

BOARD OF SELECTMEN'S MEETING

TUESDAY NOVEMBER 5, 2019

6:00 PM

AYER SHIRLEY REGIONAL HIGH SCHOOL

Selectman Scott A. Houde, Chairman
Selectman Jannice L. Livingston, Vice-Chair

Robert A. Pontbriand, Town Manager
William A. Murray, Police Chief
Robert J. Pedrazzi, Fire Chief
Brian P. Gill, Deputy Police Chief
Mark L. Wetzel, DPW Superintendent
Alan S. Manoian, Director of Community & Economic Development

TONIGHT'S AGENDA

- Call To Order
- Overview of Decision-Making Process
- Presentation on Public Safety Challenges and Concerns
- Public Input

Questions on the Presentation

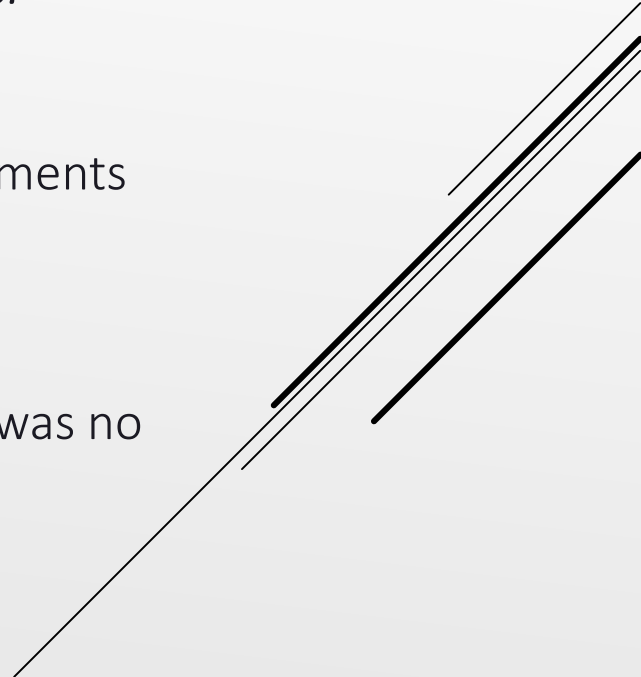
Public Comments



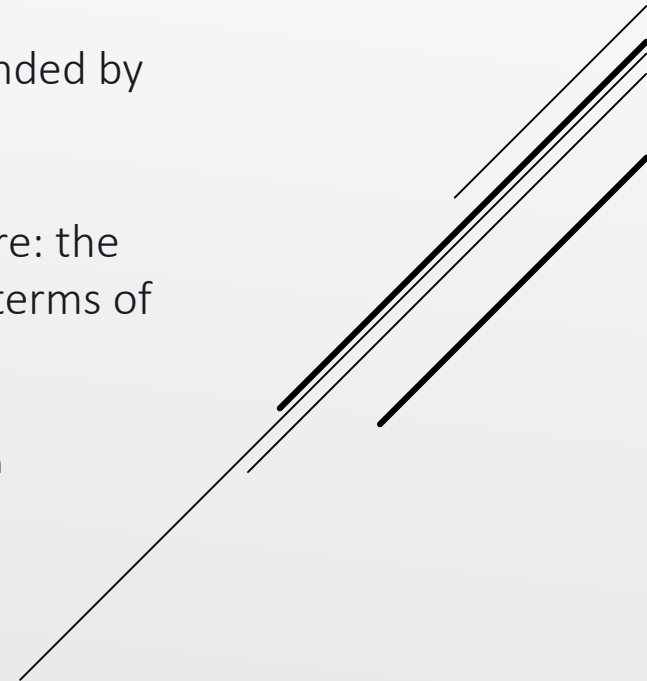
OVERVIEW OF THE DECISION-MAKING PROCESS

- ▶ How did we get to the October 15, 2019 decision where the BOS voted to support the recommendation of the Town's Police and Fire Departments?

