

COAKLEY EXECUTIVE COMMITTEE

Meeting Minutes

Thursday, November 30, 2023 at 2:00PM

Law Library, Portsmouth City Hall

In attendance: Chairman Glenn Normandeau, Attorney Seth Jaffe, Attorney Susan G. Morrell, Attorney Robert Sullivan, Peter Britz, Jillian Harris and Barbara Zulkiewicz

CLG conferenced by phone: Attorney Curtis Shipley and Joe Montello

Others in Attendance: Mike Edgar, Hampton, NH

Others conferenced in by phone: Mike Tully, North Hampton, NH

The Coakley Executive Committee (EC) meeting commenced at 2:06PM. Attorney Shipley, Joe Montello and Mike Tully were conferenced in at 2:17PM due to a teleconference issue.

I. REVIEW MINUTES of the 10/31/2023 Coakley meeting.

Attorney Seth Jaffe moved to approve the minutes, Chairman Glenn Normandeau seconded. On a 2-0 vote, the motion passed.

OU-1

II. BILLS – All OU-1 payment certifications are dated: 11/30/2023

City of Portsmouth

A. Invoice #	2902097793 Peter Britz & Financial services - 11/2023	dated 11/8/2023	\$2,750.00	50%
B. Receipt #	49565 Reimburse City for storage - 11/2023	dated 11/1/2023	\$ 131.50	50%

Piscataqua Savings Bank

C. Invoice#	PSB Memo Administrative Fee 12/1/23 - 11/30/24	dated 11/1/2023	\$2,500.00	50%
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Jillan Harris

D. Receipt#	Field boot reimbursement	dated 11/1/2023	\$ 140.99	100%
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Attorney Seth Jaffe moved to approve item II – D for payment; Chairman Glenn Normandeau seconded this motion. On a 2-0 vote, the motion passed.

III. OU - 1 ACTION ITEMS

A. Total of invoices requested for approval: \$5,522.49

IV. OU - 1 RECORD ITEMS

A. Trust balance as of 10/31/2023: **\$179,536.26**

B. Year to date OU-1 Invoices paid:

<u>Date Approved</u>	<u>Amount Paid</u>
2/15/2023	\$39,003.09
3/21/2023	\$ 5,631.50
4/26/2023	\$ 7,360.68
6/21/2023	\$21,848.93
7/13/2023	\$ 454.38
8/30/2023	\$44,669.34
9/30/2023	\$24,599.69
<u>10/31/2023</u>	<u>\$11,808.25</u>
Total year to date:	\$155,375.86

OU-2

V. BILLS – All payment certifications are dated 11/30/2023

City of Portsmouth

- | | | | | |
|----|---|------------------|------------|-----|
| A. | Invoice #290209793
Peter Britz & Financial services – November, 2023 | dated 11/18/2023 | \$2,750.00 | 50% |
| B. | Receipt #49565
Reimburse City for storage – November, 2023 | dated 11/1/2023 | \$ 131.50 | 50% |

Piscataqua Savings Bank

- | | | | | |
|----|--|-----------------------------|------------|------|
| C. | Invoice
Administrative Fee 12/1/23 - 11/30/24 | PSB Memo
dated 11/1/2023 | \$2,500.00 | 100% |
|----|--|-----------------------------|------------|------|

Attorney Seth Jaffe moved to approve items V – A through C for payment; Chairman Glenn Normandeau seconded this motion. On a 2-0 vote, the motion passed.

VI. OU – 2 ACTION ITEMS

A. Total of invoices requested for approval: \$5,381.50

VII. OU – 2 RECORD ITEMS

A. Trust balance as of 10/31/2023: \$423,684.61

B. Year to date OU-2 Invoices paid:

<u>Date Approved</u>	<u>Amount Paid</u>
2/15/2023	\$ 61,403.23
3/21/2023	\$ 5,795.44
4/26/2023	\$ 34,628.66
6/21/2023	\$ 56,704.30
7/13/2023	\$ 4,600.62
8/30/2023	\$ 77,587.22
9/27/2023	\$ 34,107.02
<u>10/31/2023</u>	<u>\$ 28,611.11</u>

*******Total year to date: \$303,437.60**

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

A. Report of Jillian Harris and Peter Britz of the City of Portsmouth dated 11/30/2023

GMZ Permit – Revisions to this permit are nearing finalization as WSP expects the results from the data from the new wells and confirmation that the western edge is clean will be completed by the end of this year.

Southern Well Installation Workplan – The access agreement for the southern well installation has been executed by the property owner and the Chair. Payment to the property owner will be made after this meeting.

