

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
AUGUST 19, 2024
MEETING MINUTES
(approved September 16, 2024)**

A regular meeting of the Board of Commissioners was conducted on Monday, August 19, 2024, at 5:02 p.m. at 2 Greens Pond Road, Merrimack, NH.

Donald Provencher, Chairman, presided:

Members of the Board present: Kenneth Ayers, Vice Chairman (arrived at 5:08 p.m.)
 Wolfram von Schoen, Personnel Liaison
 Erin Clement
 Scott Sabens

Members of the Board Absent:

Also in Attendance: Ron Miner, Superintendent
 Jill Lavoie, Business Manager
 Kristen Maher, HR/Finance Director

As Chair Provencher was participating electronically, in accordance with the Right to Know Law, he stated, for the record, he was located at 4181 Glass Blowing Lane, Geneva, NY, his attendance in person was not reasonably practical given his location, no one was with him, and he could hear the proceedings. Those present at the meeting were able to hear Chair Provencher.

FINANCE/HUMAN RESOURCES REVIEW

A. Analysis of Revenue and Expenditures

With an annual budget for FY25 of \$6,281,356, as of the report dated 8-15-24, the district is 8.33% through the fiscal year. On the revenue side of the ledger, the district is 27.08% over the anticipated amount for this point in time and on the expense side 4.42% under.

June had virtually no change from the previous month. The auditors will be onsite the first week in September. The hope is that FY24 ending numbers will be available to be shared at the October meeting.

Asked, Director Maher noted large expenses are encumbered and the amounts spread out monthly to equalize expenses throughout the year.

B. Capital Reserve Balance

Amounts do not include year-end audit adjustments for FY24 (other postemployment benefits (OPEB)). The Unassigned Fund Balance (UFB) for operating is \$22,157,866. Overall, as an entity, we are at \$23,207,457 with \$2,801,805 or 12.5% being convertible cash.

The information provided on the trust activity has not changed. July activity is not included as a statement was not received in time to be included. Efforts were made to update the financials in line with the Capital Improvements Plan (CIP). Fiscal years 27 and 28 were added, where possible, in line with the CIP.

Director Maher stated, in terms of the additional Granular Activated Carbon (GAC) System replacements for wells 2 & 9 and 7 & 8, we are following the same practice as last year; coming out of the CIP. If we do well, we will be able to bring that cost into the budget as was done for FY24.

Board approval was requested to encumber \$24,086.56 to cover the cost of open FY24 purchase orders. This approval is needed for the auditors. All items were approved for FY24.

REGULAR SESSION

1. Board of Commissioners to discuss additional funding for the waterline extension project and authorize the Superintendent to execute applications for grants/loans.

At the June 17, 2024 meeting, Underwood Engineers, Inc. (Underwood) provided an update on the state of the following Poly- and Per-fluoroalkyl Substances (PFAS) Water Main Extension Projects (outside of the Consent Decree area for Saint-Gobain); PRLF 31 – Palmeri/Gerard & Wilson Hill/Mullikin and PRLF 32 – Mason/Foster/Farmer. Each project was awarded a separate grant in the amount of \$1.5 million from the New Hampshire Department of Environmental Services (NHDES) for extending the water main in the respective project areas. Each project must be designed, bid on, and constructed separately within the funding limits.

Based on initial layouts and development of estimated total project costs (including engineering, construction, and construction contingency) the \$1.5 million will not be enough to cover the full limits for either project (project shortfalls are roughly \$300,000 and \$500,000).

Superintendent Miner noted the District applied for additional funding through the Drinking Water State Revolving Fund (DWSRF) pre-application process in May. This program offers low interest loans with limited principal forgiveness or 100% principal forgiveness loans from the emerging contaminants funds. Once projects are ranked based on the State's Intended Use Plan, NHDES issues a Project Priority List. The MVD PFAS Water Main Extension projects did not rank high enough to be offered funding.

Underwood is assisting with the preparation of a request for grant funds to cover the projects' shortfalls through the NHDES Drinking Water and Groundwater Trust Fund (DWGTF).