On October 15, 2019: The BOS voted to *“support any necessary changes to the 4th of July event as recommended by the Police and Fire Department for public safety reasons.”*

- ▶ Prior to the October 15, 2019 BOS Meeting, the Town's various public safety Departments have dealt with the ongoing challenges of the annual event and “made it work”.
 - ▶ At the conclusion of this year's event, at the recommendation of the Police Chief, it was no longer in the best interests of public safety to hold the event.
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- A series of internal public safety meetings were held from the period of July 2019 to October 2019. These meetings were convened by the Town Manager on recommendation of the Chiefs to discuss the various public safety issues, concerns, and challenges with respect to the July 4th Pirone Park Fireworks.
- Meetings resulted in the October 10, 2019 “Town of Ayer July 4th Celebration Public Safety Discussion Memo” which summarized the major concerns and was presented to the BOS on October 15, 2019. Additionally, the Public Safety Professionals addressed the BOS with their concerns.
- The BOS then voted to support any necessary changes to the 4th of July event as recommended by the Police and Fire Department for public safety reasons.
- The recommended changes from the Town’s Public Safety Chiefs and Town Management are: the combination of the Pirone Park venue and the July 4th Fireworks is not a viable scenario in terms of public safety for attendees and the public safety personnel working the event.
- We are here this evening to further explain this difficult decision to cancel the 2020 July 4th Fireworks at Pirone and to answer any public questions and take public input.



**Office of the Board of Selectmen
Office of the Town Manager**



Town of Ayer| Ayer Town Hall| 1 Main Street| Ayer, MA 01432|978-772-8220| www.ayer.ma.us

MEMORANDUM

DATE: October 10, 2019

TO: Ayer Board of Selectmen

FROM: Robert A. Pontbriand
Town Manager

SUBJECT: Town of Ayer July 4th Celebration Public Safety Discussion

Dear Honorable Selectmen,

It has been brought to my attention by several of the Town's Public Safety Departments (Police, Fire, and DPW) that there are some serious public safety concerns regarding the Pirone Park venue for the annual July 4th Celebration. I will be joined by Chief Murray, Chief Pedrazzi, Superintendent Wetzel, and Mr. Alan Manoian, Director of Community and Economic Development to discuss these public safety concerns with the BOS at your meeting on October 15, 2019.

It is important to note that these public safety concerns are not new; and the Town has been fortunate not to have any significant issues. However, in this age of increased violence at small local events these concerns can no longer be ignored. The further challenge is that there is no other viable or safe venue in the Town of Ayer to host the Pirone Park events and fireworks. A summary of these concerns are as follows:

- Pirone Park only has one public safety access point, School Street, which must be shared with pedestrians.
- No secured entry of visitors to the park (no pat down for weapons; no search for alcohol; no bag restrictions or inspections).
- Limited available parking.
- Inability to hire enough Officers to patrol the event.
- Insufficient post event lighting of pedestrians leaving Pirone Park.
- Emergency access to the park has become blocked/problematic at times during the event.
- When the event is ending, due to the size of the crowd exiting, if there were to be an incident down at the Park it would take additional time to get resources to the incident.

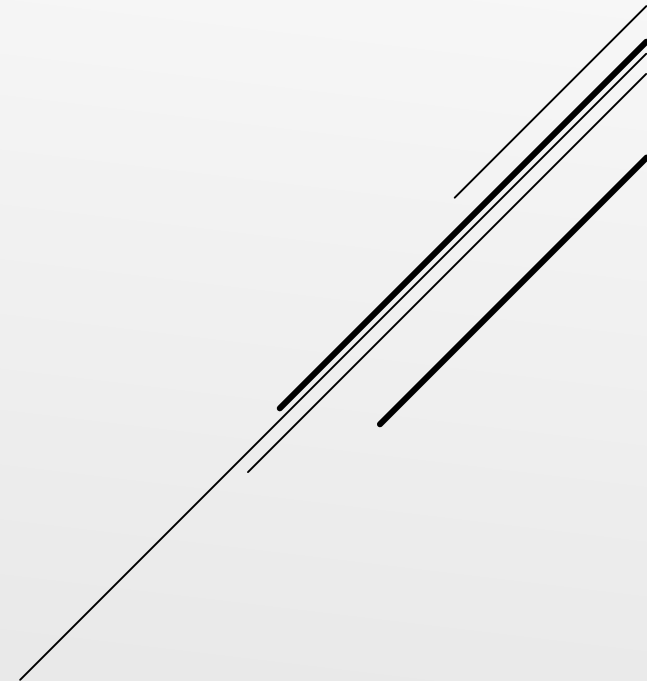
We look forward to discussing these concerns in further detail with the BOS at your meeting on October 15, 2019.

Thank you.

WHAT ARE THE CHALLENGES AT PIRONE PARK FOR FIREWORKS?

