Board of Commissioners
Public Session
Minutes
July 18, 2016
(approved August 15, 2016)

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

Excused: J. Comer

Board of Commissioners to approve minutes from the June 20, 2016 Public and Non-Public sessions.

A motion was made by G. Keller and seconded by J. Balcom to approve the minutes from the June 20, 2016 Public and Non-Public sessions with three corrections. The motion passed 3-0-1 with T. Pellegrino abstaining.

Board of Commissioners to discuss perfluorooctanoic acid (PFOA) progress with Emery & Garrett Groundwater Investigations and Underwood Engineers, Inc.

J. Emery noted that the water chemistry levels are good. He noted that the letter from the attorney for St. Gobain (SGPP) states "that the Longa Landfill, not the Merrimack facility, is the likely sources of the PFCs in the Wells". J. Emery noted that EGGI looked at the Longa Landfill and their investigation indicated that 1% of the recharge in the aquifer comes from this area when Wells 4 & 5 are pumped at 876 gpm or over 1.26 M gpd. The recommendation from EGGI at the time of this investigation was that the MVD pump these wells at substantially less than that…rather at an annual average of 600,000 gpd (416gpm) and a peak use of no more than 625 gpm (900,000 gpd) .

NHDES had a meeting with SGPP. SGPP has requested a pump test of wells 4 & 5. J. Emery noted that a scope of work will be needed before such a pump test can be done and that EGGI needs to be able to provide input to this. A meeting with MVD and SGPP needs to be set up for next week.

J. Emery noted that he can state with technical certainty that the levels of contamination discovered at wells 4 & 5 is not derived from the Longa Landfill but from the North (SGPP) and St Gobain facility.

L. Woods noted that the MVD controls the wells and the infrastructure. He is concerned that NHDES seems quick to push aside the fact that the MVD oversees the water at the MVD. At this time the NHDES has locked out 2 of the District's wells and is asking someone else to pump the wells.

J. Emery noted that SGPP wants their consultants to oversee the pump test. He has a concern regarding the discharge of water from wells 4 & 5. He believes that any pumping of water from these wells will only serve to further complicate the understanding of the fate and transport of the PFOA and PFOS in this aquifer. The MVD wants to be at the table with the DES to discuss this.

L. Woods noted he is concerned about who is running the MVD. T. Pellegrino noted that he would have thought that the MVD would have been invited to the meeting between NHDES and SGPP. J. Emery noted he concurs that the MVD should be present at any meeting where the NHDES is discussing the testing and assessment of PFC contamination at the wellhead of Wells #4 and 5

L. Woods noted that the MVD is capable of doing the pump testing and that SGPP can monitor and the MVD can share the results.

J. Emery noted that the letter from the attorney for SGPP is an attempt by SGPP to limit their liability. He noted that 2 key wells (1/3 of all Public supply wells) for the MVD are down and work to get them back on-line needs to be done quickly and efficiently with the aid of St Gobain.

J. Emery noted that in his discussion with NHDES he recommended that possibly some soil tests be conducted in the immediate area of the two Production Wells…but recognizes that soil testing is complex and not always conclusive. R. Miner questioned whether additional monitoring wells should be installed as well as doing soil tests. J. Emery noted that this would be helpful. He noted that higher contaminant levels are found in fine grain silty sand. PFOA levels at well #4 have been dropping since the well was shut down.

L. Woods noted that any waste water from a pump test at wells 4 & 5 should not be pumped into the aquifer without treatment. Jamie concurred.

R. Miner noted that he would call NHDES tomorrow. T. Pellegrino noted that he is very disappointed that NHDES did not call the District to let the MVD know that a meeting between NHDES and SGPP was taking place.

3. Questions from the Public

James Bollengier, 36 Constance St, questioned how the MVD operates. He noted that no detail regarding this issue has been found on the MVD website. He noted that he gave this question, along with other questions, to R. Miner. Attorney G. Michael noted that he and the MVD staff are working diligently on the answers to this list of questions. He noted that the District is not ignoring the questions.

J. Bollengier questioned whether NHDES will hold SGPP to answer any questions in writing. G. Michael noted that the attorneys for SGPP are trying to cast doubt on their liability. J. Bollengier noted that the residents are getting tired of litigation, misinformation, and disinformation. J. Emery noted that the MVD is doing a terrific job to make sure that the water distributed to the ratepayers is safe to drink. In fact, all of the samples collected to date clearly demonstrate that since the detection of the PFC's in these wells ….and the subsequent determination by EPA of a recommended Drinking Water Standard… no water has been pumped into the distribution system that does not meet State and Federal standards for drinking water. In fact, the low levels of PFC's in the remaining Production Wells are either at background levels or close to background levels.

