

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
FEBRUARY 10, 2026
MEETING MINUTES
(approved March 4, 2026)**

A regular meeting of the Board of Commissioners was conducted on Tuesday, February 10, 2026, at 5:01 p.m. at 2 Greens Pond Road, Merrimack, NH.

Donald Provencher, Chairman, presided:

Members of the Commission present: Erin Clement, Vice Chairman
 Scott Sabens, Personnel Liaison
 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
 Keriann Roman, Esq., Drummond Woodsum

As Wolfram von Schoen was participating electronically, in accordance with the Right to Know Law, Chair Provencher requested he state, for the record; where he was, why his attendance in person was not reasonably practical, who, if anyone, was with him, and whether or not he was able to hear the proceedings.

Commissioner von Schoen responded he was at his residence, his attendance in person was not reasonably practical given the hour and business commitments, no one was with him and he could hear the proceedings.

Those present at the meeting were able to hear Commissioner von Schoen. The Board was reminded all votes would be taken by Roll Call.

REGULAR SESSION

1. Board of Commissioners to discuss two mainline extension projects and decide if either one or both of the drafted warrant articles will be included on the 2026-2027 Warrant Articles to move forward to the Public Hearing scheduled for February 23, 2026.

Jill Lavoie, Business Manager, noted the two proposed warrant articles have been drafted and reviewed by legal counsel.

Keriann Roman, Esq., Drummond Woodsum, stated she and the Superintendent worked on these with the desire for each to capture what the potential funding source(s) would be. The gross budget, e.g., total cost of the budget, has to be identified at the top of the article. Initially they had put in the exact amounts of the funding sources, e.g., Drinking Water State Revolving Fund (DWSRF). During discussions with the administration, it was determined if that language was included in the

article, we would be bound to those specific amounts for those pieces. There is no requirement to include the exact amounts. The only reason to do so would be to help people understand that these would not be entirely funded through long-term debt.

An explanation is included, and since the articles will be presented during a traditional meeting, it can be explained to the voters at that time.

A decision needs to be reached as to which one or both of the articles will move forward so that the language can be prepared for the public hearing. Attorney Roman stated her understanding the New Hampshire Department of Environmental Services (NHDES) has approved the use of the three sources of available funding for either project.

Business Manager Lavoie stated, to date, one payment has been made towards the \$8.5 million PFAS Remediation Loan Fund (RLF). Funds received from the settlement will go towards paying that down.

If going with the Greatstone Drive project, as funded right now, it would be a \$3.9 million loan with 10% forgiveness.

For Beebe Lane, it is a \$835,000 DWSRF loan with 10% forgiveness, \$1 million DWSRF Emerging Contaminant Loan with 100% forgiveness (was previously identified as \$361,791), and \$1.5 million Emerging Contaminant, Small and Disadvantaged Community Grant. With the grant amount increased, the loan amount decreased.

Were both projects to be done together, the combined loan amount would be \$4,735,000. The 10% forgiveness would be \$473,500 resulting in a combined loan funding amount of \$4,261,500.

Interest rates for the DWSRF loan vary depending on the Term of the Loan:

5 years	2.000%
10 years	2.595%
15 years	3.893%
20 years	4.152%
30 years	4.152% (available to disadvantaged communities only)

If, at the time of project completion, the interest rates are lower than those shown, NHDES will offer the better of the two rates.

If doing both of these projects as they currently are, the combined loan funding amount of \$4,261,500 would be offset by the settlement funds. We would not be incurring additional debt.

Chair Provencher added, however, whatever settlement we get is going to the \$8.5 million.

Business Manager Lavoie responded that is correct; it will pay down that loan amount.

Chair Provencher asked for clarification the loan amount doesn't reduce, it simply takes time off the loan.

He noted the \$8.5 million current PFAS Remediation Loan Fund is for the warrant articles of the treatment plants in 2019. You are saying we made one payment on that in May?

Business Manager Lavoie responded our first payment was only due in May of 2025. Chair Provencher asked, and was told that is an annual payment.

He questioned if this would affect the rates. Business Manager Lavoie stated it would not as we are actually taking in more settlement money than we are taking on in additional debt.

