

# COAKLEY EXECUTIVE COMMITTEE MEETING MINUTES

Friday, July 25, 2025 at 10:00 a.m.

Law Library, Portsmouth City Hall or via Microsoft Teams

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The Coakley Executive Committee meeting commenced at 10:00 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; 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

## I. Review the Minutes of the May 8, 2025 Coakley Executive Meeting

Attorney Chen moved to approve the minutes; Attorney Shipley seconded. On a vote of 3-0, the motion was approved.

OU-1

## II. OU-1 BILLS

A All OU-1 payment certifications are dated: 7/25/2025

B. OU-1 Invoices

Invoices	OU-1 Amount	%
<b>City of Portsmouth Finance Dept.</b>		
<b>Blue Bird Storage</b>		
a. 67069 (Svcs through 06/30/25, Inv date 06/01/25)	\$ 169.50	50%
b. 68024 (Svcs through 07/31/25, Inv date 07/08/25)	\$ 169.50	50%
<b>City of Portsmouth Tax Collector</b>		
<b>Coakley Administrative Monthly Fee</b>		
c. 2902865650 (Svcs through 05/31/25, Inv date 05/14/25)	\$ 2,750.00	50%
d. 2902911463 (Svcs through 06/30/24, Inv date 06/14/25)	\$ 2,750.00	50%
<b>EAGON &amp; Associates, Inc.</b>		
<b>Consulting Services</b>		
e. 1047A-4202530 (Svcs through 04/30/25, Inv date 05/07/25)	\$ 525.13	50%
f. 1047A-5202531 (Svcs through 05/31/25, Inv date 06/06/25)	\$ 506.13	50%
g. 1047A-6202530 (Svcs through 06/30/25, Inv date 07/09/25)	\$ 1,028.50	50%
<b>WSP USA</b>		
<b>Groundwater Management Permit Application</b>		

h. 40205737 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 306.00	20%
<b>2024 Winter SW Evaluation</b>		
i. 40205738 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 5,258.41	50%
<b>2024 Fall LTM</b>		
j. 40205739 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 1,593.50	20%

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

#### C. OU-1 Assessment Status

	Amt Due	Amt Paid
<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: **\$15,056.67**

#### IV. OU - 1 RECORD ITEMS

A. Trust balance as of 6/30/2025: **\$199,153.89**

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
5/8/2025	\$14,938.47
<b>Total paid in 2025:</b>	<b>\$87,079.08</b>

**OU-2**

**V. OU-2 BILLS**

A. All payment certifications are dated: 7/25/2025

B. OU-2 Invoices

Invoices	OU-2 Amount
<b>City of Portsmouth Finance Dept.</b>	
<b>Blue Bird Storage</b>	
a. 67069 (Svcs through 06/30/25, Inv date 06/01/25)	\$ 169.50
b. 68024 (Svcs through 07/31/25, Inv date 07/08/25)	\$ 169.50
<b>City of Portsmouth Tax Collector</b>	
<b>Coakley Administrative Monthly Fee</b>	
c. 2902865650 (Svcs through 05/31/25, Inv date 05/14/25)	\$ 2,750.00
d. 2902911463 (Svcs through 06/30/24, Inv date 06/14/25)	\$ 2,750.00
<b>EAGON &amp; Associates, Inc.</b>	
<b>Consulting Services</b>	
e. 1047A-4202530 (Svcs through 04/30/25, Inv date 05/07/25)	\$ 525.12
f. 1047A-5202531 (Svcs through 05/31/25, Inv date 06/06/25)	\$ 506.12
g. 1047A-6202530 (Svcs through 06/30/25, Inv date 07/09/25)	\$ 1,028.50
<b>WSP USA</b>	
<b>Well Installation</b>	
h. 40205743 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 16,557.02
<b>Groundwater Management Permit Application</b>	
i. 40205737 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 1,224.00
<b>2024 Winter SW Evaluation</b>	
j. 40205738 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 5,258.41
<b>2024 Fall LTM</b>	
k. 40205739 (Svcs through 04/30/25, Inv date 06/12/25)	\$ 6,374.00
<b>The Water Techs</b>	
<b>Maintenance and Sampling at BHR</b>	
l. 3506 (Svcs through 06/06/25, Inv date 06/06/25)	\$ 4,280.00

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

### C. OU-2 ASSESSMENT STATUS

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

### VI. OU-2 ACTION ITEMS

A. Total of invoices requested for approval: **\$41,592.97**

### VII. OU - 2 RECORD OU-2 ITEMS

A. Trust balance as of 6/30/2025: **\$235,652.97**

B. 2025 OU-2 Invoices paid to date:

<b>Date Approved</b>	<b>Amount Paid</b>
1/7/2025	\$ 53,121.18
2/6/2025	\$ 9,505.62
3/14/2025	\$ 100,336.06
5/8/2025	\$ 51,458.01
<b>Total paid in 2025</b>	<b>\$204,555.03</b>

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

A. Report of Peter Britz and Jillian Harris of the City of Portsmouth dated July 25, 2025

**GMZ Permit:** The Groundwater Management Zone (GMZ) permit application was finalized and submitted to NHDES on May 5, 2025. Notification letters were sent to property owners of the newly included parcels and copies provided to NHDES. The next renewal will be in 2030.

