

and the costs. Underwood has spent the last few months double-checking the costs and the yields. The cost of PWW has gone up in O&M costs, AR has gone up in capital costs, and Mitchell Woods has also gone up, mostly due to the fact that it is a seasonal supply. Initially, Emery and Garrett thought there would be more sustainable yield from Mitchell Woods, but there is actually less, however, it was noted that this is still a good source option because it can be available during summer peaks. Underwood explained that they are still finding PWW to be the lowest cost option, but there are other factors to consider, such as meeting their own supply needs. Pratt informed the commissioners that Underwood is roughly 60% through the budget and scope on this project and needs to move forward with a discussion involving MVD.

At this time, Chairman Provencher noted that at the November BOC meeting there was an Engineering Service Request (ESR) for Underwood to look at Well 6 to see what was possible at that location. He said that based on that, he is not ready to move forward with warrant articles on any of the initial three options in the next year. He would first like to see what the Well 6 analysis yields. It was stated that Well 6 was previously a large producer. Vice Chairman K. Ayers expressed that he would also like to explore the option of Well 6. Pratt explained that Well 6 has its issues, but nothing that isn't being treated elsewhere in the state. Some challenges and disadvantages of each option were briefly discussed at this time. Pratt explained that other than capital costs changing and increasing, the advantages and disadvantages of each option remained roughly the same. Pratt stated that Underwood was coming to this meeting with the recommendation to put a pause on furthering Mitchell Woods & AR until there was more information on Well 6. The commissioners expressed agreement. Commissioner J. Lyons said that he's not overly interested in Mitchell Woods based on its cost. Commissioner Clement stated that she is glad MVD has the PWW interconnect, so they are not rushed into a situation they don't have to be in. Chairman Provencher agreed.

Chairman Provencher expressed that it is unfortunate that the need for three-phase power at Mitchell Woods has caused that option's cost to increase substantially. Pitsas responded that Underwood's electrical engineering subconsultant had indicated that an inverter could be used to change the readily available single-phase power into three phase power, and that would avoid the need to run a new three-phase power supply to Mitchell Woods. Chair Provencher asked Pitsas if he had confirmed with Jamie Emery whether the existing 8-inch test well at Mitchell Woods could be used as the permanent production well. Pitsas said that Jamie did confirm that, and that Underwood still needed to update the Mitchell Woods cost evaluation to incorporate the 8-inch well, and that they needed to specify an appropriate well pump. The Board agreed to have Underwood update those items only.

Pratt explained that MVD and Underwood will clean up some of the existing scopes to see if there is an option to reprogram money that has already been committed elsewhere, to instead be used in the Well 6 investigation. He believes there will be money that can be reassigned. It was stated that a new chart with only the updated source options for MVD will be created. Chairman Provencher requested that it include the increased gallons per day to be listed with each option.

At this time, Peter Pitsas, of Underwood, noted that in the upcoming weeks there is a plan to do a sub-surface investigation at Wells 4/5 for AR. He asked if this should be put on hold while they investigate Well 6. It was decided to put this on hold.

Chairman Provencher stated that it would be good to know what Merrimack's projected full-build future master plan would look like to know what the maximum full-build projected MVD demand would be, whether it was something like 6 million gallons per day (MGD) or 10 MGD. Chair

Provencher indicated that he wasn't sure if MVD could meet, or was compelled to meet those future demands.

Chairman Provencher stated that at the November meeting, Pitsas had stated that Underwood was going to try to put the pump station on the west side of the train tracks, but in the design, it looks as though it is on the east side. Pitsas explained that they put the pump on the east side of the tracks, and the control building on the west side of the tracks. Pitsas explained that this would be easiest for the draw from the Merrimack River.

b. Action Items

At this time Chairman Provencher reviewed the list of Action Items to see if there was anything to discuss with Underwood. Chair Provencher noted that items 93 and 94, which were then merged, were the only items to discuss. Both of these action items involved evaluating treatment options and costs for Well 6. Underwood agreed that they were on board with preparing an ESR for Well 6. Pratt stated that they will give an assessment of next steps, and the costs associated, if it appears to be a viable option.

