



Setti D. Warren
Mayor

Off-Leash Area Working Group

April 30, 2010, 9:00 am
Room 222- City Hall
Meeting Minutes



Robert J. DeRubeis
Interim
Commissioner

Attending: Bob DeRubeis, *Interim P & R Commissioner*, Candace Havens, *Interim Planning Director*, Susan Albright, *Alderman*, Walter Bernheimer, *P & R Commission*, Amy Koel, *DOLAC Chairman*, Carol Schein, *P & R Open Space Coordinator*, Officer Ralph Torres, *Animal Control Officer*, Ann Dorfman, *Citizen Representative*, Lee McIntyre, *Citizen Representative*, Ted Kuklinski, *Citizen Representative*

Also Attending: Harry Sanders, *Resident*

1. April 26, 2010 Commission Meeting

- 🐾 Mr. Bernheimer stated, from a P & R Commission member point of view, he commends the group on the presentation given to the Commission on Monday night. Interim Commissioner DeRubeis did a great job presenting the material.
- 🐾 Interim Commissioner DeRubeis stated the presentation went well, but the group still has a lot of work ahead of them. The department is already receiving calls with concerns, such as, dog feces at the different locations. There are not enough sites in the city where there are no other activities. This is when self-policing becomes important in the off leash areas.

2. May 17, 2010 Commission meeting

- 🐾 Interim Commissioner DeRubeis would like to discuss the ordinance. At the May 7 meeting the group can discuss the May 17 presentation.

3. Ordinance Update

- 🐾 Ms. Koel distributed a draft of the revised ordinance drafted by Marie Lawlor in the Law Department.
- 🐾 Alderman Albright stated she has been working with Interim Commissioner DeRubeis, and Ms. Koel on the off leash ordinance. The group reviewed ordinances from surrounding communities and found Cambridge and Somerville to be good ordinances. The group gave their notes and recommendations to Marie Lawlor and then Marie came back with the draft. The big change to the ordinance is the City is running the program:
 - Gives the Planning Department and P & R Department the authority to petition other departments for dog parks.
 - Gives the Parks & Recreation Commissioner the authority over the off leash areas.
- 🐾 Mr. Bernheimer stated the draft looks fine. Off leash areas are under the control of the city and allow flexibility for rules and land use.
- 🐾 Mr. McIntyre inquired which land Alderman Albright was concerned about. Alderman Albright responded the Conservation areas. Interim Director Havens stated the Conservation Commission is in the process of creating a maintenance and management plan for all conservation areas. The conservation commission usually looks at proposals on a case by case basis. The language in this ordinance seems to work.

- Mr. Bernheimer asked if the group should contact the conservation commission for the two proposed conservation sites. The P & R Commission has no jurisdiction over conservation land. Interim Commissioner DeRubeis will contact the conservation commission.
- Alderman Albright commented the ordinance is docketed to go before the Programs & Services Committee on May 5 with a possible vote in June.
- Mr. McIntyre stated concern over #11 in the drafted ordinance which states any dog shall be banned.... The group has to be careful the language does not allow retaliation between dog owners. Ms. Koel stated this language is standard and must appear in the ordinance. The process for complaints would have to be investigated. Interim Director Havens retrieved a copy of the ordinance book. Ordinance 325 & 327 state the animal control officer receives a written complaint, investigates and determines a resolution.
- Ms. Dorfman requested clarification on item #7 of the ordinance draft. Usually the language reads "No more than three *off leash* dogs allowed per person". Newton's ordinance reads "No more than three dogs allowed per person".
- Officer Torres commented if he sees a person with more than three leashed dogs, he will ticket the individual. Officer Torres will check with Officer O'Connell, the previous animal control officer. Ms. Koel stated the ordinance needs to be clear.
- Mr. Bernheimer stated the language should be changed to three off leash dogs. Alderman Albright inquired if a maximum number of dogs should be included.
- There was a group consensus on the following language changes to the ordinance draft:
1. Item A7- the number of *off leash dogs* is three per person
 2. Item A11 –include at the end of the sentence "in pursuant to sections 325 & 327".
- Ms. Dorfman asked if a fee to professional dog walkers is included in the ordinance. Alderman Albright stated the professional dog walking fees are being researched and discussed and may be an amendment to the ordinance.
- Mr. Bernheimer stated a professional dog walking fee should be instituted along with the additional dog parks opening. Ms Dorfman inquired if we were ready to propose a fee for professional dog walkers. Officer Torres inquired how this would be enforced, how will he know who is a professional dog walker.
- Alderman Albright will send the information she has collected on dog walking fees, to Robin who will distribute the information to the OLAWG members.
- Ms. Dorfman stated the dog walking portion could create additional issues for the park proposals.
- Interim Commissioner DeRubeis stated that during the presentation to the Commission he told the Commission that OLAWG is not going away, because there are more issues to deal with involving the dog parks, such as the professional dog walkers. The group should not rush through the process; we need to do this the right way.
- Alderman Albright stated the professional dog walking fees could probably be docketed with the Board of Alderman in July.
- Mr. Bernheimer stated enforcement of the professional dog walkers should not be an issue. The regular users of the park will notify animal control of any professional dog walkers not following the rules.

- Mr. Bernheimer asked how the money from the dog walking fees will go to P & R Department for maintenance. Interim Commissioner DeRubeis stated the money could go into a revolving account.

Respectfully submitted,

Robin McLaughlin, Secretary