

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
OCTOBER 16, 2023
MEETING MINUTES
(approved November 20, 2023)**

A regular meeting of the Board of Commissioners was conducted on October 16, 2023, 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
John Lyons
Erin Clement

Members of the Board Absent: Kenneth Ayers, Vice Chairman

Also in Attendance: Ron Miner, Superintendent
Kristen Maher, Finance and Human Resource Director

FINANCE/HUMAN RESOURCES REVIEW

A. Analysis of Revenue and Expenditures Report

Kristen Maher, Finance and Human Resource Director, informed the Commission that having completed the month of September, Merrimack Village District (MVD) is 25% through the fiscal year (FY '24). The current year's revenue is \$1.7M and expenses are currently at \$1.1M. Director Maher informed the commissioners that the interest rates that had previously been negotiated higher, have increased due to inflation rates. This has offset the majority of the fees for the lockbox. She noted that she just received the invoice for the replacement of GAC at Wells 7 & 8, for Account 60650. This came in at roughly \$15,000 less than the purchase order. This is because MVD was given too much replacement media and Superintendent R. Miner informed them that MVD was unwilling to pay for more than what was needed.

At this time, Commissioner J. Lyons asked if MVD had ever looked into solar electricity, noting that electricity was a pretty large line item. Director Maher informed the commissioners that they are at a pre-negotiated reduced rate, which expires at the end of FY '24. It was noted that solar panels do not necessarily have to be roof mounted. It was suggested that MVD research multiple suppliers. Chairman Provencher shared that he believed there to be an issue in Massachusetts with putting solar panels around wells. He stated he believed the concern to be that some solar panels are actually coated in PFAS so the snow will slide off of them. The commissioners requested to add an action item for the investigation of solar options.

B. Capital Reserve Balances

K. Maher informed the commissioners that she had received the final entry from the auditors this afternoon. Those entries were not reflected in the numbers that the commissioners had in front of them. The FY '23 final numbers will be presented to the commissioners in November. FY '24 will have the adjusted numbers moving forward. The Unrestricted Fund Balance is currently at \$23M.

Maher informed the commissioners that the net income is at \$643,000. She stated that that should not change significantly based on the most recent journal entry.

Chairman Provencher stated that he had a question about the Profit and Loss Previous Year Comparison report. He explained that he thought it was a direct comparison of the first three months of this fiscal year and last fiscal year. Maher explained that it was. Chairman Provencher pointed out a discrepancy and Maher explained that she must have grabbed the value from the entire last fiscal year, and not just the first three months. Chairman Provencher stated that he just wanted to make sure that MVD was not down 81% in revenue, comparatively.

REGULAR SESSION

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

A. His Lake George NY Salt Summit conference presentation last week- spreading the MVD work on salt reduction to others

At this time Jamie Emery informed the commissioners that he was an invited guest speaker at the Salt Summit in Lake George, NY. One of the discussions was salt reduction. Emery stated that he used part of the Merrimack story to share with them the important elements in order to reduce the salt loads that could get to critical levels in the aquifers. Using brine is one of the necessary elements. Emery noted that this information was well received. He also expressed that the story of Merrimack is not just a “local story,” but is gaining attention, which he thinks will help MVD to get this resolved. Emery also mentioned that Bill Sexton, the Managing Director of WIT Advisers, is the Sustainability Consultant that Fidelity has hired for salt reduction. According to WIT’s website, WIT was founded with the intent to be an ‘Industry Disruptor’ that does whatever it takes (within their sphere of influence) to empower sustainability for people, businesses, and the environment to thrive. WIT is both a philosophy and business model whose mission includes helping other businesses grow, profit and protect the planet. Emery stated that he had the opportunity to speak with Sexton at the conference. During their conversation, Sexton stated that the presentation was incredibly helpful to him. Emery stated that at the conference there were multiple communities that shared their large financial savings due to switching from salt use to brine use. He plans to share this information with NHDOT. Emery noted the importance of tracking the data and explained that it paints a picture of what happens when practices are changed. He specifically noted an obvious change once Home Depot reduced their salt use. Emery told the commissioners that at the conference he reminded people that salt use is problematic for the environment and drinking water, and is corrosive to roads, bridges, and vehicles. He expressed that it does not make any sense as to why, as a society, we keep using it.

