

**TOWN OF DARIEN  
PARKS & RECREATION COMMISSION  
MINUTES OF REGULAR MEETING  
OCTOBER 20, 2010**

**ATTENDANCE:** Jane Branigan, Chairman; Susan Graham; Susan Daly;  
Vin Burke, Andrew Hunter, Marianne Gutierrez (8:15 pm);

**STAFF:** Susan Swiatek, Director.

**OTHER:** Chip Stahl, Animal Control Officer.

**CALL TO ORDER**

Ms. Branigan called the meeting to order at 7:35 p.m.

Ms. Swiatek announced that Jim Coghlan could not be in attendance, as his wife just gave birth to their second daughter, Grace, and the Commissioners expressed their congratulations to him and his family.

Ms. Branigan stated that she would suspend the rules to move up item four on the agenda to next so that a discussion would be held on the proposed Animal Control Ordinance, and requested a motion.

**\*\* MS. DALY MOTIONED TO SUSPEND THE RULES TO MOVE UP ITEM  
FOUR ON THE AGENDA TO DISCUSS THE PROPOSED ANIMAL  
CONTROL ORDINANCE.**

**\*\* MR. HUNTER SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Discuss And Take Action On Proposed Animal Control Ordinance

Mr. Burke asked to open the discussion on the issue of dogs off leash on the beach and stated that he has witnessed an increase of dog owners who do not clean up the dog waste. He added that this is a health issue and he read statistics and stated that there is no visible enforcement. Ms. Branigan stated that this is a part of the proposed ordinance, and Mr. Burke replied that he would like to see a better enforcement or perhaps help from the police. Ms. Swiatek responded that there is only one Animal Control Officer and it is difficult for him to be at all areas, and she asked Mr. Stahl if he would like to comment.

Mr. Stahl stated that without citizens' assistance it is very difficult to impose fines and he suggested that residents take photographs of offenders and provide address information, and he will contact those offenders and give them warnings.

Mr. Burke asked how much is the violation, and Mr. Stahl replied that he would like to see a \$92 amount, which is the same as a violation of the State Nuisance law. Mr. Stahl explained that he usually gives a warning for a first time offence, but will issue a ticket for a repeat offense. He stated that under the Dog under Control law, the animal has to do something to show that it was not under control.

Ms. Branigan explained the rules of the public comment and asked those who had signed up to speak to state their names and address, and to comment only on those items relevant to the proposed ordinance.

## **PUBLIC COMMENTS**

1. Julie Frank, 19 Whaling Road, Darien, asked if the ordinance becomes law what does this mean for the many dog owners that have dogs than need to run off-leash.

Ms. Branigan replied that it is not up to this Commission, but that the ordinance will be voted upon by the RTM and that is the meeting that residents should attend to voice their opinions. Ms. Frank replied that it states on the agenda that the ordinance will be discussed and take action, and she asked for clarification of what that meant. Ms. Swiatek replied that this issue has been going on for more than ten years and she gave a background on the issue. She clarified that there is a public hearing scheduled for October 25 prior to the RTM meeting and restated that that is the forum to address public comments.

Ms. Frank added that she owns three dogs and there is never a problem or injury while the dogs are playing. Dogs are better off the leash, as there is less leash rage. She recommends fencing areas, and proposes hours. Both parties are responsible people that should be able to work together to have inland trails only and limited hours.

2. Cecelia Munat, Old Kings Highway, Darien, stated that she had expressed their concerns to RTM Parks & Recreation group and has e-mailed committee members to address the many questions and issues involved. She stated that there is statistics on research done on the number of dog reports reported in the surrounding towns in Fairfield County, and she read the various numbers.

Ms. Swiatek responded that the statistics are not relevant to the issue, as it is the position of the Commission that one dog bite is too many. She added that the point of the public comments session was not to quote statistics and restated that the ordinance will be voted upon by the RTM and that is the meeting that residents should attend to voice their opinions.

3. Ms. Cheryl Russell, 18 Holly Lane and President of the Parks & Recreation Commission of the RTM, stated that the study by Ms. Munat was independent and not sanctioned by the RTM. She added that the item was voted upon with seven votes in

favor and two opposed to accept the ordinance with some modifications to the legal wording. She suggested that the concerned citizens work with the Parks & Recreation Department to have off-leash hours or a dog park with dogs allowed off leash.

