



David B. Cohen
Mayor

Newton Parks & Recreation Commission

Meeting Minutes

Newton City Hall, War Memorial

October 19, 2009



Fran L. Towle
Commissioner

Attending: Fran Rice, *Chairman*, Walter Bernheimer, *Vice Chairman*, Arthur Magni, Kathleen Heitman, Jack Neville, *Alternate*, Peter Kastner, *Alternate*, Michael Clarke, *Alternate*, Bob DeRubeis, *Deputy Commissioner*, Robin McLaughlin, *Secretary*

Absent: Fran Towle, *Commissioner*, Peter Johnson

Also Attending: Officer O'Connell & Officer Torres, *Newton Police Dog Officers*, Amy Koel, *Chairman, Dog Off-Leash Advisory Committee (DOLAC)*, Carol Stapleton, *Recreation Manager*.

Commission Meeting called to order at 7:01 pm.

1. Meeting Minutes from the 09-21-09 Commission Meeting accepted 6-0.

2. Commissioner's Reports on Programs, Forestry and Maintenance- Deputy Commissioner DeRubeis.

- The Harvest Fair was held on October 3 & October 4th on the Newton Center Green. Linda Plaut & Judy Anderson did a great job, despite the inclement weather.
- The Cultural Center celebrated their 5th year anniversary this past week-end.
- Paddy's Road race was held on Sunday October 18th. There were over 1,000 runners. Mark Kelly, the Special Needs Director and the volunteers did a terrific job.
- Maintenance Report
 - Grass mowing contracts are coming to an end.
 - Fencing repairs continue.
 - Irrigation systems have been winterized
 - Fall playground repairs are almost complete. Playground repairs are done twice a year, once in the Spring and once in the Fall.
 - Gath Pool & Crystal Lake have been winterized
 - Aeration and soil work on the ball fields continues.
 - NSHS Synthetic Football field is being used. Two varsity football games and Pop Warner games. Last weekend when it rained the field remained open and the game was not cancelled, everyone was happy.
- The P & R Department Scholarship program reports there were 73 applicants seeking scholarships, 71 applicants accepted the scholarships. \$27,945.00 in scholarships was approved.
- Upcoming Programs
 - November 11 – a trip for students to Coco Keyes Indoor Swim Park in Fitchburg
 - Ice Skating lessons
 - Volleyball program
 - Tom Cahill is preparing for the NNHS Indoor Recreation program

Chairman Rice asked the Commission members if they had any questions for Deputy Commissioner DeRubeis. There were no questions.

3. Off Leash Dog Parks

- Chairman Rice stated there would be no vote on any of the Off-Leash Dog Park Proposals tonight. The Mayors State of the City address is at 7:45 pm and the Commission Meeting must be concluded by that time. Each proposal will have representatives speak, from each viewpoint, for three minutes each.
- Chairman Rice introduced Chairman Koel of the Dog Off-Leash Advisory Committee (DOLAC). Chairman Koel gave an update on each of the dog park proposals:
 - *Nahanton Park Meadow* Proposal is off the table as an option. A small strip of land by the parking area is being discussed.
 - *Braceland Park* Proposal has been revised and is posted on the website <http://www.ci.newton.ma.us/Parks/RecCommission/agendas.html>. There is a Braceland Community meeting on November 9, 2009. Chairman Koel asked for e-mail information of anyone that should be or would like to be notified of the meeting. Chairman Koel asked for assistance from the Community Leaders in collecting e-mail information.
 - *Hunnewell Park* Proposal will not be going forward as written, the proposal will be revised. There was a Community meeting on October 15. Some concerns were traffic issues, and children in the park. The applicant group is looking at a fenced in area by the New Balance building.
 - *Newton Centre Park* Proposal. There was a community meeting on October 14. No revisions to the proposal are necessary. Tonight the applicant group was looking for a vote.
 - *Cold Spring Park* continues to go well, there is nothing new to report.
- Chairman Koel wanted to address the numerous e-mails she has received regarding dog feces. Responsible owners do the right thing and clean up after their dogs. Chairman Koel was out walking her dog around Newton and saw eight piles of dog feces. Some people do not clean up after their dogs no matter where they are.
- Chairman Rice asked if there were any questions for Chairman Koel. There were no questions.
- Chairman Rice asked for comments on the Newton Centre Park proposal.
- Daniel Jackson an abutter of Newton Centre has the following concerns but is looking for an amicable solution for his dog owning neighbors:
 - The idea is not flawed but control is an important issue.
 - Parking in the area would become an issue if more people travel to the area to use the park.
 - The park is near the Mason Rice Elementary School and he is concerned for the children's safety.
 - Increased dog feces in the park.
 - This morning eight dogs were in the park off leash with their owners.
- Claudia Morris the applicant for Newton Center Off leash Dog Park stated a small group of neighbors have been using the park with their dogs for 15 years. They have been assisting with keeping the park clean. They have shared the area successfully. The dogs are kept off the play fields and if there are any issues the neighbors take their dogs' home. The area for the dog park is an isolated area from Mason Rice School. One side of the area has a chain link fence and is surrounded by shrubs and the other side is bordered by the aqueduct and shrubs. For many years they have been the only

ones in the park for the hours they are asking for. The applicants want to limit the hours of the dog park as well as the number of dogs allowed (20 dogs) in the park at one time. With legal hours & rules for the dog park the park users will have some authority when approaching dog owners using the park

