

# COAKLEY EXECUTIVE COMMITTEE

## Meeting Minutes

Thursday, May 8, 2025 at 10:00 a.m.

Law Library, Portsmouth City Hall and via Microsoft Teams

The Coakley Executive Committee meeting commenced at 10:03 a.m.

In person attendance: Glenn Normandeau, Chair; Attorney Kevin Chen, Foley Hoag LLP; Peter Britz, City of Portsmouth Director of Planning and Sustainability; Jillian Harris, City of Portsmouth Principal Planner; Susan G. Morrell, City of Portsmouth Attorney; Robert P. Sullivan, City of Portsmouth, Of Counsel; and Barbara Zulkiewicz, City of Portsmouth Administrative Assistant, Legal

Attendance via Microsoft Teams: Attorney Seth Jaffe, Foley Hoag LLP; Attorney Curtis Shipley, Ellis & Winters LLP; Joe Montello, Eagon & Associates; Steven Smith, Town of Greenland, NH

### I. Review Minutes of the April 23, 2025 Coakley Executive Committee meeting:

**Attorney Shipley moved to approve the minutes; Chair Normandeau seconded. Attorney Chen abstained as he did not attend the April 23, 2025 meeting. On a vote of 2-0, the motion was approved.**

### OU-1

#### II. OU-1 INVOICES:

##### A. All OU-1 certifications were dated May 8, 2025

B. Invoices	OU-1 Amount	%
<b>City of Portsmouth Finance Dept.</b>		
<b>Blue Bird Storage</b>		
a. 65323 (Svcs thru 04/30/25, Inv date 04/03/25)	\$ 169.50	50%
b. 66223 (Svcs thru 05/31/25, Inv date 05/01/25)	\$ 169.50	50%
<b>Docusign</b>		
c. INV56473772 (Svcs thru 04/14/26, Inv date 04/15/25)	\$ 150.00	50%
<b>City of Portsmouth Tax Collector</b>		
<b>Monthly Fee</b>		
d. 2902776572 (Svcs thru 03/31/25, Inv date 03/13/25)	\$ 2,750.00	50%
e. 2902812346 (Svcs thru 04/30/25, Inv date 04/14/25)	\$ 2,750.00	50%
<b>DC MacRitchie</b>		
<b>OU-1 Record Retention</b>		
f. 206006 (Svcs thru 02/26/25, Inv date 03/18/25)	\$ 218.75	100%
<b>EAGON &amp; Associates, Inc.</b>		
<b>Consulting Services</b>		
g. 1047A-3202531 (Svcs thru 03/31/25, Inv date 04/07/25)	\$ 384.13	50%

**Attorney Shipley moved to approve items II. a. through g. for payment; Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.**

**WSP USA****2024 Fall LTM**

h. 40186198 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 3,144.03	20%
i. 40186196 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 552.50	20%

**Sampling and Analysis Plan Update**

j. 40186201 (Svcs thru 03/28/25, Inv date 05/02/24)	\$ 630.00	20%
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**Revised Surface Water Evaluation WP**

k. 40186194 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 617.94	50%
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**2024 Winter SW Evaluation**

l. 40186202 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 763.37	50%
m. 40186197 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 2,265.00	50%

<b>Groundwater Management Permit Application</b>	<b>\$ 373.75</b>	<b>40%</b>
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n. 40186193 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 12.75	20%
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o. 40186192 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 361.00	20%
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Attorney Shipley moved to approve items II. h. through o. for payment; Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.

<b>Total</b>	<b>\$ 14,938.47</b>
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**C. OU-1 Assessment Status:**

	<b>Amt Due</b>	<b>Amt Paid</b>
<b>☐ BFI</b>		
11/1/2024	\$ 14,154.00	\$ -
3/24/2025		\$14,154.00
<b>☐ Generators</b>		
11/1/2024	\$ 23,000.00	\$ -
1/14/2025		\$23,000.00
<b>☐ Newington</b>		
11/1/2024	\$ 6,281.00	\$ -
1/29/2025		\$ 3,141.00
<b>☐ North Hampton</b>		
11/1/2024	\$ 4,671.00	\$ -
12/24/2024		\$ 4,671.00
<b>☐ Portsmouth</b>		
11/1/2024	\$ 61,587.00	\$ -
1/9/2025		\$30,793.00
<b>☐ Waste Management</b>		
11/1/2024	\$ 5,307.00	\$ -
2/26/2025		\$ 5,307.00
<b>Total</b>	<b>\$115,000.00</b>	<b>\$81,066.00</b>