B. Preliminary result of the meeting held with the NHDOT

At this time Jamie Emery informed the commissioners that on September 19, 2023, he met with the NHDOT and a group of individuals (mostly State Senators and State Representatives) to talk about the need for salt reduction at the intersection of Continental Boulevard and Industrial Drive. He shared with the commissioners the slide show he presented to the forementioned individuals. He stated that NH State Rep Maureen Mooney had pulled this group together and she had Nancy Murphy, Barbara Healey, Paul Micali, Wendy Thomas, Bill Boyd, Jeanine Notter, along with

three people from the DOT. These people included the Assistant Commissioner David Rodrigue, Operations Manager, John Cochran, and the State Maintenance Engineer, Alan Hanscom. Emery stated that to him, the purpose of this meeting was to make sure the NHDOT understood that MVD is in crisis mode management. He spoke with the group regarding what has taken place over the last 30 years, and the need to reduce salt use. They discussed why it is important to MVD, including that it is more expensive than the removal of PFAS and other VOCs, metals, iron and manganese, and arsenic. The group had also discussed that MVD had lost one production well due to elevated sodium chloride levels, which was a direct result of salting the roads in the nearby area. Emery had also shown the group the Well Head Protection Area (WHPA), amongst many other things. Emery stated that he had shown the group an area in red that was where the DOT salts at the intersection of Continental Blvd and Industrial Drive. He also shared with the group that in 2011 they had calculated that there was 552 tons of salt being added into this watershed annually and that since 2012, they believe the salt load has increased. He informed the group that this year, the salt use has led to the highest chloride levels that have ever been recorded in that local aquifer. Emery also shared with the group a graph that showed the average chloride levels from 2021-2023 each quarter (spring, summer, fall, and winter). According to the graph, the average chloride levels have reached almost 1,000 parts per million. The highest chloride level was measured on March 30th, of 1,200 parts per million. Sodium is upwards of 600 mg per liter, on average for the four seasonal samples in 2023. Emery stated that this had gotten the group's attention. Emery informed the group that they need to reduce the mass quantities of salt being used at that intersection and they cannot do it without the help of NHDOT. During this meeting, it was noted that there are roughly 20 pictures of salt drifts at this intersection. It was also noted that it was ironic that MVD's office is just outside of this intersection, allowing them to see what is happening each day. Emery stated that he made the direct and specific request that the DOT change from using the rock salt to brine in all of the ground water protection areas. He noted that it was the environmentally responsible thing to do, and it is the safest anti-icing tool we have. Emery noted that the DOT appeared as though they wanted to cooperate. Emery informed the commissioners that Superintendent R. Miner has been working hard to get the DOT to cooperate with MVD to allow MVD to place their signs on the DOT roads. The DOT agreed to cooperate, and Superintendent R. Miner met with them last week.

Commissioner von Schoen asked Emery who from MVD was at this meeting. Emery answered that Superintendent R. Miner and Business Manager J. Lavoie were at the meeting, and Chairman Provencher joined remotely. Commissioner von Schoen expressed feeling a little surprised to find out about the meeting. It was noted that the meeting happened fairly quickly, and Commissioner von Schoen stated that he was fine with it knowing who had participated.

