

Meeting Minutes

Committee or Board:

Lake Wyola Boating and Safety Review Committee

Meeting Time, Date, Location:

6:30 PM, Wednesday, January 29, 2025, online via Zoom

Attendance of Members:

Matt Borowiec, Chair	Present	Christine Brassil	Present	David Green	Present
Amy Lehane	Present	Judy Rimmel	Present	Mark E. Rivers	Present
Kathy Salvador	Present	Tom Siefert	Present	Alexandria Windcaller	Present

Attendance of Ad Hoc Members:

Fire Department Representative	Present: Leonard Czerwonka, Fire Chief	Police Department Representative	Present: Kristin Burgess, Police Chief	Environmental Police Representative	Absent
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Guests in Attendance: Numerous members of the public, Names of people who spoke are indicated.

Michael Kyrtschenko	Amy Lehane	Carol Samuels J's iPad
Briggs/Lehane	Tracy McNaughton	Glenn Stockton
Roberta's iPhone	Evan- Sam's Dad	Mark Rivers
Clint Kleciak	Mary Ann Poirier	DaveyD
MaryJo Johnson	Chad Grybko	Chris Cummings
Ron Essig	Lauren Grybko	Jeff Pickering
Lynda Grybko	Grace Bannasch	Liz Good
Howard Kinder	Meaghen Mikolajczuk	Jean Perkins
George Abdow	Ted	Judith Wells
Bob Douglas	Rory Miller	Mary David
Miriam DeFant	Jennifer Wallace	Celeste
Rob Kibler	Rita Farrell	Steven Mikolajczuk
Mike Stotz	Ryan Z	John Gorey
Bart's iPad Pro 11" year 2021	Paul's iPad	Gary West
acman009	kim	Samsung SM-X610
Chris Zman	Sandy/Nick Yarmac	Lidia M. Michols
Ruth Paradise	syarmac51@gmail.com	Gillian Fahmy
Terry Bernard	Melissa Makepeace-O'Neill	

Note: The following Meeting Summary was prepared with the Artificial Intelligence feature on Zoom.

Meeting Summary for Lake Wyola Boating & Safety Committee

Jan 29, 2025 06:19 PM Eastern Time (US and Canada) ID: 838 7635 9344

Quick recap

The committee discussed various topics including the enforcement of bylaws, the need for better signage and awareness around swimming areas, and the potential conflicts between town bylaws and state laws. They also addressed a complaint filed regarding a violation of the Massachusetts open meeting law during a meeting, and decided to move forward with approving minutes and continuing their work. The conversation ended with the proposal of hosting a listening session or open forum for everyone to voice their concerns and questions.

Next steps

Matt to respond to the open meeting law complaint by the end of the day.

Tom to prepare minutes for the December 11th meeting.

Tom to send the approved November 26th minutes to the town for posting.

Matt to follow up with the Select Board about potentially hosting a public forum on Lake Wyola issues.

Chief Burgess to help establish communication with environmental police and DCR representatives to serve as resources for the committee.

Chief Burgess to work on a rough budget estimate for lake safety services and officer training.

Chief Burgess to get data on comparable lakes' speed limits and share the source with the committee.

Matt to update the agenda for the February 12th meeting based on whether the Select Board will host a public forum.

Police department to implement a rotating schedule for lake patrols once officers complete boating safety training.

Summary

Addressing Letters and Open Meeting Law

Matt initiated the discussion and shared the agenda, which included addressing letters received, discussing enforcement, and reviewing the minutes from the previous meeting. Tom was tasked with gathering all the letters received and compiling them into one document for the minutes. The committee also discussed the open meeting law complaint and the minutes from the November 26th meeting. The conversation ended with the Chief joining the discussion, who expressed her appreciation for the questions submitted and her intention to address them.

Addressing Lake Wyola Community Concerns

The Chief expressed concerns about the divide in the community, particularly regarding Lake Wyola. She suggested that the Select Board host a listening session or open forum for everyone to voice their concerns and questions. The Select Board agreed to consider this proposal. The committee's charge was clarified, with the understanding that their recommendations would still go to the Select Board. The conversation ended with the decision to proceed with the proposed open forum, with the Select Board to decide on the format.

Improving Lake Wyola Reporting Process

The Chief discussed the best ways for residents to report erratic behavior at Lake Wyola, emphasizing the importance of contacting dispatch for timely responses. She also suggested the use of the non-emergency line to dispatch Shelburne control dispatch and the 911 call for emergencies. The Chief proposed the idea of better educating the public through their website portal and the Lake Wyola website. She also expressed her reluctance to comment on the appropriateness of the bylaws until the committee had completed its charge. Lastly, she mentioned that she would be reviewing the logs to determine if there were any safety issues at the lake.

Lake Safety, Boat Ramp, and Enforcement

The Chief discussed her personal experiences at the lake, emphasizing the importance of proper safety measures and the need for a boat ramp. She mentioned an anonymous donor who is providing a boat ramp and dock and expressed her intention to use the ramp frequently. The Chief also clarified that the Environmental Police (EPO) only enforces Massachusetts boating laws, not town bylaws, and would be present on the lake as needed. She also mentioned the use of a handheld radar device for speed measurement and the importance of estimating speed based on conditions. Matt asked about the plan for boat usage and enforcement, to which the Chief responded that she would use the boat as often as needed and that the EPO would assist if necessary.

