

Martha's Vineyard Land Bank Commission

MINUTES
REGULAR SESSION
MEETING OF DECEMBER 4, 2023

via remote technology

CALL TO ORDER: 3:00 pm

LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Pamela Goff, Sarah Thulin, Nancy Weaver, Peter Wells

LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Steven Ewing, Wesley Mott, Kristen Reimann

STAFF PRESENT AT CALL TO ORDER

Harrison Kisiel, James Lengyel, Julie Russell

OTHERS PRESENT DURING THE SESSION

Philip Cordella, Samuel Houghton (*Martha's Vineyard Times*), Thomas Humphrey (*Vineyard Gazette*)

PRESENTATION OF THE WARRANT

Warrant no. 2024-24 was made available for the Commission's inspection.

APPROVAL OF THE AGENDA

Hearing no proposed additions, Ms. Weaver declared the agenda approved as printed.

APPROVAL OF THE MINUTES OF NOVEMBER 20, 2023

By a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the minutes as written.

COUNTY AND LAND BANK COMMISSION TREASURERS' REPORTS

None

Commissioner Kristen Reimann joined the meeting at this time.

TRANSFER FEE REVENUES

Revenues for the week ending November 24, 2023: \$201,294.00

Revenues for the week ending December 1, 2023: \$565,840.00

TRANSFER FEE HEARINGS

1. Cristina Zghibarta (Town of Edgartown)

The Commission conducted a hearing on Ms. Zghibarta's request for a one-year extension of the timetable by which she must domicile on her "m" property (transfer no. 64167). Ms. Weaver opened the hearing at 3:01 pm.

The Commission reviewed the contents of a November 22, 2023 email from Ms. Zghibarta in which she reports needing one more year to complete the construction of her house, having had difficulty in finding building materials. Ms. Weaver closed the hearing at 3:02 pm.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to grant a one-year extension, such extension to terminate on November 30, 2024. Staff is to caution Ms. Zghibarta — since no more than two one-year extensions are possible — that statutory interest continues to accrue and that she may wish to consider extinguishing her "m" before such additional accrual if she believes that she may not be able to meet the timetable.

Commissioner Steven Ewing joined the meeting at this time.

NEW BUSINESS

1. Agency Land Management: Summer Use Reports

The Commission reviewed a November 21, 2023 package of summer use reports, prepared by staff, containing data and details about this season's public use of the (1.) Aquinnah Headlands Preserve (Moshup Beach); (2.) Chilmark Pond Preserve; (3.) Great Rock Bight Preserve; (4.) Manaquayak Preserve; (5.) Sepiessa Point Reservation; (6.) Tashmoo Preserve; and (7.) Wilfrid's Pond Preserve.

Mr. Kisiel summarized the various trends and responded to questions from Commissioners.

By a motion made and seconded, the Commission voted unanimously in a roll call vote to direct staff to distribute the report to the respective Town Advisory Boards.

2. Agency Land Management: Farmland Leases

The Commission conducted its annual review of its farmland leases. They are: (1.) Simon Athearn et al. at the Norton Fields Preserve and the Peaked Hill Reservation and the Sweetened Water Preserve; (2.) Brian Cioffi at the Blue Barque Preserve; (3.) Krishana Collins at Tea Lane Farm (including a sublease to Joshua Scott) and at, with Matthew Dix, the Peaked Hill Reservation; (4.) Johanna Douglas at the Quenomica Preserve (north) and the Wapatequa Woods Reservation; (5.) Max Eagan et al. at Tea Lane Farm; (6.) Arnold Fischer, Jr. et al. at the Short Cove Preserve (north and south); (7.) Fred Fisher III at the Little Field Preserve; (8.) Eric Glasgow at Arrowhead Farm; (9.) Allen Healy at the Tiasquam Valley Reservation (east and west); (10.) Gary Stead at Featherstone Farm; and (11.) Lillian Walter at the Poucha Pond Reservation and Three Ponds Reservation (including a sublease to Collins Heavener).

Mr. Kisiel stated that he conferred with each of the lessees as to their activities in 2023 and recommended that each be continued. He spotlighted certain successes this year, including the production of 100 chickens at Tea Lane Farm and 1000 chickens and 20 hogs at the Peaked Hill Reservation.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to accept Mr. Kisiel's recommendation.

3. Agency Administration: Personnel and Staffing

Ms. Russell outlined goatherd Zachary Jessee's desire to share the Wapatequa Woods cottage with Grace Turnbull, who would serve as an assistant goatherd pursuant to the land bank's standard employment agreement. This would formalize what is already occurring, viz., that she handles certain chores while he is undertaking others.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the arrangement.

4. 40-44 Meetinghouse Way (Town of Edgartown)

Mr. Kisiel reported that the boiler at the office recently rusted out, leaving the building, in the meantime, heated only by space-heaters. He sought a replacement and found a single vendor capable of implementing the project in a timely manner: Fullin and Bettencourt, who priced it at ±\$13,000. He further reported having conferred with Mr. Mott, who approved proceeding on an emergency basis.

Commissioners variously discussed (1.) the reason for the rusting; (2.) the value of annual inspections; and (3.) how the necessary funds will be drawn from the agency budget.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the expenditure.

5. Caleb's Pond Preserve (Town of Edgartown)

Mr. Kisiel reported that the Edgartown Conservation Commission recently disapproved the land bank's application for a path to the pond here. He outlined the process leading to this action and asked if the Commission wished to seek a superseding order.

Mr. Ewing, representing Edgartown, recommended pausing for a year or so. Commissioners variously discussed (1.) the expense of pursuing a superseding order; (2.) whether the neighborhood would or would not grow more receptive during that time; (3.) the extent of existing and unpermitted accesses to the pond throughout the neighborhood; and (4.) the value of the types of boardwalks that the land bank had proposed in protecting salt-marshes.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote (1.) to reapply to the Conservation Commission when Mr. Ewing determines it is prudent to do so; and (2.) to open the preserve to the public in the meantime for all of the other uses cited in the management plan.

6. Wapatequa Woods Reservation (Town of Tisbury)

The Commission discussed the possible execution of two licenses, with Nstar Electric Company, for two projects here: (1.) the upgrading of general service along the Stoney Hill Road, which will not directly benefit the land bank at this time (as it does not use that particular line) but will benefit the neighborhood; and (2.) the provision of service to the land bank's southerly hoophouse here, which is used in the overwintering of the land bank's livestock herd. The Tisbury Town Advisory Board, at its June 1, 2023 and November 27, 2023 meetings, voted to authorize the Commission to enter into these licenses.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to authorize its chairman to execute the licenses, subject to final review by counsel if necessary.

PUBLIC INPUT

1. Agency Administration: Public Input

Philip Cordella spoke to the Wapatequa Woods Reservation.

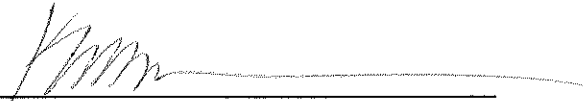
ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2024-24.

EXECUTIVE SESSION

By a motion made and seconded, the Commission voted unanimously in a roll call vote to enter executive session for the purpose of discussing the purchase, lease, exchange or value of real property. Ms. Weaver stated that the subjects to be discussed are the purchase or value of real property and declared that an open meeting may have a detrimental effect on the negotiating position of the Commission. She further announced that the Commission would not reconvene in regular session after the conclusion of the executive session. The Commission entered executive session at 3:34 pm.

certification:



Kristen Reimann, Secretary