

**COAKLEY EXECUTIVE COMMITTEE**  
**Teleconference and Meeting Minutes**  
**Tuesday, March 21, 2023 – 10:30 AM**  
**Law Library, Portsmouth City Hall**

**In attendance:** Chairman Eric Spear, City Attorney Susan Morrell, Attorney Bob Sullivan, Peter Britz and Marian Steimke.

**Conferenced in by phone:** Attorney Seth Jaffe, Attorney Curtis Shipley, Dan MacRitchie and Joe Montello.

**Others in attendance:** Matthew Scruton, Town of Rye.

**Others conferenced in by phone:** Susan Parker, Greenland; Rep Chris Muns, Hampton; Rose Lopresto from Rye and Mindi Messmer.

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The Coakley Executive Committee (EC) Teleconference call commenced at 10:32 a.m.

Attorney Seth Jaffe appointed Attorney Bob Sullivan as proxy to vote for him and his group of Generators, as per the Participating Parties Agreement. Attorney Jaffe was on the phone line.

**I. Review Minutes of the 2/15/2023 Coakley meeting.**

**Attorney Curtis Shipley moved to approve the minutes, Attorney Bob Sullivan seconded. On a 3-0 vote, the motion passed.**

**OU-1**

**II. BILLS All payment certifications are dated: 3/21/2023**

**City of Portsmouth**

A.	Invoice #2901701630 dated 2/14/2023 Peter Britz & Financial services - 2/2023	\$2,750.00	50%
B.	Invoice #2901740019 dated 3/9/223 Peter Britz & Financial services - 3/2023	\$2,750.00	50%
C.	Invoice #Receipt 42077 dated 3/1/2023 Reimburse City for storage - March 2023	\$131.50	50%

**Attorney Curtis Shipley moved to approve items II – A through C for payment; Attorney Bob Sullivan seconded. On a 3-0 vote, the motion passed.**

**III. OU - 1 ACTION ITEMS**

Year to date OU-1 Invoices paid:

<b>Date Approved</b>	<b>Date Paid</b>	<b>Amount Paid</b>
2/15/2023	2/24/2023	\$39,003.09
<b>Total year to date:</b>		<b>\$39,003.09</b>

**IV. OU - 1 RECORD ITEMS**A. OU – 1 Balance as of 3/17/2023: **\$277,070.35**

B. All assessments have been received.

Received:

Portsmouth:	\$107,106.00	12/20/2022
N. Hampton:	\$8,124.00	12/27/2023
Newington:	\$10,924.00	1/10/2023
Generator:	\$40,000.00	12/14/2022
Waste Management	\$9,230.00	1/30/2023
Browning-Ferris Trucking	\$24,616.00	3/7/2023

**OU-2**V. **BILLS** All payment certifications are dated: 3/21/2023**City of Portsmouth**

- |    |  |            |     |
|----|--|------------|-----|
| A. | Invoice #2901701630 dated 2/14/2023<br>Peter Britz & Financial services - 2/2023 | \$2,750.00 | 50% |
| B. | Invoice #2901740019 dated 3/9/223<br>Peter Britz & Financial services - 3/2023   | \$2,750.00 | 50% |
| C. | Receipt #42077 dated 3/1/2023<br>Reimburse City for storage - March 2023         | \$131.50   | 50% |

**Attorney Curtis Shipley moved to approve items V – A through C for payment; Attorney Bob Sullivan seconded this motion. On a 3-0 vote, the motion passed.**

**Peter Britz**

- D. Expense List dated 3/15/2023 \$163.94 100%  
Reimbursement for water provided to 178A Lafayette Road

Peter explained the need for the water purchases. Peter personally paid for and delivered 10-12 gallons of water every two weeks. He requested reimbursement.

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

**VI. OU - 2 ACTION ITEMS**

Year to date OU-2 Invoices paid:

<b>Date Approved</b>	<b>Date Paid</b>	<b>Amount Paid</b>
2/15/2023	2/24/2023	\$61,403.23
<b>Total year to date:</b>		<b>\$61,403.23</b>

**VII. OU - 2 RECORD ITEMS**

- A. OU-2 Balance as of 3/17/2023: **\$532,456.51**
- B. All assessments have been received.

Received:

Portsmouth:	\$160,653.00	12/20/2022
N. Hampton:	\$12,189.00	12/27/2022
Newington:	\$16,389.00	1/10/2023
Generator:	\$60,000.00	2/17/2023
Waste Management	\$13,845.00	1/30/2023
Browning-Ferris Trucking	\$36,924.00	3/7/2023

## COMBINED OU-1 & OU-2

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

A. Report of Peter Britz of the City of Portsmouth dated 3/21/2023

#### Deep Bedrock Study Addendum

The EPA reviewed and accepted the report in November of 2022. An addendum to that report documents conditions to be addressed and is due to the EPA on March 31, 2023. The Addendum will be ready to review by the next meeting.

#### Overburden Well Installation Contract Amended

This contract is to add a second overburden well to the west to define the GMZ clean edge boundary. Adding the second well increased the cost from \$9,877 to \$20,635, which needed to be approved by the EC.

**Attorney Curtis Shipley moved to authorize approval of this contract; Attorney Bob Sullivan seconded this motion. On a 3-0 vote, the motion passed.**

#### GMZ Permit

DES suggested waiting to submit this application until the new overburden wells to the west are installed. This will include notification to properties around the perimeter and will be a guiding document for Coakley as well.

#### Southern Well Installation Workplan

We have reached out to all properties on the south side. This southern well will be a much more expensive and deeper well. We want to ensure the well is installed in the best location to be able to detect all contaminants. We have gotten permission from all but two properties to get geophysical work done. EPA can order that we get permission, or we can produce a plan that we do not need access to those properties to get the same work done.

The group discussed identifying each owner by address to keep track. There are two owners to the south that have not responded to multiple requests to have geophysical work conducted and potentially a well installed on their properties. If we do not get permission it is possible we could go forward with an order from the EPA or a court order. Alternatively, if we do not get permission we could move the work a little further to the south where there is permission.

Water Service Connections

178A has now been connected to Aquarian Water. The well has been capped and will be used as a monitoring well. The other property on Breakfast Hill Road asked for a water service for fire suppression. The contractor will give them a quote, but the CLG will only pay for the cost of installing the line for the drinking water. No one lives in the house at this time.

Surface Water Evaluation

This is a contract from WSP to analyze the surface water and ground water interaction. The contract includes work on the revised work plan and agency revisions and surface water general technical assistance, totaling \$9,860.

**Attorney Bob Sullivan moved to authorize approval of this contract; Attorney Curtis Shipley seconded. On a 3-0 vote, the motion passed.**

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

- A. Minutes of the Coakley Executive Committee 11/21/2022 meeting; approved and executed on 2/15/2023.
- B. Voting Proxy signed by Attorney Seth Jaffe, 3/20/2023.

**Attorney Bob Sullivan moved to accept the record items listed; Attorney Curtis Shipley seconded. On a 3-0 vote, the motion passed.**

**X. OTHER BUSINESS – There was no other business.**

**XI. PUBLIC COMMENT – Rose Lopresto asked about the 178A Lafayette Road location.**

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

The next Coakley meeting will be held on Wednesday, April 26, 2023 at 9:00 am in the Portsmouth Law Library of City Hall.

**Attorney Bob Sullivan moved to adjourn. Attorney Curtis Shipley seconded. On a 3-0 vote, the motion passed at 10:53 a.m.**

Dated: 4/26/2023

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

Respectfully Submitted, Marian Steimke