

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
JULY 17, 2023  
MEETING MINUTES  
(approved December 18, 2023)**

A regular meeting of the Board of Commissioners was conducted on July 17, 2023, at 5:02 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided:

Members of the Board present:       Wolfram von Schoen, Personnel Liaison  
Erin Clement  
Kenneth Ayers, Vice Chairman (electronic participation)

Members of the Board Absent:       John Lyons

Also in Attendance:                 Ron Miner, Superintendent  
Kristen Maher, Finance/HR Director  
Jamie Emery, Emery and Garrett Investigations/GZA

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**FINANCE/HUMAN RESOURCES REVIEW**

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

Kristen Maher, Finance/HR Director, informed the Commissioners that the Fiscal Year '23 is wrapping up and MVD has scheduled their audit. The preliminary audit is scheduled for the second week in August and the actual audit is scheduled for the first week of September. Maher informed the commissioners that the financials that they have been given do not include any audit entries and are very preliminary and do not include year end adjustments. Maher stated that the revenue is at 119% of the budget and the expenses are at 94% of the budget. Maher noted that the increase in revenue is mostly due to the fact that Merrimack is growing exponentially. The main water accounts are running at 122% of the budget. These include domestic, mercantile, and industrial. There were no questions regarding the revenue. Maher reiterated that expenses are 94% of the budget and informed the commissioners that MVD is at 76% of the budget for salary. This is due to resignations and internal moves. Health insurance is currently at 84% of the budget. Maher explained that when the budget is created life changes, such as marriages and births, are factored in, but do not always take place. Chairman Provencher asked if all of the positions within MVD have been filled or if they are still looking to fill the positions. Superintendent R. Miner answered that he is comfortable with where things are currently, and they will wait to see how things work out. It was noted that the next fiscal year has budgeted for 2.5 HR members, and this will likely not be needed. Commissioner W. von Schoen noted that accruals and such will not be necessary due in part to monthly billing, which will provide savings. Commissioner von Schoen asked where MVD currently stands with overtime for operations versus administrative staff. Maher answered that admin overtime was at 68% of budget, and the techs were at 2% over budget. She noted that there were 8 main line breaks this year along with the installation of a hydrant.

## **B. Capital Reserve Balance**

At this time, Maher directed the commissioners to The Trust Fund Activity Report (Capital Reserve Balances). Maher reminded the commissioners that this report, as is, is prior to the year and adjustments. She stated that the net ordinary income is \$3.7 million and the Unrestricted is \$18 million.

At this time, Commissioner W. von Schoen noted that last year the board had a finance liaison that was attending audits and audit reports with finance staff. It was stated that that was a request that had been made to connect the auditors with the board. This has not been discussed for this year, and commissioner von Schoen stated that he felt it was a good idea to continue. Commissioner E. Clement volunteered to take on the role of Finance Liaison.

## **REGULAR SESSION**

### **1. Board of Commissioners to discuss the Watershed Planning Project with Jamie Emery of Emery and Garrett Investigations/GZA**

At this time, the commissioners discussed the Watershed Planning Project with Jamie Emery of Emery and Garrett Investigations/GZA. Emery took this time to give Commissioner E. Clement a rundown of the grant that was provided for the signs. He stated that there are a couple of ongoing grants with NHDES and a couple that are just about to be initiated. He explained that that grant that is responsible for the funding of the Well Head Protection Area signs is the Source Water Protection Grant. He stated that they have submitted the final piece to that program, and it has been signed off on by NHDES. He explained that this grant is basically done, but there is a small piece remaining that needs to be done by the DOT, but the DOT has been very slow. NHDES has decided to move forward and close the project while the remaining pieces are being negotiated with the DOT. He noted that the grant had been pretty successful.

Emery informed the commissioners that the next grant that has been approved, but not yet started, is the continuation of the salt reduction mitigation efforts, and that will be focused on installation of conductivity meters in the production wells. This will allow for real-time monitoring. There will also be a whole series of sampling that will be done three times over the course of the next year to compare to what was seen in sampling in 2012. This data will be used in part with the watershed analysis. Emery noted that the next important task is to take a look at the storm water drains. He explained that some of the storm water facilities are not functioning properly. Emery informed the commissioners that that grant had been approved and is a \$30,000 NHDES grant with a 15% match from MVD.