Ms. Frank interjected that voting on the ordinance is unfair when the responsible citizens are not given a voice to take action, and she again asked for clarification of what that meant. Ms. Branigan stated that the comments were out of order and asked Ms. Frank to wait to be recognized before speaking.

Ms. Russell added that the TGS&A and PHS&H has not voted on this Ordinance, but only the prior one that has since been re-written and re-drafted by Ms. Swiatek.

Ms. Frank again asked to make another comment, and after being recognized by the Chair stated and with only one bite over several years, she finds it hard to believe that the responsible dog owners are being punished. Ms. Swiatek replied that the issue is not how responsible they are, the issue is that the dogs are required to be on a leash for the safety of all residents. Ms. Gutierrez added that the Commission has the responsibility of all citizens, including small children, and the elderly, as well as those people using parks that do not have dogs at all, and dogs that are not on a leash pose a safety risk to all.

Mr. Stahl stated that under the Dog under Control law, the animal has to do something to show that it was not under control, and that in response to the comment there have been several reported dog biting incidents in the Town.

4. Jennifer Sheehan, 676 Post Road, Darien, stated that she has dogs that need to run, and has to take her dogs to Rowayton or New Canaan, where they get attacked by other dogs.

5. Frank Cirillo, 3 Beechwood Road, Darien, introduced himself as a six-year resident who lives adjacent to the park, with his back lot near May Pond. He is a former dog owner and understands the needs for physical activity for a dog's cardiovascular benefit, and he loves dogs and has had many encounters with friendly dogs. He thanks the dog owners who have entered the park by walking up along his driveway with their dogs on a leash, and appreciates their obeying the leash laws.

He stated that as much as he loves the dogs, however he has witnessed first hand several off-leash activities with families of small children being fearful of loose dogs, and altercations where owners could not control their dogs. He has also seen dog fights where the owners with dogs on the leash would have to pick up their dogs to shield them from aggressive off-leash dogs. He stated that he has had a number of occasions where loose dogs have entered his property where his young children are playing. Several times, loose dogs have gone through the yard, on to the patio and have taken his hors d'oeuvres at picnics on his property. He has considered buying a fence to contain his children, but cannot justify the expense of installing a fence just to keep the dogs off the leash from entering his property.

He said most of the violations occur on weekends after the dog warden's hours of duty, and some dog owners know the schedules of neighbors so that they wait until there is no one home to go through their property and let the dogs run. Mr. Cirillo urged the commission to approve the revised ordinance to support the leash laws, and asked the dog walkers to at the minimum to please read signs as there are many violators of the dog leash and waste pick-up laws.

6. Mary Waller, 4 Glen Gorham Road stated that the problem is when there is a mix of on leash versus off-leash that contributes to the aggressiveness of the dogs off the leash. She asked if there was a plan for a dog park

Ms. Swiatek stated that it comes down to a public safety issue and suggests that the concerned citizens recommend a dog park plan and that is the ultimate solution. Mr. Burke stated that he agrees and that there needs to be a partnership with dog owners.

Ms. Branigan asked if there was any further comments, and hearing none, closed the public comment section of the meeting.

#### Discuss and Take Action on Proposed Animal Control Ordinance

Ms. Branigan stated that the proposed animal ordinance has been presented and asked for a motion.

- \*\* **MR. HUNTER MOTIONED TO APPROVE THE PROPOSED ANIMAL CONTROL ORDINANCE FOR THE CONTROL OF DOGS IN PUBLIC PLACES.**
- \*\* **MS. GUTIERREZ SECONDED.**
- \*\* **THE MOTION PASSED UNANIMOUSLY.**

Ms. Daly added that she feels it is time to consider a Dog Park and there needs to be a partnership created to look at what will work to come up with an acceptable solution and compromise.

#### Approve Minutes of Regular Meeting of September 15, 2010

Ms. Daly requested the following changes:

TO correct Andrew Hunter Hunter under attendance, on page two the motion should read MS. DALY MOVED not SUE, and to correct the spelling of Albrizio.