At this time, Commissioner E. Clement asked Emery if he got the impression that the DOT was looking to put the MVD in the middle between them and the Town of Merrimack for taking over Continental Blvd. She stated that she knows that this is a long-term DOT issue. Emery replied that his take on it is that he feels the DOT does not believe that they can fully do what MVD wants them to do. He feels in order to shift responsibility, the DOT wants to see the Town take it over. Emery stated that his personal view is that if the Town could find it in themselves to do it, he would recommend that, because then the Town is in control of the salt load. Emery noted that the one thing that came out of the meeting is that the DOT asked about taking the money out of their budget that they use to salt that interchange and gave it to the Town in exchange for them to do it. There was some discussion as to why the Town does not want to take on that responsibility, including the potential to in turn be responsible for repairs in that location. Commissioner J. Lyons questioned why they State wouldn't hire the Town as an independent contractor, since they hire independent contractors anyway. Emery said that this was a great idea. He suggested

reaching out to the NHDOT to determine if this was something they would consider. Superintendent R. Miner suggested a meeting with the Town first, to determine if this is something they would consider. Commissioner von Schoen requested that an action item be added for this.

C. Status of EPA/NHDES Watershed Project

At this time, Emery informed the commissioners that the Watershed Protection Grant that they applied for has been approved by the Governor’s Council. He stated that he is now at the point where he needs to finalize a contract with MVD. There is a kickoff meeting on October 24, 2023 with NHDES. He stated that the meeting will be less technical, and more administrative. Emery stated that there has never been a watershed management program that has been focused on sodium and chloride, noting that this is the first of its kind. Emery stated that the State of New Hampshire is very excited about this program, and he feels it will ultimately provide additional funding that may allow Merrimack to purchase brine trucks and other necessary equipment. Commissioners E. Clement & D. Provencher stated that she could zoom into this meeting. Emery replied that that would be great, and he things NHDES will really enjoy having the board involved in the process.

2. Board of Commissioners to review the draft letter to be mailed to the public regarding “Road Salt and Water Quality.”

Jamie Emery informed the commissioners that there is a letter that will be going out to citizens that are within the Well Head Protection Area. He shared that Chairman Provencher had written some of the language for the letter. Emery asked the commissioners if they would like him to take some of Chairman Provencher’s language and merge it with the old letter. This could then be reviewed by the commissioners. Chairman Provencher stated that Superintendent R. Miner had done this, but Emery noted that there was some redundancy. Emery stated that he is happy to try to frame this. The commissioners agreed. A copy will be sent to Superintendent R. Miner, Commissioner E. Clement, and Chairman Provencher.

3. Board of Commissioners to review the minutes from the September 18, 2023 regular meeting and Non-Public Session.

APPROVAL OF MINUTES

Board of Commissioners Regular Meeting September 18, 2023

No amendments were offered.

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE SEPTEMBER 18, 2023 BOARD OF COMMISSIONERS REGULAR MEETING
MOTION SECONDED BY COMMISSIONER J. LYONS**

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Wolf von Schoen, John Lyons, Erin Clement
4

Nay:
0

MOTION CARRIED
4-0-0

Board of Commissioners Non-Public Meeting September 18,
2023
No amendments were offered.

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES
OF THE SEPTEMBER 18, 2023 BOARD OF COMMISSIONERS NON-PUBLIC MEETING**
MOTION SECONDED BY COMMISSIONER J. LYONS
A Viva Voce was conducted, which resulted as follows:

Yea: Wolf von Schoen, John Lyons, Erin Clement
3

Nay:
0

MOTION CARRIED
3-0-1

Commissioner Donald Provencher abstained.

4. 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, and making necessary additions. The commissioners discussed reformatting the Action Items list to better suit the needs of the Board.

In reference to action item number 79, update on waterline extension status, Superintendent R. Miner informed the commissioners that the grants have been approved. MVD will get a GeoSurvey done. Chairman Provencher asked who MVD was working with on this. Superintendent R. Miner answered that it was Underwood. Chair Provencher asked if there was an Engineering Service Request (ESR). Superintendent R. Miner informed the commissioners that the ESR is being updated.

