

BOSTON GROUNDWATER TRUST (BGwT)
BOARD MEETING
July 9th, 2020

The Board of Trustees of the Boston Groundwater Trust met virtually via the Zoom meeting platform. The Executive Director electronically distributed the meeting notice and agenda to the City Clerk at Boston City Hall. Mr. Saunders, co-chair, read the following statement:

I, Gary Saunders, co-chair of the Boston Groundwater Trust, am calling this meeting to order at 4:04 pm. In accordance with the Commonwealth of Massachusetts Executive Order Suspending Certain Provisions of the Open Meeting Law, we are conducting this meeting online. To ensure public access to the deliberations of the BOSTON GROUNDWATER TRUST, the public may access this meeting through telephone and video conferencing. Members of the public will have an opportunity to ask questions and provide public comment. To do so please, “raise your hand” in the application via the Zoom meeting platform. If you are calling in and cannot use the platform, you can send your questions to staff via email at csimonelli@bgwt.org or via Twitter by tagging the Twitter handle @BOSTONGWT and using the hashtag #JULY2020MTG.

The following trustees were present:

Mr. Gary Saunders, Back Bay Association
Mr. Tim Mitchell, Neighborhood Association of the Back Bay
Mr. Ed Flynn, Boston City Council, District 2
Ms. Angie Liou, Asian Community Development Corporation
Ms. Janine Commerford, Greater Boston Real Estate Board
Mr. Greg Galer, Boston Preservation Alliance
Mr. Robert Whitney, Beacon Hill Civic Association
Mr. Peter Shilland, Ellis Neighborhood Association
Ms. Leah Camhi, Fenway Community Development Corporation

Also present:

Mr. Christian Simonelli, Executive Director

1. Adoption of May 14th, 2020 Board Meeting & Executive Session Minutes

Board Meeting minutes and Executive Session minutes were previously emailed to Board members for review. Discussion followed. Mr. Peter Shilland, Trustee, moved to adopt the minutes. Mr. Galer, Trustee, seconded the motion. Ms. Liou, Trustee, abstained from voting.

Voted: To accept the Board Meeting minutes and Executive Session minutes of the May 14th, 2020 meeting.

2. Financial Report

Mr. Simonelli reviewed the financial reconciliations and noted that the Trust signed its annual contract with the City on July 1st. Discussion followed. Mr. Whitney, Treasurer, indicated he is scheduled to follow up with Fidelity Investments to review the Trust’s investment structure with the Trust’s portfolio advisor; he plans to report back to the Board at the next meeting. Discussion followed.

3. 2020 SEP-IRA Contribution

Mr. Mitchell, co-chair, reviewed the Trust's annual contribution to the employee SEP-IRA account. He noted that the FY 20 budgeted amount was \$4,500. Based on the 2019 contracted income, a 5% contribution would require \$4,350. Discussion followed.

Mr. Whitney, Treasurer, moved to adopt the 5 % contribution. Mr. Saunders, co-chair, seconded the motion.

Voted: To approve the annual 5% contribution to the Trust employee SEP-IRA.

4. Update on Development of BGwT Operating Manual

Mr. Simonelli reviewed the final draft of the BGwT operating manual with the Board and noted that the manual is being reviewed by consultant Ann Donner. Discussion followed. Mr. Shilland, Trustee, suggested Mr. Simonelli link the appropriate memo headers to the folders that will be made available on the DropBox cloud platform. Discussion followed.

5. Remote Monitoring Proposal Update

Mr. Simonelli reviewed the proposal for purchase of two (2) remote monitoring devices from Ayyeka, Inc. The devices would automatically read and transmit (via the cellular network) water level data to an online database. Discussion followed. Several Trustees cautioned against proceeding with purchase of the units without first deploying a test unit. Discussion followed. Mr. Simonelli also stated that BluCloud Technologies, the company that first approached the Trust with a remote monitoring proposal, is under new management, and is planning to develop an updated remote monitoring device. Discussion followed. The Trustees instructed Mr. Simonelli to follow-up with Ayyeka, Inc. on the company's willingness to provide a test unit and report back to the Board.

6. Discussion on Creation of the Trust and Relationship with the City of Boston

The Trustees discussed the organizational timeline Mr. Simonelli distributed in the meeting packet. Mr. Galer, Trustee, suggested the Trust hire an attorney who specializes in law relating to non-profit organizations to evaluate the Trust's structure and legal relationship to the City of Boston. Discussion followed.