At this time, Lynnette Carney, of Underwood, informed the commissioners that she created a chart for them that was included in their Board Packet. This chart is titled "MVD PFAS Monitoring Board of Commissioners 12/18/23." Carney asked if the commissioners had any questions regarding the chart. Commissioner E. Clement stated that she prefers this presentation of the information better than the previous version. Chairman Provencher recommended to add a line item for the proposed lead vessel change date. Carney suggested putting in the date that would mark 8-months of operation. Chairman Provencher reminded her that MVD's Media Changeout Procedure indicates that it is not 8 months from when the media was installed, but rather 8 months from when the vessel was put into the lead position. The months in service would represent how many months it would have been in operation as both lag and lead. The commissioners offered Carney some suggestions but reiterated that the format is much improved. Based on the information provided in the charts, Chairman Provencher noted that the primary focus should be changing out the lead vessels at Wells 2 & 9 and at Wells 7 & 8. The new information that the commissioners have requested, will allow the commissioners to be proactive rather than reactive. It was decided to immediately start planning for the media changeout on Wells 2 & 9 and at Wells 7 & 8. Superintendent R. Miner stated that he has some costs coming in. He stated that he is getting a formal quote from Carbon Corp, with the thought to change out the carbon to a different carbon than what is currently being used. The vendor did not seem to be think the density difference would be an issue. The different densities were discussed, and it was noted that the particle size of the media is the same.

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 November, Merrimack Village District (MVD) is 42% through the fiscal year (FY '24). Currently, the revenue is 46% of the budget, and the expenses are at 29% of the expense budget. The largest reason for the expenses being so low is the chemical budget. Due to all of the rain, there has not been a need for as much water and therefore as many chemicals. She

explained that the budget is always budgeted for worst case scenarios. Maher noted that account 70450 (meters), is coming in a little higher than expected because MVD recently replaced a few larger meters for customers. Overall, the net ordinary income is roughly \$1M. The Unrestricted Fund Balance is currently at \$23M.

B. Capital Reserve Balances

K. Maher informed the commissioners that she has changed the format of her chart for the commissioners. It now includes notes for the commissioners. She stated that she can make this more public friendly as well, but for now this is to help the commissioners gain a better understanding. All commissioners expressed that this was done well.

REGULAR SESSION II

2. Board of Commissioners to review and approve final version of the *Forgiveness of Carrying Charge (Late Charges) Policy & Procedure.*

At this time, Director K. Maher informed the commissioners that the very first page of the information she shared with them, is her recommendation, and the second and third page were the original *Forgiveness of Carrying Charge Policy & Procedure*. She then explained that anything in yellow is what was changed. She stated that she would like to move forward with a vote to amend the policy so the changes can be put into place. Chairman Provencher explained that the updated Policy & Procedure authorizes the Superintendent, Business Manager, or his/her designee, to forgive customers carrying charge twice per calendar year, or in extenuating circumstances if additional forgiveness is needed. This will be at the discretion of the Superintendent. Previously, forgiveness could only be granted once.

MOTION BY COMMISSIONER E. CLEMENT TO ACCEPT THE CHANGES TO THE *FORGIVENESS OF CARRYING CHARGES POLICY*

MOTION SECONDED BY COMMISSIONER K. AYERS

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

Yea: Donald Provencher, Erin Clement, Ken Ayers, John Lyons

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Nay:

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MOTION CARRIED

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3. Board of Commissioners to discuss with Nick Lavallee of Merrimack TV the use of the Turkey Hill tank area for a proposed low power FM Public Safety Radio Station site.

The Board of Commissioners heard from Nick Lavallee of Merrimack TV about the use of the Turkey Hill tank area for a proposed low power FM Public Safety Radio Station site. Lavallee explained that he may come back at a later date seeking a definitive answer, but that was not why he was here tonight.