Once the funds are received, they will be able to be refinanced to a different shorter term with a lesser loan amount. No answers are provided until the money comes in. At that time, NHDES will make us aware of the interest rate amount, what the terms would be, etc. The lower the terms, the lower the interest rate.

That is what occurred with the \$8.5 million loan; a few different loan sources were combined into a single PFAS Remediation Loan Fund. That is what took so long for the first payment to be due. Asked if that is a 20-year term, Attorney Roman stated it is.

Business Manager Lavoie remarked they usually don't offer longer than a 20-year term unless you are a disadvantaged community.

Chair Provencher asked for clarification that the \$4,494,530 that is unofficially due from the settlement with 3M, would have to be applied to the \$8.5 million loan. Attorney Roman stated that to be correct.

Chair Provencher commented if staying on the same payment plan we will likely simply reduce the term of the loan. Attorney Roman stated she has posed the question, and is waiting for a response to the question of whether it would keep the same payment amount and reduce the length of the term or would reduce the payment and keep the same term.

Chair Provencher questioned, with the 10% and 100% forgiveness, what the total amount that would be paid is, and if it is called out in the article.

Business Manager Lavoie noted the costs identified in the articles are total project costs. The funding sources would be dealt with later based on the numbers cited. If both projects were done, the combined loan amount would be \$4,261,500.

Chair Provencher questioned the total cost for each, and was told if moving forward with the Greatstone Drive project, the \$3.9 million DWSRF loan that would have been with 10% forgiveness, would change to the second set of funding sources, and result in a total cost of \$1.4 million with \$2.5 million in grants or forgiveness. Of the \$1.4 million, 10% would be forgiven resulting in a net total of \$1,260,000.

Commissioner Sabens stated Beebe Lane is a \$3.335 million project. With \$2.5 million in grants and forgiveness and 10% off the remaining (\$835,000) the total loan would be \$751,500.

The \$2.5 million is the total grant amount. If combining the total cost for both projects of \$7,235,000 less the \$2.5 million to get to the \$4,735,000 and reduce from that the 10% loan forgiveness of \$473,500, the total combined cost of both projects would be the \$4,261,500.

Chair Provencher asked if it is believed a loan in the amount of the \$4.2 million could be let without raising rates. Business Manager Lavoie responded, if the funds come in to pay down the other loan, yes.

Vice Chair Clement added because the other loan balance will be reduced with the 3M settlement funds, we will basically slot this one in where that other one was.

Attorney Roman stated she received a response to the question of how the settlement funds would impact the current \$8.5 million PFAS Remediation Loan; it would reduce the payments on the 20-year term loan. The 20-year term would remain, but payments would be cut in half.

Vice Chair Clement commented on her recollection the current loan is at a very favorable rate.

Chair Provencher noted we are required to put the \$4,494,500 against the \$8.5 million loan as opposed to utilizing those funds to pay down the proposed loan for the Greatstone and/or Beebe Lane projects. We would not have an \$8.5 million loan at the same low rate. The rates available are those that were cited.

Business Manager Lavoie reiterated if rates drop by the time we receive approval, a lesser rate would be provided.

Chair Provencher commented he does not recollect the Board discussing other potential plans for the settlement funds.

Attorney Roman commented it has only been relatively recently that it became clear that the State was receiving the settlement funds. The State had to determine how they would disseminate that. It was October/November when they came out. They have three categories of public water systems. We are in the 1st or 2nd category where if we have already received a loan from NHDES we have to use this money for the loan we already have. They will not give us a choice. It doesn't really matter if we discussed it or not because we don't have a choice in the matter.

Chair Provencher commented he feels we did the first two mainline extensions at essentially no cost at all to our ratepayers because it was essentially a 100% grant.

Vice Chair Clement noted the total in grant forgiveness is nearly \$3 million.

Superintendent Miner remarked one thing to keep in mind is that the Beebe Lane project is a multi-phase project; what is identified here would not get us all the way to Beebe Lane. We would have to seek out additional funding to complete that project.

Commissioner Sabens asked about the survey that was sent out to the 58 properties; whether that would include all of the people or just the Phase I portion, and was told it represents the Phase I portion.