- Mr. Bernheimer asked Ms. Morris to confirm that she has been breaking the law for the past fifteen years by bringing her dog to the park and allowing the dog to be off leash at the park. Ms. Morris confirmed she has. Ms. Morris has been working with the City for 10 years to make this work. Mr. Bernheimer stated the present system is not working. Members of the audience raised their hands and spoke out that they also have been breaking the law. Ms. Morris stated there is clearly a need for dog parks.
- Mr. Jackson stated he is concerned that a designated off-leash dog park will transform the park into becoming something else. There is no mechanism to prevent the transformation.
- Mr. Bernheimer commented that if the City approves additional off-leash dog parks, dog owners will still use unapproved areas for off leash dog activities. We need more commitment from the City to enforce the law.
- A resident spoke to address the issue of the Police not enforcing the law. She was at Cold Spring Park in the morning then again in the afternoon and the Dog Officers were at the park on both occasions.
- Chairman Rice requested Chairman Koel have another Newton Center Community Meeting.
- Chairman Koel emphasized that all of the meetings are Public Meetings. Things do not happen behind closed doors. The Public is welcome to all of the meetings. You will be notified if the Committee has your contact information.
- Chairman Rice asked if there were any questions for the Police Officers.
 - How many dog officers are there for Newton?
 - There are two dog officers in Newton
 - What are the hours the Officers work?
 - Officer O'Connell works 7:30am-3:30pm. Officer Torres works two nights 3:00pm-11:00pm and three days 7:30am-3:30pm.
 - The issues discussed regarding Cold Spring Park are people coming from other communities to use the park and people walking their dogs off leash on the trails. Of the people given tickets on the trail off-leash are they neighbors of the park or people from outside the community?
 - Officer O'Connell replied he has not looked at the data, but recently the people given tickets have lived fairly close the park. Officer O'Connell is not sure of the actual numbers.
 - A resident commented that alcohol consumption and women voting were illegal at one time. Those laws were changed. Do not break the law, change the law.
 - Do the same people call to complain about the dog park? Could people be concerned about walking on the path, which is isolated?
 - Officer Torres stated it has been pretty quiet in regards to complaints. When there are complaints from Duncklee Road the officers address the issues as soon as possible.
 - Officer O'Connell stated he receives more e-mail complaints than phone complaints. Officer O'Connell commented the park is closed after dusk and is a safe park, people should not be concerned.
 - What is the Officers policy about posting comments on Twitter?
 - Officer O'Connell stated he does not use Twitter.

- A resident reported someone has been putting fliers on cars, trees and all around Cold Spring Park. These fliers appear to be from the Police Dept, what is the appropriate action for park users to take regarding these fliers?
 - Officer O’Connell commented the issue was someone other than the Police making copies of fliers the Police Dept had previously posted in the Spring. The Police did not put the recent fliers you are referring to. The issue has been resolved. If you see fliers from the Police Department it is best to call the Police Department and confirm they posted the flier before residents remove the fliers.
- Chairman Rice thanked Officer O’Connell & Officer Torres. Chairman Rice asked Mr. Stock if he had any questions. Mr. Stock had no comments.
- Ms. Anne Li of 53 Beverly Rd commented before the pilot program Cold Spring Park was a nice neighborhood park. The pilot program has changed the Park and Ms. Li is concerned about that. Ms. Li has done some research on off-leash dog parks and has contacted Brookline, Cambridge, and Somerville. Ms. Li stated these towns have a better process for establishing dog parks. Their process includes a detailed ordinance and the citizens must take ownership.
- Chairman Koel commented the Advisory Committee agrees with Ms. Li. DOLAC has just submitted a memo to the Board of Alderman Programs & Services Committee to revise the current ordinance.
- A resident commented we are way past the issues of the Dog Park we need to establish new dog parks. There is clearly a need for the dog parks.
- Chairman Koel agreed with this resident that new dog parks do need to be established.
- Mr. Stock commented the research done in Brookline, Somerville and Cambridge shows other Towns are proactive in establishing dog parks, in Newton there is no leadership at the top which causes neighbors to be pitted against each other. The ordinance is the problem, the ordinance needs to change.
- Another Braceland Park abutter commented the City should revisit the ordinance and then revisit the applications for the dog parks.
- Diane Cotting the Hunnewell Park applicant explained the location of the proposed Hunnewell Dog Park. She explained dog owners have been using this park for years. Ms Cotting completed a two month survey, there were up to 20 dogs with 6 people at a time in Hunnewell Park. Little League has offered to improve the park benches. Little league uses the park for six weeks then they are done for the year.
- Ms. Cotting commented there was a Community meeting on October 15. Some of the issues discussed were people entering at the gate, and people looking down side streets for places to park. Another issue was the amount of dog feces that would be in the park. Ms. Cotting stated the dog owners clean the park and also leave extra supplies for other dog owners who may not have bags to clean up after their dogs. The suggestion was made to fence in an area of the park. This area is to be determined.
- A resident stated the proposal is based on having the ability to park at the New Balance building. Is this legal? Chairman Koel confirmed the Committee has received written approval from the owners of the New Balance building to park in their lot.

4. **New Business – No new business**

Meeting adjourned at 7:44pm

Respectfully submitted:

Robin McLaughlin, Secretary