Underwood will continue to move forward with the design of the full project limits so that a bid package can be readily available as funding options are finalized. If additional funding is not secured, Underwood recommends bidding each project with a base bid and an add alternate. The base bid would be limited to a project that could be fully funded by the existing grants. The add alternate would provide MVD with costs for the remainder of the project and time to secure additional funding.

Projects are scheduled to be bid this fall with the PFAS remediation project grant funds fully spent by the end of 2025. Construction is anticipated for the 2025 construction season starting early spring.

Vice Chair Ayers spoke of the announcement that came out August 12th from the Office of the Attorney General, which stated in part:

“Today, Governor Chris Sununu and Attorney General John Formella announce that New Hampshire will begin to receive tens of millions of dollars in settlement funds as a result of the State’s ongoing litigation against the manufacturers of PFAS and aqueous film-forming foam (AFFF). New Hampshire is estimated to receive a total award in excess of \$65 million from the 3M and DuPont water provider settlements, and the majority of these funds are expected to be received over the next 2-3 years.”

“Money received from settlements, after fees and costs, will be deposited into the N.H. Drinking Water and Groundwater Trust Fund (“DWGTF”) where it will be used to provide loans and grants to public water systems that are impacted by PFAS over applicable standards.”

Vice Chair Ayers questioned whether any direction has been provided on how the funds might be allocated and whether there is an opportunity there.

Business Manager Lavoie responded that she has discussed this with Amy Rousseau, PFAS Response Administrator, New Hampshire Department of Environmental Services (NHDES). There have been changes to how rebates will go. Originally, they had discussed that the funds would go into a pot; however, according to Ms. Rousseau, things are changing, and they will look at communities that are already vested to get those funds. No formulas have been put in place yet.

Commissioner von Schoen stated he had a conversation with a member of the DWGTF who indicated a meeting was intended to occur today where they would discuss some of that \$65 million settlement being only for municipal organizations that were damaged. There is a large misunderstanding that the \$65 million is everything that is coming out of that settlement. This is only a partial settlement for municipalities. It is not for the general public and private well owners. He also heard that discussion would begin on metrics for an allocation formula.

He questioned if the district continues to track expenditures regarding PFAS contamination.

Business Manager Lavoie stated Director Maher went back to 2020 (prior to that it was not parceled out as to MVD wells 2, 3, 9) and through 2024. The Attorney General’s Office made MVD aware on Friday that they want the data, including copies of invoices, the Monday after this. There is a summary and then a summary sheet of wells 2, 9, and 7 & 8 together as that project was intermingled. MVD wells 4 and 5 are separate. There is then a spreadsheet for wells 2, 9, 7 & 8 with individual invoices.

Director Maher added she completed a summary page of the project and where MVD’s amounts started kicking in for each project for 2, 3, 7, and 8 and then 4 and 5 and then under that all operations and maintenance (O&M) required because of these facilities. Each tab has all the invoices, back to 2020, of everything that we have spent because of these treatment plants.

Business Manager Lavoie stated Ms. Rousseau wanted the information in-house to organize and get it over to the Attorney General’s office. These are only things that are above and beyond; things like the O&M, that we had to pay for. She then came back and asked about legal fees and Pennichuck. That information was sent over.

Business Manager Lavoie reiterated the need for the Board to provide the Superintendent with the authority to apply for funding for the waterline extension project.

Vice Chair Ayers signed off on the authorization to continue the design and bidding process.

To further clarify, Chair Provencher reiterated the bid will go out with specifications to include the amount of work that can be achieved at the \$1.5 million budget and the additional work bid separately and contingent on availability of additional funding.

Commissioner Clement clarified there would be no requirement to go forward with the additional/alternate work if funding is not acquired/identified and was told the design will be done and the contractor will understand the additional work will move forward only if funding is available.

2. Board of Commissioners to discuss the proposed Capital Improvement Plan.

Superintendent Miner addressed notes added and changes made to the placement of items on the CIP:

Supply Improvements

The artificial recharge of Wells 4 and 5 has moved over to FY27, a note was added for the Sodium and Chloride reduction concerning the watershed planning grant for \$80,000 (for future reference), and the Well 6 treatment evaluation moved to FY27 (knowing the Pennichuck connection is available if needed for the three years).