Lavallee shared that a few months ago, he met with the Town Council and explained to them that low power FM, like local television channels, fills the void that has been left by the lack of local newspapers. He stated that the lack of local papers has led to fading civic engagement, eroding social bonds, and misinformation presenting itself. Broadcasting community content helps fill that void. Having a low power FM radio station in Merrimack could also be used for police and fire in case of an emergency. The city of Manchester and town of Bedford have used low power FM radio for several years with positive feedback and quite a bit of success. Low power FM radio actually appeared on Merrimack TV's CIP as far back as 2011 and was originally projected for the 2013-2014 budget but has had to be pushed off for when the FCC would open a filing period to obtain a low power FM frequency. This has not occurred in over a decade. Over the summer, the FCC announced they would open the low power FM application window between November 1, 2023, and November 8, 2023. Lavallee went on to explain that over the summer, the Town of Merrimack had a request from the Londonderry School District, who has had a low power FM station for roughly 15 years and is looking to get out of it due to lack of staffing. Londonderry has asked if Merrimack TV would be interested in having the frequency transferred to them. Merrimack TV would also have the opportunity to buy Londonderry's equipment at a fraction of the cost. Lavallee shared that Merrimack TV has been working with Harry Koslowski from Bedford TV/radio. He stated that as of today's meeting, Merrimack TV has applied for two things with the FCC. One of those being a transfer of Londonderry's FM signal, and the other being a move of the station from Londonderry to the Merrimack Town Hall. However, coverage from the Town Hall will be limited and will not be town wide. Merrimack TV will eventually want to expand the coverage and would need elevation. MVD has sites with the necessary elevation, and coincidentally have sites with inactive and available police radio towers that could be used for the low power FM antenna. He stated that they have verbal support from both the Merrimack Police Department and the Merrimack Fire Department. Shelter and power would be required on site. It was stated that a 10x10 space would be overkill. It was recommended that a 5x5 simple enclosure to protect the equipment from the weather would suffice. He once again explained that his goal today was to share with the board how a low power FM station could benefit the Town of Merrimack. He would like to be able to share with the Town that he has had the conversation with the MVD Board of Commissioners, and they are open to the idea. Commissioner E. Clement stated that she had watched Lavallee's presentation to the Town Council and thinks it's a great idea. Vice Chairman Ayers was in agreement. Commissioner J. Lyons expressed that he was in 100% support of this happening. Chair Provencher expressed favorability and reminded Lavallee that if MVD needed to improve existing or install new infrastructure in the future, which conflicted with the FM transmission equipment, that the Town would be responsible to move or modify their equipment at their cost. It was noted that if the tower was at Turkey Hill, the station would be available town wide. It was also noted that they do need to ensure that it would not interfere with the cell towers on the property. Superintendent R. Miner stated that he had reached out to both vendors. Nick Lavallee thanked the commissioners for their time and their support.

4. Board of Commissioners to discuss MVD position letter in support of a bill to Prohibit Certain Products from Intentionally Added PFAS.

At this time, Chairman Provencher explained that there is a bill proposed to restrict certain PFAS products from being used in consumer products. He stated that he spoke with Senator Karen Ebel regarding this bill. She has asked Chairman Provencher if he would be willing to either write a letter or testify in person. He stated that he likely does not have the time to testify, that there is a copy of the bill in the Board Packet, and that he composed a draft letter in an email that he previously shared with the commissioners, and that is being reviewed by legal counsel. Assuming it is approved by legal, he would like to have it printed on MVD's letterhead and signed by any of the commissioners who may be

comfortable with that. The letter would be sent to the chairman of the Commerce Committee. It was noted that the State of Maine has passed a similar bill.

5. Board of Commissioners to discuss proposed changes to the Lawn Watering Policy Supplement.

Chairman Provencher informed the commissioners that he had been looking at the MVD website in the past and noticed that the triggers for watering restrictions that are listed on the website are something that will likely never be used. He stated that he is aware that they match the recommendations from the state of NH, but that it's unlikely MVD customers will follow them, largely due to the fact that they are probably unaware that they exist. Chair Provencher stated that he felt these were outdated restrictions that were likely carried over from the State recommendations. He would like to see something on the website that MVD has already implemented twice in the past, similar in fashion to saying that a Level 1 is an odd/even with a time limit, twice per day (5-8 am & pm), and Level 2 would be an odd/even with a time limit, once per day in the morning (5-8 am only). He asked if there was any requirement for MVD to follow the State of NH's guidelines. Superintendent R. Miner answered that as far as he knows, the State does not mandate specific water restriction triggers. Chairman Provencher stated that he would just like the website to reflect the reality. It was noted that there are some exceptions to watering restrictions that were previously approved by the BOC, and those were included in his recommended website markups.

6. Board of Commissioners to review the minutes from the July 17 & November 20, 2023 regular BOC meeting.

APPROVAL OF MINUTES

Board of Commissioners Regular Meeting July 17, 2023

No amendments were offered.

Board of Commissioners Regular Meeting November 20, 2023

No amendments were offered.

