

CEDAR MEADOW LAKE WATERSHED DISTRICT
Annual Meeting
May 17, 2023

The 2023 Annual Meeting of the District was held at the Leicester Fire/EMS Headquarters at 3 Paxton Street in Leicester at 7:30 P.M. on May 17, 2023. A Zoom Virtual Meeting option was also offered ((Join Zoom Meeting <https://us02web.zoom.us/j/82287095521?pwd=b1FWWUM5UW02V1lhRWZtNTBvTXBvdz09> Meeting ID: 822 8709 5521 Passcode: 149133). The Proprietors of the District were notified of the hybrid 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 and provided to the proprietors in person.

Meeting Minutes

The District Clerk, Jillian Spratt of 68 Fairview Drive, Leicester, registered Proprietors, also referred to as members. Members were provided with materials prior to the start of the meeting. For those members attending virtually, a slide show presentation containing all article items titled: "CMLWDAAnnualMeeting2023" was presented on screen. After being assured that a quorum existed, the meeting was convened at 7:35 P.M. by District Management Committee Chairman, Mr. Tommy Lee of 61 Fairview Drive, Leicester.

Representation constituting one-third of the \$37,597,828 assessed valuation of property within the District, currently \$12,405,838, was required to establish a quorum. Owners of property within the District totaling \$15,785,400 (42%) in assessed valuation were represented at the meeting in-person, virtually (via Zoom) 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 Lakeview Drive read the Article 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 Chairman, Tommy Lee stated that the Management Committee met 9 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 provided document entitled "Cedar Meadow Lake 2022-2023 Action Plan Status Report" as a guide.

This winter was relatively normal with precipitation and temperature. We also experienced a brief warm up in February which caused an early ice out date of late February. The upper channel flash boards were installed on April 3rd when the lake elevation was at -30" with approximately 6" of water flowing through the upper channel. The lake filled in approximately 18 days. The lake has remained at or slightly above normal levels since and as of today we are running at normal elevation.

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 25 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. We are happy to report that we completed all the tree cutting in late 2023 just before the winter set in. We especially thank Brian Waterman and WDA Design Group for their efforts in this regard. The Office of Dam Safety will be formally notified through our regular inspection report(s) as required by regulations.

We executed the one time prepayment in the amount of \$500,000 to the USDA as per last year's approval from our annual meeting. This pre-payment reduced our loan term by 13 years and saved us an average of \$31,000 of interest per year over those 13 years. The Management Committee would like to recognize Rich Carr and Terry O'Coin for their extra efforts in this regard.

The district contracted with TRC/ESS Group and performed the following activities: May 24, 2022 - TRC conducted a pre-treatment aquatic plant mapping and water quality sampling event.

- June 14, 2022 – The Pond and Lake Connection completed a Clipper (flumioxazin) and Reward (diquat dibromide) treatment of approximately 15 acres of Cedar Meadow Lake for control of fanwort and variable-leaf milfoil.
- August 16, 2022 – TRC conducted a post-treatment aquatic plant mapping and water quality sampling event.

2.0 Aquatic Plant Mapping Results
TRC documented 16 species of aquatic macrophytes, including two aquatic invasive species, fanwort and variable-leaf milfoil, that were observed in Cedar Meadow Lake during surveys completed in 2022 (Table 1). This represents a slight decrease in overall species diversity compared to the last comparable mapping event, conducted in August of 2020, when 22 species (including 18 native species) were observed. Brittle naiad (*Najas minor*) and water chestnut (*Trapa natans*), invasive species which were last observed in Cedar Meadow Lake in

2020, were not detected during the 2022 surveys. The full report can be found on our website at www.cedarmeadow.org.

In March of 2024 our current order of conditions for herbicidal treatment with the Leicester Conservation Commission will expire and we have been notified that a new application process will need to be filed. The District is working with TRC/ESS with funds contained in this year's budget to make new applications.

We encourage all to review the Lake Assessment and Management Recommendations dated October 2020 as prepared by ESS Group. This publication is very informative, and we ask all proprietors to do your part in preserving our lake. This can be found on our website cedarmeadow.org.

The District is connected via Twitter & Facebook. On a routine basis, Terry posts monthly meeting minutes, newsletters, and other important messages. Jillian Spratt has done an excellent job with our "electronic mailing" list and significantly reduced our hard copy mailings over the last several years. If you would like to be added to the email list please send an email to cedarmeadowclerk@gmail.com or contact anyone of the management committee members.

