

**MERRIMACK VILLAGE DISTRICT  
BOARD OF COMMISSIONERS  
JANUARY 26, 2026  
MEETING MINUTES  
(approved March 4, 2026)**

A regular meeting of the Board of Commissioners was conducted on Monday, January 26, 2026, at 5:02 p.m. at 2 Greens Pond Road, Merrimack, NH.

Donald Provencher, Chairman, presided:

Members of the Commission present: Erin Clement, Vice Chairman (participated electronically)  
Scott Sabens, Personnel Liaison (participated electronically)  
Dan Allen  
Wolfram von Schoen

Members of the Commission Absent:

Also in Attendance: Ron Miner, Superintendent  
Jill Lavoie, Business Manager  
Kristen Maher, HR/Finance Director (participated remotely)  
George May, 157 Naticook Road (participated remotely)

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As Commissioners Clement and Sabens were participating electronically, in accordance with the Right to Know Law, Chair Provencher requested they state, for the record; where they were, why their attendance in person was not reasonably practical, who, if anyone, was with them, and whether or not they were able to hear the proceedings.

Vice Chair Clement responded she was at her place of residence, attendance in person was not reasonably practical given her illness, no one was with her, and she could hear the proceedings.

Commissioner Sabens responded he was at his place of residence, his attendance in person was not reasonably practical given his illness, no one was with him, and he could hear the proceedings.

Those present at the meeting location were able to hear Commissioners Clement and Sabens. The Board was reminded that all votes would be taken by Roll Call.

**NON-PUBLIC**

**MOTION BY COMMISSIONER ALLEN THAT THE BOARD, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II (I) CONSIDERATION OF LEGAL ADVICE PROVIDED BY LEGAL COUNSEL, EITHER IN WRITING OR ORALLY, TO ONE OR MORE MEMBERS OF THE PUBLIC BODY, EVEN WHERE LEGAL COUNSEL IS NOT PRESENT  
MOTION SECONDED BY COMMISSIONER VON SCHOEN**

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

Yea: Erin Clement, Scott Sabens, Dan Allen, Wolfram von Schoen, Don Provencher

Nay:

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**MOTION CARRIED**

The Board entered non-public session at 5:03 p.m.  
The Board reconvened at 5:34 p.m.

**FINANCE/HUMAN RESOURCES REVIEW**

**A. Analysis of Revenue and Expenditures**

At the end of December 2025, and six (6) months into the fiscal year, shown is revenue in the amount of \$4,041,171 (61.80% of budgeted amount) and expenses of \$2,756,910 (42.16%). Net Ordinary Income is \$1,284,261.

Accounts to call attention to include:

**Revenue**

34223 – Service Charge (Hydrant Hookup); temporary hydrant hookup has seen a significant increase mostly due to use of the Merrimack Outlets parking area for events.

**Expenses**

72300 – Added Wheel alignment to new fleet management to add life to tires.  
70010.2 – 120Water Software; may be covered by additional grant for Lead Service line project.

Member von Schoen spoke of a request to include percentages in the Net Ordinary Income line. Director Maher stated that could be done.

**B. Capital Reserve Balance**

The Unassigned Fund Balance is \$23,414,061.27. Actual cash is \$3,966,987 (14.4% of fund balance). Total percentage considered fund balance is 53.5%. Noted was that the year-end audit adjustments for FY26 (equity) are not included (e.g., Other Postemployment Benefits (OPEB) Deferred Outflows and Inflows, etc.).

As of January 20, 2026, reimbursement was requested for the cameras at the Water Treatment Plant (WTP). The project is complete. The full request should have been \$39,827.04, but during reconciliation of wells 4 and 5, it was noticed that a pump was requested for \$30,000 from Equipment & Facilities Trust, which was actually part of the budget that year. Those funds are being reimbursed to the Equipment & Facilities Trust. She is near completion of the reconciliation of 4 and 5 and, as predicted, the majority will be going back into the operating budget.

Commissioner von Schoen asked about the lead service line inventory project; the amount is identified as TBD and a note stating “(Over Grant)”. His understanding is that we are a little

overrun by physical inspection requests being done through our staff, which comes with costs. Asked if that cost is being tracked, Director Maher stated she was unaware of that being done.

