

MINUTES
Nantucket Land Bank Commission
Regular Meeting of January 24, 2017
Land Bank Meeting Room, 22 Broad Street
Nantucket, Massachusetts

CALL TO ORDER: 4:00 P.M.

PRESENT: Robert Gardner, Richard Glidden, Neil Paterson, Allen Reinhard.

ABSENT: John Stackpole.

STAFF PRESENT: Eric Savetsky, Executive Director; Jesse Bell, Assistant Director; Susan Campese, Administrator/Finance Manager; Marian Wilson, Assistant Administrator; Dane DeCarlo, Property Management Coordinator.

I. CONVENE IN OPEN SESSION:

A. CITIZEN BUSINESS/ANNOUNCEMENTS: None.

II. EXECUTIVE SESSION: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was unanimously VOTED to go into executive session in order to discuss the purchase, exchange, lease or value of real property and review and approve executive session minutes. A roll call vote was taken: Reinhard – Aye, Paterson – Aye, Glidden – Aye, Gardner – Aye. The Chairman under Purpose 6 [G.L. c. 30A, 21(a)(6)] declared that discussion of these matters in open session may be detrimental to the Land Bank’s negotiating position and that the Commission would reconvene in regular session following executive session.

III. RECONVENE IN OPEN SESSION:

Rachael Freeman, Environmental Coordinator; Mark Beale, Candidate for Land Bank Commission; Miacomet Golf Course (“MGC”) General Manager, Alan Costa; MGC Superintendent, Sean Oberly and MGC Financial Controller, Walter Lankau entered the meeting at 4:49 p.m.

B. GOLF BUSINESS:

1. Sconset Golf Course – Manager’s Monthly Review: The Commission reviewed the balance sheet and profit and loss comparison through November 2016 and December 2016.

2. Miacomet Golf Course – Manager’s Monthly Review: The Commission reviewed the balance sheet and profit and loss comparison through November 2016 and December 2016, as well as the check register and the profit and loss departmental summary for November and December 2016. Mr. Costa answered various questions from the Commission and emphasized the need for the Commission to clarify and/or develop capital expenditure policies

going forward, as MGC had not been able to repay the \$100,000 advanced from the Land Bank last summer, nor had the 2016 initiation fees of \$50,400 been turned over due to low cash flow. Mr. Costa attributed this lack of payment to capital items being paid out of the operating budget.

3. Proposed 2017 Tournament Schedule – Discussion: Mr. Costa distributed a proposed 2017 tournament schedule with some explanation, requesting that the Commission adopt the schedule as presented. Upon a motion made by Commissioner Paterson and duly seconded Commissioner Glidden, it was VOTED to adopt the schedule as written.

4. Golf Management Contract: Mr. Savetsky asked to table the vote on the contract as there were still some insurance issues that needed to be worked out prior to the execution of the contract. Further, there was additional language needed to address situations where joint counsel was needed to adequately protect both MGC and the Land Bank. Mr. Savetsky suggested scheduling a special meeting on Tuesday, January 31, 2017 at 4:00 p.m. to approve the contract and approve the MGC six-month proposed budget. The Commission asked staff to post the meeting accordingly.

5. Miacomet Golf Course – 2017 Six-Month Budget: Mr. Savetsky suggested the budget be amended to include funds for an EPLI insurance policy as well as itemizing the insurance line within the budget for clarity. Chairman Reinhard questioned the \$25,459 line item entitled “Employee Severance Expense”, stating that this was a brand new expense account and there was currently no policy in place to pay severance. Commissioners Gardner and Paterson also voiced concern over the lack of a policy and Commissioner Paterson requested an explanation as to why \$25,459 in public funds was offered without Commission approval. Mr. Costa said he was eliminating the position of food and beverage manager and by doing so, he would be saving \$45,000. He added that not paying the severance would put MGC at risk for possible legal action. Mr. Savetsky pointed out that all MGC employees are “at will employees” and therefore not legally entitled to severance pay. Commissioner Paterson asked Mr. Costa if he had done anything wrong in regards to this employee and Mr. Costa replied that he had not.

Mr. Costa, Mr. Lankau and Mr. Oberly departed the meeting at 6:05 p.m.

C. PROPERTY BUSINESS:

1. 2017 Work Plan Review: This item was continued to a future meeting.

2. 22 Broad Street/Renovation – Plan Update: Mr. DeCarlo presented preliminary plans to remove the posts and loft from the conference room. He also presented plans to renovate the second floor office and apartment to accommodate two offices, archival storage, a small conference room and space for office equipment and supplies. He explained that the plan was before the Historic District Commission (HDC) because the fenestration on the north side of the building would need to be altered. The consensus of the Commission was to move forward with the plans. Mr. DeCarlo stated that would report back to the Commission with more information after consulting with a structural engineer and obtaining estimates for the work.

3. 48 Tennessee Ave/Ray Boathouse – Renovation/Relocation: Mr. Savetsky presented a staff recommendation to move the Ray boathouse to the back corner of the Soverino property at 23 Tennessee Avenue to use as storage by property staff, thereby opening up the views to Hither Creek on the Chase property at 48 Tennessee Avenue. Mr. Savetsky estimated that moving the building down the street onto a slab foundation would not cost more than \$40,000, and Mr. DeCarlo estimated that the remaining rehabilitation work would cost an additional \$40,000. The consensus of the Commission was to move forward with the plan subject to HDC approval of the move.

