

BOSTON GROUNDWATER TRUST (BGwT)
BOARD MEETING
July 19, 2005
The Lenox Hotel – Copley Room

The meeting of the Board of Trustees of the Boston Groundwater Trust was called order at 4:16pm in the Copley Room at The Lenox Hotel. The meeting notice was posted at City Hall in accordance with provision of the Commonwealth's Open Meeting Law.

Trustees in attendance, comprising a quorum, were:

Mr. Tim Mitchell, Neighborhood Association of the Back Bay
Mr. Gary Saunders, Boston Back Bay Association
Mr. Peter Sherin, Greater Boston Chamber of Commerce
Mr. Paul Chan, Greater Boston Real Estate Board
Mr. Galen Gilbert, Fenway Community Development Corp.
Mr. James Stetson, Beacon Hill Civic Association

Also present were:

Elliott Laffer, BGwT Executive Director; Christian Simonelli, BGwT Technical Coordinator; Jim Hunt, City of Boston; Nancy Grilk, City of Boston

1. Adoption of the minutes of the June 16, 2005 Meeting

Trustee Gilbert asked that the minutes of the June 16 meeting be corrected to reflect: that the motion in Item 3 was made by Trustee Chan and seconded by Trustee Gilbert; that the limitations described in item 4 are "geological" not "geotechnical"; and that the motion in Item 5 was made by Trustee Saunders and seconded by Trustee Stetson. He further noted that in Section 3.4 of the Proposed Motion on the Declaration of Trust the word to be deleted was "sahl" not "shall".

Trustee Saunders moved to adopt the minutes as corrected. Trustee Gilbert seconded the motion.

Voted: To accept the minutes of the June 16, 2005 meeting as corrected

2. Authorization to Award Drilling Contract of 180 Observation Wells

Mr. Laffer presented Mr. Simonelli's 180 observation well Bid Analysis.

Mr. Laffer and Mr. Simonelli suggested that the BGwT enter into a contract with the low bidder, (New Hampshire Boring, Inc.), for the installation of 180 observation wells. Discussion followed.

Trustee Gilbert moved that the BGwT accept the proposal by Mr. Laffer and Mr. Simonelli, and award the contract for the installation of 180 observation wells to New Hampshire Boring, Inc., Trustee Sherin seconded the motion.

VOTED: To award the contract for the installation of 180 observation wells to New Hampshire Boring, Inc.

3. Revisions to the Declaration of Trust status

Mr. Laffer updated the Trustees on the status of the revisions to the Declaration of Trust. The City Council plans to vote on the revised Statement of Purpose at its meeting of August 3. After adoption of changes by the Council, the entire changed document, including those changes adopted by the Trustees at the June 16 meeting, will be registered with the Secretary of State.

4. Conflict of interest By-Laws section

Mr. Laffer presented potential revisions to the conflict of interest BY-Laws section. Discussion followed, including several motions to modify the potential revisions.

Trustee Stetson recommended that changes be made to item 1 under the prohibited actions section. Trustee Stetson described in item 1 that "Knowingly, serve as an attorney...", should also include "...Engineer, Architect, Accountant, etc. ...". Trustee Stetson moved that the above changes be accepted under item 1 of the prohibited actions section, Trustee Gilbert seconded the motion.

VOTED: To accept the changes recommended by Trustee Stetson under item 1 of the prohibited actions section.

Trustee Stetson also recommended that in item 2, under the prohibited actions section, that the period at the end of the sentence should be deleted. In its place the following should be added, ",unless approved by the Mayor of the city of Boston." Trustee Stetson moved that the above changes be accepted under item 2 of the prohibited actions section, Trustee Gilbert seconded the motion.

VOTED: To accept the changes recommended by Trustee Stetson under item 2 of the prohibited actions section.

Trustee Saunders suggested that if the BGwT wants a conflict of interest BY-Laws section that they be tabled and amended until the next BGwT board meeting.

Trustee Gilbert moved that the BGwT amend and extend the conflict of interest BY-Laws section for the next BGwT meeting, Trustee Mitchell seconded the motion.

VOTED: That the BGwT amend and extend the conflict of interest BY-Laws section for the next BGwT meeting.

The Board then discussed the need for a conflict of interests section of the By-laws.

Trustee Saunders moved that the BGwT have a conflict of interest BY-Laws section, with details to be developed. Trustee Chan seconded.

VOTED: That the BGwT have a conflict of interest BY-Laws section with details to be developed.

Trustee Gilbert motioned that a conflict of interest BY-Laws section, be created and brought the board to implement in the next BGwT meeting, Trustee Saunders seconded.

VOTED: That a conflict of interest BY-Laws section, be created and brought the board to implement in the next BGwT meeting.

