

**MINUTES OF MEETING OF  
EXECUTIVE COMMITTEE OF THE  
ASSOCIATION OF OWNERS OF LOWLANDS AND  
MEADOWS AROUND CHILMARK POND**

**MAY 27, 2012**

**Present:**

Joan Malkin, President  
Steve Lewenberg, Commissioner and  
Treasurer  
Peter Bruce, Vice President  
Steve Asher, Clerk

Martha Cottle, Commissioner  
Bill Randol, Commissioner

**Call to order**

Joan Malkin called the meeting to order at approximately 9 A.M.

**Annual members' meeting**

The Committee confirmed that the annual meeting of the members of the Association would be held on Sunday, August 5 at 4 p.m. in the meeting room of the Chilmark Public Library. Ms. Malkin said that she would be out of the country on that date and asked Mr. Bruce to preside at the meeting.

Ms. Malkin raised the question of whether the President should be limited to two one-year terms as had been recent practice of the Association. The Committee agreed that there were advantages to revisiting that practice due to the increasingly complex relationships between the Association on the one hand and governmental and non-governmental organizations on the other and the desirability of retaining the institutional memory of those relationships. After discussion, it was agreed that the practice should be modified to permit an individual to serve as President for up to four one-year terms. It was further agreed that the current officers and Commissioners be nominated for a new one-year term at the members' meeting, and that Ms. Cottle be authorized to serve as the Association's point of contact with Dale McClure, with Mr. Randol serving as backup.

**Treasurer's Report**

Mr. Lewenberg presented the Treasurer's Report: the Association had approximately \$111,000 on deposit in its Fidelity account and approximately \$21,000 with the Martha's Vineyard Savings Bank. He said that the Estuary Project study had been paid in full and did not anticipate any significant expenses, and that only a few members had failed to pay their 2011 annual

assessments.

### **President's Letter and annual assessment**

Ms. Malkin distributed a draft of her proposed letter to the members to be included with the notice of the annual meeting. She raised with the Committee the question of whether the current assessment level of \$150 should be modified in light of the Association's significant cash position. Mr. Lewenberg noted that the previously authorized short-term dredging project would likely occur in 2012 and that the cost of that project would likely exceed the total raised by the 2011 and 2012 assessments. After discussion, it was agreed to keep the current assessment level in place for 2012.

The Committee discussed whether to include a survey of members in the materials for the 2012 meeting and agreed to postpone any such survey until after the 2012 meeting and the results of the current Mass. Estuary Project survey of Chilmark Pond.

### **Minutes**

Ms. Malkin confirmed that all Executive Committee members had received drafts of the minutes of the Executive Committee meeting of January 6, 2012. After discussion, upon motion duly made and seconded it was unanimously:

**VOTED:** That the minutes of the Executive Committee of the Association of January 6, 2012 be and they hereby are approved in the form submitted to the meeting.

### **Pond opening and short-term dredging**

Ms. Cottle reported that based on her discussions with Mass. Audubon, it would not be possible to open the Pond prior to the Fourth of July weekend due to the need to protect the plover and oystercatcher nests.

Mr. Bruce raised the question of whether a Spring opening could take place without harming the endangered birds and noted the environmental advantages of opening in the Spring to avoid the dangers of a Summer opening that might lead to significant erosion should a hurricane hit during an opening.

Ms. Cottle said that the failure to drain the pond had negative environmental consequences, including the degradation of plant life and loss of flood plain habitat, such as Long Point, which has sunk into marshland.

After discussion, Mr. Bruce said he would speak to Mass. Audubon to determine whether it would be possible in the future to open the Pond while the endangered species were nesting in the area of the cut.

### **Lucy Vincent Beach**

Ms. Malkin said that the proposed consultants have visited the area where the barrier beach has eroded at the far Western end of the Pond but that she has not received a project proposal from

them. She reminded the Committee that the Association had agreed to split with the Town of Chilmark up to \$10,000 to obtain a workable dune replenishment project if such a project is approved by the Association and the Town.

Mr. Bruce said that preserving the dunes in that area should be a high priority because of effect on the health of the Pond if the dunes break down, allowing ocean water to routinely over wash into the Pond. He said that the barrier beach had moved north 100 feet in last thirty years, which in turn has led to the division of the Upper Pond into two bodies of water. He said that the Upper Ponds bear the greatest burden of beach erosion and therefore it was critical to protect the dune line at Lucy Vincent Beach.

### **Shellfish**

The Committee discussed the possibility of seeding the Pond with oysters or other shellfish, which would have a beneficial effect on water quality, although the shellfish would not be edible. Ms. Malkin said that if shellfish are grown in prohibited waters like the Pond, they must be moved to a cleaner environment before they reach harvestable age. There was further discussion about whether state regulations permitted such a move. Mr. Lewenberg suggested that this issue be revisited after the Mass. Estuary Project completes its report on the health of the Pond.

### **Next meeting**

Ms. Malkin suggested that the next meeting of the Executive Committee be held at her house on Sunday, September 2, 2012 at 9 a.m.

After further discussion, on motion duly made and seconded, the meeting was adjourned.

A true record.

Attest:



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Steven Asher  
Clerk