

COAKLEY EXECUTIVE COMMITTEE**MEETING MINUTES****Wednesday, November 3, 2021 – 2:00 p.m.**

The Coakley Executive Committee (EC) Teleconference call commenced at 2:04 p.m.

In attendance: Chairman Eric Spear (Municipalities); Seth Jaffe, Esq., (Generators); Robert P. Sullivan, Esq.; Peter Britz, and Marian Steimke. Holden Kenny from Portsmouth joined at 2:10 p.m.

Conferenced in by phone: Curtis Shipley, Esq. (Transporters); Dan MacRitchie and Joe Montello.

Others in attendance by phone: Michael Tully, Town Administrator of N. Hampton; Matt Scruton, Town Administrator of Greenland; Mindi Messmer; Susan Parker, PDA Representative of Greenland and Newington; John Tuthill; and Mike Edgar from Hampton.

- I. Review the minutes of the 9/28/2021 Coakley Teleconference call.

Attorney Seth Jaffe moved to approve the minutes, Attorney Curtis Shipley seconded. On a roll call 3-0 vote, the motion passed.

OU-1**II. BILLS****City of Portsmouth**

- | | | |
|----|--|-------------------|
| A. | Invoice #2901059777 dated 10/20/2021
Peter Britz & Financial services - 10/2021 | 50% \$2,750.00 |
|----|--|-------------------|

Attorney Seth Jaffe moved to approve item II – A for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

Haley Ward (CES)

Payment Certification dated 11/3/2021
Invoices dated: 10/13/2021
Services rendered through: 9/26/2021

- | | | |
|----|---|-------------------|
| B. | Invoice #20210477
General Technical Assistance | 35% \$754.68 |
| C. | Invoice #20210480
2021 Spring Sampling | 35% \$6,146.08 |

Peter explained the invoices: Item II-B involved correspondence and calls with regulators. Haley Ward conducts a weekly call with the regulators. Item II-C involved spring sampling from 2021, outstanding lab charges and a letter that went out to private residential well owners in October.

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

III. OU - 1 ACTION ITEMS

There were no action items.

IV. OU - 1 RECORD ITEMS

A. OU – 1 Balance as of 10/26/2021: \$165,057.65

OU-2

V. BILLS

City of Portsmouth

A.	Invoice #2901059777 dated 10/20/2021 Peter Britz & Financial services - 10/2021	50% \$2,750.00
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Attorney Seth Jaffe moved to approve item V – A for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

Haley Ward (CES) Payment Certifications dated 11/3/2021
Invoices dated: 10/13/2021
Services rendered through: 9/26/2021

B.	Invoice #20210477 General Technical Assistance	65% \$1,401.57
C.	Invoice #20210478 Bedrock Investigation Activities	100% \$7,356.25
D.	Invoice #20210479 Stormwater - Surface Water Evaluation	100% \$12,613.44
E.	Invoice #20210480 2021 Spring Sampling	65% \$11,414.17

Peter explained the invoices: Item V-B is the same as II-B and Item V-E is the same as Item II-C. Item V-C was for bedrock investigation, outcrop mapping, recommendations for installation of MW-25, deep bedrock pump test and aquifer calculations. Item V-D involved storm water evaluations and planning for and installing gauges. Peter believes all piezometers are outside the fence and that all OU-1 wells are inside the fence, but will confirm.

Attorney Seth Jaffe moved to approve items V – B through E for payment; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

VI. OU - 2 RECORD ITEMS

- A. OU-2 Balance as of 10/26/2021: **\$329,155.88**

COMBINED OU-1 & OU-2

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

- A. Report of Peter Britz of the City of Portsmouth dated 11/3/2021.

Deep Bedrock Study: Haley Ward has been working on the report and is making good progress having completed up to Section 2. Peter discussed the schedule for completion of the report. The final draft will be provided to the EPA and DES by December 17, 2021. Haley Ward is on track and on schedule. Peter confirmed there is approximately \$40,000 of budgeted funds left to spend on the contract, however, there has been work performed that has not yet been invoiced.

HB-494 Pilot Treatment Study: Peter anticipated having a recommendation from XDD by the end of the week. They will review the different options and ideas with Substrata. He expects to have more to report by or before the next Coakley meeting.

Holden Kenny arrived at this time.

2021 Fall Sampling Round: The samples have been sent to Alpha lab, so this analysis is underway.

Surface Water Evaluations: Haley Ward has installed seven new piezometers. There are also three new open surface water locations. Haley Ward will monitor these and do another round in Spring 2022 to understand the relationship between groundwater and surface water. The work is under way. It was on the schedule, but was delayed due to a long drought period. Seth asked how this fit in to the EPA requirements, as it is not part of bedrock study. Peter said it split off – it was a work plan that EPA put together to better understand the interaction between surface water and groundwater at the site.

2022 Assessment: Peter discussed preparing for 2022 by providing a proposed assessment for review and adoption in time for the next CLG meeting. Seth suggested possibly waiting to do an assessment until the Group has received the EPA response to the Bedrock Study report on what else, if anything, EPA would need. He said there is money in the bank and the expenditures planned are not huge. Curtis agreed it would be acceptable to hold off until the group has a better sense of the anticipated future expenditures. He would like to avoid having an interim assessment during 2022, and at this time it would be a guess. This should be on the agenda every month to reaffirm the strategy. Bob said at some point the City will run out of bonding authorization to pay assessments without having to borrow money. Peter said we'll do the groundwork.

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

- A. Minutes of the Coakley Executive Committee 8/24/2021 meeting; approved and executed on 9/28/2021.
- B. Sanborn Head contract for Deep Bedrock R1 Report Support dated 9/9/2021 and executed by Chair Spear 9/28/2021.
- C. 2021 Cash Flow Projections, approved 9/28/2021.
- D. Haley Ward contract for Fall 2021 Sampling and Reporting, dated 10/8/2021 and executed by Chair Spear 10/18/2021.

Attorney Seth Jaffe moved to place Items VIII – A through D on record. Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

Peter said Item VIII-C was worksheets for coming up with a projection.

IX. OTHER BUSINESS

There was no other business.

X. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

The next Coakley meeting will be held on Wednesday, December 15, 2021 at 2:00 p.m. in the Law Library.

Attorney Seth Jaffe moved to adjourn at 2:20 p.m. Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.

Dated: 12/20/2021

DocuSigned by:

Eric Spear

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Eric Spear, Chair
Coakley Executive Committee

Respectfully Submitted, Marian Steimke