



Robert J. DeRubeis
Commissioner

Off-Leash Area Working Group

Friday, May 25, 2012

9:30 a.m., Room 202

Meeting Minutes

Attending: Commissioner DeRubeis, Alderman Albright, Ted Kuklinski, Amy Koel, Lee McIntyre, Carol Stapleton, Carol Schein

Also Attending: Laurie Ruskin, Weeks Park, Ralph Rinalli-NYS

- **Weeks Park Discussion**

- ✓ Laurie Ruskin, Weeks Park neighbor sent a letter to the Commissioner regarding the proposal and issues surrounding the off-leash area proposal at Weeks Park (letter is attached).
- ✓ Commissioner DeRubeis thanked Ms. Ruskin for the letter and explained the process followed by OLAWG.
- ✓ Commissioner DeRubeis stated one concern listed was that dog's on-leash would not be allowed at Weeks Park. On-leash dogs are allowed in all City parks and it would require a change in the ordinance to change the rule.
- ✓ Ms. Ruskin noted three main concerns:
 1. There is a great overlap of interest same as NYS/NGS. There is concern of a large quantity of dogs in the area and the "bad apple" dog owners.
 2. Generally the dog owners and leagues do not see each other because most dog owners stay out of the way of the leagues and also use the park in the early morning hours.
 3. Direct communication would be helpful between all groups
- ✓ After the discussion it was agreed to keep communications open. OLWAG will continue to work with interested parties in locating off-leash areas.

- **Other Business**

- ✓ Cabot off-leash area is open.
- ✓ Commissioner DeRubeis has reached out to the MWRA.
- ✓ The department is still working with Public Works to have a crosswalk installed at Braceland Playground.

- **Next meeting**

- ✓ The next meeting is Friday, June 1, 2012 at 9:30 am, Room 202, in City Hall.

Respectfully Submitted

Robin McLaughlin, Secretary

Neighbors and Dog Owners of Weeks Field

May 21, 2012

To Robert J. DeRubeis, Commissioner, Newton Parks & Recreation:

We are Newton residents, and responsible dog owners, who have been regularly bringing our dogs to Weeks Field on a daily basis for years. Many of us are also parents of children who currently play, or formerly played, soccer and/or other sports on the very same field. Some of us are long-time abutters of the field who were involved some thirty-five years ago in transitioning this large, beautiful open space from a school playground into the multi-use field it is today. We come with our dogs *every* day, of *every* week, of *every* month of the *entire* year – rain or snow! We evolved into a small, close-knit, community of dog owners with a stringent “code of responsible conduct” that we each diligently enforce. In all, we are part of the Weeks neighborhood, respectfully sharing a precious community resource.

We are aware that Weeks Field has now come under consideration by Newton’s Off-Leash Area Working Group (“OLAWG”). We did not ask for this consideration. Nor is this letter intended to advocate for or against an off-leash park at Weeks. Instead, we seek *only* to address the following: *First*, to oppose an effort spearheaded by two individuals seeking to ban all dogs, all of the time from Weeks. And, *second*, to set the record straight as to certain false and provocative statements that have been recently published about Weeks and about us.

