

Cedar Meadow Lake Watershed District

www.cedarmeadow.org

- Newsletter -

April 2011

Mark Your Calendar Now

... and plan to attend the **Annual Meeting** of the Cedar Meadow Lake Watershed District at the **Knights of Columbus Hall, 99 Mannville Street, Leicester at 7:30 P.M. on Wednesday, May 18, 2011.**

If you cannot attend, please consider voting by proxy to help ensure that there is a quorum at the meeting. Enclosed please find a proxy form for this purpose. If you have any questions or need assistance with the form or the proxy voting process, please do not hesitate to call one of your elected officials listed at the end of this newsletter.

Your Participation In The District Is Important

Your elected officials have been actively involved in the management of the lake and dam, and in seeking the best possible outcome regarding the outstanding lawsuit and judgement. We, as District members, are rapidly approaching the time when some critical decisions will have to be made concerning repairs to the dam and the judgement against the District. Your opinions and concerns need to be heard by your elected officials and by your fellow District members.

Law Suit Update

Central Water District Associates ("CWDA") sought higher than statutory interest rates at the time of the trial in 2009. The trial judge, Judge McCann, bifurcated the interest matter from the main trial with the understanding that a separate trial would be conducted to decide the interest rates to be applied to any jury verdict amount. If CWDA is successful in this effort, as much as \$700,000 could be added to the judgement. At the conclusion of the main trial our attorney, Ernest DeSimone, sought and was granted a "summary judgement" concerning the interest issue, meaning that there would be no trial to decide this issue. CWDA appealed Judge McCann's ruling. Legal briefs were entered by both sides and oral arguments were made before the Massachusetts Court of Appeals in February 2011. A ruling is expected later this year.

An earlier attempt by CWDA to collect the \$1.1 million judgement was opposed by the District and rebuffed by the Court. The Court concluded that the judgement, without interest, could not be collected until CWDA's appeal of the summary judgement is decided.

Weather Did Not Cooperate With Draw Down

In addition to the spillway, lake water levels are controlled at the dam through the use of the spillway channel and low level outlet. These facilities have limited capacities that at times cannot keep up with heavy rain and melting snow and ice. The goal of the fall draw down is to reduce water levels 60 inches below the spillway for weed control and dam repair purposes. Heavy rain this past fall and early winter prevented this from happening. Both the low level outlet and spillway channel were wide open from the first week in October through January 26 when the low level outlet was closed for the Winter. During this period, the lake level came down only 36 inches.

The goal of the draw down is also to maintain water levels at between two and two and one half feet below the spillway for the remainder of the winter to minimize ice damage to shoreline structures. The water, and ice cap, level was successfully maintained at approximately 32 inches below the spillway through the open spillway channel through January and February. The low level outlet was opened on March 1 when the lake water level was approximately 25 inches below the spillway. Heavy rain, along with snow and ice melting, again, outstripped the capabilities of the spillway channel and low water outlet, and caused the water level to increase more than two feet in just eleven days. Water began to flow over the spillway on March 12.

Unusual weather and ice conditions continued. During March, the ice cap melted around the shoreline and in the shallow coves, but the ice cap out in the middle of the lake, measured at 32 inches thick during the fishing derby on February 12, remained intact and was pushed by high winds up against the east shoreline. Large chunks of ice were driven up onto the shoreline, and several docks left in during the winter were damaged.

Updates and Reminders

Tax Bill Reminder: The second of two District tax payments is due May 2nd.

District Website: Go to www.cedarmeadow.org for the latest district news.

Ski Club: The Meadow Lake Skiers will, again, offer instructions to novices and first class pulls to slalom course veterans this summer. For more information please contact John Moisan at 508 892-8043 or Moisan_J@charter.net.

Your Elected Officials Want To Hear From You

If you have any questions or concerns regarding the lake and dam, please contact one of the following elected officials:

Paul Dufresne, Management Committee	508 892-0173
Tommy Lee, Management Committee	508 892-3750
Wayne Ridley, Management Committee	508 892-8684
Dick Johnston, District Clerk	508 892-1203
Terry O'Coin, District Treasurer	508 347-6863

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Please Be Represented At The Annual Meeting