



# Martha's Vineyard Land Bank Commission

## MINUTES REGULAR SESSION MEETING OF MAY 5, 2025

via remote technology

CALL TO ORDER: 3:00 pm

### LAND BANK COMMISSIONERS PRESENT AT CALL TO ORDER

Steven Ewing, Frederick Khedouri, Wesley Mott, Sarah Thulin, Nancy Weaver, Peter Wells

### LAND BANK COMMISSIONERS ABSENT AT CALL TO ORDER

Kristen Reimann

### STAFF PRESENT AT CALL TO ORDER

Harrison Kisiel, James Lengyel

### OTHERS PRESENT DURING THE SESSION

Sharon Cooke, Philip Cordella, James Graham, Bernice McIntyre

### PRESENTATION OF THE WARRANT

Warrant no. 2025-48 was made available for the Commission's inspection.

### APPROVAL OF THE AGENDA

Hearing no proposed additions, Mr. Mott declared the agenda approved as presented.

### APPROVAL OF THE MINUTES OF APRIL 28, 2025

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

### TRANSFER FEE REVENUES

Revenues for the week ending May 2, 2025: \$371,042.00

## NEW BUSINESS

### 1. Felix Neck Preserve (Town of Edgartown)

The Commission discussed the proposed terms of a draft memorandum-of-understanding between itself and the Massachusetts Audubon Society, Inc. (MAS) regarding the commonly-held conservation restriction (CR) here. MAS recently asked for such an agreement — describing it as its current protocol — which calls for it to have primary, but not exclusive, oversight of the CR.

Discussion variously occurred as to (1.) the status of the document as a side-agreement between the grantees, rather than any actual amendment to the CR; (2.) whether a fair posture would be to decline to participate, on the grounds that the agreement is not really necessary; and (3.) the value of collegiality among the conservation groups.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to approve the agreement, subject to review and amendment by land bank counsel.

### 2. Fulling Mill Brook Preserve (Town of Chilmark)

The Commission discussed the possible upgrade to a culvert under Henry Hough Lane, which is inadequate for both flood control and fish passage. Mr. Kisiel reported that the commonwealth's division of ecological restoration is offering \$200,000 grants that would cover the ecological analysis and engineering; installation costs are apt to be shared among the parties, viz., the owners of lots along the road, which include private families, the town and the land bank.

After discussion and by a motion made and seconded, the Commission voted unanimously in a roll call vote to authorize and direct staff to apply for the grant.

### 3. Southern Woodlands Reservation (Town of Oak Bluffs)

Commissioners (1.) discussed the proposed subdivision of the Vaxon Tinkham lot, approved by the Commission and its Oak Bluffs Town Advisory Board at, respectively, their April 14, 2025 and April 15, 2025 meetings; and (2.) reviewed the contents of a draft intergovernmental agreement effectuating same, including an updated survey (dated April 29, 2025) showing a larger land bank lot than earlier depicted (as counsel has since determined that the land bank owns a higher percentage in the Tinkham lot than previously believed).

After discussion and by a motion made and seconded, the Commission voted in a roll call vote (1.) to approve the agreement; and (2.) to authorize

its chairman, vice-chairman and/or secretary-treasurer to execute it. Should the Oak Bluffs Water District propose amendments, the executing officer is empowered to determine whether their scope requires a return to the Commission and, further, whether land bank counsel ought to be involved.

4. Trade Wind Fields Preserve (Town of Oak Bluffs)

The Commission discussed its contract with Fr. Michael Nagle, its airport services coordinator here; it calls for an annual review of services. Mr. Kisiel reported that he has assessed his performance and recommends that the contract be extended for another twelve months.

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

5. Agency Administration: Performance Evaluation

Staff excused itself and the Commission conducted its annual review of Mr. Lengyel's performance as executive director; Mr. Mott will share the results with him. Mr. Lengyel returned to the meeting.

PUBLIC INPUT

1. Agency Administration: Public Input

Bernice McIntyre spoke to the bench at the Ramble Trail Preserve that was recently removed; Mr. Kisiel stated that it was removed as part of a larger management project and will be restored once upgraded.

Philip Cordella spoke to (1.) the executive director's review; (2.) the motion camera at the Trade Wind Fields Preserve; and (3.) the title of the line item in the warrant for the livestock grazing program.

James Graham thanked the Commissioners for their work.

ENDORSEMENT OF THE WARRANT

The Commission endorsed Warrant no. 2025-48.

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. Mr. Mott 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. He further announced that the Commission would not reconvene in regular session after the conclusion of the executive session. The Commission entered executive session at 3:42 pm.

certification: 

Kristen Reimann, Secretary