More specifically: Despite our efforts to be good citizens, a self-described “intense lobbying effort” targeting us and our dogs is currently underway, led by Cliff Utstein, President of NEWTON GIRLS’ SOCCER (“NGS”) and Ralph Ranalli, the field scheduler for NGS and NEWTON YOUTH SOCCER (“NYS”). See LETTER TO NGS FAMILIES FROM CLIFF UTSTEIN, dated May 6, 2012 (“May 6 Letter”). In his May 6 Letter, sent to NGS families (which includes many dog owners), Mr. Utstein took credit for the recent cancellation of a public hearing originally scheduled for May 21st – a hearing which would have allowed the voices of the public and of dog owners living in the Weeks’ neighborhood to be heard. Mr. Ranalli was recently featured in a TAB article (dated May 16, 2012) attempting to divisively transform the off-leash park issue into a gender issue by suggesting that consideration of parks like Weeks is unfair to girls because the off-leash statute expressly prohibits five (5) specific baseball fields that he contends are predominantly used by boys (“Because boys baseball fields are protected by the [off-leash] statute, there’s a major equal treatment issue here”). [Aside from the fact that the two baseball diamonds at Weeks have no such restrictions, Mr. Ranalli neglects to mention that girls can participate in Newton Little Leagues; nor does he consider why the City identified these five fields and/or whether such restrictions are connected to how the space was legally deeded to the City, *i.e.*, upon closer examination one is likely to find that these restrictions have nothing to do with any gender disparity either intentional or inadvertent. And, in any case, fenced-off fields with the grooming required for a baseball infield are quite different than the unfenced, uniform grassy soccer fields at Weeks, regardless of which sex plays where.]

Based on information posted on the NGS website (www.newtongirlssoccer.org) and statements made by Mr. Utstein and Mr. Ranalli (including statements made verbally in meetings

of the OLAWG on May 4 and May 11, 2012), it is clear that the NGS/NYS agenda is to persuade the City to ban *all* dogs – on leash or off – from Weeks Field, not just during soccer games or even the soccer season, but all year, apparently even in the dead of winter! To support this position they rely on facts and underlying presumptions about Weeks Field that are patently false. Mr. Utstein and Mr. Ranelli do not represent *all* of the NGS and NYS soccer families. Many of the dog owners who enjoy Weeks, including many signatories here, have children who play (or formerly played) on NGS and NYS teams. Some have been (or still are) coaches of NGS teams. These dog owners are aghast at the inaccurate and inflammatory statements, and extreme agenda these individuals are causing NGS/NYS to pursue.

We ask the OLAWG to consider the following three myths asserted by the NGS/NYS:

MYTH 1: “WEEKS FIELD IS A DEDICATED ATHLETIC FIELD.” IT IS NOT. WEEKS IS A MULTI-USE PARK. EXCLUSIVE USE AS AN ATHLETIC FIELD WAS SPECIFICALLY AND EXPLICITLY REJECTED BY ITS NEIGHBORHOOD DEVELOPERS.

Weeks Field was developed by the field’s abutters and close neighbors some 35 years ago to be open to all as a multi-use field. In contravention of its intended use, NGS/NYS erroneously suggests that Weeks is exclusively reserved as an athletic field. Building on this false sense of entitlement, Mr. Utstein further asserts that NGS is adamantly opposed to any cooperative use, as he states in his May 6 Letter: “We oppose and will work to defeat any proposal for shared use of soccer and other youth athletic fields...” (emphasis added). This position ignores the history of Weeks, its deliberate origins as a multi-use park, and the fact that it has been harmoniously used that way for decades. Upon the closing of the school that is now Weeks House, the field was redesigned and developed specifically as a multi-use park. Neighbors recall how some wanted Weeks to be a dedicated athletic field, but that such an idea was specifically and explicitly *rejected* in favor of its multi-use status. In fact, one of the reasons that the Weeks community created the “berm” – the wooded area with benches and checkerboard tables that divides the field in two halves (and which was privately financed by the abutters) – was because they did *not* want Weeks to become one enormous expanse of multiple playing fields. Weeks is not, as NGS/NYS claims on its website, an “athletic field;” it is a multi-use open field that happens to also have good playing fields.

DOG OWNERS HELP KEEP WEEKS FIELD CLEAN AND SAFE BY ENFORCING A “CODE OF RESPONSIBLE CONDUCT.”

