

BOSTON GROUNDWATER TRUST (BGwT)
BOARD MEETING
July 15th, 2019

The Board of Trustees of the Boston Groundwater Trust met in the Patriot Room at the Lenox Hotel located at 710 Boylston Street, Boston, MA. The Executive Director electronically distributed the meeting notice and agenda to the City Clerk at Boston City Hall in accordance with the provisions of the Commonwealth of Massachusetts' Open Meeting Law. Mr. Mitchell, co-chair, called the meeting to order at 4:05 pm. The following trustees were present:

Mr. Gary Saunders, Back Bay Association
Mr. Tim Mitchell, Neighborhood Association of the Back Bay
Ms. Amelia Croteau, City of Boston, Conservation Commission
Ms. Janine Commerford, Greater Boston Real Estate Board
Mr. John Hemenway, Beacon Hill Civic Association
Mr. Peter Shilland, Ellis Neighborhood Association
Mr. Greg Galer, the Boston Preservation Alliance

Also present:

Mr. Christian Simonelli, Executive Director; Mr. Rory Cuddyer, Chief of Staff, City of Boston, Office of Environment, Energy, & Open Space

1. Adoption of May 9th, 2019 Board Meeting Minutes

Board Meeting minutes were previously emailed to Board members for review. Discussion followed. Mr. Gary Saunders, co-chair, moved to adopt the minutes. Mr. Greg Galer, Trustee, seconded the motion.

Voted: To accept the Board Meeting minutes of the May 9th, 2019 meeting.

2. Re-Election of Trust Officers

Mr. Simonelli reviewed the attached list of current Trust officers. Discussion followed. Mr. Hemenway, Treasurer, indicated that his current term has expired and that the Beacon Hill Civic Association has a potential replacement in mind to assume his position as Trustee and potentially his role as Treasurer as well. Discussion followed.

Mr. Galer moved that the following individuals continue to serve as Board Officers as described: Gary Saunders, Co-Chairman, Tim Mitchell, Co-Chairman, Janine Commerford, Secretary, and John Hemenway, Treasurer. Ms. Amelia Croteau, Trustee, seconded the motion.

Voted: To re-elect the currently sitting Board Officers to their respective positions.

3. **Financial Report**

Mr. Simonelli reviewed the Trust's financial reports and noted a slight decrease in rent. Discussion followed.

Mr. Galer suggested Mr. Simonelli review the Massachusetts Paid Family and Medical Leave (PFML) program scheduled to go into effect October 1, 2019. Discussion followed. Mr. Simonelli will provide an update on the program and the associated costs at the next Board meeting.

4. **Insurance Quote Review and Discussion**

Mr. Simonelli reviewed the Trust's legal relationship with the City of Boston, specifically regarding whether the Trust is a City agency or not; whether any legal claims against the Trust might be defended by the City; and/or whether any judgments against the Trust might be paid by the City. He also discussed two legal incidents relating to the Trust: a 2013 "slip-and-trip" claim brought against the City, for a tripping incident on a BGwT well, that appears to have been dropped by the complainant, and a 2017 subpoena to the Executive Director for deposition relating to a suit regarding a 2014 Article 32 case approved by the Zoning Board of Appeals. The Executive Director was deposed on January 23, 2018. There has been no further action since then. Discussion followed. Mr. Galer requested Mr. Simonelli email the BGwT's declaration of trust and by-laws to the Trustees for their review and discussion at the next Board meeting. Discussion followed.

Mr. Simonelli reviewed the quotes he obtained for General Liability, Professional Liability, Directors and Officers, Fiduciary, and Crime insurance coverage. Discussion followed. Mr. Saunders requested Mr. Simonelli follow up with the broker for additional information on Professional Liability, Fiduciary, and Crime insurance so that the Trustees can determine whether these coverages are needed. Discussion followed. Mr. Hemenway requested Mr. Simonelli follow up with the broker on: the incremental cost of increasing the coverage limits for General Liability and Directors and Officers insurance; whether General Liability and Directors and Officers insurance includes legal representation against claims made; and if they do, whether the costs associated with legal representation are included in the coverage limits. Discussion followed. Ms. Commerford requested Mr. Simonelli follow up with the broker on coverage for contamination coverage under General Liability. Discussion followed.

Mr. Galer moved to purchase General Liability and Directors and Officers Insurance. Ms. Commerford seconded the motion.

Voted: To purchase General Liability and Directors and Officers Insurance.

