

**COAKLEY EXECUTIVE COMMITTEE
MEETING MINUTES
Wednesday, March 23, 2022 – 10:00 AM
Law Library, Portsmouth City Hall**

The Coakley Executive Committee (EC) Teleconference call commenced at 10:02 a.m.

In attendance: Chairman Eric Spear (Municipalities); Seth Jaffe, Esq., (Generators); 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 or by phone: Jan, Town of N. Hampton; Mike Edgar; Matthew Scruton Town of Greenland; Mindi Messmer; Ben Chichester; John Tuthill

- I. Review the minutes of the 1/18/2022 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 bill certifications are dated 3/23/2022

City of Portsmouth

A.	Invoice #2901169149 dated 1/18/2022 Peter Britz & Financial services - 1/2022	50%	\$2,750.00
B.	Invoice #2901223132 dated 2/22/2022 Peter Britz & Financial services - 2/2022	50%	\$2,750.00
C.	Renewal on City credit card on 4/15/22 DocuSign 1 Year Service - eSignature Edition. Reimburse City for use of credit card. To be paid after 4/15/2022.	50%	\$150.00

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

DC MacRitchie

D. Invoice #205702 dated 2/10/2022 50% \$1,592.00
 Professional Services rendered through: 1/18/2022

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

Haley Ward Invoices dated 1/21/2022 unless otherwise noted
 Services rendered through: 12/26/2021

E. Invoice #20220278 dated 1/20/2022 35% \$651.00
 General Technical Assistance

F. Invoice #20220340 35% \$162.38
 2021 Spring Sampling

G. Invoice #20220342 35% \$1,164.62
 Stormwater

H. Invoice #20220343 35% \$1,817.38
 Fall 2021 Sampling

Peter explained the invoices. Item E included project administration and calls to the EPA, and Item G included lab fees and survey work.

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

Ben Chichester joined the meeting at this time.

Haley Ward Invoices dated: 2/22/2022
 Services rendered through: 1/30/2022

I. Invoice #20220915 35% \$1,171.63
 General Technical Assistance

J. Invoice #20220918 35% \$2,543.55
 Stormwater

K.	Invoice #20220919 Groundwater Management Permit Renewal	35%	\$767.29
L.	Invoice #20220920 Fall 2020 Sampling	35%	\$1,020.60
M.	Invoice #20220921 2021 Spring Sampling	35%	\$4,025.74
N.	Invoice #20220922 Fall 2021 Sampling	35%	\$134.75

Peter explained the invoices. Item I was for correspondence with the EPA. Item J involved Stormwater work. Item K was for drafting the GMP renewal and work to find the groundwater boundary. Item L involved Environmental Standards work. Seth suggested making clear in future payment approval requests when remaining funds from a prior contract with a consultant are being applied to subsequent work. He said there should be some other descriptor there. Item M included fees by Environmental Standards and PFOSA study work. Item N involved data validation.

Attorney Seth Jaffe moved to approve items II – I through N 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 3/15/2022: \$98,885.45

OU-2

V. BILLS – All bill certifications are dated 3/23/2022

City of Portsmouth

A.	Invoice #2901169149 dated 1/18/2022 Peter Britz & Financial services - 1/2022	50%	\$2,750.00
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- B. Invoice #2901223132 dated 2/22/2022 50% \$2,750.00
Peter Britz & Financial services - 2/2022
- C. Renewal on City credit card on 4/15/22 50% \$150.00
DocuSign 1 Year Service - eSignature Edition.
Reimburse City for use of credit card. To be paid after 4/15/2022.

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

DC MacRitchie

- D. Invoice #205702 dated 2/10/2022 50% \$1,592.00
Professional Services rendered through 1/18/2022

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

Haley Ward Invoices dated 1/21/2022 unless otherwise noted
Services rendered through 12/26/2021

- E. Invoice #20220278 dated 1/20/2022 65% \$1,209.00
General Technical Assistance
- F. Invoice #20220279 dated 1/20/2022 100% \$1,295.00
Fall 2020 Sampling - SHIFTED to work on deep bedrock study.
- G. Invoice #20220340 65% \$18,046.77
2021 Spring Sampling

At this time, the group noted that there appeared to be mistakes in the breakdown of percentages between OU-1 & OU-2 on the Haley Ward invoices.

