

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
SEPTEMBER 19, 2022  
MEETING MINUTES  
(approved November 21, 2022)**

A regular meeting of the Board of Commissioners was conducted on September 19, 2022, at 5:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided electronically:

Members of the Board present:       Kenneth Ayers, Vice Chairman  
  Wolfram von Schoen, Personnel Liaison  
  John Lyons

Members of the Board Absent:       Paul McLaughlin

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

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**FINANCE/HUMAN RESOURCES REVIEW** – Michele Holton

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

Director Holton informed the Commissioners that the June 30<sup>th</sup>, 2022 numbers are the final numbers against budget and the overall revenue is at 113.21% of budget. The expense accounts came in at 90.16% of budget and the net ordinary income is a little over \$1M, which is roughly \$426,000 above the same time last year. Director Holton directed the commissioners to page one of the Expense Budget vs Actual and noted that account 50500, Health Insurance, was \$94,000 under budget as potential plan changes had not been realized. Account 60000, Electricity, was also under budget, in part because MVD was only using 1 well and using Pennichuck Water Work's (PWW) water. The same explanation applies to account 60600, Chemicals. Director Holton explained that account 70000 was over budget, but MVD had had to replace various tools and a generator, amongst other items.

Commissioner J. Lyons stated that he was not sure what methodology was being used to develop the current budget, but asked that if it was historical, with the electricity having been much lower than expected, would there be a lower number than necessary for the budget for the following year. Director Holton explained that they would have to evaluate if the same situation was present. Commissioner Lyons further explained his thoughts to be focused on once MVD is fully running, and to include the increased electric rates. Director Holton noted that MVD had been able to lock in rates for a three-year period. Commissioner von Schoen mentioned account 60650, Filtration PFAS, stating that he had noted in a previous meeting that the current listed explanation was not accurate and needed to be addressed. Commissioner von Schoen explained that the current explanation states that the Wells 4 & 5 GAC filters have lasted longer than anticipated, which is not accurate, as the short chains have broken through much sooner than hoped. The filters are still in place to see how long the filters can be saturated with regulated PFAS. Commissioner von Schoen suggested alternate wording to include that media replacement is later than anticipated, but not due to the media lasting longer. (Note budget to actual expense report corrected to: 4&5 GAC Filter Changeout Extended Due to Operational Decisions.)

Director Holton informed the commissioners that the audit of the financials field work has been completed. The goal is to have the complete audit done by the end of November.

At this time, Director Holton directed the commissioners to the financials for August. At two months into the Fiscal Year, or 16.67% through the FY year, the main water revenue accounts are coming in around 16% of budget. This is resulting in the overall revenue at the end of August being 21.3% of budget.

Expense accounts are coming in at 18.2% of budget. The net ordinary income is at \$147,000. Director Holton explained that the first PWW invoice went against line 60300, Purchase of Water, as there was a \$25,000 budget in that account. Future PWW invoices will be below the net ordinary income. Director Holton explained that account 60225, Education and Seminars, is at 25.87% of budget, which is simply a matter of when people are timing their trainings. Director Holton explained that account 60500, Motor Vehicle Maintenance, is a combination of some of the older vehicles getting work done as well as outfitting new vehicles with specific racks. Director Holton explained that for account 70600, R&M Main Structures - Treatment Plant 4&5, there was a lightening strike and MVD will be receiving an insurance claim that will offset the funds that are showing. Director Holton noted that lines 90200 and 90300 are MVD's debt payments.

## **B. Bank Account Summary Review**

Director Holton informed the commissioners that the last of the reserve funds are distributed as \$200,000 to equipment and \$100,000 to non-capital transfers go out this week. Director Holton also let the commissioners know that she was able to negotiate an increased interest rate with TD Bank, which will be reflected in September. Commissioner W. von Schoen asked if the consecutive month to month trends of the bank balances report was still being done. Director Holton noted that there had not been any changes since the draft had been done, but she will email the report to the Board.

## **REGULAR SESSION**

### **1. Board of Commissioners to review draft MVD Mission Statement (2<sup>nd</sup> reading)**

At this time, Director Holton informed the commissioners that the current mission statement of the Merrimack Village District is "Providing Water Services All Night, All Day, Every Day." She explained that part of the Level of Service project within the Asset Management Program was to update the mission statement and to make it more inline with what customers should expect from MVD, without getting too wordy. The proposed mission statement is, "To provide the best Quality, Quantity and Cost Conscious water that meets or exceeds standards for Merrimack's consumption and fire protection – from source to tap."

