

**Cedar Meadow Lake Watershed District
Minutes of Management Committee Meeting
January 25, 2023**

The meeting commenced at 7:30 PM on **Zoom Meeting (Meeting ID: 830 7285 5563)**

In attendance: Tommy Lee, Chairman
Richard Carr, Vice Chairman
Brian Waterman, Committee Member
Jillian Spratt, Clerk
Terence O'Coin, Treasurer

Minutes of Previous Meetings

The previously distributed minutes of the November Monthly meeting (11/12/2022) were offered for approval. A motion was made by Mr. Lee as amended, and seconded by Mr. Waterman and voted unanimously.

Clerk's Report

Clerk's report of communications for the period of November 11, 2022 - January 25, 2022.

- 11/16/2022 - CMLWD Management Committee received the TRC Lake Assessment and Management Recommendations Report via email from Anna Chase.
- 11/28/2022 - Mr. Waterman sent an email to Alaa M. Abusalah, Director of Development & Inspectional Services/Town Planner, Town of Leicester attaching a copy of the CMLWD recorded Order of Conditions for the dam tree cutting.
- 11/28/2022 - Mr. O'Coin sent an email to Mr. Jacob Charette with the USDA in follow-up to a telephone conversation that occurred the same day. Included in the email was a summary outlining the CMLWD intent to pay down \$500k from the principal of the existing USDA loan.
- 12/2/2022 - email sent to Mr. Waterman from Julie Kender, Account Manager with Buckley Insurance Agency, Inc. regarding CMLWD Certificate of Insurance for the Tree Cutting. Tree cutting is scheduled to begin on 12/14/2022, as per email from Mr. Waterman to the CMLWD Management Committee.
- 12/5/2022 - Mr. Waterman sent an email to Alaa M. Abusalah, Director of Development & Inspectional Services/Town Planner, Town of Leicester regarding the CMLWD tentatively scheduled tree cutting start date (12/14/2022), and regarding the district's existing Order for the annual Cedar Meadow lake drawdown. In the email, Mr. Waterman explains that the District has had an ongoing Order from the LCC and the last Order was issued 10-23-2019 (see attached), which would have expired on 10-23-2022. Mr. Waterman would like to confirm that due to the Governor's issuance of guidance on permit tolling (copy attached) under the Covid-19 emergency, that the permit is covered under that tolling period and is still valid until 1/28/2024 (adding 462 days to the 10-23-22 expiration date, see page 2, Q2 as applies). The District will file with the Commission one month (min.) prior to that date to ask for an extension to continue the annual drawdowns (drawdown begins on 11/1 each year and has to be completed by

12/1 and water returned to normal pool elevation in the Spring after ice out). Mr. Waterman attached 2 documents: (1) the current OOC and (2) JOINT GUIDANCE ON PERMIT TOLLING FOLLOWING THE END OF THE STATE OF EMERGENCY EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT (6/14/2021).

- 12/6/2022 - Mr. O'Coin sent a follow up email to Mr. Mr. Jacob Charette with the USDA regarding previous email sent on 11/28/2022.
- 12/6/2022 - Mr. O'Coin sent an email to Mr. Faulk from Mirick, O'Connell, DeMallie & Lougee, LLP regarding a question pertaining to tax collections to the Town of Leicester on the parcels of property taken by eminent domain by the district in September 2022. Follow up emails exchanged on 12/14/2022 and 12/16/2022 respectively.
- 12/15/2022 and 12/16/2022 - Mr. O'Coin exchanged emails with Jacob Charette from the USDA re: Loan Paydown.
- 12/16/2022, 1/19/2023 - correspondences between Mr. O'Coin and Nicolas George, Treasurer Collector, Town of Leicester and Linda Berisha, Town Assessor regarding imminent domain taking of Parcels 28-A18 and 27-B5. Moving forward, these parcels will be under tax exempt status as they are now owned by CMLWD.
- Correspondence between Terry O'Coin, CMLWD Treasurer and Dan Hanes regarding CMLWD Annual Audit. Mr. O'Coin has a follow-up meeting scheduled with Mr. Hanes at the end of this month.
- 1/23/2023 - Email communication between Mr. Lee and Anna Chase re: coordination of weed management treatments with Burncoat Pont. Treatments for CMLWD continue to be options. The management committee will review and discuss at the next monthly meeting.