Commission von Schoen suggested the costs be tracked. If substantial, we may have to consider going back to the source that mandated us to do that to see if there is the opportunity for additional compensation. It would be beneficial to have that number readily available.

### **REGULAR SESSION**

1. Board of Commissioners – appointment by George May of 157 Naticook Road to discuss payment reduction.

A communication was received from George May of 157 Naticook Road. In his letter, Mr. May stated his intention to get caught up with his long overdue water bill. To that end, he has made an initial payment of \$1,000, and stated he will put the hydrant charge on automatic payment moving forward.

He requested the Board consider reducing the total past due amount by the cost of the penalty fees. He has never had use of the hydrant and his insurance carrier does not provide a discount for its proximity to his residence. He is of the belief the hydrant has not always been functional for fire protection, and that at some point, there was discussion of its removal.

The communication also indicated, should the Board be willing to reduce the total amount due, the remaining balance would be paid immediately.

Addressing the Board directly, Mr. May remarked he has never been a fan of hydrant charges, and does not have service at his residence (private well). He resides at 157 Naticook Road and there is a hydrant located on the corner of Westborn Drive (within 600' of his residence). The hydrant would seem to really be for the benefit of the water district to somehow maintain water pressure, etc. As far as he knows, it has never been used. He restated the intentions identified in his communication, and the request for a reduction in penalty fees. He believes the balance to be over \$5,000 including the hydrant charge and penalty fees. He believes the fees to be in the vicinity of \$2,000.

Superintendent Miner stated he is not aware of discussions around removal of the hydrant. It could have been that repairs were needed resulting in the hydrant being bagged for a period of time. He can review the logs to see if maintenance has been done on that hydrant.

Chair Provencher asked about the insurance matter. Mr. May stated he has asked specifically about a discount related to the hydrant and believes he is provided some preferential billing because of proximity to the fire station but not the hydrant. Chair Provencher suggested that Mr. May may want to inquire with an alternative insurance company that offers a premium reduction for proximity to a hydrant.

Asked what the totals are for penalty fees and hydrant charges, Business Manager Lavoie stated the totals to be \$1,375.71 in penalty fees and \$3,124.59 (owed following the recent \$1,000 payment) in hydrant charges.

Mr. May spoke of the rate of increase associated with the penalty fees equating to approximately 20%/year based on the outstanding balance. Business Manager Lavoie stated the calculation to be \$5 or 2.5%, whichever is more.

Chair Provencher commented the monthly penalties are larger than the hydrant fees. Business Manager Lavoie remarked it is 2.5% of \$4,400 balance, which is why it is higher.

Asked about the cost of placing and releasing liens, Business Manager Lavoie stated the fees are identified when removing a lien. She believes the cost of the lien release fee and legal costs to be in the area of \$100.

Commissioner Sabens remarked, if the Board is agreeable to forgiveness of penalty fees, he would rather suspend enforcement of those penalties for 2-3 years and maintain the lien until consistent, on schedule payments are seen. If no delinquencies exist during that time, and the balance is satisfied, the Board could then move forward with removing the lien.

Vice Chair Clement questioned the rationale for addressing this now when the lien has been in place for the past three years. Mr. May responded by stating he is getting older and wishes to address this before it becomes an issue with his estate.

Vice Chair Clement remarked the letter has indicated if the Board is willing to waive some of the fees, he would pay the balance in full to which Mr. May responded yes. Vice Chair Clement commented you don't have a hardship that is not allowing you to pay the balance. Mr. May responded yes and no; yes, he will find some way of paying it. He just paid \$1,000 towards the balance. He has already set up an automatic payment for the coming month for another \$1,000. If he could reduce it by something like that on a monthly basis, it doesn't have to cut into groceries.

Asked if he set up auto pay on the website or through his bank, Mr. May indicated it was done through the bank. Business Manager Lavoie wished to ensure he understood were it done through the website, autopay would take the entire balance.

Commissioner von Schoen remarked he can understand the position stated by Commissioner Sabens of retaining the lien for a period of time to ensure we are landing on good ground.

Chair Provencher expressed concern about establishing a precedent, noting that there are other existing liens.

