

## **DRAFT MINUTES**

### **ASSOCIATION OF OWNERS OF LOWLANDS AND MEADOWS AROUND CHILMARK POND ANNUAL MEETING August 14, 2016**

#### **Officers Present:**

Peter Bruce, President  
Walter (Terry) Meinelt, Vice President  
Amelia Salzman, Clerk  
Stephen Lewenberg, Treasurer and Commissioner  
Martha Cottle, Commissioner  
William Randol, Commissioner

#### **Call to Order**

President Peter Bruce declared a quorum and called the meeting to order at approximately 4 pm.

#### **Minutes**

The Minutes of the 2015 annual meeting were approved as submitted to members with the Notice of Annual Meeting and the President's Report.

#### **Annual administrative agenda**

Mr. Bruce explained that on occasion emergency work may be required to properly drain Chilmark Pond and asked the members to renew the Executive Committee's authority to borrow up to \$25,000 for emergency purposes. He further stated that the Executive Committee has recommended re-election of all Commissioners as well as the elevation of Terry Meinelt from Vice-President to President, the re-election of Stephen Lewenberg as Treasurer and Amelia Salzman as Clerk, and the election of Andria Jason as Vice-President of the Association of Owners of Lowlands and Meadows around Chilmark Pond—commonly referred to as the Chilmark Pond Association (CPA). Mr. Bruce opened the floor for nominations. No additional nominations were made by the members. Therefore upon motion duly made and seconded, it was unanimously

VOTED: That Martha Cottle, Stephen Lewenberg, and William Randol be and each hereby is elected as a Commissioner of the Association.

VOTED: That each of the following persons be and hereby is elected to the office set forth beside his or her name:

Walter (Terry) Meinelt, President  
Andria Jason, Vice-President  
Stephen Lewenberg, Treasurer

Amelia Salzman, Clerk

VOTED: To authorize the Executive Committee to borrow up to \$25,000 for emergency purposes.

**President's report (written report attached)**

Mr. Bruce reported that the Pond is in excellent condition and had two extended and successful openings during the 2015-16 season. He further explained that one consequence of lengthy Pond openings is inflow of sand, which adds to the rising delta around the cut and impedes proper draining. He explained that in past years we have addressed sand removal at the cut on an ad hoc basis. To ensure proper drainage, Mr. Bruce asked that the CPA approve a standing authorization for extended sand removal at every opening of the cut. He discussed such occasional work with Mr. Dale McClure who opens the pond for the CPA and was assured that the cost of such additional work would be most efficiently accomplished at the same time as the cut is made and would not exceed \$30,000.

In response to a question, Mr. Lewenberg explained that the Association of Owners of Lowlands and Meadows around Chilmark Pond is a quasi-governmental entity, having been created by the Commonwealth of Massachusetts pursuant to an Act of 1904 to "properly drain" Chilmark Pond and that the CPA has done so without other approvals since then. Ms. Cottle further noted that she has discussed the extended cut activity with a representative of the Chilmark Conservation Commission and he did not request anything be done prior to the work. Therefore, upon motion duly made and seconded, it was unanimously

VOTED: To authorize the Executive Committee to spend up to \$30,000 per job for additional work necessary to properly drain the Pond.

**Treasurer's Report (written report attached)**

Mr. Lewenberg presented the Treasurer's Report. He noted that the CPA has approximately \$134,500 on hand and that 106 out of 115 taxpayers have paid their assessment. Mr. Lewenberg was asked how the CPA treats residents of Abel's Hill. Mr. Lewenberg responded that because Abel's Hill is an association, the association is the one official member. However, their association typically makes a voluntary donation to the CPA in excess of \$1,000/year.