Treasurer's Report

A Treasurer's Report dated 1/25/23 showed that the District had \$194,682.51 on deposit. \$21,128.80 was on deposit in the checking account. Of this amount \$111,529.00 was deposited in the Money Market account containing betterment payments. The report shows 2 interest payments of \$100.20 and \$100.51 and a \$500,000 transfer of funds to the Checking account for Jan 10, 2023 USDA Loan paydown. The report shows 5 payments; (1) \$1,930.56 to TRC Environmental Corporation for 2022 Aquatic Plant & Water Qual. Mon. & Reporting, invoice 565931, (2) \$7,000.00 to Elliot Tree for the dam tree cutting, (3) \$500,000 to USDA Rural Development-Loan principal paydown (app. Warrant 245 8/4/22), (4) \$350 to WDA Design Group for Dam Tree Cutting Engineering/Permitting, (5) \$190.96 to TRC Environmental Corporation for 2022 Aquatic Plant & Water Qual. Mon. & Reporting, invoice 571681. The report shows 1 deposit of \$500,000 which was the transfer of funds from the Money Market account to the Checking account for the USDA Loan Betterment paydown as reflected above. The dam stabilization account contains \$60,847.03. The report shows 2 interest deposits in the amounts of: \$7.50 and \$7.50. \$1,177.68 was in the stabilization account, with 13 interest deposits between January 2022 and December 2022 in the amounts of \$0.30, \$0.27, \$0.30, \$0.28, \$0.31, \$0.29, \$0.28, \$0.22, \$0.10, \$0.29, \$0.30, \$0.29, \$0.29.

Mr. O'Coin is requesting approval for warrant 249. A motion to approve the warrant by Mr. seconded by Mr. Carr and voted unanimously.

Tax Payment & Betterment Payment Updates

92 proprietors pay tax to the District. Between 11/11/2022 and 1/25/2023, Mr. O'Coin reported no additional tax or betterment collections for FY2023 received from the Town of Leicester to the CMLWD. There have been no other betterment payoffs.

USDA Rural Development Program Loan

As approved by the Proprietors at the Annual Meeting in May 2022, the outstanding principal on the District's USDA Rural Development Program loan used to fund the full cost of the eminent domain taking of the dam and land under the lake following the judgment in 2012 was paid down by \$500,000 on January 10, 2023. The remaining principal balance of \$1,119,100 was reduced to \$619,100. Mr. O'Coin estimated the principal payment of \$500,000 will save CMLWD proprietors \$405,191 in loan interest and allow the loan to be paid off 13 years earlier than previously scheduled (prior loan term was 40 years). The next annual loan payment is due in June 2023 in the amount of \$66,426 to reflect the updated remaining principal and re-calculated interest based on the timing of the paydown. The principal paydown was funded from the Betterment account using surplus funds collected over the past 10 years from property betterments being paid off when houses were sold, or proactively by proprietors.

Old Business

Lake Clarity & Level Management Update

Mr. Lee reports lake levels are high for this time of year. The winter precipitation has not been normal. It is unlikely lake levels will recede any time soon.

Dam Maintenance and Dam Crest

Mr. Lee reported the management committee will need to discuss the need for repairs to the dam crest in spring 2023 following the tree cutting operations that were completed in December 2022. Repairs would include filling holes and reseeding areas in the areas identified on the crest of the dam and near the walls.

Weed Treatment & Water Quality Monitoring

Mr. Lee requested the management committee review the report from TRC for discussion at the next management committee meeting in February. The report is also available for proprietor review on the district website.

Tree Cutting Progress

Mr. Waterman reported tree cutting completed by Elliot Tree on 12/2022. Large trees were removed from the face of the dam and within 20 ft. of the dam. There were two trees in particular that were a threat to the dam which have now been removed; one large tree was blocking the low level outlet and the other was hanging low into the edge of the river, both blocking flow from the dam. Clean up remains of downed trees, as wood and stumps will need

to be pulled out. Logistically, Mr. Lee this operation would prove difficult at this time of year given slippery terrain, mud, and high water levels.

New Business

Mrs. Spratt gave an update regarding the new Commonwealth of Massachusetts Ethics Commission tracking system. CMLWD Management Committee members will be updated and provided access as soon as possible. The Management Committee members completed the Conflict of Interest Law training in Fall 2022. Certificates of completion are retained with the clerk for tracking purposes until the new tracking system has been confirmed with the state.

Executive Session

The regular meeting of the management committee was not recessed for an executive session.

Next Meeting

The next regularly scheduled meeting of the Management Committee was scheduled for 7:30 P.M. on Wednesday, February 15, 2023 by Zoom Meeting.

Adjournment

A motion was made by Mr. Lee, seconded by Mr. Waterman and voted unanimously to adjourn the meeting. The meeting adjourned at 8:09 P.M.

A True Copy Attest:

Jillian Spratt, District Clerk