Board of Commissioners
Public Session
Minutes
December 21, 2015
(approved January 25, 2016)

Present: L. Woods, T. Pellegrino, G. Keller, J. Comer, Superintendent R. Miner, Water Quality Support/Administrative Manager J. Lavoie

Excused: J. Balcom

Financial Review – November 2015

N. Couture noted that the District has completed 42% of the budget year. R. Miner noted that the R&M Tanks account was used for the inspections of the tanks. UEI has looked at the tanks and recommendations have been made. N. Couture noted that the audit has been completed.

Non-Public Session

A motion was made by T. Pellegrino and seconded by J. Comer to go into non-public session per RSA 91-A:3 II(d) "…Acquisition, sale or lease of property" and RSA 91-A:3III (e) "…Litigation..." The motion passed 4-0-0 on a roll call vote.

After the Non-Public Session:

1. Board of Commissioners to approve minutes from the November 16, 2015 Public and Non-Public sessions.

A motion was made by T. Pellegrino and seconded by G. Keller to approve the minutes from the November 16, 2015 Public and Non-Public sessions as submitted. The motion passed 4-0-0.

2. The Trustees of the Trust Funds to discuss authorization to change payment of management funds from the Capital Reserve funds.

Chris Christensen and Bill Wilkes, Trustee of the Trust Funds, noted that there has been some confusion in the past regarding how the management firm hired by the Trustees should be paid. In the past the firm was hired by a pool and Merrimack was a part of this pool. The law changed and in 2014 the Merrimack Trustees worked with Merrill-Lynch. Merrill-Lynch became a part of Bank of America. The fee was being paid from the income of the money the Trustees invested. In 2014 it became necessary for the Trustees to become more specific about where the money comes from to pay the management firm. The

governing body must approve the fees and cannot rescind the contract within the first five years, but can rescind the agreement after the 5 year period. The Trustees are currently working with Cambridge Trust of New Hampshire. This management firm creates the MS-96 directly. A vote of the governing body of the MVD is needed to pay this management firm. C. Christensen noted that he is asking for this vote as a precautionary measure. M. Carrier, MVD Treasurer, noted that the MVD is a public municipal corporation and he is okay with the measures being taken by the Trustees.

A motion was made by T. Pellegrino and seconded by J. Comer to move that the Board of Commissioners authorize the Trustees of the Trust Funds to charge any expenses incurred in a contractual arrangement for the management of any capital reserve funds for which have been granted custody pursuant to RSA 35:9-a II against the capital reserve funds involved. Such authority shall remain in effect until rescinded by the Board of Commissioners, and no vote by the Board of Commissioners to rescind such authority shall occur within five (5) years of the date of this original authorization. The motion passed 4-0-0.

C. Christensen noted that a copy of the MS-96 is given to the Trustees every month. He questioned any possible expenditures by the MVD in the near terms. He noted that most of the money is invested in CDs. He requested a number from the Board by January 2016.

3. Board of Commissioners to discuss Capital Improvement Plan (CIP) updates with Underwood Engineers, Inc.

Underwood Engineers, Inc was unable to attend.

R. Miner noted that last year's approved plan was sent to the Planning Board. He noted that the Planning Board will be discussing this plan on January 5, 2016 or January 19, 2016. L. Woods noted that the Board will meet again on January 18, 2106 and will discuss this plan at that time.

4. Board of Commissioner to discuss NED pipeline – Kinder-Morgan project.

R. Miner noted that a map that was drawn up by the NRPC. The District is still trying to set up a date for the meeting with Kinder-Morgan. All of the proposed routes are technically still on the table.

L. Woods questioned whether there is an environmental attorney in G. Michael's office. G. Michael noted that he will discuss with his firm options for representation.

R. Miner noted he has filed for intervenor status with FERC for the MVD. The town has already filed such status and the School Board is planning to do so. L. Woods noted that he sees this as part of the process and that the District needs to follow the process.

A motion was made by T. Pellegrino and seconded by J. Comer to confirm the intervenor status as filed by Superintendent R. Miner. The motion passed 4-0-0.

T. Pellegrino noted that Kinder-Morgan has requested a meeting with the Board. The Board has noted that this will be a public hearing and requests that an attorney, preferably an environmental attorney be present. G. Michael noted that there is no basis to hold this meeting in non-public.

5. Board of Commissioners to discuss COLA for employees.

R. Miner noted that the budget includes a merit increase of up to 3% per employee and a COLA increase of up to 2%. No COLA was given for Social Security this year. There are 9 employees of the District who are at the top of their pay scale. R. Miner noted that he would like to review the salary schedules rather than give a COLA increase across the board. L. Woods suggested that G. Keller meet with R. Miner and bring a report to the Board when it is ready.

6. Old Business

Security Cameras – R. Miner noted that the District is checking out security through Comcast. This security will not cover the areas that the District oversees in Hollis. J. Lavoie noted that internet would have to be run to several of the MVD sites. This will cost $343. The on-going cost of this security will be $39.95 per month for each location with the first camera at no additional cost and $19.95 per month for any additional cameras. There will be a one-time installation fee of $1,600. The monthly fee will be approximately $520. She noted that Comcast Security wants a credit card for the payment of monthly fees, which the District does not have. R. Miner noted that the option is to pay a year up front. L. Woods questioned whether satellite coverage may be a possibility. R. Miner noted that the District looked at US Cellular, but this would not work for the District's system. The District also looked at attaching their security to the SCADA system, but this will not function well. L. Woods noted he cannot support a system that leaves a portion of the MVD system uncovered. R. Miner noted that in the budget this security system was written under US Cellular. The vendor needs to be changed. The P.O. can be cancelled and the money returned to the general fund.

7. New Business

There was no new business at this time.

8. Superintendent's Report

Sunset Shores – This project is complete. R. Miner noted he is still awaiting final numbers from the Town regarding the District's portion of the project. A letter was sent

out to residents detailing the fees and process to hook up to MVD water. Two residents have paid to hook up to MVD water to date. The cost of this project was higher than expected because of the ledge; the length was shorter.

Electric Rates – R. Miner noted that he spoke with D. Langdon on Friday, December 18, 2015. D. Langdon noted that with the falling oil prices he thinks that the District should look at locking into a rate now rather than waiting until March 2016. N. Couture is putting together account information for D. Langdon to allow him to get some quotes. The Board noted it is comfortable with choosing the lowest amount.

Bean Road Bridge replacement – Work has started on this replacement. Work on the McGaw Bridge Road bridge will follow. The money for the District's portion of this work will come from Capital Reserve.

National Drinking Water Contest – The National Rural Water Association will hold its annual rally in Washington, DC on February 8, 9, and 10, 2016. The MVD has been invited to attend as a guest of Granite State Rural Water Association. This is an all expense paid trip for a representative of MVD as the winner of the NH water taste testing competition. The MVD rep will bring water samples for the national competition. R. Miner noted that he will try to attend.

Merrimack Premium Outlets – T. Pellegrino questioned whether there has been any contact with this organization regarding their variance for the proposed restaurant and apartments.. R. Miner noted that contact will be made with this organization when they are scheduled to go before the Planning Board. He noted that if they are still within the water usage amounts provided for the entire project the District will not have any issues. L. Woods questioned the obligations of the new owner. J. Lavoie noted that the obligations of the contract transfer with the title.

9. Questions from the Public

There were no questions from the public at this time.

10. Questions from the Press

There were no questions from the press at this time.

Adjourn

A motion was made by J. Comer and seconded by T. Pellegrino to adjourn at 6:45 PM. The motion passed 4-0-0.

Respectfully submitted,
Rita Pointon, Recording Secretary