

**Cedar Meadow Lake Watershed District  
Minutes of Management Committee Meeting  
March 13, 2014**

The meeting commenced at 7:45 P.M. at the Leicester Police Department's Community Room.

In attendance: Tommy Lee  
Wayne Ridley  
Richard Johnston, Clerk  
Terence O'Coin, Treasurer  
Michele Cospers, District Member

Minutes of Previous Meetings

Minutes of the previously distributed January 16, 2014 Management Committee meeting were offered for approval. A motion was made, seconded, and voted unanimously to accept the Minutes as written.

Clerk's Report

See attached memorandum dated March 13, 2014 for Clerk's communications for the period 1/16/14 through 3/13/14. Mr. Johnston summarized and highlighted some of these communications.

Treasurer's Report

Mr. O'Coin presented a Treasurer's Report dated 3/13/14 showing that the District had \$174,766.89 on deposit in the Spencer Savings Bank. Financial account activity since the last Management Committee meeting on 1/16/14 included the receipt of two betterment/tax revenue checks from the Town in the amounts of \$71,708.49 and \$13,707.46, the payments of a \$4,269.33 invoice to Lenard Engineering, \$15,259.72 to R. H. White Construction, both for dam repair work, and payment of a \$2,250.00 invoice to Scanlon and Associates for annual audit work. The dam engineering and repair work came in within budget.

There was discussion about the need to segregate betterment revenue from tax revenue. Mr. O'Coin agreed to segregate future Treasurer's Reports. He further agreed to investigate the possibility of setting up separate accounts at the Spencer Savings Bank. He stated that both betterment and tax collections were doing well. Of the approximately \$85,400 received from the Tax Collector's office, approximately \$8,800 was tax revenue. Approximately 90% of scheduled betterment payments have been made. More than enough has been collected through advanced payments and scheduled annual betterment payments to make the first \$84,835 USDA loan payment due in June.

Mr. O'Coin reported that the free cash certification has been completed and that approximately \$5,000 would be available to reduce the need for tax revenue in the upcoming budget period. He also stated that the annual audit had been completed, and that there were no issues or irregularities. For the first time, an additional audit was performed as required by the USDA.

Auditor Dan Haynes raised a question with respect to repayment of the USDA loan. The loan repayment schedule assumes that all members with outstanding betterment balances will make timely scheduled payments including interest. Betterments that were paid in full following the loan closing will not generate interest revenue. The impact of this will have to be thought through. The 1% interest premium paid by members with outstanding betterment balances, along with interest earned on investment of pre-paid betterments, will be necessary in the long run to continue to make timely USDA loan payments.

There was discussion about the elimination of the need for a line-of-credit in lieu of tax revenue

loan and the ability to allow the District's anonymous sponsor to remove the restrictions on the funds that serve as a guarantee of loan repayment by the District. Mr. O'Coin planned to contact the Spencer Savings Bank to discuss using District funds on deposit to either borrow against or to guarantee future lines-of-credit.

### Old Business

#### Lake Level Management:

Lake level since the last Management Committee meeting has been successfully controlled with the open emergency spillway channel. It was recognized that there will be times when rising water levels will make it necessary to cut through the ice to open the low level outlet. It was further recognized that members of the Management Committee will not always be available to do this. It was agreed that it would be a good idea to have a local contractor trained and available to do this upon request. Mr. Johnston agreed to contact Antanavica Construction.

#### Annual Meeting Preparation:

It was agreed that the Annual Meeting would be held beginning at 7:30 P.M. on Thursday, May 22. Mr. Johnston agreed to contact the Knights of Columbus to secure this date. Norman MacLeod agreed to serve as moderator. Mr. Johnston suggested that Selectman Doug Belanger, a candidate for State Representative might also be interested. Doug is the moderator for the Burncoat Pond Watershed District Annual Meetings. Mr. Johnston agreed to contact Mr. Belanger.

The ESS Group sent Mr. O'Coin Powerpoint slides showing the results of their weed survey. These, along with photographs of dam repair activity, will be presented at the Annual Meeting.

#### Record Retention Update:

Mr. Johnston reported progress to-date to cull out dated District correspondence. He also discussed the probable need to retain certain documents that do not have to be retained legally, but have long term value to the District. These will be discussed at a future meetings.

#### Succession Planning:

Mr. Johnston discussed reducing the volume of District records to be passed on to the new District Clerk. There was discussion about transferring data electronically. Mr. O'Coin offered to provide back-up storage software. State record retention regulations require the permanent retention of minutes of meetings. Mr. O'Coin pointed out that a lot of these minutes can already be found on the District's website in lieu of retaining paper records.