If any proprietors see suspicious activity or trespassers on the dam, please feel free to contact the Leicester Police department non-emergency number at 508-892-7010.

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 completed.

Goal 4 - Weed Control DrawDown 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 ninth payment to the USDA was made, in addition to the one time prepayment of \$500,000 as voted upon by the members at the 2021-2022 Annual Meeting. The tenth payment is scheduled for June 2023.

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 more than half of the Proprietors. The District also continues to use its Facebook and Twitter accounts.

Article 3

The Moderator read the Article. Mr. Carr of 2 Lake Shore Drive moved that the District vote 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 a table (attached) comparing budgeted versus actual expenses that was provided to the Members attending in person and presented on screen for those attending virtually. The documents showed that \$1,407.00 was transferred from the Reserve Account to the Legal Account, and \$1,144.88 was transferred from the Reserve Account to the Administration Account. He discussed each of eight accounts. There was no need to fund the Stabilization Account, and no funds were added to the Dam Stabilization Account. Of the \$2,500 in the legal account, \$3,904.00 was spent on Legal fees related to the eminent domain takings for land behind the dam and North of Rawson Street bridge. Additional funds were transferred from the Reserve Account into the Legal Account to cover the expenses. Of the \$39,300 in the Repair and Maintenance Account, \$29,836.45 was spent. Funds were used to pay for TRC Environmental for weed/lake management; WDA Design Group for the Notice of Intent preparation; engineering for dam tree removal; Elliot Tree for the removal of the trees around the dam; and to Sunshine Landscaping for the dam surface mowing. Of the \$9,074.00 in the Administrative Account, \$10,215.63 had been spent. Additional funds were transferred from the Reserve Account into the Administrative Account to cover the expenses. Of the \$576,667.38 in the Betterment Loan USDA Debt Repayment account, \$500,000.00 was applied towards the one time USDA loan principal payment. There is \$66,426.24 of pending expenses, which is the tenth USDA loan payment that will be made from the Betterment Loan USDA Account in June 2023. Lastly, \$1,500 of the \$10,000 in the Reserve Account was spent. The pie charts on separate handouts illustrate the percentage differences between budgeted and actual spending.

Article 4

The Moderator read the Article. Mr. Waterman moved that the District voted 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. Carr nominated Jillian Spratt of 68 Fairview Drive, Leicester. There were no other nominations. The District voted to elect Mrs. Spratt. Mrs. Spratt was, thus, voted District Clerk unanimously.

Article 5

The Moderator read the Article. Mr. Waterman moved that the District vote 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. Carr nominated Terence O'Coin. There were no other nominations. The district voted to elect Mr. O'Coin. Mr. O'Coin was, thus, voted District Treasurer unanimously.

Article 6

The Moderator read the Article. Mr. Lee moved that the District votes 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. Rich Carr of 2 Lake Shore Drive, Leicester. There were no other nominations. The Moderator explained the voting procedure would be done by ballot (in person) OR an alternative means of a hand raise or chat message on Zoom. The voting then proceeded as described and Mr. Carr was voted as a member of the Management Committee to hold office for three years.

Article 7

The Moderator read the Article. Mr. O'Coin moved that the District vote to accept the Cedar Meadow Lake 2022-2023 Action Plan as presented to 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 2023-2024 Action Plan.

With respect to:

GOAL 1. DAM MAINTENANCE - The Management Committee with assistance of qualified contractors will maintain the dam in good condition and provide the ability to engage in periodic draw downs or other actions to maintain the lake in good condition. Routine maintenance will include periodic mowing of the upper dam surface. Funds contained in the Annual Budget will be used to achieve this goal.

GOAL 2. ENGINEERING SERVICES - The Management Committee will maintain a professional relationship with an engineering firm to provide expertise and guidance with respect to the maintenance and repair of the dam. Funds contained in the Annual Budget will be used to achieve this goal.

GOAL 3. OFFICE OF DAM SAFETY COMPLIANCE - The Management Committee will comply with the office of dam safety guidelines by keeping our records current as set forth in the standards and procedures. Funds contained in the Annual Budget will be used to achieve this goal.

