

## **Off-Leash Dog Task Force Meeting Minutes Thursday, July 20, 2006**

Present: Ald. Albright, Ald. Fischman, Amy Koel, Paula Palumbo, Norman Richardson and Richard Tucker. Also Ald. Lisle Baker and Marie Lawlor

Absent: Patrolman O'Connell, and Francis Rice

Discussion of the Draft Ordinance took place. The first topic of discussion was the composition of the Dog Park Task Force.

The committee will have three city representatives representing Parks and Recreation Commission, the Conservation Commission and the Police, and three citizens. A request was made to add some new faces to the committee by adding an additional 1 or 2 citizens, or by adding an Alderman. It was thought, however, that if this process is to succeed then there needs to be continuity of the group.

The idea of an Alderman was rejected as the task force wanted to move the responsibility of location from the Aldermanic level to the departments that control the property and the citizens. The Committee does not want the Aldermen to veto specific sites. The authority to approve or deny a site will be held by the Commissions. Schools, Little League fields and tot lots will not be included in the ordinance.

All of the land under consideration is owned by either the Parks and Recreation Commission or Conservation Commission. Whoever owns the land would have to be asked.

It was asked if there could be broader language in the ordinance to allow the asking of Public Works or the MDC to use their land. The Committee was reminded that the city has no jurisdiction over state land and cannot include it in the ordinance language.

It was brought up that there is a substantial amount of open space at the DPW's Elliot Street site, but that the DPW has not been receptive to having the public around the trucks and construction equipment because of the liability issues. The task force asked if language can be added that if a plot of land under the jurisdiction of a department other than Parks and Recreation or Conservation were to be considered, that the appropriate department be consulted and become a member of the committee for that particular discussion?

The first paragraph of the draft ordinance now includes who will be appointing the Advisory Committee Members. The Mayor and Board of Aldermen will appoint and the Board of Aldermen confirm. All of the other revisions were fairly minor.

The Advisory Committee will hold public meetings, not public hearings. The Committee could set up guidelines on the procedures for the meeting.

The Dog's Off Leash Advisory Committee will only have an advisory role to the Parks and Recreation Commission and the Conservation Commission. The Commissions will be at the top and will promulgate all of the rules and regulations. They will be the only ones who can approve or deny an off leash park, but they will do this on the advice of the Advisory Committee.

The representatives of the two commissions who sit on the Advisory Committee will have to take a great deal of the responsibility. They will be the ones that will be reporting on a regular basis to the commissions and will have the most hands on work to do.

There will be another level of community involvement at the ward level. Ward Aldermen from each ward may appoint two ward residents to assist the Advisory Committee. The language of the ordinance will be clarified to say up to two residents.

The Task Force has added the provision that the Advisory Committee will only consider a site if a local resident or group is willing to maintain the condition of the site and any other terms and conditions that the Advisory Committee will make for the site.

The Task Force has added a Sunset Provision so that the section will expire two years after passage. The Advisory Committee will report to the Commissions, who will report to the Board of Aldermen, after 18 months as to the success of the program. The Board of Aldermen will then vote to extend, revise or revoke the ordinance.

It was suggested that language be added to the ordinance that a report will be made to the Parks and Recreation Commission by the Advisory Committee. The final report to the Board of Aldermen will have to come from the Commission, but the report should be generated by the Advisory Committee.

It was expressed that the people who want this to happen must make it happen. It is not going to happen of its own volition. It will not happen without an active citizen group. The Advisory Committee will enable it to happen, but it will be the citizen groups that must make it happen.

It was felt by some members of the Task Force that there should be a number of sites approved and opened so that there is not overcrowding in one park. There should be a critical mass so that no one park is overburdened. However, the committee avoided putting specifics in the enabling ordinance.

Would there be written rules and regulations that groups would have to meet? What would the proposal process look like? For groups to step up there needs to be assurances that this has a chance of moving forward and that there is a chance of it happening. How are you going to get the users of a park and the dog park people to meet and talk? There has not been a broad-based engagement.

Citizens will be appointed to the Advisory Committee and they will represent the broader neighborhoods. To conduct a meaningful survey requires time, money, analysis, etc. The Task Force has not been in a position to do that. When the Advisory Committee gets to the point of

making individual park recommendations, they will need a process in place to gather information and opinion.

The ordinance will also officially recognize what is already happening successfully in places like Norumbega. It would be nice to see more teeth in the enforcement process. It would be nice for the dog officer to educate, inform, and enforce the regulations.

