

**COAKLEY EXECUTIVE COMMITTEE
MEETING MINUTES
Wednesday, September 7, 2022 – 9:00 a.m.
Planning Department, Portsmouth City Hall**

The Coakley Executive Committee (EC) Teleconference call commenced at 9:03 AM.

In attendance: Chairman Eric Spear (Municipalities), Seth Jaffe, Esq., (Generators), Susan Morrell, Esq., 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: Matthew Scruton, Greenland and Mike Edgar.

Others conferenced in by phone: Michael Tully, N. Hampton, Mindi Messmer, John Tuthill.

I. Review the minutes of the 7/27/2022 Coakley Teleconference call.

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

OU-1

II. **BILLS** All payment certifications are dated: 9/7/2022

City of Portsmouth

- | | | | |
|----|--|------------|-----|
| A. | Invoice #2901420287 dated 7/18/2022
Peter Britz & Financial services - 7/2022 | \$2,750.00 | 50% |
| B. | Invoice #2901438774 dated 8/9/2022
Peter Britz & Financial services - 8/2022 | \$2,750.00 | 50% |

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

DC MacRitchie Invoice dated: 8/2/2022
Services through: 7/31/2022

- | | | | |
|----|--|------------|-----|
| C. | Invoice #205732
Professional Services | \$1,968.00 | 50% |
|----|--|------------|-----|

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

Haley Ward Invoices dated 7/21/2022. Services rendered through 6/26/2022.

D.	Invoice #20223747 General Technical Assistance	\$661.94	35%
E.	Invoice #20223748 2022 Spring Sampling	\$9,094.86	35%

Item D involved working with Haley Ward on transferring information to Wood so Wood can complete the study. Item E is the normal work.

Attorney Seth Jaffe moved to approve items II – D and E for payment; Attorney Curtis Shipley seconded this motion. On a 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 8/29/2022: \$143,622.70
- B. Assessments received as of 8/29/2022:
- Portsmouth: \$69,618.90 5/2/2022
 - N. Hampton: \$5,280.60 5/2/2022
 - Newington: \$7,100.60 5/9/2022
 - Generator: \$26,000.00 6/7/2022
 - B-F I & S Trucking
 - Waste Management

Seth asked about payments and Curtis will follow up with Waste Management.

OU-2

V. **BILLS** – All payment certifications are dated 9/7/2022.

City of Portsmouth

A.	Invoice #2901420287 dated 7/18/2022 Peter Britz & Financial services - 7/2022	\$2,750.00	50%
B.	Invoice #2901438774 dated 8/9/2022 Peter Britz & Financial services - 8/2022	\$2,750.00	50%

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

DC MacRitchie Invoice dated: 8/2/2022
Services through: 7/31/2022

C. Invoice #205732 \$1,968.00 50%
Professional Services

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

Haley Ward Invoices dated 7/21/2022. Services rendered through 6/26/2022.

D. Invoice #20223747 \$1,229.31 65%
General Technical Assistance

E. Invoice #20223748 \$16,890.44 65%
2022 Spring Sampling

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

The Water Techs (ARM) Invoices dated 8/29/2022. Services rendered through 8/23/2022.

F. Invoice#:0823221 \$4,070.00 100%
339 Breakfast Hill Rd.
1,4-Dioxane & PFAS Sampling & lab fees; Maintenance

Peter said the work included the change of filter and the sampling to make sure all clear after the change.

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

Wood Environment Invoices dated 8/22/2022. Services rendered through 7/29/2022.

G. Invoice #J02214704 \$43,911.50 100%
Deep Bedrock Investigation Report

H. Invoice #J02214705 \$2,145.00 100%
Well Installation Work Plan

The bulk of the work was on the deep bedrock and revising what Haley Ward did. It also included responding to EPA comments. They have had positive response so far from the agencies. The well installation work plan that was submitted to the agencies relates to the new well that will be installed to assess the southern flow path.

Attorney Seth Jaffe moved to approve items V – G and H for payment; Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

VI. OU - 2 ACTION ITEMS

There were no action items.

VII. OU - 2 RECORD ITEMS

- A. OU-2 Balance as of 8/29/2022: \$400,263.67
- B. Assessments received as of 8/29/2022:
 Portsmouth: \$214,204.00 5/2/2022
 N. Hampton: \$16,252.00 5/2/2022
 Newington: \$21,852.00 5/9/2022
 Generator: \$80,000.00 7/22/2022
 B-F I & S Trucking
 Waste Management

COMBINED OU-1 & OU-2

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

- A. Report of Peter Britz of the City of Portsmouth dated 9/7/2022

Peter discussed the details of his report, including the Deep Bedrock Study and Southern Well Installation Work Plan. Spring sampling, he said, was basically complete, and they should have the final report soon.

Wood Contract. Wood is taking over the Deep Bedrock Study. They submitted two proposals, which Peter discussed.

The first looks at geophysics related to the installation of a new well which is seeking to identify the most dominant southern flow path in the deepest part of the bedrock trough. That contract

does not include the installation of the well, just the noticing of property owners to seek access for the geophysics work and the performance of actual geophysics work. He discussed the details of the potential work to be done with this contract. Peter asked for approval of this contract after City Legal review.

Attorney Seth Jaffe moved to approve the contract subject to Legal approval; Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

Peter discussed the overages on the second contract. Mostly, they were due to the deliverable from Haley Ward not being complete, Wood said. Peter will request a courtesy discount. Curtis expressed concern with costs related to Wood having to redo Haley Ward figures from sampling reports and if that was going to be a continuing problem each time a Wood report relied on Haley Ward sampling. He suggested a need to consider that in going forward if Haley Ward is to do future sampling and to think about Wood giving the CLG a bid for future sampling work.

Attorney Seth Jaffe moved to approve the contract amendment with WOOD for the Bedrock Study Report, giving authority to Peter Britz to negotiate better prices, but authorizing the full amount; Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

Sanborn Head Review of Deep Bedrock Study. Peter approved this contract since it was for \$3,200.

Water Service Connections. The approved contract for installation of two new water services has been provided but needs to be finalized before work can proceed. He will try to get a meeting with the tenant and owner of 178A Lafayette Road to discuss proposed new water service for that property. Rye water district has approved the 399 Breakfast Hill Road installation of the new water service.

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

A. Minutes of the Coakley Executive Committee 6/16/2022 meeting; approved and executed on 8/15/2022.

X. OTHER BUSINESS

There was no other business.

XI. PUBLIC COMMENT

The Chair opened the meeting for public comment.

Mike Edgar asked if the CLG will be able to meet the schedule of the Deep Bedrock Study, and why it was not complying with HB494. He asked when they would get the information on that in order to start the Berrys Brook remediation.

Seth disagreed with Mr. Edgar's characterization. Seth said the CLG believes it has complied with the law.

Peter said the deep bedrock report will be in on the 16th. The EPA will take a while to review. The results will inform the remediation decisions. He thanked the group for the public comment.


The Chair closed the public comment since there were no other speakers.

XII. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

Originally scheduled for Wednesday, October 12th, please note that the meeting has since been rescheduled for Tuesday, October 11th at 11:00 am.

The meeting adjourned at 9:35 am.

Dated: 10/11/2022

DocuSigned by:


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Eric Spear, Chair
Coakley Executive Committee

Respectfully Submitted, Marian Steimke