

**Cedar Meadow Lake Watershed District
Annual Meeting
May 20, 2021**

The 2021 Annual Meeting of the District was scheduled to be held at the Knights of Columbus Hall in Leicester at 7:30 P.M. on May 20, 2021. Due to COVID-19 restrictions, the 2020 Annual Meeting was held as a Zoom Virtual Meeting (Join Zoom Meeting: <https://us04web.zoom.us/j/765013465?pwd=azdUeXhKcVhnTGZERi9UNE1pdTkvQT09>, Meeting ID: 765 013 465, Password: 040461). The Proprietors of the District were notified of the virtual meeting by First Class mail more than 14 days in advance of the meeting. Information and documents for the meeting were posted to the District website, www.cedarmeadow.org.

Meeting Minutes

The District Clerk, Michele Cospers of 45 Fairview Drive, Leicester, registered Proprietors, also referred to as members. Members were pointed to the website to obtain materials prior to the start of the meeting. After being assured that a quorum existed, the meeting was convened at 7:37 P.M. by District Management Committee Chairman, Mr. Tommy Lee of 61 Fairview Drive, Leicester.

Representation constituting one-third of the \$33,403,700 assessed valuation of property within the District, currently \$11,156,836, was required to establish a quorum. Owners of property within the District totaling 12,241,000 (36.6%) in assessed valuation were represented at the meeting in-person or by proxy.

Article 1

Mr. Lee of 61 Fairview Drive read the Article and moved that the District votes to elect a moderator to preside for the duration of the meeting. The motion was seconded. Mr. Lee asked for nominations.

Mr. Lee nominated Richard Johnston to moderate the Annual Meeting of the District and noted that Mr. Johnston served as Cedar Meadow Lake Watershed District Clerk for many years. There were no other nominations. Mr. Lee asked for a vote on the nomination. Richard Johnston was voted as Moderator unanimously.

Article 2

The Moderator read the Article. Mr. Waterman of 29 Lake View Drive moved to see if the District will vote to authorize the District's Management Committee to acquire by gift, purchase, or taking by eminent domain, a parcel of real property containing approximately .37 acres +/- of land located off of Charles Street in Leicester identified as Lot A18 on Leicester Assessors Map 28 and as "Tract 'A' " on a plan of land recorded with the Worcester District Registry of Deeds in Plan Book 768, Plan 47; and further to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$1,200, or any other sum, to be expended for the acquisition of said parcel of real property, including but not limited to acquisition costs, the award of eminent domain damages, and related expenses and fees, or take any action in relation thereto.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously and the topic was open for discussion.

The District wanted to purchase the land behind the dam, but the land could not be purchased because it is held in a complicated estate with liens against it. It would be nearly impossible to parcel out the small piece of property that the District is interested in. Therefore, the District is interested in acquiring the parcel by eminent domain.

Mr. Corby of 65 Fairview Drive inquired as to why the District was interested in acquiring this parcel. The District is interested in acquiring this parcel to cut down the trees with 20' of the dam. The trees close to the dam are a hazard to the dam and the Office of Dam Safety lowers our dam rating due to the proximity of the trees. If a tree was to fall upon the dam, it could be damage to the integrity of the dam.

Mr. Wooden of 29 Rawson Drive asked if we would be opening up the District for a lawsuit. The District is notifying all lien holders. The title to the property is not clear. Once the taking is recorded, there is only a three year period where additional damages can be sought. This is always a possibility, but the District as acquired appraisals to add protection to the eminent domain taking.

After discussion, the Moderator asked asked for a vote. The vote was 28 - 0 in favor of proceeding with the taking of the land behind the dam.