There are three basic challenges to Fireworks at Pirone Park that are an ongoing and increasing challenge for public safety:

1. The Unique characteristics of Pirone Park
2. Insufficient public safety personnel to safely manage the event
3. Lack of a safe, alternative location to host fireworks in Ayer





Pirone Park Challenges

SIZE OF VENUE IS TOO SMALL FOR CROWD SIZE CROWD SIZE IS 5,000 – 10,000 PEOPLE

ONLY ONE VEHICULAR ACCESS INTO AND OUT OF PIRONE PARK (SCHOOL STREET)

SCHOOL STREET HAS NO STREETLIGHTS

NO SECURED ENTRY OF VISITORS (NO PAT DOWNS FOR WEAPONS, NO SEARCHES FOR ALCOHOL, NO BAG RESTRICTIONS/INSPECTIONS)

LACK OF ADEQUATE PARKING

INCREASED RESPONSE TIMES FOR PUBLIC SAFETY PERSONNEL


RESCUE 1 IS USED AS A FIRST AID STATION AT THE EVENT. WHEN THE EVENT ENDS, THE VEHICLE IS TRAPPED BY PEDESTRIAN AND VEHICULAR TRAFFIC

PIRONE PARK CHALLENGES EXPLAINED

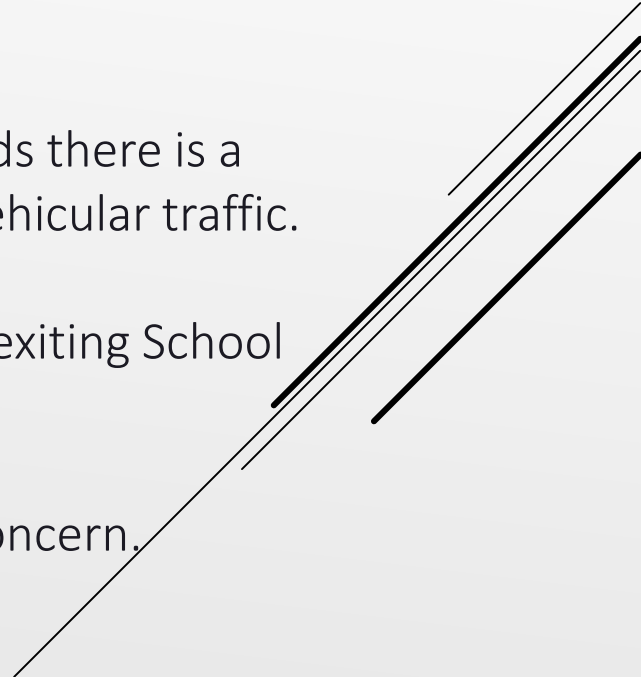
Pirone Park is Ideal to Launch Fireworks but is NOT Ideal for the Crowd:

- Pirone Park is the only licensed venue in Ayer to safely launch Fireworks due to its proximity to the pond forming a water boundary on the south and the existence of a slight hill which is advantageous.
- While these unique features of Pirone Park make it a viable launching venue for Fireworks; it is not an ideal venue for a large crowd to safely assemble and watch the fireworks.

Pirone Park has become too small for too big of crowds:

- The size of the park is too small to safely accommodate a crowd size between 5,000 to 10,000 people. Note: The July 4, 2020 Fireworks would be on Saturday July 4th this year resulting in anticipated larger crowds than average.
 - The Saturday July 4th Date creates additional challenges to secure public safety personnel due to the holiday.
 - Fireworks displays in general draw large crowds from all distances regardless of date and location. Simply holding the fireworks display on an alternate date and/or time is not sufficient to address the various challenges.
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PIRONE PARK CHALLENGES CONTINUED

- One vehicular entrance in and out of the Park poses serious challenges:
Pirone Park has only ONE vehicular access into and out of the Park (School Street)
 - The majority of pedestrian and vehicular traffic, including emergency vehicles can only enter and exit the park via School Street. In the event of a public safety emergency and/or evacuation scenario this is problematic in terms of emergency response time.
 - Ayer Fire Rescue #1 is used as a First Aid Station at the event. When the event ends there is a period of time of up to 60 minutes when the vehicle is “trapped” by pedestrian/vehicular traffic.
 - At the conclusion of the Fireworks event, thousands of people and some vehicles exiting School Street can result in delays of up to 60 minutes.
 - School Street has no Street lights and decreased visibility at night is a mitigating concern.
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LACK OF AVAILABLE PUBLIC SAFETY RESOURCES

Professional, qualified/certified public safety resources are required at not only Pirone Park but must also be available to respond to any other applicable public emergencies throughout Town during the event.