GOAL 4. WEED CONTROL - DRAW DOWN - The Management Committee will draw down the lake in accordance with our order of conditions, minus 3ft, and maintain this water elevation

until the lake bottom freezes for weed control purposes. Thereafter, endeavor to maintain these lake levels during that portion of the winter when the lake is covered with ice to minimize ice damage to shoreline structures by use of the upper channel in the winter months as described in our order. Volunteer hours and minor administrative expenses will be used to achieve this goal.

GOAL 5. WEED CONTROL - HERBICIDES - The Management Committee will Maintain a professional relationship with and retain the services of a lake management organization to continue to monitor and manage the proliferation of Fanwort (Cabomba) and other INVASIVE weeds. Funds contained in the Annual Budget and volunteer hours will be used to achieve this goal.

GOAL 6. FINANCING - The Management Committee with the assistance of the Finance Committee will collect betterments through the Town of Leicester Tax Collector's office and make annual payments on long term USDA Rural Development loan. Maintain betterment pre-payments in safe investment vehicles to realize a rate of return. Volunteer hours and minimal administrative expenses will be used to achieve this goal.

GOAL 7. COMMUNICATIONS - The District Clerk and the District Treasurer will communicate information regarding happenings on and around the lake through periodic newsletters and the District's web site www.cedarmeadow.org. Continue to move the distribution of newsletters from U. S. Mail to email. Funds contained in the Annual Budget will be used to achieve this goal.

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

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

Article 8

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 \$5,000.00 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 \$5,000.00 in new tax revenue in the Fiscal Year 2024 budget. The motion was voted unanimously.

Article 9

The Moderator read the Article. Mr. Lee moved that the District votes to approve the Fiscal 2024 budget as presented to 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, 2023 - June 30, 2024 (FY2024)" that was shared in hard copy and on screen with the Members. He explained that the left hand column showed the annual Budget Amounts totaling \$118,223.75. The next column showed the \$5,000.00 voted on the last article as being carried forward from FY2023. The next column, entitled "From FY2024 Tax Revenues" represented the amount, \$33,675.00, to be raised through taxation. The next column to the right represented the amount, \$15,000.00, 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 \$64,548.75; of that amount, \$55,776.25 represents the expected tenth payment on the USDA loan, \$1,754.50 for loan administration expenses, and \$7,018.00 represents USDA Loan reserves. The next column to the right entitled "From Stabilization Account" did not include any activity.

He discussed the current budget in detail. \$1,000 was budgeted for legal expenses. The Repair and Maintenance Account totaled \$32,300.00, including \$800 for grass mowing on the dam, \$1,500 for dam repair and maintenance, \$3,500.00 for Water Monitoring/Management On Call Services, \$9,900 for Wetlands Permitting-NOI Vegetation Mgmt Program, and \$16,600 for Herbicide Application. The Administrative Account totalled \$10,375 including \$200 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, \$140 for the post office box, and \$160 for a Zoom subscription. \$10,000 was included in the Reserve Account to cover unexpected expenses. The \$57,530.75 shown in the USDA Loan Payment-Long Term Debt Account is the same amount to be collected from betterments and contains \$55,776.25, the tenth annual loan payment, and \$1,754.50 loan administration expenses. The USDA Loan Payment Reserve Account totalled \$7,018. The Dam Stabilization account totalled \$0.00 The Moderator asked if there were any questions or if there was any other discussion.

Mr. Dupuis and Mrs. Butkiewicz both asked questions related to a scheduled plan for weed management.

Mrs. Jan Parke provided insight into the health of the lake, native and invasive vegetation, weather changes, and nutrient levels in the lake.

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

Article 10

The Moderator read the Article. Mr. Carr 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. Waterman explained to the audience that this was their opportunity to bring up questions not previously answered during the meeting or to raise new subjects for discussion.

Mr. Waterman reviewed the boater safety reminders and reviewed rationales for not feeding wildlife in the pond.

Mr. Wayne Ridley asked if there was any possibility of lowering the lake more than the current 5 feet. The Management Committee responded that lower lake levels during the winter season is currently not in our Order of Conditions.

Mr. Martin Pratte reminded Proprietors not to feed the ducks.

Miss Emma O'Coin announced the Cedar Meadow Lake Social Club will be hosting a variety of events this summer, including a Duckie Race on June 24, Fishing Tournament beginning June 17 through 23, Boat Parade on July 1, and Paddle Poker on August 12. Events are posted to the Social Club website.

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 9:01 P.M.

A True Copy Attest:



Jillian Spratt
District Clerk