Article 3

The Moderator read the Article. Mr. Waterman moved to see if the District will vote to authorize the District's Management Committee to acquire by gift, purchase, or taking by eminent domain, a parcel of real property containing approximately 3 acres +/- of land located off of Rawson Street in Leicester identified as Lot B5 on Leicester Assessors Map 27 and as "Cedar Meadow Pond" on a plan of land recorded with the Worcester District Registry of Deeds in Plan Book 461, Plan 103; and further to raise and appropriate, transfer from available funds, borrow, or otherwise provide the sum of \$15,000, or any other sum, to be expended for the acquisition of said parcel of real property, including but not limited to acquisition costs, the award of eminent domain damages, and related expenses and fees, or take any action in relation thereto.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously and the topic was open for discussion.

The District is interested in acquiring this land because we would like access to treat the water and invasive species that exist in the area of the lake. The parcel probably should have been included in the original taking. ESS Group surveyed this area and verified that many of the invasive species that exist our lake are coming rom the populations that exist in that area. There will no additional properties entering the District that surround that parcel.

Mr. O'Coin of 6 Lake Shore Drive stated that we already have the funds set aside and allocated for this taking. Mr. Shane Schimke of 45 Lake View Drive asked if we had additional plans for the parcel other than wanting to access for water quality purposes. The District interested in that parcel to maintain water clarity and control invasive species populations. Mr. Cavanaugh of 35 Lake Shore Drive commented that the land is contiguous to our current property boundaries.

Mr. Wooden of 29 Rawson Drive asked if we would be opening up the District for a lawsuit. The District is notifying all lien holders. The title to the property is not clear. Once the taking is recorded, there is only a three year period where additional damages can be sought. This is always a possibility, but the District as acquired appraisals to add protection to the eminent domain taking.

After discussion, the Moderator asked asked for a vote. The vote was 28 - 0 in favor of proceeding with the taking of the land on the north side of the Rawson Street bridge.

Article 4

The Moderator read the Article. Mr. Waterman moved that the District votes to hear a report from the Management Committee summarizing their activities since the last Annual Meeting of the District.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously. Management Committee President Tommy Lee stated that the Management Committee met eight times during the year. He then took the members through a summary of the Management Committee's activities since the last Annual Meeting and used the attached document entitled "Cedar Meadow Lake 2020-2021 Action Plan Status Report" as a guide.

This winter was a relatively dryer winter resulting in less snowfall than would have been expected. We also experienced some warmer than normal temperatures in late January early February which caused an early ice out date of late February. The upper channel flash boards were installed on March 25th when the lake elevation was at -30" with approximately 6" of water flowing thru the upper channel. Due to the spring rainfall, the lake filled in approximately 12-15 days. The lake has remained at or slightly above normal levels since and as of today we are running approximately 4"-6" above spillway elevation.

In the If any proprietors see suspicious activity or trespassers on the dam please feel free to contact the Leicester Police department.

R.H. White was retained to repair the lower gate valve preventing the proper operation of the gate from the lookout with the T handle. With the use of a diving team, the repairs we made by replacing the top screw mechanism that connects the T wrench to the valve. R.H. White was able to replace the components with a better match with the T wrench than what was established prior and they do not suspect that we will have an issue going forward.

District has engaged with Lenard Engineering to conduct our State mandated dam inspection that was completed and issued to the office of dam safety as required. A copy of that inspection is available by way of a link found on our website.

The dam is in fair condition as considered by the Massachusetts Office of Dam Safety, primarily due to the presence of large diameter trees within 20 feet of the downstream toe of the dam. The Office of Dam Safety is concerned that the integrity of the dam could be damaged if these trees were uprooted during heavy rain and wind conditions, and they suggest these trees be removed.

The Management Committee actively engaged in various discussions with our legal team regarding acquiring the land behind the Dam and the land under the body of water on the Burncoat side of the Rawson Street bridge. Currently both parcels are owned by Mr. Shea's estate or Central Water District. The results of these actions formulated Article 2 and 3 of tonight's annual meeting.