Mr. May commented, to some extent, it is not fair as there are some who reside within the 600' and don't pay a hydrant fee. Business Manager Lavoie noted when a hydrant is installed letters are sent out to all residents within the 600' providing an explanation of the hydrant fee.

Commissioner von Schoen suggested Mr. May would likely have to identify properties he believes are not charged the hydrant fee, which he believes should be. Otherwise, the Board cannot take that into account as it is believed the District is consistent in its billing efforts.

Mr. May provided the example of Dirt Road off of Naticook. He spoke of a property owner there who has a hydrant 5' from the property line. He added, it is a private road, and perhaps hydrant fees

are not charged on private roads. Business Manager Lavoie stated if MVD has a hydrant and the property is within the 600', there is a hydrant charge.

Commissioner von Schoen questioned how long non-payment had continued (prior to the recent \$1,000 payment). Business Manager Lavoie responded that the system goes back to 2020 and had brought a balance forward of \$3,457. It is believed the hydrant was installed in 1969. Mr. May purchased the property in 1974.

Director Maher added that Amy Doucette, Customer Service/Billing Representative, has indicated payment has not been made since the property was purchased.

Commissioner Sabens reiterated his suggestion that the lien remain in place until it is shown that payments are being made consistently and on schedule. After a period of time, the Board can consider waiving some or all of the penalty fees.

Business Manager Lavoie questioned whether the Board would consider simply waiving penalty fees from this point forward until the balance is paid in full.

Commissioner von Schoen spoke of liking both options. In light of there being other delinquent accounts that involve liens, we cannot be as forgiving as we thought we might be able to. He would like to show goodwill one way or the other but the idea of us continuing to have leverage until the account is proper is a good approach. Perhaps not tack on any further penalty fees.

Chair Provencher noted it is within the purview of the Administration to approve removing penalty fees moving forward for a year, provided full and timely payments are made.

Mr. May remarked, if able to come to an agreement, the bill will be squared away certainly within this year.

Commissioner von Schoen asked if the Commission could agree on a twelve-month period.

Vice Chair Clement asked what the time period is between when a bill is paid in full and the lien released, and was told it would go away very quickly after being paid in full (charges and penalties).

Commissioner Sabens reiterated he was suggesting Mr. May be asked to pay the full balance within 36 months.

Asked what occurs with the lien as the balance reduces, Business Manager Lavoie stated with the way liens are typically worded, the account balance at the time is not included. The language states there is a lien on the property, the page, and infers that a rate of 1.5% shall accrue monthly on the outstanding unpaid balance plus reasonable costs and attorney fees. All of that would have to be paid in order for us to release the lien.

Commissioner Sabens asked what is more beneficial for the District and ratepayers; is it that this is paid in full as fast as possible by forgiving some of the penalties and collecting the full hydrant charges or let it go longer.

Vice Chair Clement stated a preference to be paid off and move on. Commissioner von Schoen asked if there is a greater impact on staff one way or the other. Business Manager Lavoie noted there is the option of a payment plan. It can be set up in the system and will notify if not paid.

Commissioner von Schoen suggested the need for a policy discussion. Vice Chair Clement stated there is a policy that allows for waiving of one late fee at the Superintendent's discretion. She does not know that there is a policy that will cover if they don't want to pay this for 30 years.

Commissioner von Schoen remarked we have other liens on other properties. We may not be able to answer this tonight and might have to have a discussion of how we get these liens off our books and the property owners' books and are we giving them an out, but then that out has to be identical for all of those property owners where there are liens in place. If we make any concessions today, that sets a precedent that basically sets a policy for us for these other liens, which is something he does not think we can afford to do.

Business Manager Lavoie asked if, at this point, the Board wished to say we will cease charging late fees going forward for Mr. May's account. Commissioner von Schoen stated he could live with that, and leave it at that for now. Perhaps at the next meeting there is a discussion of these liens. Data can be gathered and presented to the Board so that consideration can be given to the impact(s), and the Board can have a generic discussion about all liens. Business Manager Lavoie stated she will compile a list of hydrant only accounts with liens.

Vice Chair Clement remarked she does not know that she wants to spend more money to try to get money people owe us. If it goes to a lien and they haven't made an effort to get on a payment plan, she does not know that she wants staff to spend time chasing those people down.