**Surface Water Groundwater Evaluation:** WSP submitted a response to comments and work plan updates to USEPA on April 30, 2025, which addressed comments and conditions from the December 2, 2024, conditional approval by USEPA. Work commenced under the conditionally approved work plan, and WSP provided a proposal and schedule to complete most of the remaining investigation activities under the work plan by December 2025, at an estimated cost of \$94,830.56. Peter Britz stated the proposal would complete a majority of the work in the plan. A discussion ensued regarding the impact on the OU-1 and OU-2 budgets. Britz stated that he would provide USEPA with a letter stating the general scope of work. Attorney Shipley moved to approve the WSP work plan in the amount of \$94,830.56; Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

**WSP General Technical Assistance:** Peter Britz provided an overview of the general technical assistance services WSP provides to the Coakley Landfill Group (CLG) to support ongoing investigative and monitoring activities at Coakley and asked for approval of the proposal for continued service in the amount of \$6,375.00 for the period through December 2025. Attorney Shipley moved to approve the WSP proposal for the general technical assistance service as stated in the amount not to exceed \$6,375.00. Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

**WSP Long-term Monitoring Services:** WSP submitted the 2024 annual report to the CLG for review on June 10, 2025, and it is being reviewed.

**Landfill Gas Report:** The 2025 Landfill Gas Monitoring was performed on March 12, 2025. Results showed that the methane gas concentrations remain below the NHDES soil gas action level. The report was finalized and uploaded to NHDES's OneStop site.

**Emerging Contaminants Funds:** At the Coakley Executive Committee meeting on May 8, 2025, the Executive Committee authorized submittal of a loan application to the NHDES Clean Water State Revolving Fund for Emerging Contaminants Funds. The application was submitted on June 3, 2025, and in response NHDES contacted staff to notify the CLG that NHDES would like to offer a grant instead of the loan originally applied for.

At 10:23 a.m., City Attorney Susan Morrell requested that the Committee enter nonpublic session to discuss the grant application. Attorney Shipley made a motion to go into nonpublic session; Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

At 10:54 a.m., Attorney Shipley made a motion to return to public session and seal the minutes of the nonpublic session; Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

Discussion continued regarding a grant from the NHDES Clean Water State Revolving Fund for Emerging Contaminants Funds. To comply with the requirements of the grant, the following motions were made:

Attorney Shipley made a motion for the CLG to accept the grant using the City of Portsmouth as a fiscal agent. Attorney Chen seconded the motion. On a vote of 3-0, the motion was passed.

Attorney Shipley made a motion for CLG to pay the City of Portsmouth an amount not to exceed \$12,000.00 annually for the administration of the grant and that this amount could be paid out of the grant. Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

Attorney Shipley made a motion authorizing City Attorney Susan Morrell to register "Coakley Landfill Group" as a trade name with the State of New Hampshire Secretary of State and include the OU-1 Participation Agreement dated September 27, 1991, in the filing. Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

Attorney Shipley made a motion to authorize City Attorney Susan Morrell to research and, if available at an appropriate cost, obtain general liability insurance that will meet the needs of the CLG for purposes of the grant. Attorney Chen seconded the motion. On a 3-0 vote, the motion was passed.

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

A. Minutes of the March 14, 2025, Coakley Executive Committee meeting, approved on May 8, 2025

Attorney Shipley moved to enter the March 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. OTHER BUSINESS: None**

**XI. PUBLIC COMMENT: None**

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

The next meeting of the Coakley Executive Committee was scheduled for Thursday, September 25, 2025, at 10:00 a.m. in the Law Library at Portsmouth City Hall, 1 Junkins Avenue, Portsmouth, NH and via Microsoft Teams.

**XIII. NONPUBLIC SESSION, If needed: Nonpublic took place as noted in Section VIII.**

At 11:02 a.m., Chair Normandeau moved to adjourn the Coakley Executive Committee meeting, Attorney Shipley seconded the motion. On a 3-0 vote, the motion was approved.

Dated: 9/25/2025



Glenn Normandeau, Chair  
Coakley Executive Committee

As approved on: September 25, 2025

Respectfully submitted,  
Barbara Zulkiewicz