

RYE DOGS AT LARGE COMMITTEE MEETING

**Thursday, July 19, 2018
6:30 p.m. – Rye Town Hall**

***Members Present:* Chairman Ritchie White, Vice-Chair Mike Garvan, Shawn Joyce, Susan Shepcaro, Kevin Kobylinski, Selectman Phil Winslow and Police Chief Kevin Walsh**

I. Call to Order and Pledge of Allegiance

Chairman White called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

II. Approval of Minutes

- **July 5, 2018**

Motion by Phil Winslow to approve the minutes as presented. Seconded by Mike Garvan. All in favor.

III. Discussion on Revenue Sources

Police Chief Walsh stated that the Animal Control Officer (ACO) called the ACO in Boulder, Colorado. The officer from Boulder gave some guidance on the program. He sent some information on the progression of the program and how they made adjustments with things that were not successful. (Chief Walsh reviewed some of the guidelines received from Boulder.)

Highlights from Boulder Program:

- Dog guardian walks with no more than two (2) dogs under voice/sight control.
- Program requires dog guardian to carry a leash for each dog, along with a dog waste bag.
- A Voice/Sight Program tag must be on the dog and be visible.
- Guardian must show that the dog responds immediately to their command.
- Dog must not chase, or otherwise display aggression, towards a person or behave in a way that a reasonable person would find harassing or disturbing.
- Implement a site to tryout the program. (Town Forest)
- Check with Town Clerk's Office to see if the registrations would be a burden. (Rye Town Clerk did not feel this would be a burden for the office. Information about the

program will be handed out from the Clerk's Office. People must come in to the town hall to pick up the tag so there is no confusion in regards to the rules.)

- Verification of the dog license and vaccination background.
- Class and instruction for dog owners. The dogs do not have to be present at the class. (Rye will need to decide if classes will be given.)

Chairman White noted that what the committee has already passed for a recommendation would not include any classes.

Chief Walsh stated he is not in favor of the classes. He will coordinate with the Town Clerk to make sure people received the program information.

Chairman White stated that it was the committee's recommendation that the people had to come in to read the rules and sign confirming that they agree to abide by them.

IV. Discussion on Video from Boulder

Regarding the part about "control" in the video, Member Joyce stated that this could be modified for Rye. The parts could be shown about what it means when someone calls a dog and when a dog is disturbing someone.

Chief Walsh stated that he will have Sargent Blais, who is the supervisor for the ACO, review the video. Sargent Blais is in charge of technology for the department and may be able to edit the video to meet Rye's needs.

Chairman White stated that a requirement could be that the person has to watch the video before signing and accepting the rules of the program.

Member Joyce suggested that a link to the video could be posted on the town's website. When the person signs that they read the rules, they are also signing that they watched the video. He noted that they should get permission from Boulder to use the video with all references to Colorado removed.

Member Kobylinski stated that Boulder has a rule of a maximum of two dogs being walked by a single owner. He continued that if they are sticking with the Boulder program, it should be kept to two dogs.

Member Shepcaro noted that the Boulder program says a person cannot have more than two dogs under the Sight and Voice Control. A person can have three dogs but at least one must be on a leash.

Chairman White noted that the committee passed three dogs under the program per walker.

Member Joyce submitted photos to the committee showing the tag and signs that Boulder uses.

Member Garvan stated that this should be as easy as possible for the Town Clerk's Office and for people who are registering their dogs for the program. He likes Member Joyce's suggestion of putting something online.

Chairman White noted that the committee is setting up the framework for the recommendation. The Selectmen and Town Clerk will work out the details of how the program will be implemented. He is sure they will fine-tune it to something that makes sense.

Member Garvan commented that he does not think they need to check an out-of-town dog's vaccination. That is just an extra burden.

Chief Walsh pointed out that all towns require people show proof of their dog's vaccinations when they are registering their dog. It would be appropriate for someone to show proof of licensing from their community if they want to be on the program.

Member Shepcaro stated it is a great idea to have the education piece online; however, it should be mandatory for the primary caretaker to come in to the town hall to sign.

Selectman Winslow stated that there was discussion that the first tag would be \$25 for residents and the second tag would be \$10. The tags for out-of-town residents will be \$75. He asked what the charge will be for a second tag for out-of-town people.

Speaking to Selectman Winslow, Chairman White asked how he sees the Selectmen taking the recommendations. He asked if the Selectmen will be looking to fine-tune the details or just accept what is recommended from the committee.

Selectman Winslow stated that he believes the Board will look at it and have questions. He thinks it would be appropriate for committee members to be at the presentation to answer the Selectmen's questions.

In regards to the fees, Chairman White asked if the Selectmen will look at the fees and make changes based on discussions with the Town Clerk and Police Chief. He asked how specific the committee should be.