Commissioner von Schoen agreed we shouldn't have this discussion in the first place, but whatever we decide today we will potentially be called out by others for which there are liens.

Commissioner Sabens remarked it is the idea of being made whole, moving on, and getting the extra administrative work off the books.

Mr. May stated agreement with what he believes is being stated by Commissioner Sabens. He would like to get the whole thing squared away and start fresh. He is not asking to set a precedent, he is asking for a favor.

Vice Chair Clement responded, unfortunately favors set precedent. That is how that works. Mr. May stated if the Board could eliminate the penalty fees he would pay the bill. He would like to pay it off \$1,000/month. He can do more than that and will pay it immediately if necessary.

Superintendent Miner stated if the Board is concerned with setting precedent, perhaps freezing the late fees where they are and setting up a payment plan to pay the full outstanding fees and penalties.

Commissioner Sabens stated we could still freeze future penalties as long as the account remains current from this point forward, but it does not forgive the penalties, and if there is another default they come right back.

Commissioner von Schoen asked for clarification that what was being stated was no forgiveness on the penalties just keep them rolling forward?

Commissioner Sabens stated no future penalties. If he continues to pay the account on time then his thought process is that the \$1,375 would be forgiven after three years.

Commissioner Allen stated he did not wish to forgive the \$1,375.

Vice Chair Clement spoke of a willingness to put the penalty charges on hold; do not accrue any additional penalties going forward as long as the total balance on the account is paid in full by the end of the year.

Asked for clarification of what would transpire if on the 1<sup>st</sup> of January 2027 the balance is not paid off, Vice Chair Clement stated at that point the delinquent fees would start accruing again on whatever the balance is held at that point.

Superintendent Miner suggested that language to that effect that could be put into policy.

Commissioner Sabens stated his belief this action does not require a vote of the Board. It would be something Mr. May could address with the Superintendent and Business Manager. If that is not what he wants to do then he will be back here next month.

Chair Provencher commented it is within the Administration's purview to decide based on existing procedures. It sounds like that is where we are heading; stop accrual of penalties while the remaining balance is paid in full over the course of a year. That protects MVD to receive the amount that is outstanding in all cases. He would be surprised if someone else has 50 years of delinquency that we have to deal with.

Chair Provencher stated the Superintendent will discuss the details with Mr. May. We are not looking at waiving any of the penalty fees. He asked Mr. May if that is something he is willing to accept. Mr. May responded that he has to live with whatever the Board comes up with. That is not what he is asking for. He would like to have the past penalty fees removed.

He stated his understanding the fees would be put at the end of the bill and he would pay off the bill until getting to the amount that would be reduced. That would be fine. He would like the past fees to be eliminated.

Chair Provencher reiterated the concern with setting precedent.

Mr. May stated appreciation for the Board's consideration. He stated he would appreciate it if the Board could consider it further. Stopping the accrual of penalty fees moving forward for the next year is something. If the past fees could be removed, he would prefer that.

Commissioner von Schoen reiterated the desire to be provided with a summary of delinquent accounts such as this. Situations like that only turn worse, and it would be nice to have a better mechanism. Chair Provencher remarked it would be good to know where we are with such accounts. He was not aware that we had properties that were to the point where liens are needed.

Vice Chair Clement commented she remembers seeing them during a review of our finances. When the bills are paid monthly there are lien charges that will go in. There are a handful every year.

2. Board of Commissioners to review and approve the 2026-2027 Budget and Warrant Articles to move forward to the Public Hearing scheduled for February 23, 2026.

### **Article 1**

To choose two (2) Commissioners for a three (3) year term of office. (Written ballot vote required)

### **Article 2**

To choose one (1) District Clerk for a three (3) year term of office. (Written ballot vote required)

### **Article 3**

To choose one (1) Moderator for a two (2) year term of office. (Written ballot vote required)

### **Article 4**

To see if the Merrimack Village District will vote to raise and appropriate the sum of six million seven hundred ninety-seven thousand seven hundred sixty-two dollars (\$6,797,762) for general municipal operations for the 2026-2027 fiscal year with said sum to come from water related charges. This article does not include appropriations contained in special or individual articles addressed separately. (Majority vote required)

*Commissioner von Schoen will present the article at the Annual Meeting and motion to accept.*

*Commissioner Sabens will second the motion.*

### **Article 5**

Shall the Merrimack Village District vote to raise and appropriate the sum of one hundred fifty-one thousand three hundred twelve dollars (\$151,312) under provisions of RSA 35:1, I and II to add to the District's "System Development Capital Reserve" fund for the future system expansion and improvement of the existing system. This sum to come from the System Development revenue fund; these are the system development charges collected during the 2024 2025 budget year. (Majority vote required.)