Emery informed the commissioners that the next project, which is a bigger project, is the watershed assistance program. He explained that the State of NH approached MVD and himself regarding an example project in the State of NH, that attempts a salt reduction program on a watershed, or portion of a watershed. He stated that after all that they had done, he was not sure if this made the most sense, but the State was relentless. Emery noted that at the end of the day, they put in a proposal, which ended up getting accepted. This is a \$100,000 grant, with \$80,000 coming from NHDES and \$20,000 from MVD. Emery explained that they ultimately decided to move forward with this grant because they need some teeth with the DOT. He expressed that they need to get NH DOT on board with the efforts of the MVD as well as gaining support from the EPA. He noted that this watershed approach is an EPA supported

event, that will, by the fall, require DOT to participate. He also noted that it is a 10-year salt reduction plan that will be adopted by DES. This has not yet been approved by the Governor's council, but he expects that to happen in the next few months.

Emery informed the commissioners that there will possibly be access to additional funding if they move forward with the watershed plan. He stated that he would like to get some money together for brine tanks. Using brine is roughly 1/10<sup>th</sup> the amount of rock salt and is about half the cost.

At this time, Commissioner W. von Schoen noted that Emery had likely seen the meeting minutes from the previous meeting, which included comments from von Schoen, and he wanted to be sure that Emery did not get the feeling that von Schoen was sensing inappropriate activities. He stated that the part that bothered him more than anything was that NHDES was requesting scope from Emery directly, and in turn Emery reached out to MVD for funds. Von Schoen noted that he felt that was backwards, and NHDES should have contacted MVD directly. Von Schoen requested that Emery redirect NHDES to MVD in the future. Emery stated that he felt that was a fair request and noted that he would make that point to NHDES.

Chairman Provencher asked if there were any aquifer protection signs left or if they had all been placed. Emery answered that there were still some remaining.

## **2. Board of Commissioners to discuss the Artificial Recharge Project with Jamie Emery of Emery and Garrett Investigations/GZA**

At this time, the Board of Commissioners discussed the Artificial Recharge Project with Jamie Emery of Emery and Garrett Investigations/GZA. Emery gave commissioner Erin Clement a brief explanation on what Artificial Recharge (AR) is and shared a video, which was inaudible. He stated that he would send the video directly to Commissioner Clement at a later time. Emery explained that they are trying to take water from the Merrimack River and dump it into the zone of contribution at Wells 4 & 5 in order to enhance the overall yield of those wells. Emery informed the commissioners that a study had been conducted in 2019 that determined it was feasible to use AR to supplement the groundwater. The supporting evidence was that the Merrimack River provides a very reliable source of service water, even under low flow conditions. The permitted capacity of Wells 4 & 5 is around 870 gallons per minute (gpm), which is roughly 1.26M gallons per day (gpd). In reality, the natural recharge that's available to those wells will only support about 420gpm or 600,000 gpd. On a map, Emery pointed out two potential locations to take water from the Merrimack River. He noted that there is the challenge of a railroad, especially during the pilot testing. Emery informed the commissioners that he had been in discussions with Superintendent R. Miner and shared possible solutions for the pilot testing. According to Emery, the cost will be between \$350,000 and \$450,000 to get everything done and come back with a solid plan. He informed the commissioners of the benefits of AR, including that the Merrimack River water will help to dilute the sodium and chloride that is currently seen at Wells 4 & 5, and reduce the concentration of PFAS compounds found at Wells 4 & 5. Emery expressed that he does believe AR will work. Emery stated that he had spoken with Keith Pratt of Underwood Engineers earlier in the day and was informed that in the Capital Improvement Plan (CIP) there is a three-year window that allows MVD to purchase water from Pennichuck Water Works (PWW). This gives MVD three years to come up with a solution or another viable water source. Emery stated that the two options that top the list in Pratt's opinion are Mitchell Woods and AR. It was noted that it will take at least one year to complete the pilot test.

At this time, Emery informed the commissioners that he was not looking for a vote, but he was wondering if the commissioners wanted him to put together a detailed proposal. He also suggested that

he could wait until the commissioners received the numbers from Underwood, and then do the proposal. Emery asked if Underwood was expected to have those numbers by September. Superintendent R. Miner replied that he could find out. Emery stated that he would try to get something to the board for September.