The Ayer Police Department has a total of 20 sworn Officers (this includes the Chief and Deputy)

The following is the minimum shift schedule for the Town:

7am to 3pm: 3-4 Officers

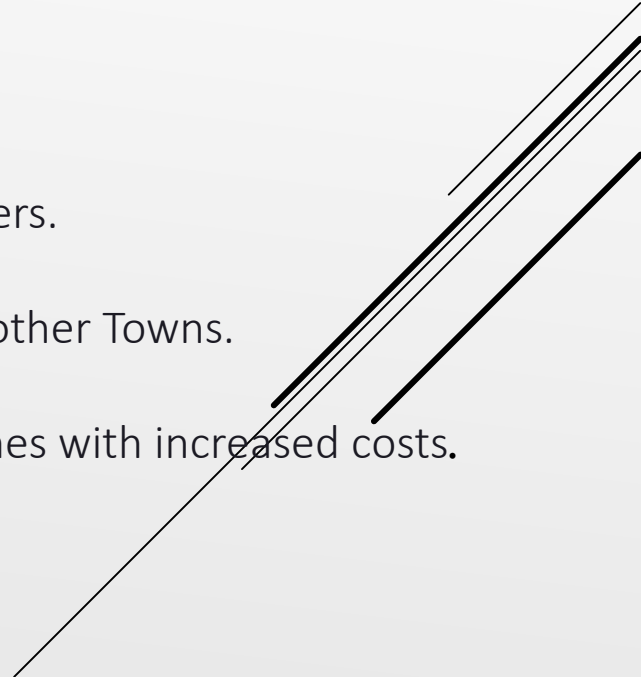
3pm to 11pm: 3-4 Officers

11pm to 7am: 3 Officers

For the 4th Of July Fireworks, the Chief must order in additional Officers.

The Ayer Police Chief CANNOT just order in additional Officers from other Towns.

The availability of outside Police resources is not only scarce but comes with increased costs.



LACK OF PUBLIC SAFETY RESOURCES CONTINUED

| | Available | Needed | Difference |
|--|----------------------------|--------|------------|
| Parade and Pirone Park Setup (6:45 am – 2:45 PM) | 4 | 4 | 0 |
| Inside Park During Event 2 at the entrance and 8 inside park | 8 | 10 | -2 |
| Traffic Posts 6 on School Street (2 at each intersection from E. Main to Park) 4 on Pond Street (2 at each intersection from E. Main to Park) 1 on Bligh Street (Lower Parking Lot) | 0 | 11 | -11 |
| | Lack of Available Officers | | -13 |

COSTS OF ADDITIONAL POLICE RESOURCES

13 Additional Officers would be the minimal requirement. At 13 Additional Officers with an average crowd of 10,000 people that is 1 Police Officer for every 770 people in attendance.

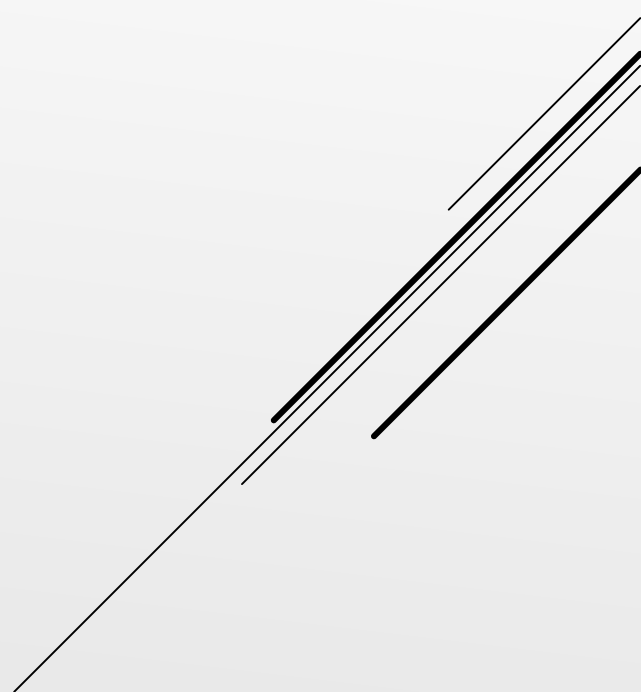
The greatest challenge is the ability to secure an additional 13 Police Officers for this event.