### **MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MISSION STATEMENT 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, John Lyons, Kenneth Ayers

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Nay:

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### **MOTION CARRIED**

**4-0-0**

Director Holton informed the commissioners that MVD will complete an assessment of how on track they are with the goals outlined in the Level of Service and will provide an update. What remains will be made a priority. Director Holton along with Superintendent R. Miner will outline the priorities quarterly. Commissioner W. von Schoen suggested adding bullet points for measurable ways to achieve goals. One bullet point he suggested is to ensure that there are job descriptions for every position in the company.

**2. Board of Commissioners to review draft Credit Card Policy (2<sup>nd</sup> reading).**

Commissioner W. von Schoen noted that during the last meeting, he suggested that clearer language should be added regarding the timeline to submit expense reports and receipts. Director Holton directed the commissioners to page three of the of the Credit Card Policy, under Procedures, Procedure 2 has been changed to read that receipts should be given to the Operations Manager within two business days. Furthermore, it was added that the Operations Manager will forward all receipts to the accounts payable department within three business days. This was the only recommendation of change.

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE CREDIT CARD AND CHARGE ACCOUNT POLICY AND PROCEDURES 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, Kenneth Ayers  
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Nay: 0

**MOTION CARRIED  
4-0-0**

**3. Board of Commissioners to discuss with Larry Levesque of 1 Tinker Road his request to waive the Entrance Fee and System Development Charge to connect to MVD water.**

Larry Levesque explained to the commissioners that he is looking into connecting to the MVD system as he is experiencing problems with his existing well. He explained that Business Manager J. Lavoie had informed him that he would need to pay a \$2,600 entrance fee. He was wondering why the fee was so high, especially being that there is a curb stop at his property line. Business Manager J. Lavoie explained that the fee covers both the System Development Charge (SDC) and the Entrance Application Fee. Superintendent R. Miner explained that the entrance fee is the cost for the district to put the water line in. Mr. Levesque noted that he was in construction and understood, but that it felt excessive. Superintendent R. Miner continued to explain that it is based on the current rates. Superintendent R. Miner continued to explain that the SDC is basically a buy-in that brings him equal to current customers as MVD continues to search for ways to expand the system. Mr. Levesque stated that there didn't seem to be much he could do about it and thanked the commissioners. Superintendent R. Miner informed Mr. Levesque that he will hold those fees as they are despite the rate increase, as Mr. Levesque has been in discussions with MVD.

Chairman D. Provencher stated that allowing one person to waive the fees sets a precedent for the future, making this a difficult position to be in.

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

**a) Wells 4 & 5 media warranty update / Wells 7 & 8**

At this time, Peter Pitsas asked the commissioners if they had any questions about the graphs that were sent over with the PFAS testing. Chairman D. Provencher stated that it appears that PFOA is above 12 on the raw water graphs for Well 2. It was unknown if this was a seasonal change or a change related to increased use. It was questioned if graphing the PFOA level against pumping volume would be worth the investment. Pitsas stated that if you look at the graph, there is a large bump in 2019 between the months of August and September and then it drops off again. Pitsas stated that he believes 2019 was a rather dry summer, compared to 2020, which showed lower levels on the graph. Pitsas stated that it does appear to be peaking in the summer, demonstrating the relationship to pumping rather than seasonality. Chairman D. Provencher asked if Underwood develops graphs with pumping volume. Pitsas stated that it may have been Jamie Emery who created graphs like that. Chairman Provencher asked Underwood to figure out what kind of effort would be involved in graphing that information.

Commissioner W. von Schoen asked Pitsas if the backwash only happened at Wells 7 & 8, and not at Wells 4 & 5. Pitsas confirmed that that was correct. Commissioner von Schoen asked if there was any impact of the backwashing that had been seen, in terms of the filtration capabilities. Lynnette Carney, of Underwood Engineers, stated that she does not know that it is affecting the GAC breakthrough rate, but it's hard to determine because the samples are monthly on the compounds and the backwashes are in between them and do not exactly correlate. She did say that it appears that compounds are coming through the ports sooner than they were with Wells 4 & 5. It is unknown whether this is due to the backwashes. Carney stated that it may be more obvious once it gets into the lag vessel, because that has not been disturbed by backwashing. Commissioner von Schoen noted that he had not realized that the suspected bacterial growth was only happening on the lead vessel. Carney confirmed this and noted that it was right on the top. At this time, it is unknown whether it is mineral or bacterial. According to Carney, Evoqua did do some testing, although it was not bacterial testing. They photographed slides and have pictures from under the microscope of what appears to be a gelatinous type of material with a little bit of GAC stuck in it. Due to this, Evoqua believes it to be bacterial.