5. Finance Report

Trustee Sherin reviewed the BGwT *Financial Report 6/17/05-7/19/05*. Discussion followed.

6. Technical Coordinator's Report

BGwT Technical Coordinator Mr. Christian Simonelli distributed and presented his activities of the past month. Discussion followed. Refer to the attached *Technical Coordinator's Well Monitoring & Installation Report BGwT Meeting: July 19, 2005* for a complete list of what was distributed and presented.

7. FY05 EPA Grant

Mr. Laffer noted that the city of Boston has been awarded a matching funds grant from the US EPA in the amount of \$192,400. Mr. Laffer also noted the city has indicated it will probably channel the funds through the BGwT for specific activities to be agreed upon. Refer to the attached *US EPA FY2005 MATCHING GRANT* for more information and various projects that have been proposed to spend the money.

8. Strategic Planning

Mr. Laffer presented a proposal submitted by Ann Donner to aid in the development of a strategic plan for the BGwT.

Trustee Sherin moved to authorize the development of a strategic plan for the BGwT and for the plan not exceed a cost of \$8,000, Trustee Chan seconded the motion.

VOTED: To authorize the development of a strategic plan for the BGwT and plan not exceed a cost of \$8,000

9. Executive Director's Report

BGwT Executive Director Mr. Elliott Laffer distributed his report and reviewed his activities of the past month. Refer to the attached *Executive Director's Report: July 19, 2005*, for a complete list of all activities.

The meeting adjourned at 6:14 p.m.

NEXT MEETING: Tuesday August 23, 2005 @ 4:00pm in the Lenox Hotel.

Submitted by Christian Simonelli, BGwT Technical Coordinator, on 07/19/05

TECHNICAL COORDINATOR'S WELL MONITORING AND INSTALLATION REPORT

WELL MONITORING

- Will begin a new set of readings starting next week on Monday (07/25/05).

INSTALLATIONS

- **Continue to work on 114 contract.**
- **Have installed 45 out of 114 observation wells as of today 07/19/05.**
- **Formulated Bid analysis on bids received from three (3) drillers.**

US EPA FY2005 MATCHING GRANT

The US EPA has awarded the City of Boston a \$192,400 matching grant to continue its efforts to address lowering groundwater levels in certain Boston neighborhoods. The City has indicated that it will want to channel that money through the Trust to fund specific activities to be agreed upon. The grant requires a 45% match with City funds; this same restriction applies to the FY04 EPA grant (to the Trust) that is partially funding our current 114 well contract. The language in this grant appears less restrictive, and it goes to the City not the Trust.

Based on meetings with the Executive Committee, the Technical Advisory Committee, and Jim Hunt, the following projects have been recommended for more detailed development and costing:

1. Development of standard designs for recharge systems that property owners could adapt to their specific locations. The designs would indicate the variables that would need to be taken into account by the ultimate designers/installers. They should allow for easier regulatory approvals. The designs would be freely available on our website.
2. A review of alternatives to the current practice of underpinning with the object of finding less expensive methods that would be applicable to at least some current conditions. This would include looking at potential secondary effects of the alternative methods on adjacent properties, as well as any limitations on the life of the repair.
3. Investigation of potential methods to determine the top elevation of wood piles without having to dig a pit. Even if this would not allow assessment of pile condition, it would give us a better indication of what constitutes a "safe" groundwater level in a particular area.
4. Analysis of representative samples taken from well drilling for grain size and characteristics. This would give an indication of the ability of the fill in a particular area to retain moisture.
5. Development of an education program to encourage property owners to recharge rainwater into the ground.
6. Preparation of a City pamphlet on the groundwater problem, available resources, and potential ways to help with the solution.