Mr. Galer, Trustee, moved to authorize an expenditure of up to \$5,000 to hire an attorney specializing in law relating to non-profit organizations, in the event the Trust cannot engage an attorney on a pro-bono basis. Mr. Whitney, Trustee, seconded the motion.

Voted: To authorize an expenditure of up to \$5,000 to hire an attorney specializing in law relating to non-profit organizations, in the event the Trust cannot engage an attorney on a pro-bono basis.

7. Executive Director's Report

BGwT Executive Director Mr. Christian Simonelli distributed his report. Discussion followed. Refer to the attached *Executive Director's Report July 9th, 2020* for a complete list of activities.

8. Other Business

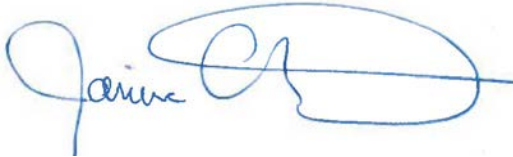
Mr. Simonelli and Mr. Mitchell, co-chair, updated the Trustees on the 29 Commonwealth Avenue project Article 32 violation. Mr. Simonelli noted that groundwater was observed being pumped at the project site in violation of Article 32 of the GCOD, which requires that projects have no negative impact on groundwater levels. Discussion followed. Mr. Simonelli noted that after being notified of the violation, the proponent worked diligently to take the necessary steps to mitigate any potential harm to the groundwater levels, and provided the documentation required by GCOD. In addition, Mr. Simonelli noted that the Inspectional Services Department was quick to jump in with enforcement to ensure compliance with Article 32. The proponent will need to reappear before the Zoning Board of Appeals and provide the required documentation to comply with the no harm requirement of the GCOD. Discussion followed.

The meeting adjourned at 5:44 p.m.

NEXT MEETING: September 17th, 2020 @ 4:00 pm, location to be determined.

Notes submitted by Christian Simonelli, BGwT Executive Director, on 7/10/2020.

Approved 5 August 2020



J. Commerford, Secretary

EXECUTIVE DIRECTOR'S REPORT

July 9th, 2020

1. **Readings** – Resumed well readings on June 1st and are in the process of wrapping up the set of readings this week.
2. **Virtual Meetings** –
 - Zoomed with Jessica Zichichi and Ayhan Ergul of Corona Environmental Consulting to discuss potential website well map upgrade. (5/18)
 - Zoomed with Jocelyn R. Gambone (Mayer), PE, of Vanasse Hangen Brustlin (VHB) and project team members to discuss the GCOD requirements for 440 & 450 Tremont Street project. (5/20)
 - Zoomed with Giuliana Zelada-Tumialan and Steven Keppel of Simpson, Gumpertz, & Heger to discuss an October, 2020 presentation to the company. (5/21)
 - Attended webinar on, *“Understanding How Climate Risk Affects Property Owners.”* (5/21)
 - Zoomed with Ann Donner, Ann Donner Consulting, to review draft of business contingency plan. (5/21)
 - Zoomed with Brendan O’Brien, Irene McSweeney, and Richard McKinnon of Boston Water & Sewer (BWSC) for an update on addressing areas of low groundwater. (5/26)
 - Zoomed with Trustee Galer and participated in video interview for the Boston Preservation website. (5/28)
 - Zoomed with Trust co-chairs Tim Mitchell & Gary Saunders for my annual review. (6/1)
 - Zoomed with Giuliana Zelada-Tumialan and Tony Khoury of Simpson, Gumpertz, & Heger to discuss a potential website well map upgrade. (6/2)
 - Spoke with Tal Avrahami, Ayyeka Technologies, about a potential remote monitoring solution for observation wells. (6/2)
 - Attended Zoning Board of Appeals business meeting. (6/16)
 - Zoomed with Trustee Galer to review founding documents of Trust. (6/30)
 - Worked with developer of the 29 Commonwealth Project in the Back Bay and the Inspectional Services Department to address a GCOD zoning violation at the site. (7/1)
 - Communicated with residents, engineers, & developers throughout the GCOD to discuss ZBA procedures and advised them on what they need to provide us to meet the zoning.
3. **City & State Agency Updates**- All agencies will provide updates on their efforts to address groundwater at the next City-State Groundwater Working Group meeting on Thursday July 16th.