As conscientious dog owners, we not only enjoy the beauty of the field and the opportunity to mingle with neighbors while exercising and socializing our dogs (and ourselves!), giving our pets the chance to run and play with other dogs, or just chase a ball – we also actively “patrol” the grounds. We are its caretakers. We do our best to keep it clean and safe. Our success is evident in the excellent condition of the park itself. Perhaps that is one reason why Mr. Utstein and Mr. Ranelli fail to credit our presence.¹

We pick up after our dogs. We pick up after other owners who either willfully or carelessly fail to pick-up after theirs. We even pick up after soccer families and others who leave food wrappers, bottles, coffee cups, juice box straws, clothing and other assorted trash. Every one of us has a story to tell about our personal effort to keep the field clean. One will share her story of picking up McDonalds’ bags and wrappings (some filled with uneaten meat and French fries, the kind of debris that attracts unwanted wildlife) discarded only feet from the trash cans. Another recently picked up small pieces of glass by the

¹ The vast majority of dog owners, in deference to the multi-use nature of Weeks, avoid coming to the park during games.

large rocks at the entrance to the field. Ironically, although we certainly do not suggest this, if the City really wanted to keep Weeks in pristine condition, it would ban all organized sports and import responsible dog owners! The fact remains, good dog owners help keep Weeks Field clean.

In addition to patrolling the field for errant feces and other trash, we also have been known to directly confront the minority of dog owners who violate our “code of responsible conduct,” albeit in a constructive manner. One anecdote among many should suffice here: There was a man who would occasionally drive up to Weeks and let his little dog out. He would sit in his SUV and drink his morning coffee while his dog would wander about. When we observed that he failed to pick-up after his dog, we took action by directly engaging him, offering him bags, and letting him know that we were aware of his misconduct and that it was not acceptable. This man has not been seen at Weeks for at least a year. We proudly drove him away. The same is true of a handful of other “bad apples.” Responsible dog owners not only pitch-in to personally keep the field clean and free of litter (all kinds, human and canine), we also police ourselves.

Finally, as local municipalities and police know, dog owners play a critical civic role in keeping our communities safe. Undoubtedly, our daily presence acts as a deterrent to crime and/or other nefarious activity, helping to keep Weeks Field safe as well as clean.

In all, responsible dog owners positively contribute to the cleanliness, safety and general sense of community at Weeks Field. If NGS/NYS succeeds in getting Newton to ban all dogs at Weeks, all of the time, it is reasonable to presume that such a ban – even if it could be practically enforced by the City – would only deter *responsible* dog owners. Certainly, the minority of “bad apples” will continue to come. This will only mean that the incidence, if any, of errant dog excrement left abandoned on the field will likely increase – which is not in the interests of the field, the neighborhood, or soccer players.

MYTH 2: “DOGS ARE DESTROYING THE SOCCER FIELDS.” THEY ARE NOT. WEAR AND TEAR OF THE SOCCER FIELDS IS CAUSED BY SOCCER PLAYERS.

At meetings of the OLAWG and in postings on the NGS website, the NGS/NYS has persistently perpetuated the myth that the wear and tear of the soccer fields at Weeks is due to dogs. Such claims are patently false. The truth is easily ascertainable. *First*, the OLAWG should consult the Newton Parks and Recreation employees who maintain the field who will surely know who causes the wear and tear. *Second*, we would like the OLAWG to view a video recently taken of the field wherein one can clearly see that the wear and tear appears exclusively within the painted boundaries of the soccer play areas and is absent from the areas outside of these boundaries where the grass remains in excellent condition; and where, in fact, the dogs usually play during the soccer seasons. *Finally*, we also propose that the OLAWG make a series of site visits to Weeks, both during times when soccer games are ongoing and in the morning, *i.e.*, prime-time for use of the field by dog owners. We are confident that, by doing so, the OLAWG will discover that the wear and tear of the soccer fields only occur during the soccer season and are limited to the playing areas. It is clearly the soccer players, and not the dogs, who cause damage to the grounds. To suggest otherwise is simply ludicrous.

It is also important to consider the actual time the field is utilized by soccer and the actual time it is utilized by other taxpayers. The soccer season lasts for only a few months, and games take place mostly on weekends (the field is used for after-school practice also during parts of the spring and fall). By contrast, dog owners utilize the field every day, all year round regardless of the season or weather conditions. It is unfair to suggest that Weeks should be restricted to athletic use when others in the community want to use this resource every day all year round.