5. Old Business

At this time, Commissioner von Schoen noted that he had sent out an email to the MVD staff and Chairman D. Provencher. This was in regard to complaints from customers about sending their check out on time but still incurring late fees. He suggested that MVD wait a week to verify that payment has been made. He stated that there should be no negative impact on MVD in doing this. Chairman D. Provencher asked how it currently works. K. Maher explained that the meters are read at the end of October, the

billing is on the 11th of November, and then the bill is due in 30 days (December 11th). At this time, Commission von Schoen stated that he is aware that this is ample time, and his suggestion is not a necessity, this was just in hopes to calm the waters. K. Maher explained that individual grace periods can be given, but to do this as a whole ends up shifting the entire billing cycle. After some back and forth about whether this would work or not, Commissioner W. von Schoen asked that staff look further into this option. It was noted that the by-laws currently allow one grace period per year, per customer. Commissioner E. Clement asked how to change the by-laws. It was explained that in order to change the by-laws, it would require public hearings and to go up to vote at the Annual Meeting. Chairman Provencher suggested that this becomes an action item and the commissioners agreed.

Commissioner von Schoen reminded the commissioners that during the previous month there was a non-public meeting that had an action item he would like followed up on.

6. New Business

Chairman D. Provencher noted that he likes seeing the daily totals for the demand at each well, but he would like to know, since there is a wholesale agreement with PWW, if it can be tabulated how much water is being used on a daily basis from the interconnect. Superintendent R. Miner said that it can be added on. It was also noted that the commissioners would like to see how many gallons of water, from PWW, they have banked for future use. Commissioner E. Clement asked if the average daily use could also be added. It was noted that it could.

Chairman Provencher brought attention to Lynnette Carney's email. It was noted in the email that PFBA is present in the 75% port of both lead vessels at Wells 2 & 9. This is going to be breaking through the lead vessels soon. Once it starts breaking through the lead vessels, MVD will need to start planning the changeout of the media. It was noted that it is budgeted to change out the media every eight months. There was some confusion on the procedure of changing out the media, but it was determined that it is every 8 months, unless they can go longer due to a lack of breakthrough. The commissioners noted a comment in the email regarding PFBA in the finished water at wells 7 & 8. The commissioners asked Superintendent R. Miner to get clarification on this. Chairman Provencher suggested have Underwood monitor when changeouts should be taking place. Commissioner J. Lyons said that he felt that should be managed by MVD staff. Commissioner W. von Schoen circled back to the fact that PFBA was found in the finished water at Wells 7 & 8 and stated that it actually makes sense with the way they had previously handled Wells 7 & 8. He reminded the commissioners that they had initially wanted to see how much of the long chains could be loaded into the lead vessel. Commissioner von Schoen stated that they probably should have planned to replace both the lead and lag vessels. It was noted that a changeout should be planned once the breakthrough is confirmed with Lynnette Carney.

7. Superintendent's Report

Superintendent R. Miner informed the commissioners that the CT divers, which record specific conductivity, temperature and depth of the groundwater, are installed in all of the wells except for Well 3. He informed the commissioners that the hatch at the clearwell at 7 & 8 was rusted and replaced, and the clearwell was cleaned. The new hydrant was installed on October 6th. Commissioner von Schoen asked if this was the hydrant requested by customers, to which Superintendent R. Miner answered that it was. Superintendent R. Miner also let the commissioners know that there was a leak at Well 9 that is being prepared this week. The leak is not in the vessel, but in a pipe that has been fused. It was noted that the contractor will be doing the work, but MVD will be paying for the materials. On November 7th, Superintendent R. Miner will be presenting the CIP to the Planning Board.

8. Questions from the Public/Press - *None*

ADJOURNMENT

**MOTION BY COMMISSIONER J. LYONS TO ADJOURN
MOTION SECONDED BY COMMISSIONER E. CLEMENT**

**MOTION CARRIED
4-0-0**

The October 16, 2023 meeting of the Board of Commissioners was adjourned at 7:40 p.m.

Submitted by Amanda McKenna, Recording Secretary