**Commissioners' Report**

Ms. Cottle reported on behalf of the Commissioners that there were two very successful pond openings 2015-16. These were Dec 4, 2015-Feb 26, 2016 and April 13-May 26, 2016. There was no Fall opening because of the very dry summer. She explained that for drainage of the Pond after April 1, the Commissioners coordinate with representatives of Biodiversity Works to ensure that there is no impact to protected birds. Ms. Cottle explained that in order to properly drain the pond, it is helpful to ensure there is a channel that is wide and deep enough to allow the ocean and pond water to exchange. As Mr. Bruce had mentioned earlier, Ms. Cottle

emphasized that every time seawater comes into the Pond it carries in more sand, which can impede successful draining of the Pond.

### **Other business**

Mr. Bruce reminded everyone that there is a 5 horsepower motor limit in the lower pond and that no power boats are permitted in the upper and middle ponds. He encouraged motor boaters to use 4 cycle or electric boat engines that are cleaner.

Mr. John O'Keefe described his historical project about Chilmark Pond that is aimed for completion next summer. He solicited ideas, photographs and other documents for his project and asked interested folks to contact him at [Quenomicka@aol.com](mailto:Quenomicka@aol.com)

### **The health of Chilmark Pond**

A conversation about the health of the Pond ensued. Mr. Max McCreary raised two issues. First, he wondered whether decisions to open the pond are driven by recreation interests while he believes the only consideration is the health of the pond. Ms. Cottle stated that decisions about when to open the pond are complex but are not driven by recreation. Second, Mr. McCreary noted that the beach is moving northward and he wondered whether the Executive Committee would consider looking at future implications of this upon the Pond. Mr. Bruce responded that the heavy use of Lucy Vincent Beach creates a low spot that might allow the flow of water from the creeks to escape directly into the ocean instead of filling up the lower pond, which would not be good. As for the area of the cut in the lower pond, he stated that the CPA tries to protect the cut to keep it in one location and to ensure its depth will allow for good drainage.

Ms. Suzanne Dworsky asked about foam buildup particularly in Wade's Cove. Mr. Bruce thinks that the widgeon grass might contribute to the issue. It could also be wave action that stirs up froth. Mr. Jonathan Scott said that oysters could help but was reminded that the State won't permit seeding the Pond with edible shellfish because the water quality is unhealthy and that the Vineyard Shellfish group did some work on the Pond and found while oysters didn't do very well, a non-edible ridged mussels population might help improve water quality. Further, the MV Shellfish Group received a grant to study whether phragmites grass might absorb nitrogen. They will report back on what they learn.

Ms. Susan Schaeffer wondered how much of a problem the geese and swans present to the health of the Pond. Mr. Bruce referred to an article he read that suggested their contribution is not significant and that if they are eating grasses in the Pond, they are basically not affecting the nitrogen level in the Pond.

There was further discussion about vegetation buildup especially along Doctor's Creek and a suggestion that it be dredged. There has been dredging in various parts of the Pond in past years when the water wasn't running through.

Mr. Alan Holt asked who has responsibility for the actual health of the pond? The answer is complicated. The legal authority of the CPA is aimed at “proper draining” of the Pond, originally for agriculture and aquaculture. In the past the CPA has dredged, helped rebuild dunes and undertaken other restoration activities, never with additional authority. However, the CPA has limited resources and expertise. The situation in Chilmark is distinct from that in Edgartown because the Edgartown Great Pond is not included in the 1904 law that established the CPA and has established the non-profit Great Pond Foundation specifically to enhance the health and beauty of Edgartown Great Pond. It has raised and spent millions of dollars to improve the health of and protect Edgartown Great Pond.

This led to a discussion about forming a similar "Chilmark Pond Foundation" or “Friends of Chilmark Pond” group for Chilmark Pond. There was considerable interest among those present and Mr. Bruce said he would forward an inquiry about the idea to the CPA mailing list. Mr. Holt and several others volunteered to lead this effort.

Mr. Bruce adjourned the meeting at 5 pm.

Adjourned

A True Record

Attest:

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Amelia Salzman  
Clerk