Policing, Education, and Boating Safety

The Chief discussed the importance of education in policing and the need for more inclusive signage at the lake. She also discussed the need for boating safety certifications for officers and the possibility of offering boating safety courses to the community. The Chief acknowledged the need for more resources and manpower to enforce bylaws effectively. She also discussed the need for better signage and awareness around swimming areas. The committee members raised concerns about the feasibility of enforcing bylaws and the need for more training for

officers. The Chief assured the committee that they have a stable department and are committed to working cooperatively with other departments to ensure safety on the lake.

Environmental Police vs Town Police

In the meeting, Ria sought clarification on the differences between an environmental police officer and a town police department, particularly in terms of their abilities to enforce laws on waterways. The Chief confirmed that both can enforce the same laws, but environmental police officers are more specialized in environmental protection and waterway laws. Ria also raised questions about the right of way laws for different types of watercraft, which the Chief acknowledged as less defined than automobile laws. The conversation ended with Tom requesting the Chief's assistance in establishing communication with the environmental police for their committee's needs.

Town Bylaws and Boating Safety Concerns

The Chief and the committee members discussed the town's bylaws and their potential conflicts with state laws. Jennifer Wallace raised a concern about a potential conflict between the town's bylaw and state law regarding the distance a boat must maintain from a swimmer or shore. The Chief suggested that the committee should finish their charge before she weighs in on the bylaws. Carol Samuels suggested adding a category for self-selected safety concerns to the data collection process. She also expressed concerns about the location for storing boats, suggesting it might not be ideal due to its proximity to a known violator of boating rules. Amy clarified that the town's bylaw aligns with state boating laws and doesn't conflict with them. Miriam Defant provided further clarification on the state's boating regulations, stating that they require motorboats to maintain a headway speed within 150 feet of swimmers and shorelines used as swimming areas.

Open Meeting Law Complaint Discussion

Matt discussed the open meeting law complaint filed by Tom Seifert regarding a technical issue during a meeting on 12/11/2024. Matt acknowledged that the meeting experienced technical difficulties at the beginning but stated that they were resolved by 6:30 and documented on the Town of Shutesbury website. He also mentioned that the meeting was delayed to accommodate the issues and all committee members and several public members attended.

The technical issue arose due to a last-minute change in the Zoom link, causing delays and disruptions. The committee members debated whether this constituted a violation of the open meeting law, with some arguing that the law does not require posting links to virtual meetings in the agenda. The committee then voted on whether to hold an executive session to discuss the process of the committee functioning, particularly in relation to the complaint. The motion failed. Matt plans to respond to the complaint, which needs to be filed by the end of the day.

Meeting Minutes and Open Law Complaint

The committee discusses the need to produce and approve meeting minutes, despite an ongoing open meeting law complaint. Grace Bannasch explains that the complaint, which has not yet been filed with the Attorney General's office, is unlikely to invalidate actions taken at the meeting in question. The committee agrees to move forward with approving minutes and continuing their work, rather than waiting for a potential response from the Attorney General's office, which could take several months. Christine emphasizes the importance of progressing with their educational initiatives, and the meeting is adjourned.

Record of Votes at Meeting:

1. Motion by Green to approve the minutes of 1/8/2025. Motion seconded by Salvador.

Vote:


Borowiec, aye	Brassil, aye	Green, not present	Lehane, aye	Rommel, aye
Rivers, present	Salvador, aye	Siefert, aye	Windcaller, aye	

- Motion passes (aye: seven, nay: zero, abstain/present: one)

2. Motion by Green: Go into Executive Session to discuss the OML complaint and the response.
Motion seconded by Rimmel.
First vote by Brassil: Nay.
 - Motion does not pass, as it must be unanimous. No other members voted on the motion.
3. Motion to adjourn at approximately 8:25 PM. by Rivers. Motion seconded by Salvador.
Vote:
Borowiec, aye Brassil, aye Green, not present Lehane, aye Rimmel, aye
Rivers, aye Salvador, aye Siefert, aye Windcaller, aye
 - Motion passes (aye: eight, nay: zero, abstain: zero) Meeting adjourns at 8:25 PM.


Documents used at meeting:

Slide Show by Borowiec

Click here:  Slide Show used by Borowiec - Meeting of LWBSC - Jan 29 2025.pdf

Or click here: https://drive.google.com/file/d/1grkJ_B_RBixg1UI_fGN-XDsZ4yRNxvYb/view?usp=sharing


Copy of Zoom recording of this meeting at:

Click here:  Lake Wyola Boating Safety Committee 1/29/25

Or click here:

<https://www.youtube.com/watch?v=s9fq9z1pXB0&list=PLUyASF8dRTxvgnq3XWapQMvgBT9WDGWR5&index=1>

Copy of unverified Zoom transcript of this meeting at:

Click here:  Zoom Transcript - Unverified - Lake Wyola Boating Safety Committee 1-29-2025.pdf

Or click here: https://drive.google.com/file/d/1hlcaG34_omW3zJVK36e70CcZ2EEJvQ39/view?usp=sharing

Copy of draft meeting minutes at:

Click here:  Draft Minutes 1-29-25 Lake Wyola Boating and Safety Review Committee.pdf

Or click here: <https://drive.google.com/file/d/1wZs5sFNusC0z08BNPjB1m4UVU9vXR18T/view?usp=sharing>

Link to Emails from the Public received by the Committee:

Click here:  LW Boating/Safety Review Committee - Emails received by committee

Or click here:

https://drive.google.com/drive/folders/18x_MeKyOZ55pQdkOf8L7jsHbZV4KX_Tq?usp=sharing

Minutes submitted by Tom Siefert, Secretary