In July of 2020, a visible algae bloom developed in the lake. As a result, the District, as part of our established contract conducted a full lake plan mapping and collected water quality measurements at three locations in the lake. In October 2020 ESS Group issued a document called Lake Assessment and Management Recommendations 2020. This can be found on our website cedar Meadow.org. The District encourages all proprietors to review this document and to do your part in helping to preserve our precious resource.

On April 14, 2020 the Leicester Conservation Commission granted us an order of conditions extension for herbicidal treatments as managed by ESS Group. This is good thru March of 2024 when the District shall be required to file a new notice of intent.

As a reminder from last year, thanks to our treasurer, Terry O'Coin, you can now connect with our District via Twitter & Facebook. On a routine basis, Terry posts monthly meeting minutes, newsletters and other important messages. Also of note, the photo used on our webpage was selected by the Town to be used on the Towns annual report! Michele Cospers has done an excellent job with our "electronic mailing" list and significantly reduced our hard copy mailings over the last several years.

Members of the District are continuing to pay off the USDA loan taken to pay the \$1,714,000 judgment against the District via betterments.

With respect to

- Goal 1 - Dam Maintenance was completed. Mr. Lee stated that the routine maintenance on the dam was completed including the cutting of the grass on the dam crest.
- Goal 2 - Engineering Services was complete. The District did continue the good working relationship with Lenard Engineering.
- Goal 3 - Tree Removal was incomplete. No further progress has been made towards purchasing the land behind the dam.
- Goal 4 - Weed Control Draw Down was completed. Mr. Lee stated that a successful draw down had been completed as specified by the Order of Conditions (OOC).
- Goal 5 - Weed Control - The District did continue the good working relationship with ESS Group.
- Goal 6 - Financing was completed. Betterment collections have gone very well and the eighth payment to the USDA was made. The eighth payment is scheduled for June 2021.
- Goal 7 - Communications was complete with newsletters being sent to members and the District's website being updated by Mr. O'Coin. The District has made a move to electronic distribution of newsletters to half the Proprietors. The District also continues to use its Facebook and Twitter accounts.

Article 5

The Moderator read the Article. Mr Lee moved that the District votes to hear a report from the Treasurer.

The motion was seconded. The Moderator read the motion and asked for a vote. The motion was voted unanimously.

Mr. Terence O'Coin of 6 Lake Shore Drive, the District Treasurer, referred the members to table (attached) comparing budgeted versus actual expenses that was posted to the District website prior to the start of the meeting. The documents showed that \$1,368 was transferred from the Reserve Account to the Legal Account. He discussed each of six accounts. There was no need to fund the Stabilization Account. Of the \$7500 in the legal account, \$7500 was spent in the Legal Account. Of the \$32,884.39 in the Repair and Maintenance Account, \$19,708.13 was spent on the valve repair by RHWhite, land taking appraisals, ESS Group weed map survey and water testing, and mowing of the dam crest. Of the \$9,795.00 in the Administrative Account, \$9,215.15 had been spent. Nothing was spent in the Debt Repayment Account because nothing was borrowed from the line-of-credit. The eighth USDA loan payment would be made from the Betterment Loan USDA Account in June 2021. Lastly, \$1,500 of the \$10,000 in the Reserve Account was spent. The pie charts on separate handout illustrate the percentage differences between budgeted and actual spending.

Article 6

The Moderator read the Article. Mr. Waterman moved that the District votes to elect a District Clerk to hold office for a term of one year or until the next Annual Meeting.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. Waterman nominated Michele Cosper of 45 Fairview Drive, Leicester. There were no other nominations. In the interest of saving time, the Moderator asked the Management Committee Chairman to cast one vote for Mrs. Cosper. Mrs. Cosper was, thus, voted District Clerk unanimously.

Article 7

The Moderator read the Article. Mr. Lee moved that the District votes to elect a District Treasurer to hold office for a term of one year or until the next Annual Meeting.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. Lee nominated Terence O'Coin. There were no other nominations. In the interest of saving time, the Moderator asked the Management Committee Chairman to cast one vote for Mr. O'Coin. Mr. O'Coin was, thus, voted District Treasurer unanimously.