However, there is also a financial cost:

The average hourly rate for an Ayer Police Officer is \$55.00 per hour

The average hourly shift for an Ayer Police Officer working this event is 10 hours

13 Officers working a 10-hour shift at \$55.00 per hour = \$7,150 (approximate/average)



COST OF ADDITIONAL POLICE RESOURCES CONTINUED

The basis for the recommendation to cancel the 2020 July 4th Fireworks is public safety and not cost. However, what did the Town spend for public safety personnel for the 2019 Fourth of July Celebration

| Police Personnel | \$9,897.73 | Chief and Deputy work, but are not paid |
|------------------|--------------------|---|
| Fire Personnel | \$1,313.38 | Chief work but not paid |
| TOTAL | \$11,211.11 | Costs absorbed by Departmental Budgets |

WHY CAN'T WE HAVE THE FIREWORKS SOMEPLACE ELSE?

One of the biggest challenges is that the Town of Ayer does not have another viable location within the Town of this event.

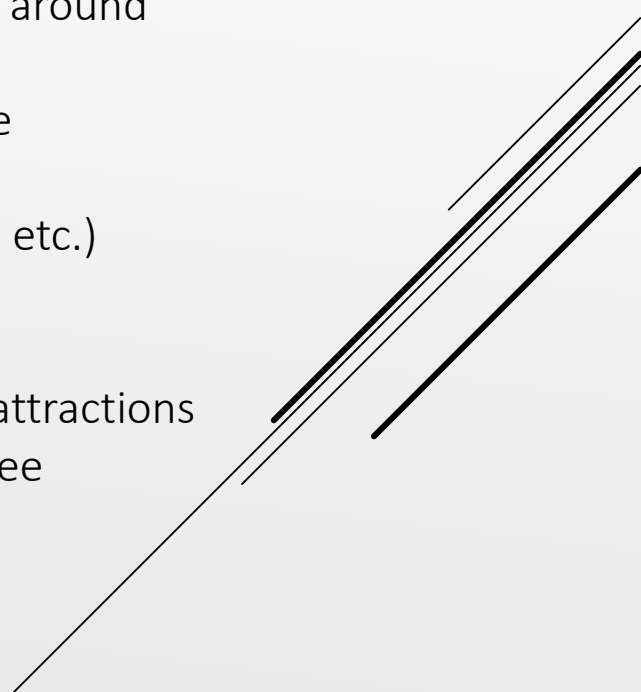
As mentioned previously, Pirone Park is ideal for the launching of Fireworks, but it is the size of the crowd which is the biggest challenge.

What if we made the event for Ayer Resident's Only at Pirone Park?

- Logistically challenging as a barrier would need to be present around the park with a single point of entrance
- Administratively would be a challenge to monitor and enforce "resident's only"
- What constitutes an Ayer Resident? (property owner; tenant; etc.)

What if we held the Fireworks on a different day or time?

- As mentioned previously, Fireworks displays are huge crowd attractions with people travelling considerable distances at any time to see displays.



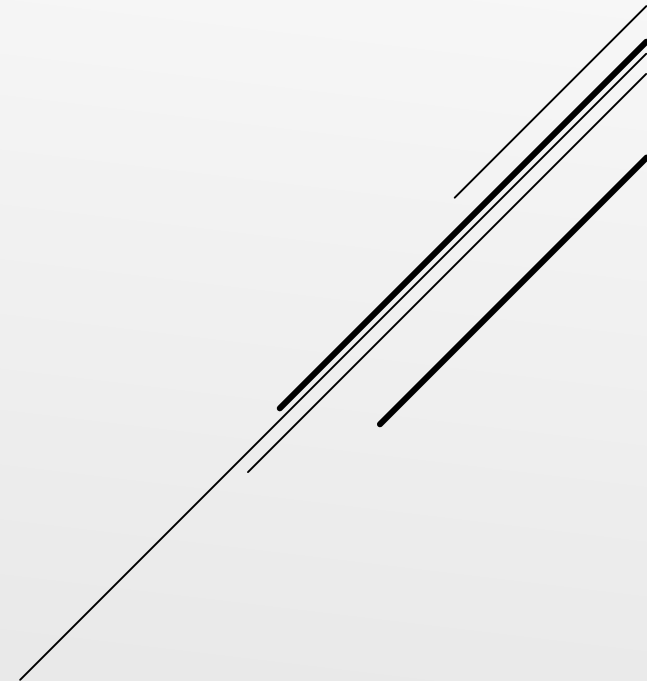
THE AYER SHIRLEY REGIONAL HIGH SCHOOL FIELD

High School Location is not feasible because both Groton Harvard Road and Washington Street would need to be closed for up to nine (9) hours while fireworks are on site due to State Regulations regarding safety distance.

