



Town of Ayer
Ayer Select Board
Ayer Town Hall – 1st Floor Meeting Room
Ayer, MA 01432

Broadcast and Recorded by APAC

April 18, 2023
Open Session Meeting Minutes

SB Present: Jannice L. Livingston, Chair; Shaun C. Copeland, Vice-Chair; Scott A. Houde, Clerk

Also Present: Robert A. Pontbriand, Town Manager

Call to Order: J. Livingston called the meeting to order at 6:00 PM. J. Livingston stated that this meeting/hearing of the Ayer Select Board will be held in-person at the location provided on this notice. Members of the public are welcome to attend this in-person meeting. Please note that while an option for remote attendance and/or participation via Zoom is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law. Members of the public with particular interest in a specific item on this agenda should make plans for in-person vs. virtual attendance accordingly. This meeting will be live on Zoom and Channel 8. The public may access the proceedings by joining Zoom (Meeting ID# 897 9080 0793) or by calling (929-205-6099).

Pledge of Allegiance: Select Board members and meeting attendees stood and recited the Pledge of Allegiance.

Approval of Meeting Agenda:

Motion: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting agenda.

Motion passed 3-0.

Announcements: J. Livingston announced that the Annual Town Meeting will take place on Monday, April 24, 2023 at 7pm in the Auditorium of the Ayer Shirley Regional High School. J. Livingston announced that the Town-wide Clean-Up will take place this Saturday, April 22, 2023 from 9am to 1pm. Volunteers should meet at Sandy Pond Beach.

Public Input: None.

J. Livingston asked if the Select Board had any objection to having the Update from Laurie Nehring before the Public Hearing since there is some time before the Hearing can be called. The Select Board had no objection.

Update from Laurie Nehring: Laurie Nehring of PACE (People of Ayer Concerned about the Environment): L. Nehring presented the Select Board with an update on two important initiatives: the Massachusetts PFAS Health Study for which Ayer is a part of and the Water Chestnut Pull Campaign for Grove Pond.

Massachusetts PFAS Health Study Update: L. Nehring provided an overview and handouts regarding the PFAS Health Study. This is a four-year national study under the Center for Disease Control of which the Silent Spring Institute and PACE are part of. The study is looking at the effects of PFAS in drinking

water. Though PFAS is no longer in the Ayer drinking water supply at one time it was and people were exposed.

L. Nehring stated that we need 100 children from Ayer to participate in the study and 300 adults. To date we have 93 out of the 300 adults needed and we have about 169 people involved in some stage of the study. The study has been struggling to get children as children have to come out of school for part of it. There is also an additional piece for children besides the blood and urine sampling and that is a neuro-behavioral assessment. Adults who participate will receive up to \$50 in gift cards as well as receive their full blood panel results. Children who participate will receive up to \$75 in gift cards.

L. Nehring stated that she is looking for help in promoting the study and anything that the Select Board of Town can do would be greatly appreciated. She stated that they had a table at Town Hall last Fall during the Election and was hoping to do that again.

Susan Copeland, Town Clerk was recognized by J. Livingston and stated that unfortunately there were some issues last fall with the table set up during the election at Town Hall. The Town did receive complaints from voters, members of the public, and other Town offices. There needs to be a better set-up or place for this. It did impact the election.

Robert Pontbriand, Town Manager stated that he would meet with Laurie Nehring and the Town Clerk to discuss further.

J. Livingston asked if PACE has gone to the Board of Health?

Laurie Nehring stated yes.

S. Houde asked for clarification on what age groups of children you are looking for.

Laurie Nehring stated children born before 2018.

Water Chestnut Pull Campaign for Grove Pond: L. Nehring provided the Select Board with an update on the Water Chestnut Pull Campaign for Grove Pond which will be starting in May and take place two to three days a week through May and June. Ayer Shirley Regional School District Students can get community service credit for participating. The water chestnut is an invasive aquatic plant that will take over the entire pond in a very short time, creating a thick mat of plants that paddlers struggle to get through. Sunlight cannot penetrate, killing most of the pond life. Over the next three to four years, we can effectively tackle this problem at Grove Pond. Last year was very successful and PACE is looking for help to promote and get other organizations and individuals involved. PACE can provide up to five canoes and individuals are encouraged to bring their own canoes or kayaks. The average pull last for three to four hours.

J. Livingston asked if PACE had talked with Conservation?

L. Nehring stated yes.

Public Hearing – Pole Petition – National Grid – Plan Number #30438359 – Westford Road near Loon Hill Road:

S. Houde read the Public Hearing Notice for a Pole Petition from National Grid, Plan Number #30438359 for the location at Westford Road near Loon Hill Road.

George Combs, Engineer from National Grid presented the Select Board with an overview of the Pole Petition request as contained in the Select Board Meeting Packet.