J. Bollengier noted that communication with the public is inept or non-existent. He noted that the Board is reactive, not proactive. He suggested that the District contact Hoosic Falls and other communities where this has been a problem and see what they are doing or have done. L. Woods noted that the District has been working this issue for about 120 days. He noted that he does not accept that the District has been inept regarding this problem. He noted that on February 28, 2016 PFOA was not a contaminant, but that it became a contaminant on February 29, 2016. Terry Anderson suggested that the District make sure that the public is engaged.

Gail Shaw questioned whether it would be possible for the Board to meet at another time. She noted it would be wonderful to have any evening meetings. She suggested that the mission statement of the District be revised as it does not currently say anything about quality. She questioned whether this problem could be fixed without support from SGPP and then recoup the money needed to fix the problem from SGPP. L. Woods noted that PFOA and PFOS can be treated to ambient levels. The cost for this treatment would be between $5M and $8M. This money

would need to be requested from the voters of Merrimack. G. Shaw noted that the problem needs to be fixed whether or not SGPP cooperates. She questioned what the next steps would be if SGPP does not cooperate. L. Woods noted that the District has been looking at this issue since March 2016 and the District's focus is finding a resolution to the issue.

J. Balcom noted that the MVD's drinking water is safe. The safety of the drinking water has already been taken care of.

L. Woods noted that the Commissioners have passed a motion to purchase a pump at the existing Pennichuck Water Works (PWW) connection on Route 101A to keep the PWW and MVD hydraulic gradients in line for emergency

purposes only. This will ensure fire safety. It has nothing to do with the reduction of PFOA and PFOS.

M. Metcalf noted that proposals for supplying a package booster pumping system have come from 4 companies at costs that range from $64,000 to $104,000. The lead time ranges from 10 to 17 weeks. He hopes to have a recommendation this week.

Board of Commissioners to review and execute DWSRF Loan Completion Agreement relative to the Treatment Plant SRF loan.

R. Miner noted that signatures are needed on this agreement. This agreement has been reviewed by the District Treasurer and he had no comments.

Board of Commissioners to review Letter of Intent from T-Mobil regarding rental of space on the Parker Drive tank for antennae.

R. Miner noted that the initial rent for this space would be $1,700 per month and it will increase 10% per term. Lease term is 5 years which will be renewed every 5 years up to 30 years. Attorney G. Michael noted that he has reviewed the letter of intent and has no problem with this. R. Miner noted that the Letter of Intent needs to go forward. M. Metcalf noted that a clause should be added to make sure that the renting company needs to remove and replace their own equipment at their own expense if this needs to be done for tank maintenance being conducted by the MVD.

A motion was made by L. Woods and seconded by T. Pellegrino to

authorize R. Miner to sign the Letter of Intent as the landlord for the Merrimack Village District. The motion assed 4-0-0.

Non-Public Session:

A motion was made by J. Balcom and seconded by T. Pellegrino to go into non-public session per RSA 91-A:3 II(d) "…Acquisition, sale or lease of property", RSA 91-A:3 II(e) "…pending claims or litigation…", and RSA 91-A:3 II(a) "…dismissal, promotion, or compensation of any public employee…". The motion passed 4-0-0 on a roll call vote.

After the Non-Public Session:

A motion was made by T. Pellegrino and seconded by J. Balcom to seal the minutes of the non-public session of July 18, 2016. The motion passed 4-0-0.

Old Business

There was no old business at this time.

7. New Business

There was no new business at this time.

8. Superintendent's Report

Quarterly well testing – This has been done this month and results will be available in a few weeks.

Pennichuck Water Works pump – The staff is working with UEI and Pennichuck to confirm system pressure and requirements before the pump is purchased.

Odd/Even watering – The odd/even water restriction during the hours of 5-8 AM and 5-8 PM is working well.

Meeting with the Governor – This meeting was held on July 8. The Governor was well informed of the PFOA issue.

Website – T. Pellegrino noted that something simple should be added to the website as an explanation of the current issues. L. Woods noted that this should be done after G. Michael gets responses and the Board has a chance to review this. R. Miner noted that FAQs could be put on the website.

BOC Meeting at 7:00 PM – L. Woods noted that the Board would visit this issue.

9. Questions from the Press

There were no questions from the press at this time.

Adjourn

A motion was made by T. Pellegrino and seconded by J. Balcom to adjourn the meeting at 6:40 PM. The motion passed 4-0-0.

Respectfully submitted,
Rita Pointon, Recording Secretary