*Commissioner Allen will present the article at the Annual Meeting and motion to accept.*

*Commissioner Clement will second the motion.*

### **Article 6**

Shall the Merrimack Village District vote to raise and appropriate the sum of eight hundred thousand dollars (\$800,000) under provisions of RSA 35:1, I and II to add to the District's

“Equipment and Facilities Capital Reserve” fund for associated costs with existing storage, transmission and production of water. This sum to come from the 2024-2025 unassigned fund balance. (Majority vote required.)

***Vice Chair Clement will present the article at the Annual Meeting and motion to accept.***

***Chair Provencher will second the motion.***

### **Article 7**

Shall the Merrimack Village District vote to raise and appropriate the sum of two hundred thousand dollars (\$200,000) under provisions of RSA 35:1, I and II to add to the District’s “Purchase of water and/or the operations and maintenance of GAC Treatment facilities” Non Capital Reserve fund for associated costs with purchase of and/or treatment of water. This sum to come from the 2024-2025 unassigned fund balance. (Majority vote required.)

***Commissioner Sabens will present the article at the Annual Meeting and motion to accept.***

***Commissioner von Schoen will second the motion.***

### **Article 8**

This article is to transact any other business and close the meeting.

***Chair Provencher will present the article at the Annual Meeting and motion to accept.***

***Commissioner Allen will second the motion.***

3. Board of Commissioners to discuss survey responses for proposed mainline extensions in the Beebe Lane area and the Greatstone Drive area.

The previous Friday was the deadline for responses to the survey. Greatstone Drive has a total of 60 properties available for hookup and Beebe Lane 58. For those responding to the survey from Greatstone Drive, 21 responded yes, 1 no, and 1 unanswered. For Beebe Lane 14 responded yes and 7 no.

Business Manager Lavoie stated Beebe Lane has 3 different funding sources; \$1.5 million, \$1 million, and \$835,000. The whole point of sending out the door hanger was to identify if anyone will be interested and from what location. They both seem to be pretty well interested, and she is confident additional surveys will be received.

Chair Provencher asked for clarification there are 23 customers on Greatstone Drive who would be served. Business Manager Lavoie reiterated those are the ones who responded. Of those 60 properties, 23 have responded; 21 indicated yes, 1 no, and 1 unanswered.

Vice Chair Clement remarked out of the 58 properties located in the Beebe Lane project, 14 responded with a yes.

Chair Provencher commented that the vast majority of residents felt, for whatever reason, it wasn't important enough to reply.

Noted was that the survey was sent out on a Tuesday and provided a full two weeks after that to respond.

Chair Provencher spoke of concern that the bulk of the cost of this is coming out of the MVD whether through a settlement amount or not. The grant opportunities are pretty scant here. Business Manager Lavoie stated the grants are in good shape. The amount of the grants was increased from \$371,000 to \$1 million so \$2.5 million of the project is grant funded. The difference is \$835,000. Chair Provencher remarked we are trying to see if we want to move this onto the Warrant. We need to understand how much everything is costing us (which we are not aware of now), and who is interested in it. There doesn't seem to be a real significant interest here if 2/3 cannot bother to send the survey back.

Commissioner Sabens commented that receiving a postcard from the MVD when you are not an MVD customer may look like junk mail. We cannot assume they are not interested. They may have just thrown it out. It was clarified that the communication was a door hanger, not a postcard. He would want to know what the cost of the project is based on anticipated connections and what that all looks like. Does it make sense to move forward with what we have and if there is the ability for MVD to be whole that way or does it cause issues? If there are issues then he would not be in favor of moving forward with the extension.