Treatment Facility Improvements

Removed monitoring wells that have been done and added a note that the polishing and/or media improvements are a pilot.

Storage Tank and Distribution System Improvements

Added a note to the DOT – Everett Turnpike concerning widening 2-3 lanes, added a new line labeled DOT - F.E. Everett bridges/Wire Road and Baboosic Lake Road with a cost TBD (going out to bid early November, 2024). Not certain what, if any, cost there will be. Just finished test pits on highway locating sleeves and identifying where we cross under highway in various locations.

Vice Chair Ayers questioned whether the bridges would be replaced and was told the Bedford bridge would not as it is wide enough. The Wire Road and Baboosic Lake Road bridges will be replaced as they are red listed.

Vice Chair Ayers commented on the drainage work on the F.E. Everett and Baboosic and Wire Road. Superintendent Miner stated the State was provided with information on where MVD believed the mains to be located. We then received a request for depths and locations. It was learned that the Wire Road water main is not located where it was believed to be. Locations and depths were confirmed, and sleeve data obtained during the process. Although not asked for sleeve data at this time, that would be the next phase.

Chair Provencher noted the DOT 101A & Continental Boulevard and Boston Post Roads FY24 cost identified as \$611,819, and his belief the cost to MVD had been identified as \$300,000. Director Maher responded that the State came back for additional funding; however, MVD may get some of that back.

A redesign had to be done on Boston Post Road and we may be good there. Continental Boulevard is a redesign and bumps the water main out in the road. It is hoped the entire cost for the F.E. Everett will be returned. Of the \$886,159, it is hoped roughly \$300,000 will be returned.

For Prescilla Lane a re-design had to be produced to address whether sleeves had to be added. It was not necessary to add to those sleeves as it was built into the contract as were the test pits. The Harris Avenue test pits have not yet been done. That portion may not be needed if sleeves are located there.

To further clarify, Chair Provencher stated when MVD's infrastructure is in the ground in Right of Ways of the DOT or Town and those Rights of Way need to be worked on, MVD is obligated to move its infrastructure out of the way and re-establish it elsewhere. That cost burden is shown here.

Superintendent Miner added that with anything that occurs on the turnpike there is an associated cost. If any relocation is required for Baboosic Lake Road and Wire Road within the Town road, that is reimbursable. His understanding is that they will pay for that. On the turnpike, if sleeves need to be lengthened that is what MVD must cover the cost of.

Chair Provencher commented on the difficulty in planning for these costs as it is not always understood when the State projects will occur. The UFB and trust funds are useful in such an instance. There are a total of five (5) highway crossings.

Chair Provencher asked for additional information on the Parker Drive tank and the \$500,000 figure listed on the CIP for FY26. Director Maher spoke of the sand blast/recoat that is needed. Superintendent Miner suggested that cost could be moved further out in the CIP (FY27 or FY28) noting the estimate is now at least \$1 million.

Revisiting items under the heading of Equipment, Chair Provencher requested clarification on the new pressure pump for high service and the portable pressure pump for high service area; each at \$100,000. Superintendent Miner stated the booster pump was an item he was working on and one he missed on this CIP spreadsheet. It was a portable booster pump for redundancy if ever needed down the road should the Turkey Hill booster station go down. That can be moved out (date TBD). Asked if it was electric or combustible, he stated it could be either. He believes it was gas.

Asked if the large generator remains in place, he responded it does, and is being serviced regularly. Commissioner von Schoen remarked, given that, we could probably get away without having a gas powered pump. Superintendent Miner remarked the pump could go either at the Turkey Hill booster and go hydrant-to-hydrant or another spot in town so that if there were ever a main line break, the high service was severed, and we needed a pump we would jump from hydrant-to-hydrant. We would not necessarily have the room to put the large generator plus a pump.

Chair Provencher asked if there is a requirement to go before the Planning Board at some point and was told that will be necessary. Director Maher will incorporate the updates into the CIP. Commissioner von Schoen suggested reviewing questions that were asked when the CIP was last before the Planning Board.

