

COAKLEY EXECUTIVE COMMITTEE  
Teleconference and Meeting MINUTES  
Wednesday, July 13, 2023 – 1:00 pm  
Law Library, Portsmouth City Hall

**In attendance:** Chairman Eric Spear, Attorney Seth Jaffe, Attorney Bob Sullivan, Peter Britz, Glenn Normandeau, Jillian Harris and Marian Steimke.

**CLG conferenced in by phone:** Attorney Curtis Shipley and Joe Montello.

**Others in Attendance:** Matt Scruton, Town Administrator of Rye, Rep. Mike Edgar.

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The Coakley Executive Committee (EC) Teleconference call commenced at 1:03 pm.

I. **Review Minutes** of the 6/21/2023 Coakley meeting.

**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 OU-1 payment certifications are dated: 7/13/2023

**City of Portsmouth**

A.	Receipt #46113 dated 7/1/2023	\$131.50	50%
	Reimburse City for storage - July 2023		

Those present discussed the number of boxes in storage and retention policies. They decided to revisit this periodically. Bob indicated that new emergent contaminants were a concern and suggested keeping the materials.

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

**Tomforde Environmental Services (TES)**

B.	Invoice #657 dated 5/30/2023	\$2,250.64	100%
	Landfill gas monitoring and work and reporting		

Peter asked the EC for approval to pay the bill, but wanted to wait to actually pay it until all work to be done by TES was completed. He also said the NHDES approved removal of one monitor.

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

**WSP USA** Services rendered through:6/2/2023  
 Invoices dated: 6/19/2023

- C. Invoice #J02216271 \$263.38 35%  
 Revised Surface Water Evaluation
- D. Invoice #J02216273 \$59.50 35%  
 Groundwater Management Permit Application

Item C: involved completing the work plan that Haley Ward had begun, including surface water and groundwater seep evaluations.

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

**III. OU - 1 ACTION ITEMS**

- A. Total of invoices requested for approval: \$2,705.02

**IV. OU - 1 RECORD ITEMS**

- A. Trust balance as of 7/10/23: \$246,229.03
- B. Year to date OU-1 Invoices paid:

<b>Date Approved</b>	<b>Amount Paid</b>
2/15/2023	\$39,003.09
3/21/2023	\$5,631.50
4/26/2023	\$7,360.68
6/21/2023	\$21,848.93
<b>Total year to date:</b>	<b>\$73,844.20</b>

OU-2

V. BILLS - All payment certifications are dated: 7/13/2023

City of Portsmouth

- |    |   |          |     |
|----|---|----------|-----|
| A. | Receipt #46113 dated 7/1/2023<br>Reimburse City for storage - July 2023 | \$131.50 | 50% |
|----|---|----------|-----|

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

WSP USA Services rendered through:6/2/2023  
Invoices dated: 6/19/2023

- |    |  |            |      |
|----|--|------------|------|
| B. | Invoice #J02216270<br>Deep Bedrock Well Installation Work Plan | \$3,869.50 | 100% |
| C. | Invoice #J02216271<br>Revised Surface Water Evaluation         | \$489.12   | 65%  |
| D. | Invoice #J02216273<br>Groundwater Management Permit Appl       | \$110.50   | 65%  |

The above relates to the additional southern well. EPA is still reviewing the report. Peter discussed the need for approval from the landowner.

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

VI. OU - 2 ACTION ITEMS

- A. Total of invoices requested for approval: \$4,600.62

VII. OU - 2 RECORD ITEMS

- A. Trust balance as of 6/12/23: \$533,391.83
- B. Federal Assessment received 6/16/2023: \$90,296.97
- C. Year to date OU-2 Invoices paid:

<b>Date Approved</b>	<b>Amount Paid</b>
2/15/2023	\$61,403.23
3/21/2023	\$5,795.44
4/26/2023	\$34,478.66
6/21/2023	\$56,704.30
<b>Total year to date:</b>	<b>\$158,531.63</b>

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

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

- A. Report of Peter Britz of the City of Portsmouth dated 7/13/2023. (Original content from the Activity Report is denoted in italics. Discussion provided at the meeting follow each of those paragraphs.)

#### **Deep Bedrock Study Addendum**

Discussion: There is some ongoing work. The plan is to meet with the EPA to be clear on the work still to be done and to stay in compliance.

#### **GMZ Permit**

Discussion: This is the State's process for protecting groundwater. This is the monitoring mechanism to make sure we stay in compliance. We are looking for a compliance boundary and need samples from the western side. We must find the point where the groundwater meets the standards.

#### **Southern Well Installation Workplan**

Discussion: The location south of North Road is a bedrock well so it is more expensive than the overburden wells to the west.

#### **Water Service Connections**

Discussion: The quote for the fire suppression line was \$31,000, which we are not paying. It will cost \$23,500 for us to put a drinking water line into the house at Breakfast Hill Road – under the road and 150 feet to the house. If they have to cut the road to install the fire suppression line, it is a different price. A six-inch diameter is required for fire suppression, but only one inch is needed for drinking water. Peter discussed some background on the

properties nearby that have exceedances on PFAS and 1,4 Dioxane. Peter will put this on the next agenda to authorize a contract.

### **Surface Water Evaluation**

Discussion: We are awaiting comments from the agencies in response to the submitted Deep Bedrock study.

### **Spring Monitoring**

Discussion: Our consultants still have not heard back from residents at two homes about rescheduling a sampling event.

### **OU1 Maintenance Items**

Discussion: those present discussed mowing and getting a second quote for fence repairs.

### **Landfill Gas Report**

Discussion: Staff sent review comments back to TES on the draft report and it will be sent to NHDES and EPA when complete.

### ***Contract Amendment for Bedrock Well Completion and Water Level Monitoring***

Discussion: Joe and Peter have reviewed the contract. This is work that we agreed to as part of the Deep Bedrock work. Peter asked for a vote authorizing this contract up to the budgeted amount. That does not mean that we don't need to do further work. This is work the EPA called out in November. We agreed in our addendum to do this work. The amount is \$128,802, but Joe and Peter will talk with WSP to evaluate more cost-effective approaches to do this work.

Peter had a meeting scheduled for that following Wednesday with Dan to give the towns an estimate on when to do the next assessment.

**Attorney Seth Jaffe moved to give Peter Britz authority to enter into the contract as presented, subject to efforts to improve any cost effectiveness that he can negotiate. Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.**

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

- A. Minutes of the Coakley Executive Committee 4/26/2023 meeting; approved and executed on 6/21/2023.

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

**X. OTHER BUSINESS**

There was no other business.

**XI. PUBLIC COMMENT**

Rep. Mike Edgar would like to talk about surface water at the next meeting.

**XII. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING**

The next Coakley meeting will be held on Wednesday, August 30, 2023 at 9:30 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 1:28 p.m.**

Dated: 8/30/2023

  
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Glenn Normandeau, Chair  
Coakley Executive Committee

Respectfully Submitted, Marian Steimke