Chairman D. Provencher asked for confirmation that PFOA is already breaking through the lead vessel at Wells 7 & 8. Carney confirmed that the short chains are coming through the first vessel, but not the PFOA. Carney stated that PFOA is between the 75% port and the effluent, but not yet in the effluent. Carney informed the commissioners that the warranty that was given on Wells 7 & 8 was 38,000 bed volumes and the warranty given for Wells 4 & 5 was 60,000 bed volumes. It was noted that the lead vessel is the only vessel that has required backwashing. There has been no problem with the lag vessel.

Chairman D. Provencher asked for clarification on the breakthrough warranties, stating that he believes the warranties to only cover the first load of media in each vessel. Carney confirmed that this is the case unless another agreement is worked out. Carney continued to say that they are getting ready to change out the media in Wells 4 & 5 and has been working out the details of the changeout. The proposals for the changeout are being

worked up. The media has been tested and it is believed that it will regenerate okay. Commissioner W. von Schoen asked if there was an understanding where the spent GAC load goes as part of the regeneration, asking specifically if it was being burned off. Carney explained that trucks will be brought to Merrimack to retrieve the GAC, which will be brought to Pennsylvania. The GAC will then be put through the kiln for the PFAS to be burned off. Virgin makeup GAC will be added, and the GAC will be sent back to Merrimack. Pitsas stated that he believes MVD will receive a certificate of destruction for the PFAS. Pitsas will double check this information. Commissioner W. von Schoen stated that he would like more information on this process to be sure that the problem is not just being redistributed somewhere else. L. Carney informed the commissioners that she will ask for clarification in her next meeting.

At this time, Chair Provencher reference an email from L. Carney, sent September 14, 2022, which stated that MVD is at 59,105 bed volumes on Wells 4 & 5 and the warranty is 60,000 for breakthrough of the four regulated compounds. Chair Provencher asked if this was just through the lead vessel. Carney confirmed and stated that the actual breakthrough occurred at roughly 48,000, in April 2022. Carney stated that she had drafted a letter as Keith Pratt, also of Underwood, felt as though a formal warranty request should be made. Chair Provencher asked Carney about a reference she had made in the email to a changeout taking place in October or November. He noted that the board had been targeting a September changeout. Chair Provencher asked if MVD would run into any issues with source water if this gets pushed out beyond when MVD's reduced rate from PWW runs out (roughly mid-October). He stated that it would be nice to do while still receiving the reduced rate from PWW incase supplemental water is needed. Well 2 will be coming offline. Pitsas stated that Wells 4 & 5 will only be down for a couple of days. He explained that once the carbon is removed from the lead vessel, Wells 4 & 5 can be run through the lag vessel. Carney explained to the commissioners that the changeout will not be scheduled until pricing is locked in, and an order has been made. Carney informed the commissioners that she was told they are not overly busy and were thinking mid to late October for the changeout.

**b) Wells 2 & 3 (9)**

Pitsas informed the commissioners that the contractor is moving along at Wells 2 & 9. The contractor is still missing the VFD and the butterfly valves. They are also missing the generator. The facility can be run without the generator, but not without the VFD or valves. There is no update as to when those will be in. Pitsas stated that he will be sending the contractor a weekly email in order to gain regular written statuses. The gas line is being run at the site and should be finished within the next day or two. Paving will follow by the end of the month. The fence surrounding the site is up. The electrical work is being finished and the HVAC is mostly complete. The chemical feed is also almost complete. Commissioner W. von Schoen noted that in the last meeting it was discussed how it is difficult to get samples from the top of the vessel in the filtration plant of Wells 7 & 8. He asked if they should discuss adding a crawler. Pitsas stated that Underwood had discussed this with the contractor, who claimed to have spoken with the distributor who claimed they have no idea when they will be in. Pitsas said that an order can be made, but delivery time would be unknown. Commissioner von Schoen asked if it can be put into the building once everything was finished. Pitsas answered that it could be added after. Superintendent R. Miner stated that ladder tabs have already been added and ladders could be fixed to the sides of the vessels.

Commissioner W. von Schoen brought up how dismissive NHDES had been about the water needs for MVD when considering Well 9. Chairman Provencher stated that he had an update. He stated that while working on his own project, Andrew Koff from NHDES shared with him that NHDES is looking at approving Well 9 for the full 1,000 gallons per minute that was requested. NHDES will be requesting a wetlands monitoring plan. It was noted that this was hearsay. Commissioner W. von Schoen stated that the point of sending a letter to NHDES was to make them aware that the stance NHDES had taken in their letter was not applicable. It was decided that the board will hold off on responding until they see what is approved. Superintendent R. Miner will reach out to Jamie Emery to see if NHDES has indicated anything to him.

