

**COAKLEY EXECUTIVE COMMITTEE**

**MEETING MINUTES**

**Tuesday, September 28, 2021 – 10:00 a.m.**

The Coakley Executive Committee (EC) Teleconference call commenced at 10:02 a.m.

**In attendance:** Chairman Eric Spear (Municipalities); Seth Jaffe, Esq., (Generators); Robert P. Sullivan, Esq.; Peter Britz, and Marian Steimke.

**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; and Susan Parker, PDA Representative of Greenland and Newington.

- I. Review the minutes of the August 24, 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 #2901024924 dated 9/20/2021 50% \$2,750.00  
Peter Britz & Financial services - 9/2021

**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.**

**DC MacRitchie** Payment Certification dated: 9/28/2021  
Invoice dated: 8/23/2021  
Services rendered through: 8/16/2021

- B. Invoice #205670 50% \$1,480.00  
Professional Services

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

<b><u>Haley Ward</u></b>	Payment Certification dated:	9/28/2021
	Invoices dated:	9/16/2021
	Services rendered through:	8/29/2021

C.	Invoice #20210035	35%	\$954.63
	General Technical Assistance		
D.	Invoice #20210038	35%	\$1,585.50
	2021 Spring Sampling		

Item C involved communication with EPA and DES. Item D was for completion of data tables, mostly the reporting and coordination of the investigation.

**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 motion passed.**

### **III. OU - 1 ACTION ITEMS**

There were no action items.

### **IV. OU - 1 RECORD ITEMS**

A. OU – 1 Balance as of 9/24/2021: **\$171,826.36**

### **OU-2**

### **V. BILLS**

#### **City of Portsmouth**

A.	Invoice #2901024924 dated 9/20/2021	50%	\$2,750.00
	Peter Britz & Financial services - 9/2021		

**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.**

<b><u>DC MacRitchie</u></b>	Payment Certification dated:	9/28/2021
	Invoice dated:	8/23/2021
	Services rendered through:	8/16/2021

B.	Invoice #205670	50%	\$1,480.00
	Professional Services		

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

<b><u>Haley Ward</u></b>	Payment Certifications dated:	9/28/2021
	Invoices dated:	9/16/2021
	Services rendered through:	8/29/2021

C.	Invoice #20210035	65%	\$1,772.87
	General Technical Assistance		

D.	Invoice #20210036	100%	\$24,539.65
	Bedrock Investigation Activities		

E.	Invoice #20210037	100%	\$5,800.10
	Stormwater - Surface Water Evaluation		

F.	Invoice #20210038	65%	\$2,944.50
	2021 Spring Sampling		

Peter explained the invoices. Items C and F were the same as for OU-1. Item D was for work on the direct push investigation, pump test work, insulation, plotting of data and a response to the EPA comments on the direct push. Item E was for the spring sampling collected and data being reviewed. Some was for HB494.

Seth asked what is left in the contract for the budget and how much more money will need to be spent. Peter will get that information to the group.

**Attorney Seth Jaffe moved to approve items V – C through F 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 9/24/2021: **\$368,439.98**

**COMBINED OU-1 & OU-2**

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

A. Report of Peter Britz of the City of Portsmouth dated 9/28/2021

**Deep Bedrock Study:**

Work still going on, but the big work is done. The remaining work consists of small field work tasks and outcrop mapping. Haley Ward has begun the report, and we've asked Sanborn Head to provide assistance. Peter requested authorization for the Deep Bedrock Remedial Investigation Report Support Proposal from Sanborn Head.

**Attorney Seth Jaffe moved to approve the Sanborn Head proposal; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.**

**HB-494 Pilot Treatment Study:**

XDD has begun work. More information will be available at the next meeting. The company SubStrata will provide assistance.

**PFOSA Investigation:**

Haley Ward looked at replicate samples of PFOSA, having two different labs run it Vista and Alpha. Both labs followed proper quality control and quality assurance protocols, however there is some variability in how the two labs do

things which resulted in different results. The recommendation will be to use the lab with more accurate recovery - Alpha. Both labs detected the spiked samples of PFOSA. The second lab – Vista did not have as accurate of a recovery. The agencies are comfortable with the decision to use Alpha. There should be a report on that soon.

2021 Spring Sampling Round:

This is completely validated. Haley Ward is the compiling results which should be available soon.

2021 Fall Sampling Round:

We've gotten authorization to use Alpha lab. The contract is in draft form, with an initial estimate of \$112,000.

**Attorney Seth Jaffe moved to authorize Chair Spear to sign the Haley Ward Proposal for Fall 2021 Sampling and Reporting for an amount up to a maximum of \$120,000. Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.**

2021 Projection:

**Attorney Seth Jaffe moved to approve the 2021 cost projections subject to the understanding there is uncertainty about the amount of time required; Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.**

Seth thanked Peter, Dan and Joe for coming up with the cost projection numbers.

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

A. Approved Minutes of the Coakley Executive Committee 6/28/2021 meeting; approved on 8/24/2021; executed on 8/24/2021.

B. XDD Environmental Contract p2027 for Surface Water Remedial Options Evaluation; dated 7/16/2021; Executed 8/15/2021 by Chair Spear.

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

**passed.**

**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 November 3, 2021 at 2:00 p.m. in the Law Library.

**Attorney Seth Jaffe moved to adjourn at 10:25 a.m. Attorney Curtis Shipley seconded this motion. On a roll call 3-0 vote, the motion passed.**

Dated: 11/3/2021 \_\_\_\_\_

DocuSigned by:  
*Eric Spear*  
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Eric Spear, Chair  
Coakley Executive Committee

Respectfully Submitted, Marian Steimke