Commissioner von Schoen spoke of chlorine being the biggest complaint customers have, specifically those customers who are located close to a well. There is the need to ensure chlorine concentration at the far end of the distribution system so that those customers still have residual chlorine levels that keep the water sanitary when the water has been in the lines for a few weeks.

We have talked about this for years and we have talked about other chlorination solutions, even decentralized chlorination. We have never said that is possible or that it is not possible. The last exercise that we did with Underwood, for him, was not satisfactory. They did what was asked of them, but they came back with it is what it is and unless we do something it will remain as is; it is not bad or wrong, but it is what it is.

The Board has not continued the discussion around whether there is anything we can do to ensure that we change the gradient a little; is there technology available that would allow us to reduce it at the wells because we use different types of chlorination/chemicals, etc. Is there an approach where we can re-chlorinate somewhere down the line further out in the field so that we can lower chlorination levels at the wells? He does not feel that discussion has been had satisfactorily.

It may not be an option, but he would like to see something in the CIP that would allow for that discussion to occur.

Superintendent Miner questioned if chlorine complaints continue to be seen. Commissioner Ayer spoke of complaints being tracked and that there have not been many. Commissioner von Schoen spoke of people having given up on the subject. He suggested a solution would be to knock on the doors of those residing close to a well. If you are in the center part of town you will have a chlorine smell. People are, at times, complaining about it. It has improved a good deal since the changes to wells 4 and 5 and new connections.

Director Maher questioned if what was being sought was a study.

Commissioner Sabens asked if there is an efficient way to survey MVD customers without going door to door, e.g., as part of water bills.

Commissioner von Schoen spoke of having an email newsletter that could be sent out through Microsoft 365. He is uncertain if legal counsel would agree with that approach. A previous discussion resulted in the opinion that when utilizing a survey you are creating expectations. Legal had a concern that a survey may cause us to commit to something we are not prepared to commit to.

Director Maher noted people are not responding to the website survey.

Vice Chair Ayers stated the need for individuals to be informed we are tracking this information and that concerns/complaints should be called into the office so that data can be collected to identify where issues are occurring.

Commissioner von Schoen asked if we are taste testing our water right out of the well and whether we feel it is appropriate.

Commissioner Clement spoke of the study that was done that identified how long water has been in the pipes. She believed the longest period to have been 36-72 hours. Superintendent Miner did not recollect the time period that was revealed. We still record our residuals when we flush before and after. There are certain areas where you can almost tell where the higher demand is because the residuals were a lot better on certain lines.

Commissioner Clement commented on the importance of ensuring we are looping lines when installing new ones. The less dead ends we have the better the situation.

Vice Chair Ayers suggested having another substation where water could come in for refresh of treatment.

Commissioner von Schoen remarked that was kind of the question; however, you don't want to do that if it is not necessary. He would be curious about a taste test at the wells where the water goes into the system and at the tank. Superintendent Miner responded he can find out. We are always doing residuals, etc. at the stations, e.g., checking chemistry all the time.

Commissioner von Schoen reiterated this is an issue he feels has not been resolved.

Vice Chair Ayers commented that if people have concerns they need to reach out so we can better address the issue.

Director Maher stated an item could be placed on the CIP under Treatment Facility Improvements with a note "what does this project mean".

Commissioner von Schoen spoke of sediments, which he assumes is high manganese. He knows that wells 7 and 8 are filtered. We talked at one point about high manganese levels. It doesn't look like it is anywhere near where the advisory levels are for contamination. High manganese might be something we want to look at at some point.

Chair Provencher suggested Superintendent Miner reach out to Underwood concerning that report. It may be a minimal cost to have them go into more detail on that portion of the report. He believes they discussed it and just dismissed it. Perhaps we need to bring that back to the forefront, which may prompt more specific questions on our end. We can pose the question again of whether there is something else we can do. As far as the complaints, he has not received any personally or seen as many as we had in the past.

Now that we have all our carbon filters online they will remove any kind of organics and to some extent some minerals. The organics and minerals are what reacts with the chlorine (consumes). By having those filtered out he believes there is less consumption of the chlorine in the system. If we turn down the chlorination at the wells maybe we are still getting the same amount of chlorination as we were in the past at the end of the line, but we are starting with less chlorine because there is less chlorine consumption.