Commissioner von Schoen stated he would rather look at those who have responded versus those that have not. It is pretty clear to him that the folks on Greatstone are pretty eager. The ratio of those saying yes is very high. He would feel fairly uncomfortable denying that number of people clean water.

A request was made for additional analysis. Chair Provencher remarked that a decision is required to be reached tonight or it is not happening on the 2025 warrant.

Business Manager Lavoie noted for Beebe Lane the loan was dropped from \$1.4 million to \$835,000. The DWSRF Emergent Contaminant Loan with 100% forgiveness was increased to \$1 million. Then we had the \$1.5 million. Greatstone is on a loan, but we also need to keep in mind we can co-mingle. If we don't have interest on Beebe Lane they are able to allow us to move the grant over to the Greatstone project.

Commissioner von Schoen asked, and was told the total project cost is \$3.335 million.

Asked if all of this would be shifted over to Greatstone or if it would just be the grant, Business Manager Lavoie stated the grant could be moved over to the Greatstone project because they were looking at both of these at the same time. Asked if the DWSRF Emergent Contaminant Loan at 100% forgiveness would transfer over as well, she stated it would.

Chair Provencher stated the project is a \$3.335 million total cost. The New Hampshire Department of Environmental Services (NHDES) is offering the \$835,000 loan with 10% forgiveness.

Commissioner von Schoen stated it would be 10% of the \$1.4 million because they increased it to the \$1.4 million.

Chair Provencher remarked we still don't have a figure identifying what our cost would be. Business Manager Lavoie stated the need to identify the amount of interest. Commissioner von Schoen stated the need for a summary of what the total expenditure would be before a vote could occur.

Chair Provencher remarked then it is not going on this year. Business Manager Lavoie stated there could be a special meeting at some point. Chair Provencher commented we could talk about funds coming out of capital reserves if not wanting to take out a loan. He personally does not want to take out any loans as it would just drive costs or water rates up.

Commissioner von Schoen stated the desire for an out-of-schedule meeting. He is not super happy that we have asked people in Town and now we delay it for a year because we don't have the figures readily available. We should have had a table that identifies the costs; what the contributions are, what the forgiveness is, and the impact as far as capital reserve. He does not remember the numbers that were provided at a prior meeting. He is willing to come to another meeting, even if a brief one, to have the discussion and get this on this year's warrant, but we do need to have a proper presentation of the facts.

Chair Provencher noted there were numbers provided at the previous meeting and cited in the minutes, but he believes those to have been updated since that time.

Commissioner Sabens stated agreement with the desire for a full presentation.

Chair Provencher asked if it is true that NHDES is not able to tell us what the loan interest rate would be, and was told there is the need to do a final application. There remain steps to be followed.

Commissioner von Schoen remarked if time is needed he is not going to push for an additional meeting, but having a special meeting with the public to vote on an item is a lot more involved than the Board meeting for half an hour to have a discussion with updated numbers before the warrant articles need to be put on the warrant. If what is being said is that we are not ready for that, he will not push for it. His understanding is the Board is ready to vote on this we just don't have a presentation of the numbers in front of us right now. If you are saying we need more time to clarify the details, let's not push this one and put it on for next year.

Chair Provencher commented on the information that would be required for a warrant article, which, at this point, is still unknown, e.g., what the loan rate would be, what the first payment would be, etc. He does not believe there is time to be able to put it on the warrant this year. Business Manager Lavoie noted legal counsel has drafted warrant articles for as is funding. We could change it around if we decided we wanted to move the grants over to Greatstone Drive. We are just not there yet.

Asked how the grants and loans could be applied for without having the voter mandate to move forward with the project, Business Manager Lavoie responded you put in an application.

Chair Provencher added we just cannot accept it until voter approval is gained. If we choose to spend some of our capital reserve funds, as agents to expend, the only requirement would be to conduct a public hearing if the expenditure exceeds \$100,000.

Asked if the understanding is accurate, Director Maher stated if taking on any type of debt in the next fiscal year, it has to be put to a vote and voters would have to approve.

Chair Provencher commented he was looking to determine if there is something that can be done to move this along later this year once additional information is provided, without having to have a special meeting.