R. Pontbriand advised that the Pole Petition was sent for inter-Departmental review and there were no objections or concerns from Town Departments.

J. Livingston asked if the Select Board had any questions. There were none.

J. Livingston asked if there were any questions from the Public. There were none.

Motion: A motion was made by S. Copeland and seconded by S. Houde to approve the Pole Petition from National Grid – Plan Number #30438359 – Westford Road near Loon Hill Road. **Motion passed 3-0.**

Central Ave./Groton Harvard Road Intersection Update: The Select Board received a presentation and update from the DPW Director Dan Van Schalkwyk; Town Engineer Matt Hernon; Police Chief Gill; and Fire Chief Johnston regarding traffic and safety concerns at the Central Avenue/Groton Harvard Road Intersection.

D. Van Schalkwyk stated from his presentation that the existing conditions of the intersection consist of a skewed intersection geometry; it is 200 feet north of a railroad crossing; both roads are classified as “urban collectors”; over 8,000 vehicles cross through on an average day; there is an overhead flashing beacon installed in 1999; and a flashing stop control for Groton-Harvard Road installed in 2015.

D. Van Schalkwyk advised that in terms of the Central Avenue approaches there are one lane approaches with no turn lanes; no stop control; 35 mph posted speed limit (eastbound); 30 mph posted speed limit (westbound) and the level of service is “A” during AM & PM peak hour traffic. In terms of the Groton-Harvard Road Approaches there are one lane approaches (no turn lanes); stop control for both approaches; 25 mph posted speed limit; and a level of service of “C” – “F” during AM & PM peak hour traffic.

D. Van Schalkwyk stated that in terms of crash data there have been 81 total recorded crashes since 2022. He noted that “near misses” are not recorded in the data. The recorded crashes have been mostly “angle” crashes due to a failure to yield to right of way; 19 crashes resulted in possible/minor injuries; 0 fatal injuries.

D. Van Schalkwyk advised that an intersection improvement study was performed by WorldTech Engineering which included a review of pertinent traffic data including traffic volume, level of service, and crash history resulting in a recommendation for some interim improvements and analysis of future intersection reconstruction alternatives.

D. Van Schalkwyk stated that he, the Town Engineer, and the Chiefs are recommending an interim improvement plan which would consist of a four-way stop control; additional signage and pavement markings; and no changes to the curb, pavement, or drainage at this time. These interim measures would be relatively inexpensive and could be performed by the DPW.

D. Van Schalkwyk presented the three reconstruction options for the future of the intersection:

Option 1: No traffic signal; new left turn lane – Groton-Harvard Road (southbound); reconstruction of intersection – improvements to curb, roadway alignment, drainage, crosswalks, pavement markings. The preliminary cost estimate for Option 1 would be \$1,010,000.

Option 2: Traffic signal; new left turn lane – Groton-Harvard Road (southbound); reconstruction of intersection – improvements to curb, roadway alignment, drainage, crosswalks, pavement markings. Preliminary Cost Estimate for Option 2 would be \$1,270,000.

Option 3: Roundabout; reconstruction of intersection – improvements to curb, roadway alignment, drainage, crosswalks, pavement markings. The preliminary Cost Estimate for Option 3 would be \$1,170,000.

D. Van Schalkwyk stated that in terms of next steps they are recommending the implementation of the interim improvements; an evaluation of the interim improvements once in place; and further consideration for future reconstruction of the intersection and procure necessary funding for design and construction services.

Chief Gill stated that this intersection experiences the most traffic collisions in Town. There have also been a couple of vehicle rollovers and deep off-road accidents. These are not “fender bender” collisions and though there have been no fatalities there have been injuries. A recent accident about two weeks ago necessitated a review of this intersection. As stated earlier, near-misses are not recorded and there have been many of these which many of you may have witnessed or experienced.

J. Livingston stated that she learned to drive at that intersection. It is great that you have come up with a plan. I am concerned about the proposal for a four-way stop as an interim measure. What about the train crossing and the four-way stop in terms of timing and train traffic?

Matt Hernon, Town Engineer stated that the four-way stop would not be a perfect solution, but it would mitigate the angle crashes that are occurring.

Chief Johnston stated that most crashes at that intersection result in the vehicle being towed which is a testament to modern car safety technology.

S. Copeland stated that he is in favor of the four-way stop and the interim improvements.

S. Houde stated that he is in favor of the four-way stop and the interim improvements. I live off Groton-Harvard Road and have a lot of experience with this intersection. Would it be possible to develop some signage for when the train is stopped to direct traffic accordingly? Also, in terms of the longer-term solution why would we need a left turn lane on Groton Harvard Road headed southbound? This would have to go back pretty far in terms of traffic backing up when a train is crossing.

D. Van Schalkwyk stated that he will look at developing some signage with respect to traffic direction when there is a train stopped. He also advised that the left turn lane is a proposed/consideration for the longer-term solution but would need to be looked at in detail and he agreed with S. Houde regarding it backing up.