MYTH 3: NGS/NYS FALSELY CLAIM THAT “DOGS ARE UNSANITARY AND HAZARDOUS TO THE HEALTH OF SOCCER PLAYERS,” WHILE IGNORING ANY HEALTH CONCERNS CAUSED BY THE PRESENCE OF GEESE, COYOTES OR OTHER ANIMALS.

Finally, NGS/NYS claims that the presence of off-leash dogs at Weeks creates a health and safety hazard. Mr. Ranelli, in the TAB article, characterizes the fields in multi-use parks like Weeks as “dog toilets.” At the May 4th OLAWG meeting, either he or Mr. Utstein stated that the presence of dog excrement or “residue” from such excrement on the soccer playing areas makes him hesitant to coach players to dive for balls so as not to come in contact with any allegedly contaminated dirt. Neither mention any similar concern with excrement left by birds, geese, coyotes, rabbits or other animals who populate Weeks as well. Nor do they address the fact that it is currently legal to bring leashed dogs to the field (as do many of the soccer families during games) and it is legal for these dogs to urinate and defecate on the soccer playing areas, as long as feces are picked up. Notwithstanding the presence of leashed dogs and other birds and animals, the NGS website states that “because dogs urinate, defecate, and dig (and because all of these activities destroy grass and create hazardous and unsanitary conditions for young athletes) off-leash dog playgroups are a destructive use when placed on high-quality athletic fields [such as Weeks].”

NGS/NYS fail to proffer even a scintilla of evidence that the presence of dogs (leashed or off-leash) is unsanitary or creates any kind of health hazard. Aside from ignoring science, not a single incident is cited where a young soccer player’s health was even remotely threatened by coming into contact with grounds used by dogs (or any other animals for that matter). In fact, the risk is no greater than coming into contact with dog feces anywhere else in Newton). Those of us with children who play or have played soccer are confident that getting “down and dirty” will do them no harm. Ironically, many of our dogs do not even defecate on the soccer playing areas. Instead, as is common canine behavior, they gravitate towards the perimeter of the park, well beyond the playing fields.

In sum, it seems less than constructive for Mr. Utstein and Mr. Ranalli to promote their own agenda, at our expense. They have unilaterally, and without authority, reclassified Weeks Field as an athletic field for the exclusive use of organized sports like soccer, instead of the multi-use open space that it was intended to be (and has always been). And, based on this false sense of entitlement, they have asserted unsupported allegations evidenced by this NGS posting that “due to sanitary, environmental and safety concerns...off-leash dogs are simply an incompatible use with certain other facilities like... premium grass athletic fields [like Weeks].” While they claim to be committed to cooperatively and collaboratively working with the City and the neighbors of Weeks, they have effectively silenced all other voices and views instead of working together to find a credible way forward. Any effort to ban all dogs, all of the time (despite the fact that NGS uses the field only a small fraction of the time), is as impractical and unenforceable as it is unfair and unjust. As conscientious dog owners we have shown that we can respectfully co-exist with our neighbors and organized sports. Weeks Field, as a multi-use open space, is a success story, of which the City of Newton can be proud. The field has always been, and continues to be, clean and safe; open to all who seek to responsibly enjoy it.

Sincerely,

Laurie Ruskin

Lisa Fisher
(soccer parent)

Steve Ebstein

Neil Silverston
(soccer parent)
(former soccer coach)

Sara Wise

Melody Wilensky

Jeffrey Lieb
(soccer parent)
(soccer coach)

Karen Andres

Andrea Cioccolanti
(soccer parent)

Martha Hausman
(soccer aunt)

Annie Lenox
(soccer parent)

Jill Ebstein

Dena Rakoff

Caroline O'Leary

Aaron Cohen

Leanne Berge

Angela Halliwell
(soccer parent)

Susan Phillips

Joseph Goldman

Randy Glassman