Article 8

The Moderator read the Article. Mr. O'Coin moved that the District votes by ballot to elect a member to the Management Committee for a term of three (3) years.

The motion was seconded. The Moderator read the motion and asked for nominations. Mr. O'Coin nominated Mr. Brian Waterman of 29 Lake View Dr. There were no other nominations. The Moderator explained the virtual voting procedure would be done by a simple raising of your hand. The voting then proceeded as described and Mr. Waterman was voted as a member of the Management Committee to hold office for three years.

Article 9

The Moderator read the Article. Mr. Waterman moved that the District votes to accept the Cedar Meadow Lake 2021-2022 Action Plan in the hands of the Proprietors.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. Lee referred the Proprietors to the Cedar Meadow Lake 2021-2022 Action Plan (attached) that had been posted to the website prior to the start of the meeting.

With respect to

- Goal 1, Dam Maintenance, Mr. Lee stated that this goal dealt with routine maintenance including mowing the dam surface.
- Goal 2, Engineering Services, calls for maintaining a professional relationship with an engineering firm to provide expertise and guidance with respect to maintaining and repairing the dam. This relationship already exists with Lenard Engineering.
- Goal 3, Tree Removal, calls for acquiring the land below the dam and cutting large trees within 15 feet of the downstream side of the dam.
- Goal 4, Weed Control - Draw Down, will continue through the annual draw down program according to the OOC.
- Goal 5, Weed Control - Herbicides, calls for the maintaining and retaining the services of a lake management organization to continue to monitor and manage the proliferation of Fanwort (Cabomda) and other weeds.
- Goal 6, Financing, calls for collecting betterments and repaying the USDA loan, and maintaining betterment pre-payments in safe investment vehicles to realize a rate of return.
- Goal 7, Communications, the Management Committee will continue to communicate with the members via newsletters and the District's website.

The Moderator read the motion and asked if there was any further discussion.

Jan Parke of 205 Greenville St commented that Water Chestnut had also been discovered in Greenville Pond and in Rochdale Pond. She stressed the importance of keeping water chestnut from invaded our lake, that each proprietor needed to read the information bulletin provided and familiar themselves with the look of water chestnut and how to dispose of it properly.

After discussion ended, the Moderator read the Article and asked for a vote. The motion was voted unanimously.

Article 10

The Moderator read the Article. Mr. Lee moved that the District votes to authorize the Management Committee to maintain a line-of-credit loan in an amount not to exceed \$30,000 to pay District operating expenses pending receipt of annual tax revenue.

The motion was seconded. The Moderator asked for discussion. Mr. O'Coin explained that he had been working with Steve Quink at the Spencer Savings Bank and that repayment of line-of-credit loans would be guaranteed by the District's own betterment prepayment funds on deposit at the bank. The line of credit was not used in FY20, and it is not expected that it will be used in FY21 either. The motion was voted unanimously.

Article 11

The Moderator read the Article. Mr. Waterman moved that the District votes to carry forward and/or transfer funds as described in a document in the hands of the Proprietors.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. O'Coin stated that the budget that he would discuss in the next article called for carrying \$3,786.00 forward in the Repair and Maintenance Account. This was good news for the members because it represented unspent money in the current budget that could be carried forward to avoid the need to collect \$3,768.00 in new tax revenue in the Fiscal Year 2022 budget. \$3,786.00 was appropriated to Dam Repair and Maintenance in FY2022. The motion was voted unanimously.

Article 12

The Moderator read the Article. Mr. Lee moved that the District votes to approve the Fiscal 2022 budget in the hands of the Proprietors, the appropriation of monies to be raised by assessment upon the Proprietors in support thereof.

