

**COAKLEY EXECUTIVE COMMITTEE
MEETING MINUTES
Monday, November 21, 2022 – 1:00 pm
Law Library, Portsmouth City Hall**

In attendance: Chairman Eric Spear, Attorney Seth Jaffe, Susan Morrell, City Attorney, Peter Britz and Marian Steimke.

Conferenced in by phone: Attorney Curtis Shipley, Dan MacRitchie, Joe Montello and Dave Moreira.

Others in attendance: Matthew Scruton, Town of Rye.

Others conferenced in by phone: Susan Parker, Greenland and Michael Tully, North Hampton.

The Coakley Executive Committee (EC) Teleconference call commenced at 1:01 pm.

I. Review the minutes of the 10/11/2022 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: 11/21/2022

City of Portsmouth

- | | | | |
|----|--|------------|-----|
| A. | Invoice #2901551404 dated 10/24/2022
Peter Britz & Financial services - 10/2022 | \$2,750.00 | 50% |
| B. | Invoice #2901558575 dated 11/7/2022
Peter Britz & Financial services - 11/2022 | \$2,750.00 | 50% |

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

DC MacRitchie

- | | | | |
|----|---|------------|-----|
| C. | Invoice #205805 dated 11/2/22
Professional Services rendered through 11/1/22 | \$1,680.00 | 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: 8/22/2022
Services rendered through: 7/31/2022

- D. Invoice #20224415 \$819.00 35%
General Technical Assistance

- E. Invoice #20224416 \$21,736.22 35%
2022 Spring Sampling

Item D included data compilation to provide information to Wood and Item E involved lab fees and data tabulation.

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 11/14/2022: \$142,985.04

- B. All assessments have been received:
 - 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
 - Browning-Ferris: \$16,000.40 9/12/2022
 - Waste Management: \$5,999.50 10/21/2022

OU-2

- V. **BILLS** All payment certifications are dated: 11/21/2022

City of Portsmouth

- A. Invoice #2901551404 dated 10/24/2022 \$2,750.00 50%
Peter Britz & Financial services - 10/2022

- B. Invoice #2901558575 dated 11/7/2022
Peter Britz & Financial services - 11/2022 \$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

- C. Invoice #205805 dated 11/2/22 \$1,680.00 50%
Professional Services rendered through 11/1/22

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 8/22/2022
Services rendered through 7/31/2022

- D. Invoice #20224415 \$1,521.00 65%
General Technical Assistance
- E. Invoice #20224416 \$40,367.26 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.

WSP Invoices dated 9/30/2022
Services rendered through 9/23/2022

- F. Invoice #J02214908 \$49,119.00 100%
Deep Bedrock Investigation Reporting
- G. Invoice #J02214909 \$800.00 100%
Well Installation Work Plan

Item F included coordination with the agencies and Sanborn Head. There is currently less than \$4,000 left in this contract. Item G tasks included work on property access letters. The EPA requires a second letter be sent to property owners who have not explicitly allowed access to their respective properties. There are two that we did not hear from that the EPA specifically wants us to follow up with.

Michael Tully from North Hampton joined by phone at this time.

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

Sanborn Head

H. Invoice #0059184 dated 11/8/22; services through 10/29/22 \$3,316.60 100%
Deep Bedrock RI Report Support

Sanborn Head coordinated with and provided support to Wood and WSP and contributed to the final report. Peter would consider working with them again in the future.

Attorney Seth Jaffe moved to approve item V – 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 11/14/2022 \$390,769.02

B. All assessments have been received:

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
Browning-Ferris:	\$49,232.00	9/12/2022
Waste Management:	\$18,460.00	10/21/2022

COMBINED OU-1 & OU-2

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

A. Report of Peter Britz of the City of Portsmouth dated 11/21/2022

Deep Bedrock Study. Peter said they are waiting to hear back from the agencies regarding their comments on the Final Deep Bedrock Investigation Report.

EPA Public Meeting/Open House. Peter described the public meeting where the EPA did a thorough presentation and took questions. Chris Buckman was in attendance. DES representatives were also available to handle questions at different stations and distribute handouts. Peter believed the presentation went well and attendees received the information they wanted. DES told Peter they completed their review of the Final Deep Bedrock Investigation Report, but said nothing further.

2023 Assessment. Dan and Peter recommend the assessment amounts listed in the 11/21/2022 Activity Report - \$200,000 for OU-1 and \$300,000 for OU-2. These will be the estimated amounts needed to complete 2023 work. Peter expects to send the assessments out soon with the assessments being due by the end of December or in January. Peter will change the assessment date from April 2022 to November 2022 as had been shown on the Activity Report.

Attorney Seth Jaffe moved to approve the November 2022 assessments in the amounts indicated on the 11-21-2022 Activity Report. Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

Southern Well Installation Workplan. Peter discussed the potential use of a seismic measuring technique and a location for that. They plan to mail a second round of letters seeking access to the properties. There may be funds offered to property owners to allow access.

Revised Surface Water Investigation Workplan. Peter discussed and requested approval for the proposed WSP contract, and the group discussed a plan for Joe and Peter to move forward with the proposed work.

Attorney Seth Jaffe moved to approve immediate authorization for WSP to complete work on Task 1 – Data Review and Analysis – of the contract and grant authority to Peter Britz for the full amount of the contract. Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

2022 Spring Sampling. This was completed and uploaded to NHDES OneStop by Haley Ward.

2022 Fall sampling. This is still in progress by WSP.

Municipal Drinking Water Connections. We have all the contracts from the City's Legal Department which have not yet been signed by the property owners.

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

- A. Minutes of the Coakley Executive Committee 9/7/2022 meeting; approved and executed on 10/11/2022.
- B. WSP Contract Fall 2022 Groundwater Monitoring Services, dated 10-6-2022 and executed on 10/12/2022 by Chair Spear.

Attorney Seth Jaffe moved to accept the record items listed; Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

X. OTHER BUSINESS

- A. City records retention and destruction process to be developed.

The City is working on a policy to decide which records need to be retained, as they have run out of space to store the records. The City will rely on statutes that relate to retention policies. Seth said this is a City issue.

XI. PUBLIC COMMENT

The Chair opened the meeting for public comment at 1:25 p.m. The Chair closed public comment since there were no speakers.

XII. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

The next Coakley meeting will be held on Thursday, January 5, 2023 at 9:00 a.m. in the Portsmouth Law Library of City Hall.

Attorney Seth Jaffe moved to adjourn. Attorney Curtis Shipley seconded. On a 3-0 vote, the motion passed at 1:27 p.m.

Dated: 2/15/2023

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

Respectfully Submitted, Marian Steimke