**3. Board of Commissioners to hear an update from Underwood Engineers, Inc regarding the possibility of adding a polishing treatment for smaller chain PFAS**

The commissioners received an update from Lynnette Carney, with Underwood Engineers, Inc, regarding the possibility of adding a polishing treatment for smaller chain PFAS. Carney informed the commissioners that up to this point Underwood has been contacting multiple media vendors and gathering information. Carney stated that some of the media vendors have presented other ideas, such as using their products in lieu of the GAC because they feel they have better treatment. One vendor suggested using the resin first to do the “heavy lifting,” and the GAC as the polisher. Another vendor Underwood spoke with said to absolutely leave the resin on the end. Calgon, who has both resin and GAC, stated that they would like to see their GAC in first because they feel it has better removal capabilities than the GAC that MVD currently has. It was also suggested that MVD swap out the lag vessel to try the resin without any capital costs.

Carney informed the commissioners that Underwood is sending some of the vendors both raw and finished water data to look at. This will give the vendors a better idea as to how long their media will last in a polishing situation, etc. Carney stated that the Dextorb® media offers pilot units that they can supply in order to gather their own data. The analysis is done in-house, and therefore there are no lab costs associated with the test. Carney stated that Dextorb® was the one company Underwood spoke with that had the most offerings. Carney asked if the commissioners were still interested in Zeolite. At this time, there was discussion about a lack of data and communication from Lou Niles, who had originally presented Zeolite to the Board of Commissioners. Chairman Provencher stated that it seems that if the columns could be set up at Wells 4 & 5, they could run 3 or 4 or 5 tests simultaneously. Carney agreed with this statement. Chairman Provencher continued to say that if they wanted to look at the short chains, maybe they could take the water between the two carbon vessels. He stated that if they don’t have short chains breaking through the lag vessel, they should be seen breaking through the lead vessel. Superintendent R. Miner stated that he did give the approval to have the columns made for the column tests. There will be columns, priced at a total of \$32,900. Once this is done, MVD can add whatever media they want to the columns. There is a water line coming out of the raw line that will be used to feed them. At this time, Commissioner von Schoen circled back to Dextorb® and what they were willing to provide. Carney stated that she would reach out to them to determine what they would provide and what MVD would be responsible for with testing. Commissioner von Schoen asked what kind of budget Carney is working with and if there is an engineering contract in place. She answered that there is an ESR for it, but she does not know off the top of her head what the budget amount is. Carney reiterated that they are sending the water quality data to the media vendors and also requesting them to price out costs and submit a proposal as to how they would recommend MVD use their product and how long they believe the media will last. MVD and Underwood can make comparisons once the information is provided.

**4. Board of Commissioners to review the proposed Fund Balance Policy (first reading).**

At this time, the commissioners reviewed the proposed Fund Balance Policy. K. Maher informed the commissioners that the goal is to determine the amount of the Fund percentage, as well as what to do if

the fund dips below that amount. The suggested amount was 33%, which was supported by Underwood. The commissioners gave suggestions to K. Maher on wording they would like changed. Another reading will take place during the August BOC meeting.

**5. Board of Commissioners to authorize Chairman Provencher to sign an Authority to Vote for the Cybersecurity Grant**

At this time, K. Maher presented the commissioners with information regarding a Cybersecurity Grant. MVD has applied for roughly \$31,000, which will be used for a more significant back up system for the computers, a disaster policy review and implementation by Block5, a second firewall for the office, Adobe Acrobat Write Read for everyone in the office, and laptops for the commissioners. K. Maher stated that all of the commissioners should be using laptops belonging to MVD versus personal items. Commissioner von Schoen clarified that the risk is if there is a lawsuit with discoveries, the commissioners’ personal property is subject to be searched. It was highly encouraged by Block5 that the commissioners have MVD issued laptops. MVD would also like to look into changing from a .org to a .gov, as a .gov provides more security. The grant is being provided by DES. The governing council has not yet approved the grant. The Board expressed agreement to authorize Chairman Provencher to sign an Authority to Vote for the Cybersecurity Grant.

**6. Board of Commissioners to review the minutes from the June 1, 2023 Public and Non-Public minutes and the June 19, 2023 regular BOC meeting.**

**APPROVAL OF MINUTES**

Board of Commissioners Public Meeting ..... June 1,  
2023  
*No amendments were offered.*

Board of Commissioners Non-Public Meeting ..... June 1,  
2023  
*No amendments were offered.*

**MOTION BY COMMISSIONER W. VON SCHOEN TO ACCEPT THE MEETING MINUTES OF THE JUNE 1, 2023 BOARD OF COMMISSIONERS PUBLIC AND NON-PUBLIC MEETINGS AS PRESENTED**