The motion was seconded. The Moderator read the motion and asked for discussion. Mr. O'Coin referred to a hand out entitled "Proposed Budget and Appropriation of Monies Fiscal Year July 1, 2021 - June 30, 2022 (FY2022)" that had been distributed prior to the start of the meeting and described each item. He explained that the left hand column showed the annual Budget Amounts totaling \$171,587.39. The next column showed the \$3,786.00 voted on the last article as being carried forward from FY2021. The next column, entitled "From FY2022 Tax Revenues" represented the amount, \$29,964.00, to be raised through taxation. The next column to the right represented the amount, \$28,600.00, to be taken from Free Cash. He explained the process of the MA DOR DLS certifying the amount of available free cash, following the annual audit by the District auditor and submission of financial reports. The next column on the right entitled "From Issuance of Debt" showed \$0.00, showing that no funds will be borrowed from the line-of-credit. The next column to the right entitled "From Betterments" totaled \$89,528.00; of that amount, \$75,088.00 represents the expected ninth payment on the USDA loan, \$2,888.00 for loan administration expenses, and \$11,552.00 represents USDA Loan reserves.

The next column to the right entitled "From Stabilization Account" did not include any activity. The last column entitled "From USDA Loan to Betterment" totaled \$19,709.39 represents money borrowed and reserved for the purchase of the land behind the dam.

He discussed the current budget in detail. \$10,000 was budgeted for legal expenses. The Repair and Maintenance Account totaled \$37,884.39, including \$675 for grass mowing on the dam, \$15,000 for dam repair and maintenance, \$19,709.39 for purchase of land behind the dam, and \$2,500 for water sample testing. The Administrative Account totaled \$9,195 including \$400 for communications, and \$2,500 for auditing, \$525 for the Treasurer's Bond, \$5,400 for the liability insurance premium, \$50 for the COLAP dues, \$100 for Treasurer's Expenses, \$450 for the website domain and hosting, and \$200 for the annual meeting. \$10,000 was included in the Reserve Account to cover unexpected expenses. The \$77,978.00 shown in the USDA Loan Payment-Long Term Debt Account is the same amount to be collected from betterments and contains \$75,088.00, the

nineth annual loan payment, and \$2,888.00 for loan administration expenses. The USDA Loan Payment Reserve Account totaled \$11,913.00. The Dam Stabilization account totaled \$15,000.00 The Moderator asked if there were any questions or if there was any other discussion.

Mr. Corby asked how the budget compared to past years. Mr. O'Coin replied that the legal budget and tree cutting budge were increased, but revenue from taxes is only \$2,000 higher than last year because most additional money has come from free cash.

After discuss ended, the Moderator asked for a vote on the motion. The motion was approved unanimously.

Article 13

The Moderator read the Article. Mr. Lee moved that the District votes to discuss any other business that may properly come before this meeting.

The motion was seconded. The Moderator read the motion and asked for discussion. There was no discussion. The Moderator asked for a vote and the motion was approved unanimously. Mr. Lee explained to the audience that this was their opportunity to bring up questions not previously answered during the meeting or to raise new subject for discussion.

Mr Lee reviewed the boater safety reminders.

Mrs. Reis of 69 Fairview Drive asked whether a new weed treatment was planned for the future. She noticed much weed growth around her shoreline area and within the lake in general. The District has planned to have the lake weed mapped. Once the District as the results, they will be evaluated and also placed on the District website.

The goals is reduced the amount of herbicides used to treat the lake to keep the algae population in check. The District has an on-call contract with ESS Group. There have been 1000s of dead snails on shorelines along with dead fish. Physical observation indicate the lake is high in nutrients which adds to many issues affecting the lake. The District needs to change habits to lower nutrients by being watchful for failing septics, not feeding the geese and duck populations, and lower fertilizer usage.

Adjournment

The Moderator stated that he would entertain a motion for adjournment. This motion was made and seconded and approved unanimously. The meeting adjourned at 9:09 P.M.

A True Copy Attest:

Michele M. Cospers
District Clerk