

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
MARCH 10, 2025  
MEETING MINUTES  
(approved April 21, 2025)**

A regular meeting of the Board of Commissioners was conducted on Monday, March 10, 2025, at 5:00 p.m. at 2 Greens Pond Road, Merrimack, NH.

Donald Provencher, Chairman, presided:

Members of the Commission present:    Kenneth Ayers, Vice Chairman  
    Erin Clement  
    Scott Sabens

Members of the Commission Absent:    Wolfram von Schoen, Personnel Liaison

Also in Attendance:                        Ron Miner, Superintendent  
    Jill Lavoie, Business Manager

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**FINANCE/HUMAN RESOURCES REVIEW** - None

**NON-PUBLIC SESSION**

**MOTION BY COMMISSIONER CLEMENT THAT THE BOARD, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3, II (e) CONSIDERATION OR NEGOTIATION OF PENDING CLAIMS OR LITIGATION WHICH HAS BEEN THREATENED IN WRITING OR FILED BY OR AGAINST THE PUBLIC BODY**

**MOTION SECONDED BY COMMISSIONER SABENS**

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

Yea:    Erin Clement, Scott Sabens, Kenneth Ayers, Donald Provencher

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Nay:

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**MOTION CARRIED**

*The Board entered non-public session at 5:02 p.m.*

*The Board came out of non-public session at 5:43 p.m.*

**REGULAR SESSION**

**1. Superintendent's Report**

Water Quality

- PFAS Pilot

The PFAS pilot is underway. Backwashing and conditioning are complete and the first PFAS sampling is expected to be in April.

#### Maintenance

- Treatment Facilities

In response to a question asked at the last meeting, Superintendent Miner stated the life expectancy of green sand is 15-20 years.

Barry Miller has been scheduled to conduct the cleaning and surging of wells 7 & 8 at the end of March.

- Distribution

The annual flushing of hydrants will begin during the first week of April (regular pressure zone). The high service area will be done in the fall (when demand begins to reduce).

#### Leak repair Mainline/Entrance

Temporary patching in the distribution system has been done to address leaks occurring over the winter months, e.g., Turkey Hill. Permanent repairs can be addressed once getting into the warmer weather months.

An application was submitted for a leak locating grant. Available funding, if any, should be known in the April timeframe. Applications are submitted whenever funding becomes available. Leaks have been identified in the past and have been experienced during the winter months.

#### Administrative

- PFAS Watermain Extensions (MVD)

The PFAS Master Main Extension Project Manual and Drawings have been received for Farmer and Mason roads and are currently being reviewed.

Comments have been received from NHDES on the Gerard and Mullikin drawings and are being addressed.

- PFAS Watermain/Entrance Extensions (SGPP)

- Watermain work, Cardillo & Sons

Hookups remain to be done on Edward, John, and Brenda Lane. The plumbing contractor has experienced some difficulties in scheduling with the homeowners.

- Training

Brian Hieken, Operations Manager, Jill Lavoie, Business Manager, Commissioner Sabens, and Superintendent Miner attended the Water Security Cyber Training in Concord on March 5<sup>th</sup>. Several items were discussed, e.g., local case studies, information and operational technology, grants.

Superintendent Miner will participate in a Risk Assessment through the Cybersecurity & Infrastructure Security Agency (CISA) New Hampshire on May 29<sup>th</sup>.

MVD has signed up to receive quarterly cybersecurity updates and related advertisements.

- NHDOT Salt letter

Superintendent Miner spoke of having attended the February 27<sup>th</sup> meeting of the Merrimack Town Council. During the meeting, Town Manager, Paul Micali, informed the Council of the request received from the NHDOT that the original letter be provided on Town letterhead. Background information was provided for new members of the Council. The letter was signed and received by MVD on March 4<sup>th</sup>.

Asked, Superintendent Miner stated the Town Manager intended to send the letter back to the NHDOT.

- Amy Doucette, Customer Service/Billing Representative, and Kristen Maher, Finance & Human Resources Director, have a demonstration scheduled with a vendor for the billing/accounting software on Friday, March 14<sup>th</sup>.
- Solar

As requested, Doug Langdon, Axcess Group, has highlighted areas of the Kearsarge contract. He has indicated he can put MVD in contact with the contractor that will likely be putting solar on the Milford schools to discuss the potential for onsite solar.

Superintendent Miner spoke with Representative Wendy Thomas concerning potential solar options. A few suggestions were provided and will be followed up on.

He also spoke with Lori Halverson, Operations Manager, Highway Maintenance, regarding salt signage. The reason for the signage indicating “low salt” rather than “no salt” is to address instances where salt is needed. During their discussion, mention was made of Wasserman Park. They run an after school program and have to get buses down into the area (function hall).

