

Town of Ayer Conservation Commission

Town Hall * One Main Street * Ayer, MA 01432 * 978-772-8249 * 978-772-8208 (fax)
Minutes for **3/21/2013** – Approved 3/28/2013

Location: Ayer Town Hall, 1st Floor

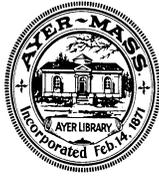
Members present: Bill Daniels (BD, Chair), George Bacon (GB, Vice-Chair), Takashi Tada (TT),
Jessica Gugino (JG, Clerk), Becky DaSilva-Conde (CA, Conservation Administrator)

Not present: Lee Curtis (LC)

APAC taped: Yes

7:30 PM – Open Meeting

- **Confirmation of Agenda**
 - Discussion of a comprehensive biological survey of the ponds was added to the agenda.
 - It was noted that the posted agenda included continuations of 7 NOI filings for Pingry Hill.
 - At the 3/14 ConCom meeting, these Public Hearings were continued to 4/11/13.
 - This item was therefore dropped from the agenda.
- **Meeting Minutes Approval**
 - GB moved to approve the minutes for 3/14/13 as corrected; TT 2nd.
 - Motion approved unanimously.
- **Accounts Payable**
 - Jessica Gugino: \$115, reimbursement for attending MACC Annual Conference on 3/2.
 - GB moved to approve payment of \$115 to JG; TT 2nd.
 - Motion approved unanimously.
 - Becky DaSilva-Conde: \$115, reimbursement for attending MACC Annual Conference on 3/2.
 - GB moved to approve payment of \$115 to CA; TT 2nd.
 - Motion approved unanimously.
 - Payment will be drawn from ConCom's line item for membership dues.
- **Discussion: Site Walks**
 - Site walks were tentatively scheduled for 3/23 for the NOI submissions for Pingry Hill and for 1 Barnum Road.
 - Both site walks are cancelled due to the significant snow coverage remaining on the ground.
 - ConCom will meet very briefly on 3/28, following the mandatory Open Meeting Law training session.
 - The purpose of this meeting will be to evaluate snow conditions and reschedule site walks for Pingry Hill and 1 Barnum Road.
- **Public Meeting: Proposals/Bids for 2013 Flannagan Pond Weed Treatment**
 - Three proposals and bids were received for treatment of Fanwort and Variable Leaf Milfoil on the 85-acre pond.
 - All three proposals were evaluated at length after which the bids were opened.
 - New England Environmental (NEE), Amherst, MA
 - As per the RFP, the proposal stated NEE would achieve a 90% eradication of targeted weeds.
 - The proposal agreed to record GPS-generated data points every 10 ft. or less.
 - NEE also said they would later transfer this information into GIS.
 - NEE's proposal said they would conduct a comprehensive vegetative analysis of the pond in June, and follow with the first whole pond treatment, using Sonar, in July.

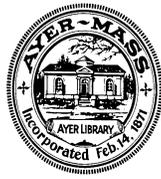


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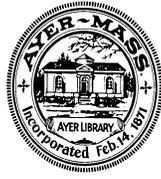
- A second bump treatment would follow, with a third if deemed necessary.
- The proposal mentioned the option of an additional treatment, using Reward, in September, depending on the density of remaining target plants.
- The proposal did not specify whether liquid or pelletized Sonar, or a combination of the two, would be used.
- The lateness of the survey and planned first treatment was highlighted as problematic.
 - Several members doubted that the 90% threshold could be met with treatment scheduled this late in the growing season.
 - It was also noted that NEE cited previous experience in weed treatment on ponds that were 11 acres, 4 acres, and 0.25 acres, none approaching the 85-acre size of Flannagan Pond.
- Asked to rate the NEE proposal, ConCom members responded:
 - GB Advantageous
 - TT Not Advantageous
 - JG Not Advantageous
 - BD Advantageous
 - CA Not Advantageous
- Lycott Environmental, Spencer, MA
 - Lycott's proposal stated they would achieve 90% eradication of targeted weeds.
 - The cover letter from Lycott President Will Stevenson questioned the use of GPS data points spaced at 10 ft. or less.
 - Mr. Stephenson estimated this would result in 36,000+ data points and said this was an unprecedented level of detail.
 - This led to a discussion in which it became apparent that ConCom members had differing interpretations of the RFP requirement for 'data points taken with GPS and spaced at 10 ft. or less'.
 - BD assumed this meant data points placed at 10 ft. or less intervals along the boundaries of treatment areas.
 - This was the kind of recording that ACT provided in its 2011 treatment of Sandy Pond and Pine Meadow Pond.
 - In contrast, TT and CA assumed the RFP referred to a point grid that covered the whole area of treatment.
 - BD noted that the distribution densities done for Houghton's Pond in Milton, included by Lycott as a sample of previous work, was in line with what he had been looking for.
 - The question was how their distribution lines were generated.
 - Lycott's proposal did not indicate when they would perform treatments, but it was noted that in their 2012 treatment of Flannagan Pond, the first treatment was done on May 15.
 - The proposal cited the use of both Sonar Genesis (liquid) and Sonar Q (pellet).
 - Sonar Genesis would be used to treat the whole pond (85 acres) in an initial treatment of 25 parts per billion (ppb), with two booster treatments at 12.5 ppb each.
 - Sonar Q would be used to treat approximately 5 acres of the pond at 10 ppb.
 - Three treatments with Sonar Q would be performed.
 - If necessary, follow-up spot treatment of Milfoil using Reward would be conducted.



