

Cedar Meadow Lake Watershed District

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- Newsletter -

June 2011

Annual Meeting Results

The Proprietors of the District attended the Annual Meeting of the District at the Knights of Columbus hall at 7:30 P. M. on Wednesday, May 18, 2011. Fifty-six percent of the Proprietors were represented in person or by proxy. Norman Macleod served as Moderator. Thank you Norman!

Election of Officers

Dick Johnston of 1 Maple Glen Lane was elected to his eighteenth one year term as Clerk. Terry O'Coin of 6 Lake Shore Drive was elected to his fifteenth one year term as Treasurer.

Wayne Ridley of 39 Lakeview Drive was elected to his sixth three year term as a member of the Management Committee. Wayne joins Paul Dufresne of 47 Fairview Drive and Tommy Lee of 61 Fairview Drive on the three member Management Committee. Following the Annual Meeting, the Management Committee met to elect their officers for the following year. Paul Dufresne was elected Chairman and Tommy Lee as Vice-Chairman.

2010 - 2011 Results

The Management Committee summarized their activities since the last Annual Meeting. Routine maintenance on the dam, in the form of grass cutting, was completed as planned, and Jeremy Lloyd of 1 Lakeview Drive put a new roof on the dam gatehouse at his own expense. Thank you Jeremy. * The trees below the dam were not cut as required by dam safety regulations because Raymond E. Shea, Jr., the owner of the land below the dam continues to refuse to allow the District access to this land to cut trees. * The goal to make repairs to stop water leaking through the dam was incomplete. Work was successfully performed to stop two of four significant leaks. However, additional new leaks appeared in the Spring when the lake was refilled. Geological borings were performed as part of the repair work that revealed the physical make-up and water content of that portion of the dam where the leakage is occurring. The members were shown a slide that depicted the construction of the dam and the findings of the geological boring work. * The goal to control weed growth through the annual draw down was incomplete because Fall and early Winter rainfall exceeded the capabilities of dam facilities to release water. Although the low level outlet and spillway channel were wide open from the first week in October to the end of January, the water level in the lake came down only three feet, rather than the planned five feet. The goal to keep the ice cap and water level down to minimize damage to shoreline structures was also not realized. The water level in the lake was successfully maintained at approximately 32 inches below the spillway elevation in February and part of March. However, heavy rainfall and ice and snow melt caused the ice and water level to rise 23 inches in just nine days in March when the water release facilities were, again, wide open. Strong winds blew the ice cap against the east shoreline and several docks that were left in during the winter sustained damage. * Water quality monitoring continued. Wayne Ridley collected samples and member Mike Dupuis performed the analyses. This monitoring revealed that the measurements of Total Phosphorus, a nutrient that promotes weed and algae growth, were well within acceptable levels, bacteria counts were extremely low, and water clarity continued to be very good. Thank you Wayne and Mike. * \$245 in voluntary contributions were collected from non-abutter neighbors to the lake through the "Friends" program annual solicitation. This was down about \$100 from previous years. * Jeremy Lloyd of 1 Lakeview

Drive donated the \$500 net proceeds of his first annual ice fishing derby to benefit the lake. Thank you Jeremy. * Communications with the members of the District continued through newsletters and the District's web site.

Budgeting

Actual expenses through May, plus pending expenses through June 30, 2010, are expected to be \$69,800. A renewal of the \$40,000 line-of-credit loan was approved by the members. In the interest of simplicity, the budget figures shown below do not include loan borrowing and repayment. Members attending the Annual Meeting approved a budget for the July 1, 2010 - June 30, 2011 period (FY2012) calling for \$48,100 to be raised through taxation. This is up from the \$33,600 approved in the FY2011 budget due to the need to pay legal expenses carried over from the last budget period and an additional \$10,000 to engage the services of an engineering firm to provide expertise and guidance with respect to repairing and maintaining the dam. \$4,900 was transferred from the Stabilization Account to minimize District taxes.

Action Plan

The members approved the 2011 - 2012 Action Plan which has been attached for your review.

Law Suit Update

Central Water District Associates ("CWDA") currently has a judgement against the District in the amount of \$1.6 million. CWDA is attempting to increase this through higher interest rates than statutorily allowed. The summary judgement decision by the trial judge regarding the interest issue was appealed by CWDA. Legal briefs were submitted, oral arguments by both sides were heard by the MA Court of Appeals, and a decision is expected soon. A decision in favor of CWDA could result in an additional jury trial to decide the interest issue. A decision in favor of our District would end court action. The District has consulted with a bankruptcy attorney. Members of the Stiles Reservoir and Burncoat Pond districts have voted to pay their judgements, and are seeking long term financing through the U. S. Department of Agriculture. The amount of the current judgement and interest against our District, even when spread out over an extended period of time, is greater than the average member can afford to pay. A factor that must be taken into consideration is the need for these same members to pay the costs of maintaining and repairing a 150 year old dam. Your Management Committee and legal counsel will continue to pursue this matter in an effort to achieve the best possible outcome. When all the appeals and trials are ended, CWDA will seek to collect the judgement and interest. No money will change hands until the District members vote to do so. A Special Meeting of the District will be called at some future date to vote on whether to finance and pay the judgement.

Boating and Swimming Safety Reminder

Boaters, it is illegal to operate a vessel at any speed within **150 feet** of shorelines used as swimming areas, rafts, floats and swimmers. **Swimmers**, MA law states that no person shall swim or float more than **50 feet** from shore unless accompanied by a boat. MA water craft regulations also state that **no craft may operate faster than 10 miles per hour between the hours of sunset and sunrise. Powered craft must display running lights and unpowered craft must carry flashlight or lanterns.**

To review the full text of MA Boater Safety Handbook go to www.boat-ed.com/ma/handbook/

Have a Safe and Fun-filled Summer