filters or a \$10,000 grant for connection costs. It was noted that the homeowners would have the choice of one or the other and could not be granted both. Superintendent R. Miner stated that realistically this would be roughly a year and half out. Commissioner W. von Schoen stated that MVD would almost need a formal agreement with each property owner that is affected by this before making a decision because MVD may move forward to the point of breaking ground only to find out that 50% of homeowners don't want to be connected to public water. Chairman Provencher asked how extensions have been handled in the past. Superintendent R. Miner answered that the Bean Road extension was a petition warrant article. Chairman Provencher suggest focusing on the areas where people are asking to be connected.

Superintendent also shared the recommendation of applying for everything aside from area 1, and seeing what MVD is approved for, and then ranking them. Chair Provencher suggested connecting with the homeowners to grasp an understanding of who would be interested in connecting to public water.

Superintendent R. Miner outlined area 3 for the commissioners, which affects 11 homes on Mason Rd, Farmer Rd, and Foster Rd. Commissioner W. von Schoen asked if the other properties, not marked by a red dot, would also be eligible to connect to the public water system if the mainline is brought out there. Superintendent R. Miner answered that they would be able to but would have to pay for their own connection and would not be eligible for the grant. It was also noted that not all of the properties have had their wells tested yet. Commissioner W. von Schoen stated that MVD should find out if it would be overstepping to contact all of the property owners, as they would not want to sound an alarm, especially being "gagged" a little bit with the Wells 4 & 5 settlement agreement. Superintendent R. Miner stated that these potential new connections are outside of the areas covered by the agreement, and suggested having a neighborhood meeting once there is more information about the grants.

Commissioner W. von Schoen stated that he believed he had heard something about an upcoming NHDES town hall meeting. Commissioner P. McLaughlin stated that he was not aware of that. Chairman Provencher stated that there was one in July, and another one in either Litchfield or Londonderry in August.

Area 4 consists of Wilson Hill Rd, and Mullikin Rd, with 4 homes affected. Area 5 is made up of Palmeri Dr, and Gerard Drive, with 6 affected homes. Superintendent R. Miner stated that he has received quite a few phone calls from residents in area 5 who would like to connect to the public water system. Superintendent R. Miner stated that this could be ledge area.

Chairman Provencher stated that he would be in favor of moving forward with a pre-application for areas 2-5 and expressed his agreement with Superintendent R. Miner that area 1 may be too expansive. Superintendent R. Miner's recommendation is to apply for grants for the areas 2-5 and see where they come in. From there, MVD will be able to rank them. Commissioner J. Lyons expressed concern about water supply with connecting additional homes to the public water supply. It was noted that it was not many homes and would not be a problem. Chairman Provencher stated that source water decisions will also be made in the near future.

Chairman D. Provencher asked about the timing. Superintendent R. Miner said he could start submitting applications as early as the next day. Commissioner J. Lyons asked again about the water supply and whether or not adding these homes would be cause for concern. K. Pratt answered that there is enough water but MVD needs to follow up with the PWV’s whole sale arrangement. The commissioners, along with K. Pratt, decided that Underwood would present an addendum to the source alternative cost analysis during the work session on September 28th.

4. Board of Commissioners to review the minutes from the July 18, 2022 regular BOC meeting, Public Hearing and Non-Public sessions.

APPROVAL OF MINUTES

Board of Commissioners Regular Meeting July 18, 2022

The following amendments were offered:

Page 5, line 26, reads, “separated and color coded by plow zone and...”, Chairman D. Provencher would like to add “a list of streets by salt use” after the word “and,” removing the words, “...coordinating lists that have...” Continuing on that line, it reads, “...but the change...” Following this, Chairman D. Provencher would like to add, “...made to the salt application rates between salt use areas is manual...”

MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE JULY 18, 2022 BOARD OF COMMISSIONERS REGULAR MEETING AS AMENDED

MOTION SECONDED BY COMMISSIONER J. LYONS

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

Yea: Donald Provencher, Wolfram von Schoen, John Lyons
3
Nay: 0

MOTION CARRIED

3-0-1

Commissioner P. McLaughlin abstained

Board of Commissioners Public Hearing July 18, 2022

No amendments were offered.

MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE JULY 18, 2022 BOARD OF COMMISSIONERS PUBLIC HEARING AS PRESENTED

MOTION SECONDED BY COMMISSIONER J. LYONS

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

Yea: Donald Provencher, Wolfram von Schoen, John Lyons

3

Nay:

0

MOTION CARRIED

3-0-1

Commissioner P. McLaughlin abstained

Board of Commissioners Non- public Meeting. July 18,
2022

No amendments were offered.

**MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF
THE JULY 18, 2022 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, Wolfram von Schoen, John Lyons

3

Nay:

0

MOTION CARRIED

3-0-1

Commissioner P. McLaughlin abstained

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

The Commissioners reviewed the list of Action Items, removing tasks that have been completed, and making necessary additions. Of this numbered list, Chairman D. Provencher addressed number 52, and asked Superintendent R. Miner to reach out to B. Kernan (NHDES) about joining an upcoming meeting to explain the results of the PFPrA samples and what is being done with the information.

6. Old Business - none

7. New Business

At this time, Commissioner W. von Schoen informed the other commissioners that he will likely be unavailable for in-person attendance of the October 2022 BOC meeting. He will be out of the country for work and can possibly dial in.

Chairman D. Provencher stated that he received his latest MVD bill. He stated that he thought he had seen a breakdown of charges for the basic versus the higher tier rates in a previous bill, but his most recent bill had just one price. Business Manager J. Lavoie stated that the rates are being broken out.

At this time, Chairman Provencher reminded the public of Ben Nile's earlier request, asked during the Public Hearing, to discuss the EPA's health advisory. Chairman Provencher explained that the EPA came out with a health advisory of .004 parts per trillion (ppt), which is actually 4 parts per quadrillion. This cannot be measured this low. Chair Provencher stated that he is not aware of the EPA planning to set an MCL that low. He stated that he believes the EPA is forthcoming with an MCL but does not believe they will set an MCL that cannot be measured. Chairman Provencher stated that he believes MVD's goal is to have non-detect PFOA in MVD's source water. PFOA will be detectable in water purchased from Pennichuck Water Works (PWW), which is also supplied to all of Nashua. It was noted that PWW's water is below the MCLs and is in compliance. Superintendent R. Miner stated that if the MCL is lowered, it may trigger a sooner media change out for MVD.

8. Superintendent's Report

Superintendent R. Miner informed the commissioners that MVD lost the pump monitor at Well 4 due to a lightning strike. It has already been replaced but was down for roughly two weeks. It was noted that it may be covered by insurance and Superintendent R. Miner is looking into it. Commissioner W. von Schoen asked if MVD had any spares for the VFDs, as they fail quite frequently. Superintendent R. Miner noted that MVD is awaiting a VFD for Well 7, which has been on order for a while. Superintendent R. Miner stated that there are backup VFDs. Commissioner W. von Schoen noted that they need to be powered up once a year. Superintendent R. Miner explained that there are VFDs connected to each well, and they alternate startup. It was then clarified that there are no spare VFDs disconnected for future use. Spare VFDs will need to be fired up annually otherwise the capacitors will die. Commissioner W. von Schoen stated that he sees this as a little bit of a risk and suggested further discussion during a work session. The commissioners decided to add an action item for a risk analysis. MVD will have Underwood follow up with their electrical engineer to size up all of the current VFDs, and to determine what is involved in powering up spare VFDs.

Superintendent R. Miner informed the commissioners that the CIP discussion with the planning board, which was planned for September 2022, has been moved to October 2022.

Chairman Provencher informed the commissioners that the Salt Use Policy and Procedures was supposed to be on the agenda for the Town Council the previous Thursday but was moved to September 22, 2022. Chairman Provencher is unavailable that week, and Superintendent R. Miner will be reaching out to see if this can be rescheduled.

Superintendent R. Miner let the commissioners know that Kyle Fox had reached out to see if any of the MVD staff would be interested in lending a hand with plowing this winter. Most MVD staff have CDLs. Superintendent R. Miner still needs more details. Commissioner W. von Schoen reminded Superintendent Miner that MVD will need to be very careful with labor reporting.

9. Questions from the Public/Press - none

ADJOURNMENT

**MOTION BY COMMISSIONER J. LYONS TO ADJOURN
MOTION SECONDED BY COMMISSIONER P. MCLUAGHLIN
MOTION CARRIED
4-0-0**

The August 22, 2022 meeting of the Board of Commissioners was adjourned at 7:32 p.m.

Submitted by Amanda McKenna, Recording Secretary