Attorney Seth Jaffe moved to rescind payment approval of the Haley Ward bills II-E through II-N; Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

- H. Invoice #20220341 100% \$4,577.50
Bedrock Investigation Activities

I.	Invoice #20220342 Stormwater	65%	\$14,899.79
J.	Invoice #20220343 Fall 2021 Sampling	65%	\$3,375.12

Haley Ward Invoices dated 2/22/2022
Services rendered through 1/30/2022

K.	Invoice #20220915 General Technical Assistance	65%	\$2,175.87
L.	Invoice #20220916 Bedrock Investigation Activities	100%	\$330.00
M.	Invoice #20220917 Geophysical Investigations	100%	\$4,256.25
N.	Invoice #20220918 Stormwater	65%	\$7,965.30
O.	Invoice #20220919 Groundwater Management Permit Renewal	65%	\$2,414.98
P.	Invoice #20220920 Fall 2020 Sampling	65%	\$3,095.21
Q.	Invoice #20220921 2021 Spring Sampling	65%	\$7,476.40
R.	Invoice #20220922 Fall 2021 Sampling	65%	\$250.25

Sanborn Head

S.	Invoice #0056609 dated 2/10/2022 Professional Services rendered through 2/5/2022	100%	\$4,409.96
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This was for work to support the deep bedrock study and to review documentation.

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

XDD Environmental

- T. Invoice #:21027-102 dated 12/7/2021 100% \$4,222.50
Surface water PFAS remedial options evaluation
Services rendered through 11/30/2021

XDD provided a draft evaluation. This is the balance of the original work and revision on the work they followed up on to provide more detail.

Attorney Seth Jaffe moved to approve item V – T 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 3/16/2022: \$104,508.25

COMBINED OU-1 & OU-2

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

- A. Report of Peter Britz of the City of Portsmouth dated 3/23/2022

Deep Bedrock Study

Peter expects to receive from the consultant by next week a summary of EPA’s comments on the draft report. Eric expressed displeasure regarding EPA’s comments. He stated that given the tone of EPA’s comments he has concerns about the quality of the draft. Seth would like to defer discussion until they have the summary and evaluation from the consultant. Curtis agreed and also would like to hear from the technical committee. Bob agreed it was particularly harsh language to be used by a government agency. Seth said that because EPA’s comments might affect the future budget, the Executive Committee should consider holding off on approving the previously planned assessment until we get feedback from our consultants.

HB-494 Pilot Treatment Study

The technical committee has reviewed both drafts. We want the consultant to focus on targeted areas.

MW-25 Well Completion

MW-25 was the newest well completed which was left a single 6 inch open borehole. The completion of the well involved the construction of two discreet screened areas within the original borehole which will function as two separate wells or sampling points for future sampling. The rest of the well was sealed off.

Residential Well completion

After exceedances from the Fall Sampling round in two water supply wells, resampling results showed that 178A Lafayette is now under the AGQS for 1,4-Dioxane and 399 Breakfast Hill Road has come down significantly but is still above the AGQS. We are currently working on long-term solutions at both locations. Peter discussed the details of both wells and the potential sources of contaminants.

Assessment

Looking at the rest of this year. Discussed the amount needed to get us through this year. If the group desires, this assessments for both operable units can be approved.

Seth said they could conditionally approve these assessments subject to revision if the EPA says we have to revise the Deep Bedrock study to include work beyond what it anticipated. Peter will bring back a recommendation to the next meeting based on the feedback provided by EPA and the consultants.

Attorney Seth Jaffe moved to not approve the OU-1 and OU-2 Assessments at this time; 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 12/15/2021 meeting; approved and executed on 1/18/2022.
- B. Sanborn Head - Addendum for Deep Bedrock RI Report Support dated 12/3/2021; contract signed 12-7-2021.
- C. Loureiro - Groundwater Remedial Options Evaluation dated 2/18/2022; contract signed 2/18/2022.
- D. Certificate of Liability Insurance; Haley Ward dated 12/7/2021.

Attorney Seth Jaffe moved to place Items IX – A - D on record. Attorney Curtis Shipley seconded this motion. On a 3-0 vote, the motion passed.

X. OTHER BUSINESS

There was no other business.

XI. SCHEDULE THE NEXT COAKLEY EXECUTIVE COMMITTEE MEETING

Next meeting Thursday April 14th 9:00 a.m. The meeting adjourned at 10:35 a.m.

Dated: 4/14/2022

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

Respectfully Submitted, Marian Steimke