Chair Provencher spoke of the importance of individuals experiencing issues calling MVD as we are tracking this information. There is a place on the MVD water bill that says "Water quality inquiries? Call 603-424-9241 or email customerservice@MVDwater.org." We don't know that there is a significant problem unless we start seeing more significant questions from our customers. Commissioner von Schoen reiterated we could start with a taste test at our wells and tanks and see where it goes. Superintendent Miner stated he would revisit the report as he is curious about the length of time water is in the lines.

Commissioner von Schoen remarked we are still planning for artificial recharge at Wells 4 and 5 and a new well site installation at Mitchell Woods when we know we are probably not going to do both. The Board has shown a lack of interest in Mitchell Woods because of the high cost for the small amount of production volume of getting the well productive even though it is a nice well to polish (augment) summer peak demand. His recollection is of a discussion that occurred as part of a work session where we said we must put an end to this because we keep pumping money into it with more surveys. We haven't had a work session in a while to bring this to an end.

Superintendent Miner responded once we can get back on track with Well 6 we can start looking at other options. Commissioner Clement thought it would be revisited after the conclusion of our other business. We didn't want to take them all off the CIP. Mitchell Woods didn't really have the volume we wanted for the cost involved. It is still a source, still permitted, and still there. We were just going to let it remain until additional information could be obtained.

Commissioner von Schoen remarked he brought it up because we have the cost on the CIP, which affects our rate study. He would not want to over project costs in terms of the rate study.

Director Maher noted the rate study is done every two years. It will be in next year's budget. Potential loans are factored in. If we are going to hold off we may want to push them out past FY27. Superintendent Miner suggested identifying them as TBD.

Commissioner Sabens spoke of the projected costs for FY26 and FY27 being much larger than the current and outyears. Director Maher noted the changes discussed tonight will have an impact on those total projected costs as well as the projected cost for the artificial recharge at Wells 4 and 5 (\$7,175,000), which may or may not occur, and will be identified as TBD when the updates are done to the CIP. Commissioner Sabens questioned the column titled PB TBD and was told that represents the prioritization the Planning Board will place on the items. The Planning Board ranks the items based on their perceived order of importance and provides that information as a guide. That is a process the Planning Board goes through with both MND's and the Town's CIP.

Commissioner Sabens asked whether the Planning Board is aware of the timeframe in which projects need to occur from a water perspective. Business Manager Lavoie responded the Planning Board is looking to be aware of the timeframe for capital improvement projects from a planning perspective; desirable to avoid multiple large scale projects going before the taxpayers in a single year. When the CIP is presented to the Planning Board, MVD's priorities are identified.

Noted was that the process used by the MVD differs from that used by the Town. The MVD includes equipment, etc. on the CIP whereas the Town separates their projects based on scale/cost. Although equipment purchases are large expenses for the MVD, they are not viewed as applicable during the Planning Board Review. Commissioner Sabens suggested an additional column be added to the CIP identifying items not applicable to the Planning Board process. A filter could be utilized to collapse those line items.

Chair Provencher suggested adding a column numbering the line items for easier reference during discussion.

3. Board of Commissioners to discuss request for reimbursement letter to Evoqua

Discussed was a draft of a letter addressed to Evoqua Water Technologies concerning iron in GAC media. Evoqua provided GAC media to MVD in January 2022 at Wells 7 & 8, which was found to contain high iron concentrations that were not otherwise present in MVD’s raw water. MVD was required to spend significant staff time and expense to reduce the iron concentrations. As a result of the high iron concentration of the GAC media, Wells 7 & 8 took an additional 11 weeks to be operational. MVD is seeking reimbursement from Evoqua for the excess costs.

The draft letter is being reviewed by the Operations Manager. Chair Provencher spoke of having edits that he would provide.

Asked, Superintendent Miner stated a legal opinion was sought.
The final draft will be circulated to the Commission prior to mailing.

