

**Cedar Meadow Lake Watershed District
Minutes of Management Committee Meeting
February 1, 2012**

The meeting commenced at 7:40 P.M. at 1 Maple Glen Lane, Leicester.

In attendance: Paul Dufresne

Tommy Lee
Wayne Ridley
Richard Johnston, Clerk
Terence O'Coin, Treasurer

Minutes of Previous Meetings

The minutes of the previous meeting were not, as yet, available for distribution.

Clerk's Report

Mr. Johnston stated that there was no new communications to report.

Treasurer's Report

Mr. O'Coin presented a Treasurer's Report dated 2/1/12 showing that the District had \$1,182.19 on deposit in the Commerce Bank. He reviewed the report and the list of receipts and payments made. Mr. O'Coin noted that he had transferred \$4,900 from the Stabilization Account to conform with the budget approved by the members at the Annual Meeting, and that the early withdrawal penalty was only \$11.99. He discussed the fact that, absent an approved line-of-credit, the District would be unable to pay any further bills until tax revenue started to come in March. He sought and received approval for Warrant #156.

Old Business

Draw Down Update:

Mr. Johnston reported that, as of 2/1, the lake was down only 28 inches below the spillway elevation. The siphons that were installed in December froze up at the outlet ends and stopped functioning in January. Although exposed to the formation of ice, no damage to the siphons was observed to date.

Dam Seepage:

Mr. Johnston reported that, there had been no further seepage through the dam near the gatehouse.

Dam Repair Plan:

Mr. Johnston reported that he had not, as yet, had further discussions with Fuss and O'Neill, although they issued an additional invoice in the amount of \$1,436. Fuss and O'Neill previously suggested that he talk with William Salomaa, director of the Office of Dam Safety to determine what the ODS would require concerning our dam repairs. He related a conversation with Mr. Salomaa, who stated that what we needed was a plan, specifications, and a permit. He made it clear that Fuss and O'Neill was a qualified engineering firm and that his office would not get involved in a dispute between the District and Fuss and O'Neill. Mr. Salomaa further recommended that the District seek proposals from other engineering firms.

Tax Package Approval:

Mr. O'Coin shared a copy of the recently approved tax package and discussed how pleased he was with how rapidly the DOR had approved his electronic filing of the package. The tax rate will be \$2.08 per \$1,000 of assessed evaluation. E-mails sent by Mr. O'Coin to the Principal Assessor and Tax Collector were immediately responded to, and he expected tax bills to go out very soon.

ConCom Approval:

Mr. Johnston reported meeting with the Conservation Commission on 1/25. He made a brief presentation with a hand-out to acquaint the members with the construction of our dam, and with current repair needs and plans. The Commission agreed to grant the District an Emergency Certification when requested. The Certification would be good for 30 days during which time the repairs would have to be completed. A 30 day extension could be granted if necessary.

Line-of-credit Denial:

Mr. Johnston advised that Commerce Bank, through its Senior Vice President, Tom Burton, decided not to renew the District's \$40,000 line-of-credit due to uncertainty regarding the outcome of the current judgement against the District. Absent a line-of-credit, and until such time as the District establishes and accumulates a working fund, the District cannot expend any funds pending receipt of tax revenue and will be limited to performing all work, and paying all invoices, during the third and fourth quarter of each year.

Mr. O'Coin performed some preliminary calculations that revealed the ability to fund all budgeted items after receipt of tax revenue in April, May and June. This included \$10,000 in the Reserve Account, \$9,700 remaining in the Legal Account, and \$6,000 remaining in the Dam Repair Account. There was discussion about the possible need to postpone dam repairs that would have to be funded out of the Reserve Account in favor of having the ability to pay higher than anticipated legal expenses. It was pointed out that this would translate to the need to hold water levels down all summer long. The cost of dam repairs is unknown at this time due to the uncertainty associated with engineering costs. Mr. Johnston agreed to pursue this matter with Fuss and O'Neill and Lenard Engineering in Auburn, and to pursue alternate sources of short term financing.

New Business

MACOLAP Winter Workshop and Future of District:

Mr. Johnston reported that he attended the Winter Workshop organized and presented by the Massachusetts Congress of Lake and Pond Associations in Worcester on 1/28. He attended sessions to gather more knowledge about weed and storm water run-off control as these subjects relate to the growing infestation of Fanwort in the northwest cove and the erosion of soil into the lake from Lakeview Drive. He explained that sitting through these and other sessions caused him to think about the future of the District when he is no longer the Clerk and dam caretaker. He asked the Management Committee to think about the future formation of a lake management committee to deal with weeds, a storm water management committee to deal with the run-off from Lakeview Drive, a finance committee to deal with future funding issues and the repayment of the debt associated with the judgement, and paying someone a stipend to periodically check and operate the dam.

Executive Session

A motion was made, seconded and voted unanimously to recess the meeting to conduct an

Executive Session to discuss pending litigation. The meeting was recessed at 8:00 P. M.

The Executive Session commenced at 8:01 P.M. and adjourned at 9:20 P.M..

Regular Session

The regular session of the Management Committee meeting reconvened at 9:20 P.M.

Next Meeting

The next meeting of the Management Committee was scheduled for Wednesday, March 14, 2012 at 1 Maple Glen Lane, Leicester.

Adjournment

A motion was made, seconded and voted unanimously to adjourn the meeting. The meeting adjourned at 9:21 P.M..

A True Copy Attest:

Richard D. Johnston
District Clerk