Superintendent Miner stated if we don't make the Annual Meeting it would have to be a special meeting or we would have to wait until next year if we are going to do loans. He is of the opinion, even if utilizing capital reserves, because it is a loan and there is 10% forgiveness, etc. that would be the process.

**MOTION BY COMMISSIONER VON SCHOEN TO APPROVE MOVING THE  
WARRANT ARTICLES TO THE PUBLIC HEARING AS PRESENTED  
MOTION SECONDED BY COMMISSIONER ALLEN**

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

Yea: Erin Clement, Scott Sabens, Dan Allen, Wolfram von Schoen, Don Provencher

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Nay:

0

**MOTION CARRIED**

**4. Superintendent's Report**

**Maintenance:**

Treatment Facilities

- Cleaning and surging of wells 7&8 are tentatively scheduled for the March/April timeframe to be ready for our busy season, as well as our next media change out in April.

**Leak Repair Mainline/Entrance:**

**Administrative:**

PFAS Watermain Extensions (MVD) Farmer, Mason, and Foster

- 9 Farmer and 4 Mason ledge removal have been completed before the winter shutdown.
- The next construction meeting will occur sometime in the spring.
- Final Completion for the project is 1/28/2026 (115 days, excluding final paving).

Salt Reduction

- Salt Reduction Steering Committee Meeting met on 1/7/26. Some agenda items were the new DOT low salt program, data gaps; what salt data is still missing. The full report is due to NHDES in March.
- NHDOT Public Hearing regarding Continental and Industrial Drive was held on 1/14 in the Memorial Room at the Town Hall complex. No members of the public were in attendance to provide feedback.
- The signed School Board letter was received from the Town Manager on 1/16/26 and forwarded to NHDOT.
- NHDOT went before the Town Council on 1/22 and they approved the Maintenance Agreement. Superintendent Miner will reach out to Alan Hanscom next week as they talked about signage and a February 1<sup>st</sup> date for low salt to begin.

Chair Provencher commented the Memorandum of Understanding (MOU) referenced February 2<sup>nd</sup>. He questioned if anything was occurring this week in preparation for that, e.g., posting, signage. Superintendent Miner reiterated he will reach out to NHDOT.

Chair Provencher commented he is unsure if we should delay the February 2<sup>nd</sup> target date for implementation of the DOT’s reduced salt areas, believing it critical to get advance notice out.

Water Supply Options

- Minutes from the kick-off meeting/work session conducted on 1/14/26 will be forwarded from Underwood shortly.

The Town Manager presented the MOU to the Town Council. The Town Council was in full agreement, and authorized the Town Manager to sign it.

5. Board of Commissioners to review the minutes from the December 15, 2025, regular and non-public meetings.

Board of Commissioners Meeting . . . . . December 15, 2025

*The following amendments were offered:*

Page 13, Line 16; At the end of the sentence, add: “Mr. Landry stated that he would not put anything in writing.”

**MOTION BY COMMISSIONER VON SCHOEN TO ACCEPT THE MINUTES OF  
REGULAR MEETING OF DECEMBER 15, 2025, AS AMENDED  
MOTION SECONDED BY COMMISSIONER SABENS**

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

Yea: Scott Sabens, Erin Clement, Dan Allen, Wolfram von Schoen, Don Provencher

Nay: 0  
**MOTION CARRIED**

Board of Commissioners Meeting – **Non-Public**. . . . . December 15, 2025

**MOTION BY COMMISSIONER VON SCHOEN TO ACCEPT THE MINUTES OF NON-PUBLIC MEETING OF DECEMBER 15, 2025, AS PRESENTED  
MOTION SECONDED BY COMMISSIONER ALLEN**

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

Yea: Scott Sabens, Erin Clement, Dan Allen, Wolfram von Schoen, Don Provencher  
5  
Nay: 0  
**MOTION CARRIED**

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

The Commission reviewed the Action Items. New dates were added to several of the items.

Chair Provencher asked if any conclusions could be drawn from the PFAS GAC filtration media alternative vendor plan pilot test. Business Manager Lavoie stated the pilot testing will be extended a few months (April) (has not run its course). Chair Provencher commented on the EPA covering the PFAS sampling cost on that. He asked if they are willing to extend that as well, and was told that is the case.

