

Parks & Recreation Committee

Meeting Minutes

The Parks & Recreation Committee (P&R) met on Monday, October 18, 2010 at Town Hall to discuss and vote on the proposed Animal Control Ordinance.

Members present: Robert Cordone, Adele Connift, James Eng, Anthony Imbimbo, John McLean, Peter Nelson, Cheryl Russell, Gary Swenson, Cecelia Mundt

Members absent: Mark Dailey, Michael D'Urso, James Howe, Lee Pratt

Guests present: Carolyn Schoonmaker (Chair PH&S), Jane Branigan (Chair P&R Commission), Ed Schmidt (Town Counsel) and Captain Frederick Komm (Darien Police Department). There were also many members of the public.

The meeting was called to order at 7:35 by Chair Cheryl Russell. Discussion ensued regarding the proposed Animal Control Ordinance. Chair Cheryl Russell opened with concerns regarding the fees and possible conflict due to inconsistencies across all park fees. Ed Schmidt replied that that is common. Captain Komm also mentioned that it is typical to have different fines for different things. Ed Schmidt summarized that the changes to the ordinance were substantively the same as last year, but changes were made to be consistent with the new formats for Appendix D.

It was noted that TGS&A and PH&S had voted on a different version of the ordinance. Chair of PH&S, Carolyn Schoonmaker, noted that her group would be meeting again on Oct. 25th prior to the full vote to examine the changes.

Schmidt clarified for the group the history and roles of the Parks & Recreation (P&R) Commission. The language in section C of the revised ordinance was added on October 12, 2010: *Pursuant to Chapter VII, Sec. 27(a), the Park and Recreation Commission having exclusive control of all parks owned by the town, has accepted the applicability of this ordinance to town parks. Pursuant to Sec. 42-21 of the Code of Ordinances, the Park and Recreation Commission has and may continue to adopt rules and regulations that may further regulate or prohibit dogs on town parks.*

According to Schmidt, this avoids all problems and allows the P&R Commission to be stricter and more lenient and flexible as needs arise. By wording this section as such, the P&R Commission does not have to do anything to require all dogs to be on leash on all public places. This also provides the Commission the flexibility to be stricter or more lenient (e.g., allow off leash hours) in the parks as they see fit. There was also a warning that we need to be mindful

of always acting in concert with the P&R Commission with any new ordinance language moving forward.

Chair of P&R Commission (Jane Branigan) was asked why she did not have rules & regulations about dogs on leash at all parks already since the Charter allows them to make that decision. She replied that she cannot enforce the current leash rules at Woodland and Sellecks and that she believes an ordinance would be more powerful. Captain Komm commented that enforcing a rule and an ordinance is the same from the police's perspective. Capt. Komm discussed how it was hard from the police's perspective to enforce the current state regulations around "control" and "roaming". He felt that a leash law would be more preventative.

Statistics were presented by a member of P&R and were a representative of only those bites reported to the police and to the Ct. State Department of Agriculture. There was a comment from Jane Branigan that 3 bites in the parks were not documented in the report.

A committee member discussed how dog aggression may increase due to the leash law. Dogs kept on leash were more territorial and aggressive while those exercised off leash calmer, better trained, and healthier for the environment. Evidence from New York State was cited. Data was cited about the rise in New Canaan's numbers since their leash law went into effect. Comments from the table said that the numbers are hard to analyze.

Chair Russell reiterated that this is a request from the police. She reiterated that the town keeps removing monies from the budget for a dog run which she and her team has researched and recommended for years.

The floor was open to the public for discussion:

- Dogs kept in their yards are like treating them like a goldfish in their tanks.
- We could engineer a safety control that would allow off leash activity to be safe in public parks
- There are owners in town without yards and require space to exercise their dogs
- Statistics given corroborate with the data pulled from the State Department of Agriculture in Hartford

Bites mentioned that were not reported were due to the persons not thinking it was an issue

- The ordinance would be a "poor thing" for Darien and we should represent the town's view

- Can't imagine Police want to spend their time writing tickets for leashes

A motion was put to vote on the ordinance as written and to add the following commentary:

"Committee recommends to the full RTM to approve the ordinance as drafted, with the technical language correction described by town counsel. The committee further recommends that the P&R Commission in conjunction with the police and the public review and consider a dog run and or off leash hours at certain parks in an effort to balance the desires of the public and public safety."

A motion was made and seconded. The vote was 7 in favor. 2 opposed. Minority commentary included:

- Fears that aggressions will rise instead of decline due to Susan Thomas, DVM and the San Francisco SPCA
- Need more information to determine any long term impact of the ordinance
- Timing issue with an effective date being only 2 months away too short. Due to the holidays, this may result in confusion among many citizens.