- \*\* **MS. DALY MOTIONED TO APPROVE THE MINUTES OF SEPTEMBER 21, 2010 AS AMENDED WITH CORRECTIONS NOTED.**
- \*\* **MR. HUNTER SECONDED.**
- \*\* **THE MOTION PASSED UNANIMOUSLY.**

3. Discuss the relocation of the Darien Senior Center to  
The Town Hall providing recreational space

Ms. Swiatek mentioned that First Selectman Campbell was asked to attend tonight's meeting, but there was a communication conflict with the scheduling, and he was unable to attend. Ms. Daly stated that it was essential that First Selectman Campbell be here to answer questions and address the many issues with the Town Hall relocation plan. Ms. Swiatek agreed that it was important to have him attend, and the Commissioner's agreed to table the item to next month's agenda.

4. Discuss Weed Beach Trail Project; Concept of Fitness Trail  
In conjunction with the Darien Y Pioneering Healthy Communities Grant Funding.

Ms. Swiatek stated that a new trend among parks in other cities and states is the addition of exercise stations not along the actual trail but to the side, where walkers can add a work-out element to their walk or jog. She presented copies of product catalog items that listed machines like pull-up bars similar to playground equipment, and said that she was in favor of looking into the pricing and maintenance of such items. She asked if the Commissioners were in agreement to pursue the project in concept, and they were in agreement.

Ms. Russell asked about the grant itself, and Ms. Swiatek replied that it is a grant to the Darien YMCA who would actually administer a portion of the grant to be gifted to the Parks & Recreation to the project.

5. Discuss 33 Cherry Street property purchased by the Town

Ms. Swiatek said that this is a one-tenth of an acre parcel that was purchased for a relatively small amount of money by the Town and removed a house from the floodplain. She added that she was recently notified that Parks & Rec. is responsible for the maintenance of the area, that it is overgrown, but her crew will get in there, clean it up. She suggested that a park bench can be added and some small plants to make it a nice little area that will also provide a nice walking access to Holohan Field, and an area suitable for an Eagle Scout Project.

6. Reports:

a) Director

Ms. Swiatek said that work continues to be done at the Senior Center, work has been done on the parks and fields to prepare them for the winter months so that they are in good shape for the spring. Ms. Swiatek added that included in the report is a project status summary on the park permits and large events, administration of fall programs and winter program registration, and senior center projects.

Project Status was provided for the Weed Beach Master Plan, completion of the Weed Beach Playground, Paddle Court repairs, and equipment replacement.

Ms. Swiatek added that relative to Weed Beach, that she is working with the contractor to finalize the engineering plans that need to be modified and drawings need to be sent out for bid and the RFPs are set up to be issued as soon as the money is released.

b) Assistant Director

Ms. Swiatek presented Mr. Coghlan's report, as included in the handout, and said registration for the Fall/Winter programs so far are comparable to last year, referring to a bar chart comparison showing a steady increase over the last ten years, along with a summary of the paddle tennis court upgrade plan.

#### CHAIRPERSON'S REPORT

Ms. Branigan stated that there was no formal report.

#### 7. Discuss and take action on the Meeting Calendar for 2011

Ms. Swiatek presented a draft of the meeting calendar for 2011 and the following changes were requested:

Delete April 20, 2011 and December 21, 2011.

Add September 14, 2011 as an alternate date to the September 21, 2011 meeting. Note: Pending the Darien Public Schools calendar, (Open House) one of the dates will be deleted.

**\*\* MS. DALY MOTIONED TO APPROVE THE MEETING CALENDAR FOR 2011 AS AMENDED WITH CORRECTIONS NOTED.**

**\*\* MS. GUTIERREZ SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Ms. Branigan stated that the next meeting was a regular meeting scheduled for November 17 at 7:30 p.m. at the Darien Town Hall, room 119.

**\*\* MS. GUTIERREZ MOTIONED TO ADJOURN.**

**\*\* MR. HUNTER SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,

Marilyn Knox  
Telesco Secretarial Services

Town of Darien  
Parks & Recreation Commission  
October 20, 2010  
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