There was discussion about pursuing a e-mail address for the District, rather than to use the Clerk's personal e-mail address to conduct District business. Mr. O'Coin agreed to look into this.

### New Business

#### Emergency Action Plan and O&M Manual:

Mr. Johnston discussed the need to modify the District's Emergency Action Plan (EAP), and dam Operations and Maintenance (O&M) manual. Mr. O'Coin agreed to update the EAP emergency contact flow chart. Changes to the O&M manual were agreed to, including substituting Management Committee members for the District Clerk in certain functions.

#### MA Fish & Wildlife Draw Down Concerns:

Mr. Johnston discussed an article he read in the Worcester Telegram in which MA Fish and Wildlife officials were quoted as being in opposition to annual lake and pond draw downs that interrupt shallow water spawning. Their concern was twofold. First, it was important that lakes and ponds be refilled before April 1, the start of the annual spawning period. Our lake is ordinarily full by April 1. Second, some species lay their eggs within weedy areas in shallow waters, and draw downs kill the weed population in shallow water. Given that the lake has an abundant and healthy fish population, and that draw downs have been done for many years, the absence of weeds in shallow waters does not seem to be a concern on our lake. Mr. Johnston nonetheless cautioned the Management Committee to possible future efforts to stop lake draw downs.

Land Below Dam:

Mr. Shea has not responded to Attorney Gorman's efforts to begin negotiate the purchase the land below the dam.

Dam Crest Landscaping:

The dam crest needs to be capped with loam following construction. There has been previous discussion about securing the services of another contractor to mow and trim the dam crest. Mr. Lee agreed to contact a reliable contractor.

#### Next Meeting

The next regularly scheduled meeting of the Management Committee was scheduled for 7:30 P.M. on Thursday, April 10, 2014 in the Leicester Police Department's Community Room.

#### Adjournment

A motion was made, seconded and voted unanimously to adjourn the meeting. The meeting adjourned at 8:57 P.M.

A true Copy Attest:

Richard D. Johnston  
District Clerk

**Cedar Meadow Lake Watershed  
Memorandum**

**Date:** March 13, 2014  
**Subject:** Clerk's Communications  
**To:** Management Committee  
**From:** District Clerk

District Clerk Richard Johnston reported the following communications for the period January 16, 2014 through March 13, 2014. This memorandum will be attached to the March 13, 2014 Management Committee Meeting minutes:

- 1/17 e-mail from Clerk to Attorney Gorman seeking tax ID number.
- 1/18 exchange of e-mails between Clerk and Treasurer regarding posting of Action Plan on website
- 1/18 e-mail from Treasurer to DOR covering financial documents in pursuit of "free cash certification"
- 1/20 Mailing of Minutes of 1/15 Management Committee meeting to Management Committee
- 1/20 Note from Clerk to Michelle Cospers covering Minutes of 1/15 Management Committee
- 1/20 Note from Clerk to Thomas Forsberg covering Minutes of 1/15 Management Committee
- 1/24 Exchange of e-mails between Clerk and member Tom Forsberg regarding Annual Meeting availability
- 1/29 Exchange of e-mails between Tommy Lee and Clerk and Management Committee regarding lake level management
- 2/7 e-mail from Treasurer to Clerk covering communication between Attorneys Nickless and Egan advising that 1096 and 1099 forms had been sent out
- 2/7 Exchange of e-mails between Clerk and member Mark Hobson regarding lake level management
- 2/7 Letter from Clerk to District members regarding tax deductibility of betterment payments
- 2/8 e-mail from Clerk to ESS Group requesting
- 2/9 e-mail to member Mark Hobson providing requested update concerning betterment payments

- 2/9 e-mail from Treasurer to Management Committee covering breakdown of betterment payments to-date
- 2/11 e-mail from member Dave Carlson to Clerk stating that his tax accountant concluded that only the maintenance cost portion of the betterments were tax deductible
- 2/13 e-mail from Clerk to Management Committee announcing 2/13 meeting cancellation due to snow storm
- 2/14 e-mail from Treasurer to Clerk including Federal acknowledging receipt of audit report
- 2/15 e-mail from Clerk to Management Committee regarding need to postpone next meeting to 3/13
- 2/20 Exchange of e-mails between Clerk and Treasurer regarding missing invoices
- 2/20 e-mail from Clerk to auditor Dan Haynes providing new mail address
- 2/22 e-mail from Clerk to Treasurer regarding invoices sent to old mail address
- 2/22 e-mail from Clerk to Lenard Engineering providing correct mail address
- 2/27 Exchange of e-mails between Clerk and member Mark Hobson regarding District taxes and exempt community beaches
- 2/28 e-mail from ESS Group announcing change of address