At this time, Chair Provencher informed the commissioners that there was a question about one of the abutters. They had stated that they had never been given notice of the Wells 2 & 9 construction project. Chair Provencher asked if a notice had gone out, or if the process did not require public notification. Superintendent R. Miner answered that MVD is not required to go to the Planning Board and noted that in the past P. Pitsas has gone as a courtesy to review the project. Pitsas did go to the Planning Board about this project, but abutters did not need to be notified. It was noted that Superintendent R. Miner had met with and reviewed the construction plans with the abutter in question prior to commencement of the construction, and has addressed all concerns in a professional manner.

**c) ESR #64 Water Rate Model Update**

At this time, Business Manager J. Lavoie reminded the commissioners that ESR #64 had been discussed at the previous meeting and it was on today's agenda to discuss where the funding would be coming from. Superintendent R. Miner informed the commissioners that it could be worked into the engineering budget. Chairman Provencher noted that the term "water rate model" was confusing and sounded as though it was related to water rates rather than a water distribution system model.

**MOTION BY COMMISSIONER W. VON SCHOEN TO APPROVE ESR #64 FROM UNDERWOOD ENGINEERING, DATED AUGUST 17, 2022, IN THE AMOUNT OF \$20,000, WITH FUNDS TO COME FROM THE ENGINEERING BUDGET**

**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, Kenneth Ayers

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Nay:

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**MOTION CARRIED**

**4-0-0**

**5. Board of Commissioners to review the minutes from the August 22, 2022 regular BOC meeting and Public Hearing.**

**APPROVAL OF MINUTES**

Board of Commissioners Regular Meeting . . . . . August 22,  
2022

*No amendments were offered*

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING  
MINUTES OF THE AUGUST 22, 2022 BOARD OF COMMISSIONERS REGULAR  
MEETING 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 K. Ayers abstained*

Board of Commissioners Public Hearing . . . . . August 22,  
2022

*The following amendments were offered:*

*Page 1, Commissioner P. McLaughlin was listed as absent from the meeting but was present.*

**MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF  
THE AUGUST 22, 2022 BOARD OF COMMISSIONERS PUBLIC HEARING AS AMENDED  
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 K. Ayers abstained*

- 6. **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, the commissioners addressed #62, regarding means to bypass a defective VFD. The commissioners ultimately decided to update the action item to include creating a procedure for bypassing a defective VFD. Chairman Provencher stated that it would be good to have a section in the O&M manuals at each pump station explaining the procedure.

## **7. Old Business**

Commissioner W. von Schoen made note that the board had not heard an update regarding the open positions within MVD. Superintendent R. Miner informed the commissioners that MVD is now at full staff. The positions of Operations Manager, Foreman, and Field Tech have been filled.

Chairman D. Provencher reminded the commissioners that at the previous meeting he had noted that the format of the water bills were all reporting one usage number. He asked if this had been corrected. Business Manager J. Lavoie informed the commissioners that Amy had corrected this.

Commissioner W. von Schoen asked if there was a process in place for when a bill changes drastically. Business Manager J. Lavoie stated that Amy has a process for when there are high reads which includes reviewing historical data. High reads are investigated.

Chairman Provencher stated that the meter at his house has a small triangle that spins if someone is using even a small amount of water. He asked if all of MVD water meters were that way. Superintendent R. Miner answered that he believes all of them to have some sort of a flow indicator on them, but he will verify. Commissioner K. Ayers asked how meter replacement works. Superintendent R. Miner explained that there is a meter replacement program that MVD needs to reinstate, but it provides rebuilt and tested meters as a replacement for ones that are not working correctly. Meter replacement is at no additional cost to the customer unless there is damage to the meter.

## **8. New Business - none**

## **9. Superintendent's Report**

Superintendent R. Miner informed the commissioners that the CIP discussion with the town has been moved to the October 18, 2022, Planning Board meeting. The town salt policy will be October 13, 2022 and will go to the Merrimack Town Council for review. PFAS sampling will take place at all of the wells on September 20<sup>th</sup>. Additionally, Superintendent R. Miner stated that he would be on vacation September 26-October 11<sup>th</sup>.

The town wide meter reading is scheduled to take place next week.

## **10. Questions from the Public/Press - none**

## **ADJOURNMENT**

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



**4-0-0**

The September 19, 2022 meeting of the Board of Commissioners was adjourned at 7:32 p.m.

Submitted by Amanda McKenna, Recording Secretary