Asked if MVD was required to purchase water during that period of delay, Superintendent Miner did not believe that to be the case, but stated he would investigate that and make the Board aware of the outcome.

4. Board of Commissioners to review the minutes from the July 15, 2024, regular BOC meeting and the August 7, 2024, Public and Non-Public session meeting minutes.

APPROVAL OF MINUTES

Board of Commissioners Regular Meeting July 15, 2024

The following amendments were offered:

Page 4 Line 40; replace “study” with “survey”

Board of Commissioners Regular Meeting August 7, 2024

Board of Commissioners **1st Non-Public** August 7, 2024

Board of Commissioners **2nd Non-Public** August 7, 2024

**MOTION BY COMMISSIONER CLEMENT TO APPROVE THE MEETING MINUTES OF THE JULY 15, 2024, AS AMENDED AND THOSE OF THE AUGUST 7, 2024 REGULAR MEETING AND NON-PUBLIC SESSIONS, AS PRESENTED
MOTION SECONDED BY COMMISSIONER AYERS**

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

Yea: Kenneth Ayers, Wolfram von Schoen, Erin Clement, Scott Sabens, Donald Provencher

Nay: 0
MOTION CARRIED

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

The Commission reviewed the Action Items, removing tasks that have been completed and making necessary additions. New dates were added to several of the items.

Regarding Item #23, information was provided to the Board. Commissioner von Schoen spoke of breakthrough into the finished water that occurred on 7-23-24 and questioned the status. Superintendent Miner stated all of that is due to PFAS in the supplementary interconnection with Pennichuck; when we had the Pennichuck interconnect open for a short time (when Wells 7 & 8 were down). It is closed now.

Chair Provencher spoke of the information provided on the PFAS results and noted the Pennichuck Booster showed a PFOA of 4.04 on 7-23-24, which is compliant with NH standards. New Hampshire currently limits it to 12 parts per trillion (ppt). However, the recent Environmental Protection Agency rule will limit PFOA to 4 ppt.

If believed to be coming in on the south side of the distribution system, you see detectable numbers on Continental Boulevard (PFOA 0.706). That is not coming through from MVD's treated well water. There is some Perfluorobutanoic Acid (PFBA) coming through at Society Hill (1.72 on 7-23-24). He believes there to have been a little breakthrough at Wells 4 and 5. Although low numbers, it is part of the routine of changing out the filters either at first breakthrough or after 8 months.

Chair Provencher returned to the results provided for the Pennichuck Booster on 7-23-24 commenting there were 6 short chains in addition to the PFOA and Perfluorooctanesulfonic Acid (PFOS). That is what is going to happen in the middle of the summer when we have to turn the Pennichuck booster on to get the water we need. This is not a surprise. Hopefully, we are at the point in the year where, if we don't get any dry weather and do get rain, we will not have to turn the booster on, and will return to all non-detect of PFAS once we change out the GAC filter at Well 4 & 5 and catch that up too.

Commissioner von Schoen asked if it would be prudent to reach out to Pennichuck to inquire as to their plan for moving forward since the one concentration will exceed federal limits. Superintendent Miner responded that could be done. Business Manager Lavoie commented that the last time this occurred Pennichuck was close to changeout. She has not yet had the opportunity to reach out to Pennichuck regarding these results as they just came out. Superintendent Miner stated his belief the response will likely be that there will be more frequent changeouts.

Regarding Item #58, Chair Provencher remarked Wells 7 & 8 look like the chloride is on an uptrend again. That lead him to suggest we will likely need to upgrade our efforts on salt mitigation in that watershed.

Regarding Item #67, Commissioner Clement noted the School Board reviewed the letter their attorney drafted and made some changes. She anticipates being made aware of when the changes are made. At that time, she will retrieve the letter to send along with the DOT letter.

Regarding Item #88 Superintendent Miner noted the media changeout is scheduled for September 24th at Wells 2 and 9. Earlier in the day he confirmed what will be done is the media will return October 8th (go back into Wells 2 and 9) and then we will go over to Wells 4 and 5 and do the exchange there.

Noted was that Wells 2 and 9 were scheduled for September and Wells 7 & 8 were due in October. They are being swapped around because of breakthrough at Wells 4 and 5.