These two road are the primary access roads for the Nashoba Valley Medical Center.

Parking logistics along Washington Street and Groton Harvard Road would also be a concern.

Concerns with debris on the school fields and/or school facilities.



NFPA TABLE 5.1.3.1

DISTANCES FOR FIREWORKS DISPLAYS

Table 5.1.3.1 Distances for Outdoor Aerial Shell Display Sites: Minimum Separation Distances from Mortars to Spectators for Land or Water Displays

| Mortar Size ^a | | Minimum Secured Diameter of Site ^b | | Vertical Mortars ^c | | Angled Mortars ^d 1/3 Offset | | Mortars to Special Hazards ^e | |
|--------------------------|-----|---|-----|-------------------------------|-----|---|-----|---|-----|
| in. | mm | ft | m | ft | m | ft | m | ft | m |
| ≤1 | 25 | 150 | 46 | 75 | 23 | 75 | 23 | 150 | 46 |
| 1.5 | 38 | 210 | 64 | 105 | 32 | 75 | 23 | 210 | 64 |
| 2 | 50 | 280 | 85 | 140 | 43 | 95 | 29 | 280 | 85 |
| 2.5 | 63 | 350 | 107 | 175 | 54 | 115 | 35 | 350 | 107 |
| 3 | 76 | 420 | 128 | 210 | 64 | 140 | 43 | 420 | 128 |
| 4 | 102 | 560 | 171 | 280 | 85 | 190 | 58 | 560 | 171 |
| 5 | 127 | 700 | 213 | 350 | 107 | 230 | 70 | 700 | 213 |
| 6 | 152 | 840 | 256 | 420 | 128 | 280 | 85 | 840 | 256 |
| 7 | 178 | 980 | 299 | 490 | 149 | 320 | 98 | 980 | 299 |
| 8 | 203 | 1120 | 341 | 560 | 171 | 370 | 113 | 1120 | 341 |
| 10 | 254 | 1400 | 427 | 700 | 213 | 460 | 140 | 1400 | 427 |
| 12 | 305 | 1680 | 512 | 840 | 256 | 560 | 171 | 1680 | 512 |

Note: >12 in. (>305 mm) requires the approval of the AHJ.