EXECUTIVE DIRECTOR'S REPORT

July 19, 2005

- 1. Funding** – The City has sent us the first installment of our FY06 funding (\$94,500 includes \$12,000 for FY05). Jim Hunt was able to get \$50,000 in FY05 money from the State EOE, which was added to the EBB funding contract and allowed us to fund some of the items that originally had to be cut from the FY06 budget plan. The US EPA has awarded the City a \$192,400 FY05 matching grant “to continue its efforts to address lowering groundwater levels in certain Boston neighborhoods”. This money is likely to flow through the Trust after consultations with Jim Hunt and David Chin of EPA.
- 2. The Clarendon** – The project has made several commitments on groundwater issues that were memorialized in the Certificate of the Secretary of Environmental Affairs on the DEIR. The Secretary required the proponent to file certification on an annual basis to the Trust that no groundwater has been pumped or drained from the site. They will be required to include in the FEIR an inventory of existing foundations in the area, to document the elevation and condition of existing wood pilings that exist on the site, and report on potential causes of reduced groundwater in the area. They have also committed to provide six permanent observation wells on site to the Trust and to make a contribution of \$75,000 to the Trust. According to the BRA, the contribution, which would pass through the Authority, would be made as soon as they draw their first building permit.
- 3. Silver Line Phase III** – I spoke at the MBTA's public hearing on the Silver Line on June 30. The statement is posted on our website. I will also be speaking at a meeting on the Silver Line that the Back Bay Association is holding on July 25.
- 4. Simmons College** – Simmons has proposed the construction of a new School of Management building and a five level underground garage on their main campus in the Fenway. I attended the BRA scoping session that followed the filing of the DPIR and subsequently filed comments (posted on the website). This is a sensitive site, near the wood piling supported Gardner Museum as well as the main academic building at Simmons, also on wood piles.
- 5. MBTA Copley Station** – I received a response to my letter to the T from Dan Grabauskas, the new General Manager. He promised additional coordination with the Trust around groundwater issues at the station. I subsequently met with George Doherty, project manager, to go over the best sites for the four observation wells to be installed by the T, as well as other issues we had raised in our comment letters on the project. Mr. Grabauskas has also offered a meeting; we are trying to set a time.
- 6. Lovejoy Wharf** – I will be commenting next month on the DPIR and DEIR for this project, located on a sensitive site near the Bulfinch Triangle.
- 7. BRA Cooperation Agreements** – The BRA has involved us in the drafting of groundwater related language on the Columbus Center and 700 Harrison Avenue projects. It appears that we will have more opportunities to have input (and see the results) at this most crucial final stage in which most commitments are finalized.
- 8. Ad Hoc Commonwealth/City Committee** – Andrew Gottlieb has scheduled a meeting of this committee for July 26 at his office. He plans to look for commitments toward actions rather than just reports. It's unclear exactly who will attend, but one commitment is from Dan Grabauskas to be there.
- 9. Senator Wilkerson** – I met with Rich Giordano, Community Liaison for Senator Wilkerson, to bring him up to date on our activities.
- 10. Well Drilling Visit** – David Chin and a group of interns from the US EPA, as well as Nancy Grilk, Jim Hunt's Chief of Staff, and an intern from his office, observed the installation of a new well on Stuart Street. They then came back to our office for a discussion on the purposes behind the well network and the work of the Trust.

11. **Press** – I was interviewed for a six minute segment on Neighborhood Network News. We had recent coverage in The Boston Courant and the Beacon Hill Times. A recent cartoon in the City Section of the Boston Sunday Globe referenced groundwater problems.
12. **MBTA Well Monitoring Information** – We received a report from GEI about their observations at one of the three wells to which they had requested access. Because the information was inadequate to explain the wide fluctuations experienced at that well, and because the T chose not to monitor the other two wells, we anticipate installing level logging units in all three wells to develop our own data.
13. **Recharge at St. Charles St.** – In our most recent monitorings, we noted a substantial drop in the level at one of the wells near the recharge site at St. Charles St. Upon inquiry, we learned that BWSC had cut back the recharge after a request from a nearby homeowner who had to use his sump pump after recent rains. The cutback to half flow had almost immediate effect on the nearby observation well.
14. **Beacon Street** – John Sullivan reported back after his crew was able to get a video camera into the sewer in front of 166 Beacon St, where we have recorded very low levels. While they couldn't see actual inflow, the condition of the sewer was such that they will be looking for funding to line it from Brimmer St to Dartmouth.
15. **Technical Advisory Committee** – The committee met to review the contour maps from BWSC as well as go over well readings. We also discussed BWSC's sewer lining plans.
16. **Health and Safety Policy** – Mike Paster is working with me to develop an employee health and safety policy that would be a modified and scaled back version of that in place at GEI.
17. **Capital Funding** – We used the additional state funding secured by Jim Hunt to purchase level logging equipment, new well caps for some of the wells inherited from other sources, and software to allow direct access to well level data from the maps on the website. We have some fit problems with the level logging equipment and are working with our vendor to straighten that out; it should be resolved shortly. The software is scheduled to be tested and in place by September.
18. **Strategic Planning** – Peter Sherin and I have met with two consultants who thought they might be a fit to help us with our strategic planning process. We recommend the engagement of Ann Donner.
19. **501(c)3** – The IRS had two questions about our application. Responses are due this week. I've been working with Bruce Wickersham on this. It doesn't look like a major roadblock.
20. **Financial Review** – We have engaged Raphael and Raphael to once again conduct a financial review. They will also prepare our tax filings.
21. **Outreach** – At their request, we have furnished several copies of the map showing our most recent well readings with the colonial shoreline superimposed to the Citywide Groundwater Emergency Taskforce. I have offered to work with them on presentations to community groups.
22. **Website** – Traffic at the website has remained steady at high levels. We have gotten many compliments on the information on the site. I look forward to a positive response to the updated software that will make it considerably easier to use.