MOTION BY COMMISSIONER J. LYONS TO ACCEPT THE MEETING MINUTES OF THE JULY 17, 2023 BOARD OF COMMISSIONERS REGULAR MEETING AND THE NOVEMBER 20, 2023 BOARD OF COMMISSIONERS REGULAR MEETING AS PRESENTED

MOTION SECONDED BY COMMISSIONER K. AYERS

A Viva Voce was conducted, which resulted as follows:

Yea: Donald Provencher, Kenneth Ayers, John Lyons, Erin Clement

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Nay:

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MOTION CARRIED

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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. The commissioners also took this time to extend the dates of certain action items.

Chairman Provencher noted that pursuant to Action Item #58, that the mineral graphs for MVD wells had been recently updated as presented in the BOC meeting packet, and pointed out that almost all of MVD wells indicated the highest chloride concentrations ever measured in the latest quarterly sampling of MVD wells. Commissioner Clement remarked that she was surprised that these results collected in October 2023, after several months of no road salt applications, that these elevated results would be seen.

8. Old Business – *None*

9. New Business

Superintendent R. Miner informed the commissioners that he and Brian had met with NHDES and EPA on December 12th at the Wells 7 & 8 Treatment Plant. He explained that the EPA is conducting a Technical Assistance Project to help communities determine the most cost-effective approaches for removing emergent contaminants from drinking water. The initial focus is on PFAS, but other contaminants will be considered. The EPA will pay for bottle shipping, training, and analytical costs. All sampling results will be shared. The results will be used to provide support for design and long-term operational optimization, and to develop a national database for approximately 50 systems; all utilities can benefit. They would expect MVD to engage in a long-term sampling project for at least a year, and share water quality design costs, as well as operational data with the EPA. Chairman D. Provencher asked if this would possibly relieve some of the costs for pilot testing. Superintendent R. Miner stated that he has Underwood looking into different options for piloting, different resins, that will feed into that.

Chairman Provencher shared with the commissioners that he had recently spoken with a professor at UMASS Lowell and the topic of conversation turned to Capstone Projects. He noted to the professor that he was chair of the MVD and asked if any of the students would be interested in developing and participating in a pilot test at one or more of our WTPs as part of a Capstone project in the 2024-2025 school year. Chairman Provencher expressed that he thought this may be a cost savings to MVD to have students collect, process, and report on the data. He was encouraged to contact the head of the Environmental Engineering department after the holidays.

At this time, Chairman Provencher stated that he felt it would be helpful for commissioners to watch the recordings of any meetings they may miss. He expressed that it is a good opportunity to catch up on what was missed, as well as allowing them to feel justified in receiving the \$100 monthly stipend that the commissioners receive. Chairman Provencher also stated that if there is nothing else done that month, such as additional meetings and/or work sessions, and the replay isn't watched, he does not feel that the commissioner would be justified to our customers to receive the stipend for that month.

10. Superintendent's Report

Superintendent R. Miner informed the commissioners that there was a virtual salt meeting on November 29th, with NHDOT, DPW, and stakeholders. He said the main purpose was to see what the NHDOT would be doing for their winter maintenance and to make sure the town was doing something comparable. He noted that the DOT was looking for the Town to apply the DOT's brine, which the Town is unable to do. DOT then requested if Shawn O'Keefe would do it. Shawn is investigating whether or not he will be able to. Superintendent R. Miner stated that he felt it was a productive meeting.

Superintendent R. Miner noted that he had another virtual meeting with Chairman Provencher, and Jamie Emery to discuss some emails he has received from private properties in town that have salt restrictions but would like to use salt. It was noted that some salt restricted properties requested to partner with other properties that are allowed to use salt in a way that each property would use brine, in order to use less salt previously used on one property, but now spread between two properties. It was decided in that virtual meeting that all three parties believed that at this time, MVD cannot allow that. It was noted that it is imperative that salt use gets under control first, and that MVD sees sodium and chloride being reduced in MVD wells before recommending that salt-prohibited properties be allowed to apply salt brine.

Superintendent R. Miner informed the commissioners that he is working with Brian to get the GAC replacement scheduled into Elements. He noted that there is a calendar feature with text and email notification as well.

Commissioner J. Lyons was excused from the meeting at 8:00 p.m.

11. Questions from the Public/Press - None

ADJOURNMENT

**MOTION BY COMMISSIONER K. AYERS TO ADJOURN
MOTION SECONDED BY COMMISSIONER E. CLEMENT**

**MOTION CARRIED
3-0-0**

The December 18, 2023 meeting of the Board of Commissioners was adjourned at 8:15 p.m.

Submitted by Amanda McKenna, Recording Secretary