Chair Provencher stated concern that out of 58 properties surveyed there were 25 responses; 16 yes and 9 no.

Commissioner Sabens added for the 60 properties surveyed for the Greatstone project, there were 25 responses; 22 yes, 2 no and 1 unanswered. Between the two there were 38 yes responses.

Vice Chair Clement commented that does not mean others will not connect. It just means they didn't answer the postcard.

Chair Provencher asked what other projects might want to be considered or if the desire would be to simply utilize it to pay down existing debt.

Vice Chair Clement responded if we were to pay down the existing debt only it is a low-interest rate and really it is not like we cannot make the payments. We have budgeted for the payments and are in a good financial position. We are not even contemplating a rate increase in the next year. Because of the amount of money being granted, she feels the real purpose is to hook up more people so that we can get more people off contaminated wells.

Commissioner von Schoen stated agreement adding there is the monetary side and then the commitment to clean water. Obviously, they need to balance themselves to a point. It will be very hard to recover any kind of investment with just a few dozen houses. On the other hand, there are people there that want clean water and we can get them clean water. Anyone being connected is partially buying into the system, but is benefitting from the fact that it is there. He hates that we would spend that kind of money on it, but we were voted in to get people clean water here in Town.

Chair Provencher commented we will probably be taking out loans in the future for source development once we figure out which option, if any, we want to pursue. At some point we will have to take loans out, which will increase rates. We just don't know when and at what cost. He was thinking some of this would help to reduce that potential burden.

Vice Chair Clement remarked we do also have a system development capital reserve account to go towards that, and in the next few years she would assume we should be coming into some more settlements.

Chair Provencher added all of that would have to go towards paying the remainder of the \$8.5 million loan.

Asked, Attorney Roman stated the State can always change it, but that is how it is currently. That is not mandated by RSA, it is just NHDES rules. At the moment, yes that is the case.

Chair Provencher commented it seems like a lot of money to go for a small number of customers. He is not sure it could be applied elsewhere more favorably. He would feel better were there a larger number of customers in favor of this.

Commissioner von Schoen commented he thinks it is safe to say there will be more than the positive responses. Some people likely never paid attention to the flyer or responded. We have some negative. There is positive we can probably count on and then likely a few more.

Commissioner Sabens asked what the connection cost is, and was told the rebates can go up to the \$10,000.

Vice Chair Clements commented that most of the people, even if they have gotten their rebate for filtration, are still in favor of connecting.

Business Manager Lavoie reiterated there may be more funding coming in. The NHDES is great about calling to inform us of other opportunities.

Chair Provencher questioned if all of that grant funding is coming from funds remaining from previous opportunities.

Attorney Roman commented that \$1.5 million of it is Environmental Protection Agency (EPA) funds. The remaining is what is in the SRF fund. That might have some MtBE funds in it.

Commissioner Allen spoke of what has been done at no cost this year. Add this to that, and it is a lot of work.

Chair Provencher stated the only reservation he has is the knowledge that there will be the need to let additional loans at some point. He is uncertain what remains in capital reserves to cover future projects for source capacity. We don't really know what that is yet. Underwood will be studying that and will report in perhaps the June timeframe.

Commissioner Sabens asked if the average hook-up cost to the District (per house) is known. Chair Provencher was uncertain if that cost is known as the District does not pay that cost.

Superintendent Miner stated there is a price list for 1" service, 2" service, a meter charge, etc.

Commissioner Sabens asked, if only these individuals sign up and receive water, it is about \$80,000 per connection for this project.

Superintendent Miner stated he could provide what is owed in fees. Business Manager Lavoie commented she believes what is being asked is what it costs the District to put in the mainline to service this property. What it would have cost us if not having the grants and loans.

Commissioner Sabens clarified, in general, the average cost to hook up a user. We can take care of 38 houses for \$3 million. That is about \$78,000/house.

Vice Chair Clement remarked it depends on whether you are on 1-acre lots, postage stamp lots, the density of the houses, what part of town you are in, if you are in great sand or on ledge.

Chair Provencher commented Commissioner von Schoen is correct he did get on this Board to try to get people safe drinking water. It comes with a comparison to try to be fiscally responsible as well.