Asked if the department is fully staffed, Superintendent Miner spoke of the department having new employees. Ms. Halverson did indicate there were operator errors that are being addressed. Asked about the parking lot area (former dining hall), Superintendent Miner noted Ms. Halverson stated that area is not salted. Chair Provencher spoke of the area having been salted pretty consistently. He will make her aware of that and provide photos.

- Annual Meeting – March 25<sup>th</sup> at 7:00 p.m. at the James Masticola Upper Elementary School.

## **2. Board of Commissioners to review the *Authorization for Delegation of Accounts Payable (AP) Approval Process which revises the current approval process.***

During the February 24, 2025 meeting, the question was raised of the requirement for Commissioners to approve the accounts payable warrant prior to invoices being paid, e.g., requirement based on State law or MVD policy.

Commissioner Sabens indicated he read the law and did not conclude that there is a requirement for the Board to approve the warrant; it simply indicates someone needs to be responsible for it. He is uncertain he brings value to that task and noted the Superintendent and Business Manager review the information for which they are more closely involved.

Before the Board was an Authorization for Delegation of Accounts Payable (AP) Approval Process, which identified the Finance Director, Business Manager or Superintendent as the individuals delegated the responsibility of review and approval of a preliminary manifest. The preliminary manifest would then be forwarded to the Treasurer for final approval for the processing of checks. The approved AP manifest would be presented to the Board of Commissioners for review only.

Current policy language states: “When an invoice is received, or when a check is to be issued for any reason, a warrant must be executed by the Finance Department and submitted to the BOC for approval.” It goes on to state prior to submission of the Warrant to the Board of Commissioners, the Business Manager/Superintendent shall review and approve items on the Warrant. It also states: “The Business Manager/Superintendent (BMS) may implement changes to this Policy without prior notice if it is deemed to be in the best interest of the District.” Business Manager Lavoie stated she and the Superintendent were supportive of the proposed change.

The total budget amount is approved, by the voters, through the budget process, and the Board would retain the ability to review the warrant and express any concerns versus taking responsibility when not involved in the day-to-day.

Asked if there would remain the requirement for the Board to approve payroll, Business Manager Lavoie stated that process would not change. Asked if that process could be amended similarly, Business Manager Lavoie indicated she would look into that further and report back.

Chair Provencher spoke of hesitancy with changing a practice that has been in place for some time. Commissioner Sabens remarked he was simply questioning the value noting that the Board would continue to be afforded the opportunity to review the warrant and pose any questions that may come up. If required to sign off on the warrant the individual Commissioner is then taking ownership of it, which he is uncertain is the best practice given there is not the same level of knowledge of the day-to-day operations.

Chair Provencher commented there have been times when the processing of checks has been delayed waiting for all signatures to be provided. He noted a previous commissioner had expressed concerns regarding what, if any, personal liability is related to signing the warrant. The question will be posed of legal counsel.

Chair Provencher commented he is not aware of an instance where review of the draft warrant has resulted in payment of an invoice being delayed/stopped due to an error, etc. Superintendent Miner responded, during his tenure, there have only been a few instances where additional/clarifying information was sought in order to gain a better understanding of a particular invoice/expense.

Commissioner Clement expressed concern that in the absence of a required signature, commissioners, particularly those new to the process, may not prioritize the review of the warrant the same. Chair Provencher spoke of being pleased with the additional layer of oversight gained through the current practice.

The request was made that the warrant(s) be provided in a single pdf file and uploaded to OneDrive followed by an email to the Board informing the information is available for review.

**MOTION BY COMMISSIONER SABENS TO APPROVE THE AUTHORIZATION FOR DELEGATION OF ACCOUNTS PAYABLE (AP) APPROVAL PROCESS AS WRITTEN**

ON THE QUESTION

Commissioner Sabens remarked this action will allow the team to function independently of the Board.

**MOTION SECONDED BY COMMISSIONER CLEMENT**

**MOTION CARRIED**

**4-0-0**

**3. Board of Commissioners to review the revised Budget memo being provided to voters at the Annual Meeting on March 25, 2025**

The following amendments were offered:

Increase font size.

Page 3 of 6; remove “settlement” from the legend.

Page 4 of 6 under “Chemicals (60600)”; replace “is wetter years” with “in wetter years” and “Chemical” should be plural.

Page 4 of 6 under “Engineering (81900)”; replace “outside engineers” with “consulting engineers”.

Page 5, under “revenue”, the last column (BOC Projected); replace “2024-2025” with “2025-2026”.

Chair Provencher referred to page 11 of 20 titled “2025/2026 Budget Summary – Totals” where the bottom of the page shows transfers to capital reserve funds. He asked for verification that the appropriations to the Equipment & Facilities and Water & WTP O&M in FY24 were \$100,000 where the approved budget for FY26 and the recommended budget for FY26 identifies \$800,000 and \$200,000, respectively. Superintendent Miner stated he would look into the circumstances around the FY24 actuals.