**III. OU - 1 ACTION ITEMS**

A. Total of invoices requested for approval: **\$ 14,938.47**

**IV. OU-1 RECORD ITEMS**

A. Trust balance as of 4/30/2025: **\$212,636.03**

B. 2025 OU-1 Invoices paid to date:

Date Approved	Amount Paid
1/7/2025	\$29,563.26
2/6/2025	\$3,233.13
3/14/2025	\$39,226.02
Total paid in 2025:	<b>\$72,022.41</b>

## OU-2

### V. OU-2 INVOICES

A. All payment certifications were dated May 8, 2025

B. Invoices	OU-2 Amount	%
<b>City of Portsmouth Finance Dept.</b>		
<b>Blue Bird Storage</b>		
a. 65323 (Svcs thru 04/30/25, Inv date 4/03/25)	\$ 169.50	50%
b. 66223 (Svcs thru 05/31/25, Inv date 05/01/25)	\$ 169.50	50%
<b>Docusign</b>		
c. INV56473772 (Svcs thru 04/14/26, Inv date 04/15/25)	\$ 150.00	50%
<b>City of Portsmouth Tax Collector</b>		
<b>Monthly Fee</b>		
d. 2902776572 (Svcs thru 03/31/25, Inv date 03/13/25)	\$ 2,750.00	50%
e. 2902812346 (Svcs thru 04/30/25, Inv date 04/14/25)	\$ 2,750.00	50%
<b>EAGON &amp; Associates, Inc.</b>		
<b>Consulting Services</b>		
f. 1047A-3202531 (Svcs thru 03/31/25, Inv date 04/07/25)	\$ 384.12	50%
<b>Attorney Shipley moved to approve items V. B. a. through f. for payment; Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.</b>		
<b>WSP USA</b>		
<b>2024 Fall LTM</b>		
g. 40186198 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 12,576.13	80%
h. 40186196 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 2,210.00	80%
<b>Sampling and Analysis Plan Update</b>		
i. 40186201 (Svcs thru 03/28/25, Inv date 05/02/24)	\$ 2,520.00	80%
<b>Well Installation</b>		
j. 40186204 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 14,057.07	100%
k. 40186203 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 8,580.40	100%
<b>Revised Surface Water Evaluation WP</b>		
l. 40186194 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 617.94	50%
<b>2024 Winter SW Evaluation</b>		
m. 40186202 (Svcs thru 03/28/25, Inv date 05/02/25)	\$ 763.36	50%

n. 40186197 (Svcs thru 03/28/25, Inv date 05/02/25) \$ 2,265.00 50%

**Groundwater Management Permit Application**

o. 40186193 (Svcs thru 03/28/25, Inv date 05/02/25) \$ 51.00 80%

p. 40186192 (Svcs thru 03/28/25, Inv date 05/02/25) \$ 1,444.00 80%

**Attorney Shipley moved to approve items V. g. through p. for payment; Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.**

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**Total** \$ **51,458.02**

**C. OU-2 Assessment Status**

	Amt Due	Amt Paid
<input type="checkbox"/> <b>BFI</b>		
11/1/2024	\$ 25,231.00	\$ -
3/24/2025		\$ 25,231.00
<input type="checkbox"/> <b>Generators</b>		
11/1/2024	\$ 41,000.00	\$ -
1/24/2025		\$ 41,000.00
<input type="checkbox"/> <b>Newington</b>		
11/1/2024	\$ 11,199.00	\$ -
1/29/2025		\$ 5,600.00
<input type="checkbox"/> <b>North Hampton</b>		
11/1/2024	\$ 8,329.00	\$ -
12/24/2024		\$ 8,329.00
<input type="checkbox"/> <b>Portsmouth</b>		
11/1/2024	\$ 109,780.00	\$ -
1/9/2025		\$ 54,890.00
<input type="checkbox"/> <b>Waste Management</b>		
11/1/2024	\$ 9,461.00	\$ -
12/31/2024		\$ 9,461.00
<b>Grand Total</b>	<b>\$ 205,000.00</b>	<b>\$ 144,511.00</b>

**VI. OU-2 ACTION ITEMS**

A. Total of invoices requested for approval: **\$51,458.01**

**VII. OU - 2 RECORD ITEMS**

A. Trust balance as of 4/30/2025: **\$285,197.04**

B. 2025 OU-2 Invoices paid to date:

**Date Approved      Amount Paid**

1/7/2025      \$ 53,121.18  
2/6/2025      \$ 9,505.62

3/14/2025	\$100,336.06
<b>Total paid in 2025</b>	<b>\$162,962.86</b>

## **VIII. COMBINED OU-1 AND OU-2 ACTION ITEMS**

A. Report of Peter Britz and Jillian Harris of the City of Portsmouth dated May 8, 2025

**GMZ Permit:** The GMZ permit application was finalized and submitted to NHDES on May 5th. Once the permit is accepted and finalized, notification letters will be sent to property owners of the newly included parcels.