Water Service Connections – Two quotes are needed to install a fire service water line and a domestic water line that will be installed concurrently from the water main on the opposite side of Breakfast Hill Road. We are awaiting a quote from Mac Construction. These quotes, along with more detail, will be submitted for approval at the next meeting. The cost could range from \$16,920 to \$21,000 depending on whether the waterline needs to go under Seavey way in addition to Breakfast Hill Road and depending on the amount of ledge. The Group will be responsible only for the costs of installing the domestic water line.

Surface Water Evaluation – In response to comments and recommendations from the EPA on August 22, 2023, and after a meeting to discuss this information, field visits were conducted on September 28, 2023 and November 2, 2023. WSP is also revising its workplan based on EPA's input. Additional work will be scheduled to coincide with the fall monitoring event to install additional piezometers and add seepage meters.

WSP Fall Groundwater Monitoring Services Contract – Discussion of the proposal for the Fall 2023 biannual groundwater sampling and reporting for the next 2 -3 months presented by WSP in the amount of \$174,227.90, which represents an increase of approximately 34% over last year's contract. The committee agreed that WSP should provide a rationale for the increase and if there were options to reduce the cost. Peter stated that he could not recommend approving the contract in this amount and asked for a discussion of what the impact of not signing the agreement would be. Attorney Jaffe agreed that the Committee should not move to execute the agreement at this point. Instead, he suggested that we contact WSP to request an explanation as to why the cost proposal increased by such a large amount. Chairman Normandeau stated that some items in the fee schedule increased and some decreased, some 5 – 7% without requesting approval. Attorney Jaffe also pointed out that the Committee received the proposal late and now there is a timing issue. Peter stated he will contact WSP and inform the Committee of the outcome, which might require another meeting. Attorney Shipley asked if continuing to conduct sampling on a semi-annual basis was necessary now that the Deep Bedrock Investigation was complete, and whether it might be possible to revert to a more normal cycle of annual sampling for O&M. Jillian stated that the annual report was done and that included recommendations on reducing the number of wells to be sampled. Attorney Jaffe stated that Peter should call the EPA, explain the situation, and ask if we need to go forward with all the previously stated work, ask what our options would be, i.e., reduce or not do the work? Other ideas were to go with other contractors, i.e., Sanborn Head - who might be responsive to provide estimates for Spring and Fall 2023.

WSP Fall 2022 Groundwater Monitoring Contract Amendment – Conversation ensued regarding the WSP contract amendment information which was for work done which exceeded the contract in the amount of \$5,503.87. This was also for work done without prior approval. The Committee would like to get the Fall 2023 proposal resolved and did not agree to authorize the contract amendment.

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

- A. Minutes of the Coakley Executive Committee 09/27/2023 meeting; approved on 10/31/2023 and executed on 11/14/2023
- B. Report of Jillian Harris and Peter Britz of the City of Portsmouth dated 11/30/2023
- C. 2024 Coakley Projection and Assessment, approved on 10/31/2023 – Attorney Jaffe inquired as to the status of the assessment and Peter stated it was ready to be sent out.

Attorney Seth Jaffe moved to accept the record items, including the Report of Peter Britz and Jillian Harris, Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

X. OTHER BUSINESS

- A. **Blue Bird Self Storage** – A notice dated 11/3/2023 was received from Blue Bird Self Storage stating their Tenant Coverage Requirement, which requires submitting proof of coverage by January 1, 2024, or they would enroll our unit in a minimum coverage protection plan (\$2,000 coverage) in the amount of \$12.00 per month. Attorney Sullivan stated that we did not need the insurance and that he would call them. If necessary, we could release them from this requirement by signing a Waiver of Claim. The Committee concurred that it did not need this insurance and to decline the coverage.

XI. PUBLIC COMMENT

- A. Rep. Mike Edgar from Hampton, NH introduced himself and spoke about the Seacoast Drinking Water Initiative for Southern New Hampshire and explained the people with private wells who reside in Greenland, Rye and Portsmouth could have their wells tested and paid for by the State. Also, there was financial help, based on income level, to treat private wells and this was an incentive to let the public know this was available. The results are made public by posting and given to DES. Peter stated that he would obtain the information.

- B. Mike Tully, North Hampton, NH – expressed a ‘thank you’ for signage along the rail trail.

XII. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

The next Coakley Executive Committee meeting will be held on Monday, January 8, 2024 at 11:00AM in the Portsmouth Law Library of City Hall.

Chair Glenn Normandeau moved to adjourn. Attorney Curtis Shipley seconded. The motion passed and the meeting adjourned at 2:55PM.

Dated: 1/9/2024

DocuSigned by:
Glenn Normandeau
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Glenn Normandeau, Chair
Coakley Executive Committee
As approved: January 8, 2024

Respectfully Submitted,
Barbara J. Zulkiewicz