**4. Board of Commissioners to discuss who, if anyone, would like to be part of the Steering Committee as part of the Sodium and Chloride Reduction project.**

The New Hampshire Department of Environmental Services (NHDES) brought to our attention the need for a steering committee to be formed. The committee should be formed by the MVD. Emery & Garrett Groundwater Investigations (EGGI), a division of GZA GeoEnvironmental, Inc. (GZA) would be invited to present to a smaller segment of the Sodium and Chloride group.

Provided the Board was a list of suggested participants for the steering committee, which included representation from the MVD, NHDES, DOT, Merrimack PWD and Granite State De-icing/O’Keefe Landscaping.

Commissioner Clement stated a willingness to serve and act as an alternate should another representative of the MVD be unavailable.

Business Manager Lavoie stated the steering committee would be provided with initial findings (EGGI waiting on data from the Town that can be used to show loads, etc.) and would be given the opportunity to provide feedback after which any required revisions would be made before making a presentation to the larger Salt Mitigation Committee.

**5. Board of Commissioners to review the minutes from the February 24, 2025 regular BOC meeting and Public Hearing.**

Board of Commissioners Regular Meeting . . . . . February 24, 2025  
Board of Commissioners Public Hearing. . . . . February 24, 2025

**MOTION BY COMMISSIONER CLEMENT TO ACCEPT THE MINUTES OF THE REGULAR MEETING AND THOSE OF THE PUBLIC HEARING CONDUCTED ON FEBRUARY 24, 2025, AS PRESENTED**

**MOTION SECONDED BY COMMISSIONER AYERS**

**MOTION CARRIED**

**4-0-0**

**6. Board of Commissioners to review Action Items from previous meetings and those to be added from this meeting.**

New dates were added to several of the items.

Mineral graphs were provided by James Emery, President and CEO of EGGI. It appears wells 7 and 8 might be experiencing an uptrend of sodium and chloride. The area will continue to be watched. Superintendent Miner stated the Town of Amherst has been contacted. Salt letters went out. Some residents wrote notes on the back indicating they do not personally use salt, but that the Town salts their street although they reside in a no-salt area. Those responses were forwarded to the Town of Amherst.

With regard to the NHDOT moving the no salt signage closer to exit 10, Superintendent Miner stated a meeting should be scheduled with the Town to further discuss what it will look like to reduce the salt. Following that meeting, a final decision can be made concerning location(s) of signage.

**7. Old Business**

Commissioner Clement suggested communications with legal counsel outside engineers, etc. get funneled through the Superintendent and/or Business Manager in an effort to avoid duplication.

**8. New Business**

Commissioner Sabens spoke of the desire to meet to discuss cybersecurity, e.g., plans and action items. The discussion would have to take place in a non-public session.

The suggestion was made that a non-public session be included on the agenda for the April 21<sup>st</sup> meeting. Also suggested was that, although they would have to be sealed, detailed minutes be taken.

Business Manager Lavoie spoke of an email shared concerning a plumber who had come across an unknown substance. The individual had come into the office and made the administration aware. Business Manager Lavoie spoke with several individuals/departments seeking recommendations for labs that would test the water/material. An online review was conducted and Nelson Analytical Lab contacted to assist in determining the origin of the substance. Although still awaiting a call back from Analytical Lab, what has been learned is that the substance is a buildup of sediment primarily consisting of minerals such as calcium and magnesium from the water supply. If the hot water tank is over 120 degrees, minerals in the water that you wouldn't normally see start to break out and settle on the bottom. They make that slimy solution and over time (about a year) that solution turns into something more solid. It is not a health issue.

It was noted the tanks were being set at 135-140 degrees. They discussed turning that down a bit. Code going into the system is 125 degrees. A vinegar rinse will break down the minerals. Being used is an aluminum anode. There is also a magnesium anode. Another option is glass lined hot water tanks.

Asked if any other plumbers have asked the same question, Commissioner Clement commented when she had her hot water heater replaced a few years ago, the first anode that came with it was gone within a year. The company returned and said they know water in this area and they should have placed a different anode on the heater. Asked if that information is included on the MVD website, Business Manager Lavoie stated it is not. She added this is not a water quality issue; it is a heating issue.

Chair Provencher noted a presentation of the next phase of the Merrimack Cancer Study will be made to the Commission on the Environmental and Public Health Impacts of Perfluorinated Chemicals on Friday.

The last study was published in January of 2023 and only included cancer cases up through 2018.

The 2023 study concluded that Merrimack had a 42% higher rate of pelvic renal cancers than the remainder of the State. They said it cannot be conclusive because the sample size was too small. Additional sample data was taken through 2023 for the next phase.

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

### **ADJOURNMENT**

**MOTION BY COMMISSIONER SABENS TO ADJOURN**

**MOTION SECONDED BY COMMISSIONER AYERS**

**MOTION CARRIED**

**4-0-0**

The March 10, 2025, regular meeting of the Board of Commissioners was adjourned at 6:54 p.m.

Submitted by Dawn MacMillan, Recording Secretary