The settlement money could not have been used for anything other than paying down that debt. We still have other potential settlement funds coming in.

Superintendent Miner commented that the only other thing that was discussed was probably changeouts. Chair Provencher added it seems we are able to accommodate those in the budget as they are ongoing.

Business Manager Lavoie stated the need for the warrant articles to be revised based upon a decision of the Board.

Chair Provencher asked if members preferred either of the projects or both.

Vice Chair Clement stated her support for both projects.

Commissioner Allen asked where Phase I of Beebe Lane would stop, and was told it would be right in the area of Trowbridge. He asked if it ties in all of the Four Seasons' neighborhood, and was told it does.

Superintendent Miner stated his hope, if moving forward, that the project would take us to where it gets into the swamp area, so we could pretty much capture everyone on Baboosic Lake Road as well.

Chair Provencher remarked if the customers don't feel it is important to them to provide water to residents with contaminated private wells they can vote accordingly. This requires a 3/5th majority vote to pass.

Attorney Roman stated the vote of the Commission would occur at the Public Hearing on February 23rd. If the Board votes for what they would like to see advance to the Public Hearing on the 23rd, that will provide the needed information.

Chair Provencher stated, to the best of our knowledge, at this time, this would not impact the rates. That is an important statement to be able to make.

Commissioner Sabens stated the desire to ensure there is clear language or discussion of what this would net out to.

**MOTION MADE BY COMMISSIONER CLEMENT TO MOVE THE GREATSTONE DRIVE PROJECT AND THE BEEBE LANE PROJECT TO PUBLIC HEARING
MOTION SECONDED BY COMMISSIONER ALLEN**

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

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

5

Nay:

0

MOTION CARRIED

Chair Provencher spoke of having received a web link to the 50 Robert Mulligans Parkway; real estate advertisement. The advertisement indicates that water is supplied by the Merrimack Village District. It is not. He suggested putting a statement on the website stating that.

He has had people contact him saying it will impact the aquifer, you will run out of water, etc. Superintendent Miner stated he had an email from a concerned citizen asking if we were going to service this facility. He responded saying they are being serviced by Pennichuck Water. They are out of our franchise area.

Obviously, there is misleading information out there. He suggested reaching out to the realtor to provide clarifying information. Superintendent Miner indicated he could address that. Commissioner Sabens stated his belief the property has already been sold, and, if so, there would be no need to correct the advertising materials.

Asked if there would be any drawbacks to contacting the owner and notifying of incorrect information, Attorney Roman responded legally no, but to the point made, if the property has already been sold, then the listing doesn't matter. There is no legal concern that she has with contacting them or putting something on the website that just says it has come to our attention that there is information that the address is served by Merrimack Village District Water and it is not, it is Pennichuck.

Superintendent Miner stated he could also reach out to the Town Manager about putting the notice on the town's website as well.

Chair Provencher spoke of an email received from the Town Council expressing the desire to set up a message board at our annual meeting; either in the room or out in the hallway. He has indicated he did not see an issue with doing so, but wished to verify what is permitted.

Attorney Roman stated it cannot be in the room because that is just for MVD business. It can be in the hallway, but the Moderator controls all things voting on the day of voting. If they open it up to the town they do have to open it up to others that have factual information. If your Moderator says I don't want anything in the hallways, that is their call. Legally they can be in the hallway. She did confirm with the Town Manager that it is purely fact-based information. It is just intended to raise awareness.

Business Manager Lavoie will speak with the Moderator.

Chair Provencher commented on work done to update the water quality complaint weblink, and asked if it is posted on the website. Business Manager Lavoie stated the form was done up for internal use. She will check again that it is posted to the website.

Commissioner von Schoen stated the desire to see the Town Ordinance for salt mitigation added to the task list. Then an update on where we are with the steps to get there that were discussed at a recent meeting.

ADJOURNMENT

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

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

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

5

Nay:

0

MOTION CARRIED

The February 10, 2026, meeting of the Board of Commissioners was adjourned at 5:56 p.m.

Submitted by Dawn MacMillan, Recording Secretary