Commissioner von Schoen spoke of the PFAS monitoring summary commenting for Wells 7 & 8 it says PFOA in the effluent in the LAG vessel. He questioned what “J value” represents, and was told it is “Justified”. It is a level but it is not a result. Chair Provencher added there is not enough confidence in it. Commissioner von Schoen asked if there is PFOA in the effluent in the LAG vessels at 7 and 8. Chair Provencher remarked the J value implies it is very low; less than 2 he believes. It is kind of weird to see.

Commissioner von Schoen remarked that would be a first in some time. Chair Provencher commented it sounds like something strange is going on in the lead vessel if reading it correctly; says PFOA is coming through with a J value but it is not present in the 75% port. Perhaps the first vessel is loading up into the second vessel. First detection in the lead vessel was in December.

Commissioner von Schoen commented he does not recall seeing reference to a J value in the past. He is a little skeptical and believes there is a need for more clarity on if we have PFOA in the effluent in Wells 7 and 8 treatment plant. If so, he would like to know how much because J value doesn’t tell him how much.

Chair Provencher asked if consideration should be given to advancing the next changeout (lead vessel). Commissioner von Schoen responded not based on this data because we don’t know what it means.

Vice Chair Clement stated J value is like an estimated concentration. Basically, something happened with the test, they couldn't get a real number so they estimated it. It was detected but the concentration is too low to be fully accurate or reliable.

Commissioner von Schoen remarked although he appreciates the explanation he has a problem with the paper because we are making 5-figure decisions for each vessel. This thing has to be watertight every time we look at it.

Business Manager Lavoie stated another definition states: for water sample results marked as justified the J indicates that the data has been reviewed or validated by the laboratory or DES to assure accuracy, compliance, or appropriate context regulatory standards. This means the findings whether indicating safe water, a need for treatment or specific foundational are considered valid and actual rather than being defined as invalid or unrepresentative. They are saying that is the level. That is the number.

Commissioner von Schoen added there is no number. It just says PFOA J value. We don't know if that is 1 part per trillion or 1,000.

Chair Provencher remarked there is something going on here; why is PFOA breaking through first and the only one? The fact that it is PFOA in the LAG vessel at a J value, there is nothing else listed here so there is no PFBA that has broken through, and PFBA is the first thing that breaks through.

Vice Chair Clement remarked she would almost wonder if it were a contaminated sample or a contaminated process because if you look we have never seen them before and now it is all over. It is at Wells 4&5, 7&8, 2&9; they all have J values. Commissioner von Schoen remarked if that is the case a note should be provided informing us not to look at the data because it is not accurate. We are paying Underwood to present this. If they are seeing this they should raise that question.

The question was asked of what the finish water results are.

Staff were asked to seek clarification.

7. Old Business - None

8. New Business

Chair Provencher requested the raw water PFAS graphs provided by Underwood include trend lines.

9. Questions from the Public/Press

### **Non-Public**

**MOTION BY COMMISSIONER SABENS THAT THE BOARD, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II (a) THE DISMISSAL,**

**PROMOTION OR COMPENSATION OF ANY PUBLIC EMPLOYEE AND (c) TO  
DISCUSS A MATTER, WHICH IF DISCUSSED IN PUBLIC, WOULD LIKELY AFFECT  
ADVERSELY THE REPUTATION OF A PERSON, OTHER THAN A MEMBER OF THE  
BODY OR AGENCY ITSELF  
MOTION SECONDED BY MEMBER VON SCHOEN**

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

Yea: Scott Sabens, Erin Clement, Dan Allen, Wolfram von Schoen, Don Provencher

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Nay:

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**MOTION CARRIED**

The Board entered non-public session at 7:30 p.m.

The Board reconvened at 7:34 p.m.

**ADJOURNMENT**

**MOTION BY COMMISSIONER SABENS TO ADJOURN  
MOTION SECONDED BY COMMISSIONER CLEMENT**

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

Yea: Erin Clement, Scott Sabens, Dan Allen, Wolfram von Schoen, Don Provencher

5

Nay:

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**MOTION CARRIED**

The January 26, 2026, meeting of the Board of Commissioners was adjourned at 7:35 p.m.

Submitted by Dawn MacMillan, Recording Secretary