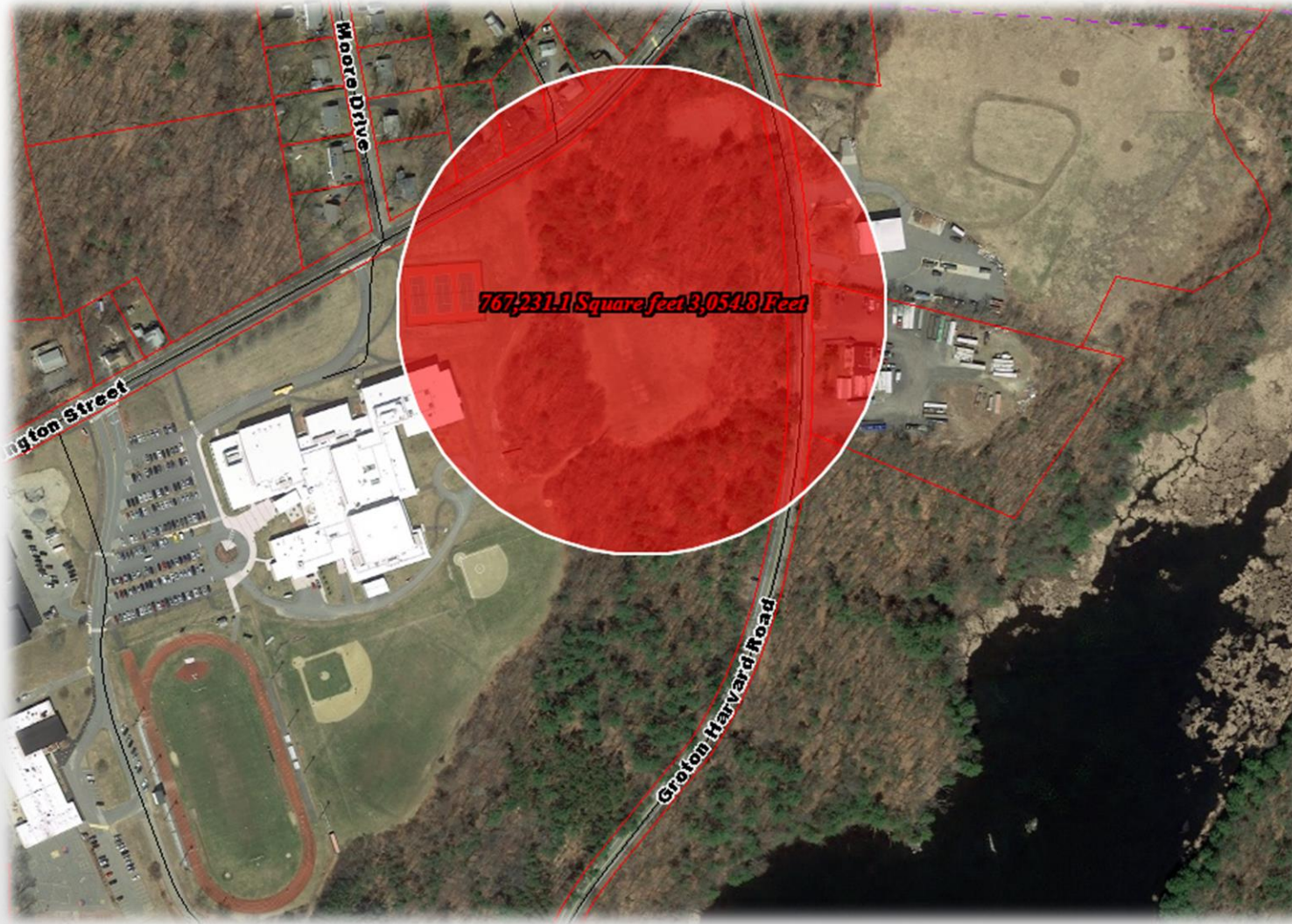
^a See 4.1.1.

^b See 5.1.3.

^c See 5.2.1.3.

^d See 5.2.1.3. Note that for angled mortars, the minimum secured diameter of the display site does not change. Only the location of the mortars within the secured area changes when the mortars are angled.

^e See 5.1.4. Note that this is only the distance to the special hazards. The minimum secured diameter of the display site does not change.



ASRHS HIGH
SCHOOL
PRACTICE
FOOTBALL FIELD
840' SECURED
AREA

BRING THE FIREWORKS BACK TO DEVENS....

Devens is not under the jurisdiction of Ayer and we cannot simply “bring them back to Devens”

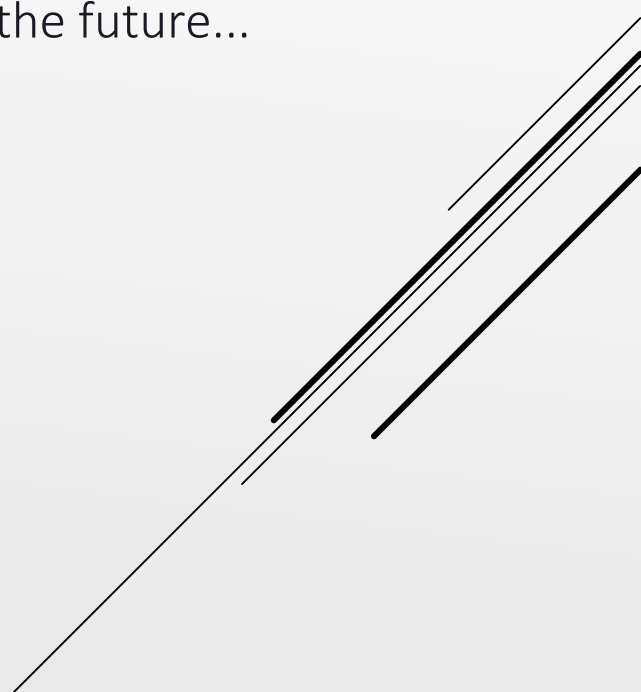
Devens has discontinued their own fireworks celebration for a variety of reasons/concerns.