J. Livingston asked if a turn lane on Central Avenue to take a left onto Groton-Harvard Road would help?

M. Hernon stated that it could and that they would investigate that further.

R. Pontbriand asked how long it would take to implement the interim improvements?

D. Van Schalkwyk stated that he wanted to verify with the State that no further approvals from them would be needed but it would take about two months to implement.

Pauline Conley (Resident) asked if there would be any pedestrian improvement under the interim improvement plan? She also thanked Chief Gill for his Officers assistance when crossing at that intersection.

D. Van Schalkwyk stated that we will need to look at pedestrian improvements in detail. They were not the focus of the interim improvements at this time as the vehicular traffic was the focus. We will look to see if there is anything we can do with the interim improvements to address pedestrian safety.

There was consensus among the Select Board for the Town to proceed with the interim improvements to the Central Avenue/Groton-Harvard Road Intersection as presented.

D. Van Schalkwyk stated to the Select Board that the DPW will be issuing its standard water conservation notice effective May 1, 2023 and wanted the Select Board to be aware.

Town Manager's Report - Administrative Update/Review of Town Warrant(s): R. Pontbriand provided a brief Administrative Update to the Select Board on the various activities, initiatives, and projects of the Town since the Select Board last met and referenced the Town Warrants that are in the Select Board's packet that were approved since the Select Board last met. He stated that the main focus has been final preparations for the Annual Town Meeting on Monday, April 24, 2023 at 7pm in the Auditorium of the Ayer Shirley Regional High School. He also stated that the Town had a very successful rededication ceremony for the 1943 Howitzer on Patriot's Day. The Cote Family was in attendance and very appreciative of the historic restoration that was done using Town of Ayer Community Preservation Funds.

Discussion on Use of Consent Agenda for Annual Town Meeting: R. Pontbriand was joined by the Town Moderator Geof Tillotson and the Town Clerk, Susan Copeland for a brief discussion with the Select Board regarding the use of a Consent Agenda for the Annual Town Meeting. R. Pontbriand provided an overview of a Consent Agenda which is used by many Town Meetings in Massachusetts as a way to approve multiple Articles which are non-controversial and annual business Articles of the Town Meeting for the purposes of maximizing Town Meeting's time to focus on more substantive Articles. If a member of Town Meeting as a question on an Article that is to be moved by Consent, through the Moderator that question will be answered. It is important to note that the use of the Consent Agenda is to facilitate the meeting and focus on the major Articles. It is not intended to prevent any questions from Town Meeting nor is it intended to just pass something through.

R. Pontbriand continued that in terms of the upcoming Town Meeting, Articles 6, 7, 8, and 9 which are the annual Enterprise Fund Articles would be ideal to be moved by consent as they are not controversial; appear annually on the Town Meeting Warrant; and are general business Articles of the Town for which all of the material has been publicly vetted by the Rate Review Committee, Select Board, Fin Com, and the information is also in the Budget Book. He also stated that Articles 22, 23, 24, and 25 which are Transfer Articles that transfer the unexpended balances from previously approved and completed projects to new projects would be ideal to be moved by consent as they are not controversial and are general business Articles of the Town.

J. Livingston stated that the moving of Articles by consent is not new to Town Meeting and it does not take away anyone's rights at Town Meeting. If there is a question or a point, it will be answered/addressed.

G. Tillotson stated that the use of Consent Agendas has been around for a while and it a best practice of many Town Meetings. It is designed to facilitate the Town Meeting and to focus on the major Articles before the Town Meeting.

S. Copeland stated that she researched the history of the Enterprise Articles and for over ten years there has not been a question or point on them. It takes longer to read them than to approve them. She also stated that the intent for Town Meeting will be to go through the Warrant Articles in order and when Town Meeting gets to Articles in the Warrant that could be moved by consent, that will be the time for consideration. Town Meeting is not going to skip over Articles and then circle back. We are going to address each Article in order on the Warrant and when we arrive at say Article 6 which is the first Enterprise Article then the issue of moving by consent will be presented.

There was consensus by the Select Board to proceed in this manner at Town Meeting.

New Business/Select Board Member Questions: S. Houde asked if the Select Board could discuss next steps with respect to a local Devens Committee at the next meeting on May 2, 2023.

Approval of Meeting Minutes: A motion was made by S. Houde and seconded by S. Copeland to approve the meeting minutes from March 27, 2023. **Motion passed 3-0.**

Adjournment: A motion was made by S. Houde and seconded by S. Copeland to adjourn the meeting at 6:56pm. Motion passed 3-0.

The meeting adjourned at 6:56pm.

Minutes Recorded and Submitted by Robert A. Pontbriand, Town Manager

Date Minutes Approved by SB: May 2 2023

Signature Indicating Approval: 