**Surface Water Groundwater Evaluation:** Work has commenced under the conditionally approved Work Plan. WSP submitted a response to comments on work plan updates to the EPA on April 30th. Plan updates address comments and conditions from the December 2<sup>nd</sup> conditional approval by USEPA. Attorney Jaffe inquired if there was an internal schedule for the work plan and it was discussed further. Attorney Jaffe requested a summary of all the work still to be done. Peter Britz will work with WSP to provide this.

**Deep Bedrock Investigation - Southern Well Installation:** Sampling intervals were finalized with the agencies following packer sampling results in early April. WSP has provided a contract in the amount of \$17,761.75 for well construction and reporting that will detail the installation of the new deep bedrock well. Well construction is tentatively scheduled for mid-May following authorization of the contract amendment. Joe Montello reviewed the contract amendment from WSP and stated that it was reasonable for the work to be done. **Attorney Shipley moved to approve the contract. Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.**

**WSP Long-Term Monitoring Services:** WSP expects to submit the 2024 annual report to the CLG for review the week of May 12th. The long-term monitoring 5-year review is due in 2026 and therefore the spring sampling round this year will include additional required analytical sampling for VOCs. WSP provided a proposal for Spring Groundwater Monitoring services in the amount of \$197,963.45. The proposed cost is \$35,224.13 higher than the Spring 2024 monitoring contract and represents an increase of approximately 22%. Jillian Harris stated that the contract was significantly higher due to the extent of additional required sampling to be done and in higher expenses. Discussion ensued regarding scaling back or looking at another firm to perform the work. Britz stated that the work needs to be done but we could look at putting the work out to bid for the next sampling round. **Attorney Shipley moved to approve the contract. Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.**

**Joe Montello – Technical Assistance:** Joe Montello provided a proposal in an amount not to exceed \$14,400 for the remainder of 2025, to continue his general technical support of the CLG that includes technical review and support related to ongoing studies and issues on an as needed basis. **Attorney Shipley moved to approve the proposal. Attorney Chen seconded. On a 3-0 vote, the motion was approved.**

**Emerging Contaminants Funds:** The Coakley Executive Committee previously expressed interest in moving forward with The NHDES Clean Water State Revolving Fund (CWSRF) application process for Emerging Contaminants Funds. The CLG pre-application submitted for the Coakley Landfill Surface Water and Ground Water Treatment Project was selected by NHDES to submit a loan application with a deadline of June 30, 2025.

### **NONPUBLIC SESSION**

At 10:25 a.m., Attorney Sullivan recommended the Coakley Executive Committee enter into nonpublic session to discuss the loan application. **At 10:30 a.m., Attorney Shipley moved to go into nonpublic session for purposes of discussion with Legal Counsel pursuant to NH RSA 91-A:3, II (1.)**

regarding potential loan funding and also to allow Joe Montello to participate in the nonpublic session. Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.

At 10:58 a.m., Attorney Shipley moved to leave nonpublic session, seal the minutes of the nonpublic session and return to public session. Seconded by Attorney Chen. Roll call in the affirmative by Chair Normandeau, Attorney Shipley and Attorney Chen. Motion was approved.

Attorney Shipley made a motion for the City of Portsmouth, on behalf of the Coakley Executive Committee, to submit the loan pre-application to the NHDES Clean Water State Revolving Fund and authorize Peter Britz and Jillian Harris to complete the loan pre-application. Attorney Chen seconded the motion. Roll call in the affirmative by Chair Normandeau, Attorney Shipley and Attorney Chen. Motion was approved.

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

A. Minutes of the February 6, 2025 Coakley Executive Committee meeting, approved on March 14, 2025

Attorney Shipley moved to enter the February 6, 2025 minutes as an OU-1 and OU-2 record item. Attorney Chen seconded the motion. On a 3-0 vote, the motion was approved.

**X. PUBLIC COMMENT:** None

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


The next meeting of the Coakley Executive Committee was scheduled for Tuesday, June 17, 2025 at 1:00 p.m. Due to a scheduling conflict, the Chair later requested the meeting be rescheduled. The meeting was rescheduled to Monday, June 16, 2025 at 1:00 p.m.

**XII. NONPUBLICSESSION, if necessary**

Nonpublic session took place as noted above in Section VIII.

At 11:05 a.m., Attorney Shipley moved to adjourn the Coakley Executive Committee meeting, Attorney Chen seconded. On a 3-0 vote, the motion was approved.

Dated: 7/25/2025

  
Glenn Normandeau, Chair  
Coakley Executive Committee

As approved on: 7/25/25

Respectfully submitted,  
Barbara Zulkiewicz