The Town has reached out to Devens/MassDevelopment to discuss the feasibility for the future...

Significant challenges: Jurisdictional, liability, and logistics.

Resources may still be a challenge at Devens.

More planning, discussions, and work needs to be done...



THE FUTURE...

We need a safe venue that can be properly staffed by public safety professionals.

Pirone Park is ideal to launch fireworks...BUT it is not safe for large public crowds.

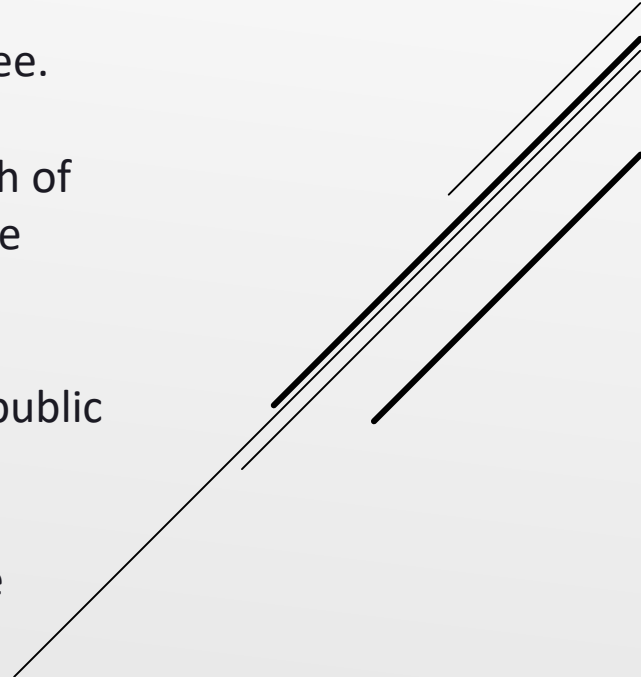
The Town has no other viable location within its 9 ½ square miles to launch fireworks and host a large public crowd.

Devens is a potential, future opportunity but not in time for 2020 and not a guarantee.

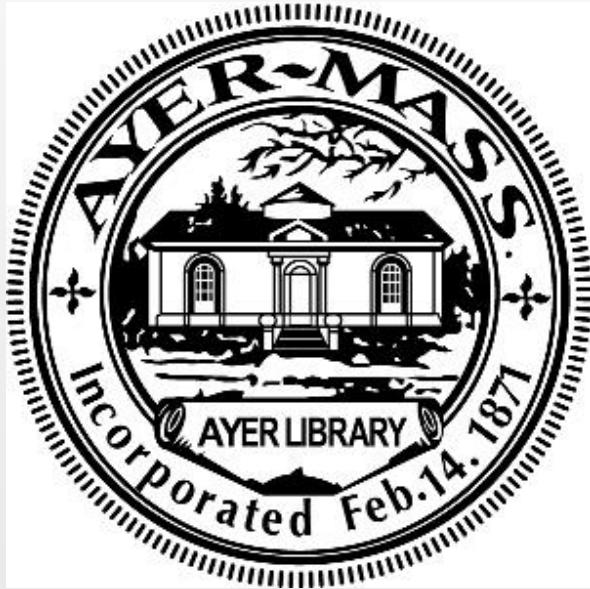
The Town continues to host a variety of public celebrations including the 2020 Fourth of July Parade; the Holiday Stroll and Tree Lighting; Movie Nights; and plans will soon be underway for the Town's 150th Anniversary in 2021.

The Town shares in the disappointment of the Public with this difficult decision but public safety must always take priority over public opinion.

We are always open for public opinion but in the end to be successful we have some significant obstacles to overcome.



RULES OF CONDUCT FOR PUBLIC INPUT



- All attendees are expected to be respectful and follow to rules
 - One person speaks at a time
 - Follow the instructions of the chairman as facilitator of the meeting
- During the presentation, please hold questions until afterwards
- After the presentation, the forum will be open to questions only that are germane to the presentation and subject matter
 - Questions will be limited to 2 minutes per person
 - Attendees are expected to be professional and respectful – no personal attacks
- Public comment session
 - Comments will be limited to 2 minutes per person
 - Attendees are expected to be professional and respectful – no personal attacks
- When the gavel sounds, please stop talking