

# A Modern Framework for Lake Wyola Advising

Formalizing the Lake Wyola Advisory Committee (LWAC)



PRESENTED BY HAYLEY BOLTON, TOWN ADMINISTRATOR • JULY 7, 2026

TOWN OF SHUTESBURY



# A Brief History of Lake Advisory

Timeline: 1991 to 2017

## 1991 – Ad-Hoc Foundation

- **Initiated:** Proposed March 4, 1991, to study watershed protection, road safety, and septic management.
- **Organized:** Formally adopted July 20, 1991, to preserve natural values.
- **Structure:** 3 to 5 members selected directly from the private LWA roster.

## 2017 – Scope Expansion

- **Expanded Scope:** Select Board voted May 16, 2017, to include water quality and dam safety oversight.
- **Merger:** Integrated Dam Management Committee (DMC) into LWAC.
- **New Roster:** Added Fire Chief and Dam Keeper (total 11 members).



# Why the Ad-Hoc Status Must Evolve

## Current Governance & Administrative Challenges

### Unvoted Structuring

The committee roster historically grew to a 12th seat over time without an official, recorded enabling vote of the Select Board.

### Legal Protections for Staff (M.G.L. c. 268A, § 19)

Active town employees cannot vote on public bodies regarding matters affecting the financial or operational interests of their own departments. Voting on expenditures exposed our Fire Chief and Dam Keeper to conflict-of-interest liabilities.

### Public Accountability Boundaries

A formal town committee cannot have seats explicitly designated or appointed by a private non-profit entity. To protect public integrity, all voting members must be vetted and appointed directly by the Select Board.



# Defining the Advisory Role

## What It IS

- A technical resource for the Select Board
- A forum for inter-board communication
- A body focused on long-term environmental health and dam operations
- A research-driven group providing formal recommendations

## What It IS NOT

- An autonomous decision-making body
- An enforcement or regulatory agency
- A group with spending or taxing authority
- A platform for non-watershed community disputes



# Authority vs. Influence

## What It IS

- A public forum for community research, comprehensive data collection, and citizen feedback.
- A formal channel to gather neighborhood expertise and pass structured, non-binding recommendations up to the Select Board.

## What It IS NOT

- The LWAC is strictly an advisory body with **zero independent regulatory, enforcement, or independent budgetary authority.**
- It cannot pass town laws, enact mandates, assess fines, or unilaterally alter town property rules.

**An advisory committee has no power to enforce its own policy preferences; its sole output is advice to executive town leadership.**

# Addressing the "Minority Agenda" Anxiety

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## THE CONCERN RAISED:

*“Hypothetically, could a minority agenda gain a voting block on the LWAC and do X (for example: vote to restrict or eliminate boating on Lake Wyola?)”*

## The Legal Reality: No.

### Zero Regulatory Power

Even if a minority agenda captured a majority of the LWAC and voted to eliminate boating, that vote carries zero legal or enforcement weight. It remains a non-binding opinion.

### Jurisdictional Limits

Regulating great ponds and motorized watercraft falls strictly under state jurisdiction (Environmental Police, MassWildlife) and town-wide legislative approval at Town Meeting.

### The Appointment Filter

The Select Board’s standardized public application and interview process acts as an intentional filter to ensure balanced representation and prevent single-issue agenda capture.

# Where True Decision-Making Authority Sits

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## The Select Board

Holds executive policy authority, controls committee charges, and makes all final municipal board appointments.

## The Board of Health

Holds independent regulatory power over public health, contamination tracking, and beach closures.

## Conservation Commission

Enforces the Wetlands Protection Act and handles regulatory oversight of shoreline erosion and environmental protection.

## Town Meeting

The ultimate legislative body. Any major local restriction or structural change to town bylaws requires a legislative vote of registered citizens.

**Shutesbury Municipal Structure: Power is Distributed, Not Concentrated.**

# Preserving the Public Voice

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## THE CONCERN RAISED:

*“If the committee structure changes, will lake residents and non-resident property owners lose their voice in town government?”*

## The Administrative Reality: No. Access and Influence Extended to All Stakeholders.

### Direct Access to the Select Board

**Public Comment:** Open comment at the start of every regularly scheduled meeting.

**Direct Correspondence:** Email or mail the full Board at any time.

### The Town Administrator’s Office

**Open-Door Policy:** Year-round liaison for concerns, infrastructure, or guidance.

**Record Integrity:** All communications are legally preserved under Public Records Law.

### Avenues Within the New LWAC Framework

**Open Meetings:** Publicly posted and conducted openly for any resident to attend.

**Standardized Participation:** Transparent opportunity for any stakeholder to apply for voting seats.

**The Bottom Line: Your Voice is Constitutional, Not Committee-Dependent.** Every taxpayer—regardless of voter registration status—retains full, legally protected channels to shape Shutesbury policy.

# Composition of a Modernized, Standing Board

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Functional Block	Ad-Hoc Structure	Proposed Framework	Operational Impact
Town Board Seats	<b>4 Voting Seats</b> • Select, Planning, BOH, ConCom	<b>5 Voting Seats</b> • Select, Planning, BOH, ConCom • <i>Added: Recreation Comm.</i>	Broadens inter-departmental town coordination on lake assets.
Town Staff & Experts	<b>3 Voting Seats</b> • Fire Chief, Dam Keeper, Resident Expert	<b>3 Advisory Seats</b> • Fire Chief (Non-Voting) • Dam Keeper (Non-Voting) • Technical Expert (Non-Voting)	Preserves staff expertise while removing conflict voting risks under M.G.L. 268A.
Community Residents	<b>3 to 5 Seats</b> • Appointed straight from private LWA roster.	<b>4 Voting Seats</b> • 3 Watershed Residents • 1 At-Large Resident	<b>Fairness:</b> Guarantees dedicated watershed representation via an open public process.
<b>Total Voting Body</b>	<b>11–12 Members</b>	<b>9 Members</b>	Establishes an efficient, odd-numbered body to ensure a reliable quorum.



# Safeguarding the Committee's Future

- **Guaranteed Proportionality:** The new draft charge permanently locks in dedicated watershed seats, ensuring the neighborhood cannot be diluted or locked out of the conversation, while opening an opportunity for an at-large community member.
- **Institutional Resilience:** Moving to staggered 3-year terms ensures steady, long-term expertise that outlasts shifting appointment cycles.
- **Interlocking Directorship Safeguards:** Active officers or directors of any private lake-related 501(c)(3) are capped at a maximum of two voting seats on this public board to maintain absolute municipal independence.

**NEXT STEPS:** Collaborative feedback loop during tonight's joint meeting to finalize the permanent standing charge for final Select Board adoption.

# The Transition Roadmap



1

## July 7th

Joint Public Meeting: collaborative draft review, community feedback collection.

2

## Late July

Application Opening: standard town application opened for all 9 voting seats.

3

## August

Select Board Votes: formal reviews and appointments of the standardized board.

4

## September

Standing Kickoff: required conflict-of-interest training and first official session.

**STRATEGIC GOAL:** To establish a transparent, inclusive, and legally robust governing body for Lake Wyola that ensures long-term environmental and community protection.

# Questions & Discussion

The Town is committed to preserving Lake Wyola's legacy and protecting the dedicated volunteers and municipal staff who keep it clean, safe, and accessible.

**Hayley Bolton, Town Administrator**

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