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- It was noted that the report of Lycott's 2012 treatment of Flannagan Pond, included with the proposal as a sample of past work, still did not contain an explicit statement of having achieved 85 % eradication of targeted weeds per the 2011 RFP.
 - ConCom previously requested Lycott amend this final report to explicitly state whether that required threshold had or had not been met.
- Asked to rate the Lycott proposal, ConCom members responded:
 - GB Highly Advantageous
 - TT Advantageous
 - JG Advantageous
 - BD Not Advantageous
 - CA Advantageous
- Aquatic Control Technologies (ACT), Sutton, MA
 - ACT's proposal stated they would achieve the 90% eradication threshold.
 - GPS data points spaced at 10 ft. or less intervals would be employed.
 - ACT would use a combination of Sonar Genesis (liquid) and Sonar One (pellet).
 - Their timetable called for a pre-inspection of the pond in mid to late April.
 - An initial split treatment using Sonar Genesis and Sonar One would be aimed for late April or early May.
 - A second treatment would be scheduled for later May or early June.
 - A third treatment could be scheduled for late June or July if required.
 - Also if necessary, a contingency treatment using Reward could be scheduled for July or August.
 - ACT's proposal mentioned the lowering of the water level in Flannagan Pond in accordance with the East Main Street Spillway (Balch Dam) Guidelines.
 - Additionally, the proposal said ACT would temporarily block the inflow from Sandy Pond using sandbags.
 - ACT's proposal said they had done this in past Sonar treatments of Flannagan Pond.
 - Discussion followed as to whether this was an allowed activity, according to Mass DEP, under the Town's OOC for pond weed treatment.
 - TT wanted to know if the 90% threshold could successfully be attained without use of sandbagging.
 - Asked to rate the ACT proposal, ConCom members responded:
 - GB Highly Advantageous
 - TT Highly Advantageous or Advantageous, depending on ACT's response re sandbag use
 - JG Highly Advantageous
 - BD Advantageous
 - CA Advantageous
- Opening of the Bids and Evaluation
 - NEE's submitted bid was \$67,835, with an additional \$400/acre charge for follow-up treatments if deemed necessary.
 - Lycott's submitted bid was \$25,740.
 - If Lycott determined that a third treatment was not necessary, \$5100 would be discounted from the cost.
 - ACT's submitted bid was \$26,600, which included optional first and second boosters.



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- ACT's bid said the responsibility for discerning if an "Optional Second Booster Treatment" was required would be by "mutual agreement" between the Town and ACT.
- **Discussion and Follow-up**
 - Given the cost and questions about NEE's timing and experience, it was decided not to pursue NEE's proposal any further.
 - However, additional questions needed to be posed to both Lycott and ACT before a final decision would be made.
 - BD sent an email to Will Stevenson, of Lycott, asking the following:
 - A rough schedule of planned treatments, what month Lycott would start and when follow-up treatments would be performed.
 - A response to ConCom's questions about the 10 ft. spacing of GPS data points.
 - BD said the intention of the RFP was that the outline of the area to be treated be delineated using a GPS tool at 10 ft. intervals.
 - This should be done pre- and post- treatment.
 - BD asked for a response as to whether this kind of data collection was possible within the confines of Lycott's submitted proposal and bid.
 - BD sent an email to Dominic Meringolo, of ACT, asking the following:
 - ConCom did not recall agreeing to the use of sandbags in previous treatments of Flannagan's.
 - BD asked for a letter from Mass DEP indicating that this blockage, temporary or otherwise, is allowed.
 - If not, BD asked for an indication that the successful treatment of the pond, as per the rest of the proposal and bid, was still possible.
 - BD asked for a simple confirmation that the GPS data mapping of Flannagan would be performed in the manner documented by ACT in its 2011 treatment of Pine Meadow Pond.
 - ConCom will meet on 4/4/13 to discuss the responses to questions from Lycott and ACT, and to vote on the awarding of the contract.
 - BD asked CA to ask Town Administrator Robert Pontbriand to put the contract on the BOS agenda for 4/16 to vote on its approval.
- **CA Updates**
 - 186 Littleton Road
 - The soil pile has yet to be moved on Brent Routhier's property.
 - Conrad Donell said on 3/14 that he would have it done within 2 weeks.
 - 31 Central Avenue
 - CA has not yet been contacted by John Hillier, Trustee of Central Realty Trust.
- **Discussion: Comprehensive pond weed treatment survey**
 - Due to the lateness of the hour, this will be discussed further on 4/4.
- **10:45 PM – Adjourn Meeting**
 - GB moved to adjourn; JG 2nd.
 - Motion approved unanimously.