**MOTION SECONDED BY COMMISSIONER E. CLEMENT**

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

Yea: Donald Provencher, Wolf von Schoen, Erin Clement, Ken Ayers  
3  
Nay: 0

**MOTION CARRIED**

**3-0-1**

*Commissioners Ken Ayers abstained.*

Board of Commissioners Regular Meeting . . . . . June 19,  
2023

*No amendments were offered.*

**MOTION BY COMMISSIONER E. CLEMENT TO ACCEPT THE MEETING MINUTES OF  
THE JUNE 19, 2023 BOARD OF COMMISSIONERS REGULAR 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, Erin Clement, Ken Ayers

4

Nay:

0

**MOTION CARRIED  
4-0-0**

**RECESS**

The public session of the MVD Board of Commissioners was recessed at 7:00 pm to be reconvened after the Public Hearing.

**PUBLIC HEARING**

The Public Hearing regarding the proposed Rate Increase and the acceptance and expenditure of up to \$3,000,000 in grants from the NH Department of Environmental Services (NHDES) PFAS Remediation Loan Fund and the American Rescue Plan Act for mainline extensions opened at 7:02 p.m. and was closed at 7:06 p.m.

**RECONVENE THE REGULAR SESSION**

*The commission reconvened at 7:07 pm.*

**REGULAR SESSION**

**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, and making necessary additions.

**8. Old Business**

At this time Commissioner W. von Schoen reminded Superintendent R. Miner that he would like to see the website updated in regard to old, current, and upcoming projects. He expressed feelings that the projects should either be updated or removed.

## **9. New Business**

At this time, Chairman Provencher informed the board about capstone projects at UNH and suggested looking further into this. He stated that he thought that MVD could potentially benefit from this with a GIS project. He explained that capstone projects are senior projects (for engineering students) and have to meet certain criteria. These projects consist of teams made up of 3-5 people and he believes there would be a time commitment from MVD if they proceed. Superintendent R. Miner stated that he would speak with both Brian and Jamie Emery to see if this would work for MVD.

Chairman Provencher moved on to say that he noticed that in the packet there is an example of the water quality reporting form that Brian created. Superintendent R. Miner explained that MVD has been using this form. It was noted that the form puts a spot on the map as well. Chairman Provencher asked if there was anything that tracks main breaks. Superintendent R. Miner answered that they are thinking about using this form to track main breaks as well. Chairman Provencher stated that this could tell MVD where the weak points in the distribution system are.

Chairman Provencher stated that he wanted to point out that the spreadsheet for the June 2023 demand totals from each of the wells has it labeled as June 2022 in the left column.

Commissioner v. Schoen brought up the issue of First Amendment Audits, and voiced his concern about whether or not MVD would be prepared for that. When Chairman Provencher stated that he was unaware what Commissioner von Schoen was talking about, it was suggested that he google, “first amendment rights Merrimack Post Office.”

K. Maher informed the commissioners that MVD has received their annual audit, the audit scope and objectives. She needs both Chairman Provencher and Superintendent R. Miner to sign off on it.

## **10. Superintendent’s Report**

Superintendent R. Miner informed the commissioners that Evoqua has merged with Xylem and moved their slurry services to Desotec. Superintendent R. Miner stated that he has been dealing with Richard Ross from Desotec. He noted that he had finally received the profile back and was working on dates, when he received an email stating that the results needed to go to the State of Pennsylvania for them to approve. He has not yet received an update. Commissioner von Schoen suggested getting a supervisor involved.

Superintendent R. Miner let the commissioners know that that annual request for the CIP has come in and it has been requested by September 1<sup>st</sup>. There will be a meeting on September 19<sup>th</sup>. Miner plans to add an agenda item to the August BOC meeting to review the CIP.

Superintendent R. Miner informed the commissioners that the EPA has asked to tour some facilities so MVD will be providing a tour on Friday, July 21<sup>st</sup> at 9:00 am. They will tour all three treatment plants, starting at 4 & 5.

## **11. Questions from the Public/Press - None**

**ADJOURNMENT**

**MOTION BY COMMISSIONER E. CLEMENT TO ADJOURN  
MOTION SECONDED BY COMMISSIONER W. VON SCHOEN**

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

Yea: Donald Provencher, Wolf von Schoen, Erin Clement, Ken Ayers

4

Nay:

0

**MOTION CARRIED**

**4-0-0**

The July 17, 2023 meeting of the Board of Commissioners was adjourned at 7:02 p.m.

Submitted by Amanda McKenna, Recording Secretary