Once this Task Force has completed its draft of an off leash dog park ordinance, it will go to the Program and Services Committee this fall for their review. The public meeting will be fairly informal and the Task Force will all be asked to come in and report to the Committee. The Programs and Services Committee will then issue a report to the full Board of Aldermen.

A critical component of the program is if Volunteers will step up to the plate and take responsibility for a specific site. As much as this process can involve citizen participation the better as the city has limited funds.

A concern of some of the Aldermen is the issue of fences around the dog parks. Does the ordinance preclude a group from recommending a location without a fence, recognizing that a fence is needed for the location to be considered? The ordinance does not preclude it, but the lack of funds to install a fence may derail it.

There was concern that if the local group were responsible for the maintenance of the dog park the Parks and Recreation Commission would be absolved of regular maintenance, placing the burden of all of the parks maintenance on the dog park group. Most of these parks are mixed used. Would it make sense to be specific that the maintenance is related to the specific dog park use and to mitigate the dog-related impact?

Each of these dog parks will have a lot of local impact and we need a site-specific management plan that will address the issues for each park.

The teeth are really in the line that states that the commissions may revoke the designation at any time. If there are problems in a specific park, then go to that specific park and ask them to correct problem. This is where the Ward liaison could be helpful.

The draft ordinance should go to the Board of Aldermen with the report to provide context.

The topic of discussion shifted to the report and the draft was passed out.

How do we do it with the extant dog officers? There are only 1½ dog officers. Is it possible to get more of the police force involved? Is it only the dog officers who can enforce the ordinance? If more people suddenly show up, then someone needs to inform the newcomers of the regulations and what the agreement says and what the ordinance says. Signage and brochures will need to be provided as Brookline did. Could there be an increase in the dog-licensing fee, which could be allocated to maintenance of the dog parks? That is a request that could be made to the Mayor.

The Task Force was reminded of the pooper-scooper law that was enacted a few years ago and that it took some time to get the word out and to inform the public. Now it is a matter of course. It will take some time to get the word out about the dog parks, but it will happen.

Enforcement will be a problem and the Mayor could determine who could help enforce the laws. We do not want the individual citizens to take that role on. Brookline has a good system where the citizen representative has the direct line to the dog officer and can call them if there is a problem.

The Task Force needs to address enforcement and other issues in our visioning statement.

Task Force members were asked to take pieces of the report and write a draft. The pieces will be brought together and put together into a whole.

The Task Force will next meet on Thursday August 17, at 6:30 pm. We can compile the report that night then finish it in September. Ald. Fischman volunteered to do two and three, Norm said he would do number 5, Paula said she would do number 4C – pros and cons. Ald. Albright will do 4A and B Emerging trends. The group also needs a general statement for the sites.

Drafts must be sent to Shawna by August 10 so that she can compile and send the draft out to the committee on Friday the 11<sup>th</sup>.

The last item on the agenda was to look at the length of dog leashes. Current Newton ordinance requires a leash that is less than 10ft in length. Many people currently use leashes that are much longer and some members would like the length to be taken out of the leash law so that people can use a longer leash for training dogs to come when called.

The question was raised if it is better to have a long leash. It was thought that it is better to have a long leash for training purposes. It was asked if the length limit is deleted would it now allow a 40-foot leash. Consensus was that people were not going to walk around downtown with a 20-foot leash, but members felt that it would be a distraction from the main points for the Aldermen and did not want to tackle this issue right now.

There was some concern that a dog park might cater to specific people and others will not use it. Those with young rowdy dogs may push out those with older more sedate dogs. Will all of this effort actually make things worse, because it is attracting people from other communities? It will be up to the Advisory Committee to monitor what is going on.

It was recommended that the Task Force take a leap of faith. It will be hard to predict what will happen.

The Task Force agreed that it would be good to comment on concerns in the report. All of the things that the Task Force is thinking about, the Board of Aldermen have been thinking about. If it seems reasonable to Task Force, then it will seem reasonable to the Board.

The question was raised if it is worth recommending just any change, or simply saying that Task Force looked at it and closed the book because we do not have a conclusion. There is nothing that says that we have to come to a positive conclusion that we have to enable off-leash dog park ordinances. There is room for a disclaimer that there is no guarantee that sites will be approved by the commissions, that enforcement is possible, the dogs from other communities will not come.

The Task Force bias should be let us do something, try it for two years and if we do not have the success that Brookline has had then we end it.

The report should include a one-page executive summary and that it should show that we are not on the cutting edge, that there is successful precedence from other cities.

The meeting adjourned.