

COAKLEY EXECUTIVE COMMITTEE

Wednesday, March 3, 2021

Teleconference Minutes

The Coakley Executive Committee (EC) Teleconference call commenced at 9:33 a.m.

Conferenced in by phone: Chairman Eric Spear, Seth Jaffe, Esq., (Generators); Curtis Shipley, Esq. (Transporters); Robert P. Sullivan, Esq., Peter Britz, Dan MacRitchie, Joe Montello and Marian Steimke.

Others conferenced in by phone: Mathew Scruton, Greenland Town Administrator; Michael Tully, North Hampton Town Administrator; John Tuthill; Others on the call who did not identify themselves.

Chairman Spear read the following:

Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2021-4 and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

I. Review the minutes of the January 13, 2021 Coakley Teleconference call.

Attorney Seth Jaffe moved to approve the minutes of the January 13, 2021 meeting; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve the January 13, 2021 minutes.

OU-1

II. BILLS

City of Portsmouth

- | | | | |
|----|--|-----|------------|
| A. | Invoice #2900701304 dated 1/15/2021
Peter Britz & Financial services - 1/2021 | 50% | \$2,750.00 |
| B. | Invoice #2900740305 dated 2/16/2021
Peter Britz & Financial services - 2/2021 | 50% | \$2,750.00 |

Attorney Seth Jaffe moved to approve items II – A and B for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve Items II – A and B for payment.

Haley Ward Payment Certifications dated: 3/3/2021
 (Formerly CES) Invoices dated: 1/29/2021
 Services rendered through: 12/27/2020

- | | | | |
|----|---|-----|------------|
| C. | Invoice #20206127
General Technical Assistance | 35% | \$571.38 |
| D. | Invoice #20206438
Fall 2020 Sampling | 35% | \$4,842.50 |

Peter explained that Item II-C was for work that was completed including calls with DES, financial review work, timber mat proposals, and it was all split between the both operational units (OU). Item II-D relates to compilation of data by Haley Ward from data validation and putting tables together for the annual report. This invoice included subcontractor payments and was also split between both OU's.

Attorney Seth Jaffe moved to approve items II – C and D for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve Items II – C and D for payment.

III. **OU - 1 ACTION ITEMS**

There were no action items.

IV. **OU - 1 RECORD ITEMS**

- A. OU – 1 Balance as of 3/1/2021: \$261,314.27

OU-2

V. **BILLS**

City of Portsmouth

- | | | | |
|----|--|-----|------------|
| A. | Invoice #2900701304 dated 1/15/2021
Peter Britz & Financial services - 1/2021 | 50% | \$2,750.00 |
| B. | Invoice #2900740305 dated 2/16/2021
Peter Britz & Financial services - 2/2021 | 50% | \$2,750.00 |

Attorney Seth Jaffe moved to approve items V – A and B for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve Items V – A and B for payment.

Haley Ward Payment Certifications dated: 3/3/2021
 Invoices dated: 1/29/2021
 Services rendered through: 12/27/2020

C.	Invoice #20206438 Fall 2020 Sampling	65%	\$8,993.22
D.	Invoice #20206128 Bedrock Investigation Activities	100%	\$20,896.21
E.	Invoice #20206129 Stormwater Work Plan	100%	\$2,546.80
F.	Invoice #20206127 General Technical Assistance	65%	\$1,061.12

Peter explained that Items V-C & V-F were the same as Items II-C & II-D above. Item V-D included a subcontract with NE Boring. Item V-E was an invoice from December and includes collecting samples, lab and fees. This is the last sample collection, and Peter said he has the report which he said he'd send out that week.

Attorney Seth Jaffe moved to approve items V – C, D, E and F for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve Items V – C, D, E and F for payment.

Advance Radon Mitigation

G.	Invoice#:PIN170 dated 12/23/2020 368 Breakfast Hill Rd. PFAS Sampling & lab fees Payment Certification dated: 3/3/2021	100%	\$410.00
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This invoice was sampling at two sites with water filtration.