5. **Executive Director's Report**

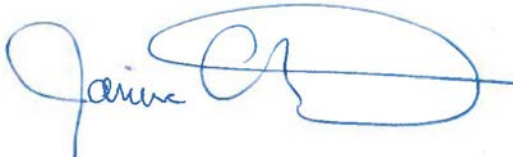
BGwT Executive Director Mr. Christian Simonelli distributed his report. Discussion followed. Refer to the attached *Executive Director's Report July 15th, 2019* for a complete list of activities.

The meeting adjourned at 5:27p.m.

NEXT MEETING: September 19th, 2019 @ 4:00 pm, at the Lenox Hotel.

Notes submitted by Christian Simonelli, BGwT Executive Director, on 7/16/2019.

Approved 25 July 2019

A handwritten signature in blue ink, appearing to read "J. Commerford", with a large, stylized flourish extending to the right.

J. Commerford, Secretary

EXECUTIVE DIRECTOR'S REPORT

July 15th, 2019

1. **Readings** – Started our fifth set of readings of the year.
2. **Meetings/Presentations** –
 - a. Attended scoping session (5/8) and wrote a comment letter (6/25) for the One Kenmore Hotel project.
 - b. Attended annual meeting of the Back Bay Association. (5/13)
 - c. Attended the Mayors Coffee Hour in the Back Bay. (5/23)
 - d. Presented at the 2019 Capstone guest speaker series at Wentworth Institute of Technology. (5/29)
 - e. Met with Eric Gordon, Ph.D., Professor of Media Art & Director of Engagement Lab at Emerson College to discuss beta blocks initiative. (5/29)
 - f. Along with representatives from Boston Water & Sewer Commission (BWSC) and Inspectional Services Department (ISD) I conducted site visits of 10 and 31 Saint James Avenue. (5/30)
 - g. Attended scoping session (6/3) and wrote a comment letter (6/7) for the Simmons University project.
 - h. Met with members of the Boston Water & Sewer Commission (BWSC) to review all areas of low groundwater levels throughout our monitoring area. (6/4)
 - i. Attended scoping session (6/5) and wrote a comment letter (6/13) for the Boston University Data Sciences Center project.
 - j. Met with members of our Technical Advisory Committee. (6/12)
 - k. Attended scoping session (6/17) and wrote a comment letter (7/9) for the 125 Lincoln Street Project.
 - l. Spoke & met with residents, engineer, & developers throughout the GCOD to discuss ZBA procedures and advised them on what they need to provide us to meet the zoning.
3. **MBTA** - Approximately 41.5 gpm is being injected into recharge wells in the South End Ellis Neighborhood area along Appleton, Berkeley, Saint Charles, Cazenove, and Clarendon Street. In addition to our manual monitoring we have 4 wells in the area with dataloggers recording a water level every 60 min.
 - a. The MBTA has committed to continue funding the current recharge well solution for the next 10 years and have assured me that funding will be provided beyond the 10 years if this current solution is still in place.
4. **DCR** – Dataloggers are installed in 3 wells to monitor the levels along the Storrow Drive tunnel pump station groundwater recharge system have dropped back a bit but the levels are still within their usual range. The DCR and their consultants continue to work with the DOT on traffic studies in support of a re-design effort for the underpass. Recharge will be part of that plan and is targeted for upgrade.
5. **BWSC** – An update on the following:
 - a. In the South End areas of infiltration were discovered. BWSC to follow-up with additional inspections and plan for repairs.
 - b. In the North End, at the corner of Richmond and Commercial Streets, infiltration has been discovered at two manholes. BWSC is inspecting additional infrastructure and the manholes are scheduled to be repaired this summer.
 - c. Stuart Street area of the Back Bay between Berkeley and Dartmouth Streets were televised and indicated voids and infiltration. One sewer was repaired in mid-June but no change has been observed in the groundwater levels. BWSC to follow-up with additional inspections and repairs of pipes and manholes in this area.
 - d. On Blagden Street in the Back Bay infiltration was observed in infrastructure. BWSC has filed change work order to current construction contract to repairs.
 - e. In the Fenway, at Boylston and Kilmarnock Streets, infiltration was observed. BWSC to has filed change work order to current construction contract to repair.
6. **MWRA** –Along with BWSC, infrastructure was investigated along Maverick Street, between Frankfort and Gove streets and at the intersection of Breman and Porter streets in East Boston. A report of the results is being prepared and I should have it by next week.

7. **MassDOT** - Dry weather inspections of the Pru Tunnel sub-surface stormwater drainage system, which runs parallel along the Turnpike & terminates at the prudential garage, indicated infiltration. Remainder of pipe cleared and inspected. Repairs scheduled for this summer.
8. **Website** – Traffic on the website remains steady. We continue to average 100 visits/day and around 250 page views/day.
9. **Vacation** – I'll be on vacation from August 19th-23rd.