4. Designate Evaluation Committee – Dormitory RFP: Ms. Bell recommended the Commission designate an evaluation committee to review the proposals for the MGC employee dormitory project. Ms. Bell reported the proposals were due February 10th, the committee would meet February 13th and prepare a recommendation ready for the Land Bank Commission meeting on February 14th. Ms. Bell suggested the committee members be herself, Jon Lemieux and Kevin Heffernan of Vertex, Architect Kurt Raber and two Commissioners. Commissioners Paterson and Gardner volunteered to be on the committee, given their recent experience with modular procurements. Upon a motion made by Commissioner Glidden and duly seconded by Chairman Reinhard, it was unanimously VOTED to designate the committee as recommended by Ms. Bell, with Commissioners Paterson and Gardner participating.

Mr. DeCarlo departed the meeting at 6:25 p.m.

5. 7 Massasoit Bridge Rd/FAA Property – Mitigation Partnership Request: Ms. Freeman explained that Richmond Great Point Development (“Richmond”) was required by Natural Heritage to do a three-year mitigation project due to the anticipated disturbance of Sandplain Blue-Eyed Grass on their property slated for development. Ms. Freeman further explained that Natural Heritage recommended that Richmond try to establish a partnership with the Land Bank for this mitigation work. Ms. Freeman stated there was an ideal spot for planting new seed at the FAA property where the building was removed. Property staff projected the cost of restoration could be as high as \$50,000, and Richmond has offered \$19,900 in addition to providing the seed, and manpower for planting and monitoring for the required three years. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Gardner, it was VOTED to approve the request subject to staff working out the details of an agreement, with the suggestion that it include a provision stating that the Land Bank does not take a position either in favor or against Richmond’s development project. *Commissioner Paterson was opposed.*

Ms. Freeman departed the meeting at Ms. Freeman departed the meeting at 6:39 p.m.

D. APPROVAL OF MINUTES: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Glidden, it was unanimously VOTED to accept, approve and release the special session minutes of January 9, 2017 and the regular session minutes of January 11, 2017, as written.

E. TRANSFER BUSINESS:

1. Five-Year Domicile and Ownership Compliance – Release of Liens: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was unanimously VOTED to execute and authorize the issuance of Releases of Liens for the following transfer as a result of the purchasers fulfilling all of the requirements of Section 12, subsection (-m-):

No. 17546 Lynne Marie and Kelley Jepson
No. 32342 Jereb Z. Keltz and Viktoriya Keltz

Commissioner Glidden recused himself from the following matter and departed the meeting at 6:45 p.m.

2. Two-Year Domicile Non-Compliance – Notice of Assessment/Unsubordinated Lien: – No. 35405 Patrick McEvoy: Ms. Campese reported that during a routine compliance check, staff was not able to determine if Mr. McEvoy was domiciled at 7 Madaket Road and further it appears he has been renting out the property for the last few years and was booking rentals into the coming year. Staff has sent Mr. McEvoy three letters requesting an explanation with no response. Based on the apparent failure to comply with the “actual domicile” requirement of the “M” exemption, Ms. Campese recommended voting a notice of assessment for the \$8,000 fee, accrued interest of \$2,824.89 and penalty of \$2,000. Upon a motion made by Commissioner Paterson and duly seconded by Commissioner Gardner, it was unanimously VOTED issue a Notice of Assessment for the outstanding fee plus penalty and accrued interest since the date of the transfer and to execute an unsubordinated lien on the property.

Commissioner Glidden reentered the meeting at 6:50 p.m.

F. FINANCIAL BUSINESS:

1. Warrant Authorization – Cash Disbursements: Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Paterson, it was unanimously VOTED to execute the November 22, 2016 warrant document in the amount of \$29,019.03 to be provided to the county treasurer.

2. Warrant Authorization – 2012 Series A Bond Semi-Annual Payment: Upon a motion made by Commissioner Gardner and duly seconded by Commissioner Glidden, it was unanimously VOTED to approve payment and authorize staff to wire the 2012 Series A semi-annual bond payment of interest and principal in the total amount of \$360,631.25 from the Land Bank’s Collection Account to the Bond Trustee at U.S. Bank.

G. REGULAR BUSINESS:

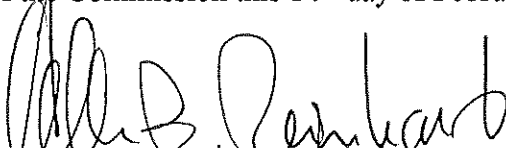
1. “O” Exemption – Update: Ms. Campese reported that the new “O” Exemption for properties subject to affordable housing restrictions was signed by Governor Baker on January 11, 2017 and it would go into effect 90 days from that date. Accordingly, Land Bank counsel was working on new forms and rules and regulations.

2. Second Meeting in February Discussion: Ms. Bell reported that she and Mr. Savetsky as well as Commissioner Stackpole would be away for second meeting of February and that in previous years that meeting was not held due to low attendance and/or lack of a quorum. Upon a motion made by Commissioner Glidden and duly seconded by Commissioner Gardner, it was unanimously VOTED to cancel the regular meeting of on February 28, 2017.

ADJOURNMENT: Upon a motion made by Commissioner Stackpole and duly seconded by Commissioner Paterson, it was unanimously VOTED to adjourn the meeting at 6:41 p.m.

Attested to: _____
Richard Glidden, Secretary

Accepted, Approved, and Released by VOTE
of the Commission this 14th day of February, 2017.



Allen B. Reinhard, Chairman