Attorney Seth Jaffe moved to approve item V – G for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the Committee voted to approve Item V – G for payment.

VI. OU - 2 RECORD ITEMS

A.	OU-2 Balance as of 3/1/2021: \$694,786.19
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COMBINED OU-1 & OU-2

VII. COMBINED OU – 1 & OU – 2 ACTION ITEMS

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|----|--|
| A. | Report of Peter Britz of the City of Portsmouth dated 3/3/2021 |
| a. | Attachment – proposed Haley Ward contract. |

Peter highlighted the following from the Activity Report:

Deep Bedrock Study: The new borehole installation at MW25 is complete. When they attempted to do the downhole geophysics there was a blockage in the new borehole. They needed to clear out the well,

which is now clear to 268 feet. Since then, they have done downhole geophysics, and we'll be seeing the results soon, Peter said. There is still packer sampling to be done and determining where to place "permanent wells". Those present discussed sampling depths and the pump test needing to be done. Peter explained how the blockage happened due to fractures.

Haley Ward Contract: Peter discussed the proposed contract to cover the pump test, which includes geophysical investigation. EPA asked that we do a background investigation to the south to see if there are other wells we can monitor. Peter wants to include a caveat that there may be some minor changes to the contract before signing, even though he was asking for approval from the EC.

Peter discussed work that has already been done, downhole geophysics, the blockage work that was done and having made phone calls on the study. He said Tasks 1 and 2 have been done, and the pump test is estimated to be done by late April, but the date is a bit of a moving target.

Attorney Seth Jaffe moved to conditionally approve the contract with the provision that Peter Britz has the authority to make changes to the contract as long as the contract amount does not change by more than 10%. The Executive Committee will be approving \$93,000, including any future negotiations so long as the changes do not increase by more than 10%. Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

Peter explained the tasks 5, 6 and 7 of the proposed contract. He said that the contract, listed as Record Item VIII-c, is Amendment 7. The proposed new contract will be Amendment 8. This is likely to be the last large task pending in the deep bedrock study.

Residential Fall Sampling Results: Results were sent to private well owners in advance of the annual report.

Virtual Public Meeting: Peter announced a virtual public meeting the EPA was hosting that night. Chris Buckman of Haley Ward will speak for the CLG and give updates and answer questions.

VIII. COMBINED OU – 1 & OU – 2 RECORD ITEMS

- a. Memo from Christopher Buckman, CES to Peter Britz, CLG dated 9/17/2020, re: Surface Water Treatment Options - House Bill 494
- b. Emailed Letter from Melissa Taylor, USEPA to Robin Mongeon, NH DES digitally dated 10/9/2020 re: Coakley Landfill Superfund Site (response to memo - Item VIII-A above).
- c. CES Contract Amendment for Deep Bedrock Investigation Tasks; Contract Number: 10424016-07 dated 1/7/2021 and executed by Chair Spear on 1/20/2021
- d. Six month cash flow report to Richard Hull, EPA, dated 2/25/2021 and executed by Chair Spear.
- e. Email from Kelsey Dumville, EPA to EPA, DES and Peter Britz, dated 2/24/2021 re: EPA Update and Public meeting information for the Coakley Landfill Site, with attached agenda.

Attorney Seth Jaffe moved to accept Record Items VIII-a through VIII-e; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

IX. OTHER BUSINESS

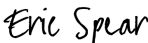
Bob discussed the New Hampshire Right to Know law and how it applies to records. He recommended that the EC adopt a record request protocol, including who should respond and how to respond. Those present discussed if there was any roll for the EC to play and if it should be done administratively. Bob will draft a proposal; explain the process that makes sense and the EC will review that.

X. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

The next meeting of the Coakley Executive Committee is scheduled for Wednesday, April 14, 2021 at 9:30 a.m.

The meeting adjourned at 9:58 a.m.

Dated: 4/14/2021

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Eric Spear, Chair
Coakley Executive Committee

Respectfully Submitted, Marian Steimke