Superintendent Miner noted that Action Item #67 actually refers to the pilot testing. He received word they continue to work on the protocol to gain agreement.

Regarding #92, Chair Provencher suggested it to be an issue that could be brought up at the next Salt Reduction Committee meeting. A lot of our customers are asking questions about what they can use instead of salt. He would like to be able to point them in some kind of direction.

Regarding #95, Superintendent Miner stated SUR Construction West, Inc. has been running crews around town doing new services on Pearson, Joppa, Wildcat Falls, Christopher, etc. (within area of Consent Decree). They have not started the main line extensions yet, and it is unclear when those will occur. A pre-construction meeting is needed. The service is going well.

Commissioner von Schoen spoke of the May 20th enforcement alert by the U.S. Environmental Protection Agency outlining the urgent cybersecurity threats and vulnerabilities to community drinking water systems and the steps these systems need to take to comply with the Safe Drinking Water Act. He had posed several questions that were responded to, to a certain degree, by the IT service provider and the business that did the controls equipment on the tanks. Some responses he found to be great and others, in his opinion, were not satisfactory. He believes there to be room for the Board to discuss whether there is a need to respond to some of the answers provided.

Director Maher stated the walkthrough by Atom Group is scheduled for the beginning of October, which is intended to identify weaknesses that can be addressed. Atom Group is highly recommended by our insurance company, Primex, and the NHDES.

At the last meeting, she had revamped the cybersecurity policy with Primex to bring it to a higher level. Procedures/practices are being put in place for each area where impacts could occur. Procedures are separate from policy as they remain fluid and will experience change as needed.

Commissioner von Schoen commented on the need to think beyond IT issues. There is a concern for physical security as well, e.g., emergency response plans, business continuity, etc.

The date for the walkthrough, as well as any information received resulting from that, will be shared with the Board.

One of the main things Primex has stated is that this is something we must address in the Organizational meeting each year to update the Board. That high-level policy is something that must be discussed in non-public session given the necessity to keep information regarding specific protections private.

Director Maher spoke of compiling incident reports of phishing emails. Staff notifies her of any incidents, and they are blocked. She remains hopeful a good percentage of these types of incidents will be resolved when moving to the MVDWaterNH.Gov email.

6. Old Business

Chair Provencher questioned the potential of including the website address for the NHDHHS cancer survey on either the billing documents under the MVD Announcements and Notices section. He suggested it could state “please utilize the following link to complete an important cancer survey in the Town of Merrimack, sponsored by the DHHS (do not call MVD on this matter).”

Chair Provencher will reach out to Amy Doucette of MVD to discuss the survey in more detail.

7. New Business

Commissioner von Schoen requested Block5 be asked about setting up a departmental OneDrive folder where information can be shared from as opposed to individual’s personal folders. If documents are not tied to a specific user they don’t have to be shared by individuals; can be shared with specific groups of individuals, e.g., Commissioners.

8. Superintendent’s Report

Superintendent Miner informed the Board that Dawn Tuomala, Director, Public Works Department, approached him about giving a talk on salt to the New Hampshire Lower Merrimack Valley Stormwater Coalition. It will occur at the 2 & 9 treatment plant on October 10th.

The desire is to get more communities to participate in the Green SnowPro program; certifying winter maintenance professionals in salt reduction practices that improve water quality while protecting public safety.

Voluntary commercial salt applicators certified by NHDES Green SnowPro under RSA 489-C, and property owners or managers who hire them, are granted limited liability protection against damages arising from snow and ice conditions under RSA 508:22.

9. Questions from the Public/Press - None

ADJOURNMENT

MOTION BY COMMISSIONER VON SCHOEN TO ADJOURN MOTION SECONDED BY COMMISSIONER SABENS

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

Yea: Kenneth Ayers, Wolfram von Schoen, Erin Clement, Scott Sabens, Donald Provencher

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Nay:

0

MOTION CARRIED

The August 19, 2024, regular meeting of the Board of Commissioners was adjourned at 7:12 p.m.

Submitted by Dawn MacMillan, Recording Secretary