Selectman Winslow stated the committee should be as specific as possible. It should not be given to the Selectmen as a work-in-progress. It should be given to them as a completed recommendation.

Speaking to the committee, Chairman White asked if they would like to revisit the out-of-town fee. Right now, the fee is \$75 with no pricing for a second dog.

Member Shepcaro commented there should be a second dog price.

The committee agreed that the fee for a second and third dog for non-residents would be \$25 each.

Selectman Winslow stated it should be mandatory that if someone gives their neighbor a tag to use, the person will lose the tag right away.

Member Joyce pointed out that if someone swaps tags with someone else, the officer can get the number on the tag and find out who is responsible for the tag.

Chairman White stated they both can get tickets. One person has an illegal tag to have their dog off-leash, because it is not theirs, and the other person is in violation for giving them the tag.

Chief Walsh commented this can be written in the rules. He also suggested that they consider a rule that the privilege can be revoked for one year. They should also have the appeal process outlined in the written information. For instance, with a parking ticket, a person can fill out a form for an appeal and it will be reviewed by parking enforcement. If the appeal is denied, it can be appealed to the Chief of Police. If the Chief denies it, the person will receive a court summons and can take the issue to court. In the case of the dog program, he thinks the appeal process should stay within the department. He does not think the select board should be tied up with appeals.

**Motion by Shawn Joyce to make the additional annual dog fee for non-residents \$25.
Seconded by Mike Garvan. All in favor.**

Speaking to Chief Walsh, Chairman White asked if he has information on the current expenses for the ACO, how much this program will generate and the additional coverage that would be needed.

Chief Walsh stated that he will have to look at the past three or four years to get an idea of the number of hours that will be needed.

Chairman White asked if there is anything else the committee can recommend to help the Selectmen with additional funds for enforcement. He asked if they are bringing the best ideas to the Selectmen in terms of revenue.

Selectman Winslow stated that one of the questions is what the additional costs will be and how that will be funded. Will the cost be paid by the taxpayers in general? Should there be a recommendation to have a function or two to try to raise funds for the program?

Member Joyce commented that the people with dogs might get together and put on a function to raise funds. He continued that he would contribute because he would like to see the tag program in place as it will help everyone. People who have a dog they would like to have off-leash should be a part of the process.

Chairman White stated it is advantageous to the people who use the beach and forest who don't have dogs as well. It is an asset to them to have dogs under control.

Speaking to Chief Walsh, Member Kobylinski asked the hourly rate for the ACO and how many hours they work.

Chief Walsh explained that they spend more hours on patrol in the summertime. After that time, it scales back and they shift their focus to the Town Forest and Parson's Field. Right now, they are really focusing on the beaches because of the number of complaints that have been coming in regarding dogs.

Selectman Winslow noted that last year the town took in \$5,304 in dog licensing fees. This year the total is \$3,900 so far. Currently, this money goes into the general fund.

Chief Walsh stated that a violation for not having the tag for an unleashed dog might get complicated. The town ordinance fees go to the town. He is not sure they can separate the violations for the tag program and have them go to something else.

Chairman White asked if the police budget could be increased by an amount that is deemed necessary for the tag program with the fees going into the general fund.

Selectman Winslow stated that he does not think they have an "appetite" to be so precise as to match up the funds with the officer. It would most likely go into the general fund. He suspects that the program will not cover its costs to begin with. This will be something that will be passed on to the taxpayers.

Referring to the video, Chairman White asked if the committee would like to make a recommendation that a video be produced, with it being incorporated into the regulations that the person has read the rules and watched the video.

The committee agreed that it should be a regulation that the person watches a video, similar to Boulder's, in order to be in the tag program.

Speaking to Member Joyce, Chief Walsh asked if he could send him an outline on the rules of the program. He will have his staff work on the video so they can make a final presentation to the Selectmen with all the information complete.

Member Joyce confirmed that he will finalize a package and send it out to Chairman White to share with the committee. He suggested that the committee have one final meeting to review the package to make sure it is complete.

Chairman White asked if anyone objected to Member Joyce and Chief Walsh proceeding with fine-tuning the language and video for the next meeting for review and approval for the final document.

No objections were heard.

Chairman White asked if the committee would like to address education, beyond what was already discussed.

Education Ideas:

- Signs –simple and easy to read
- Handout flyer
- Pamphlet
- Town’s website
- Town Newsletter
- Rye Magazine
- Article in Portsmouth Herald
- Rye Civic League

The committee agreed to hold a final meeting to finalize the presentation for the Selectmen.

V. Other Business

Chairman White asked what the Conservation Commission decided in regards to imposing a leash law along the properties of abutters who are having issues.

Member Shepcaro stated that the Conservation Commission decided that they needed to talk to the easement holder and the town forester before making a decision. The commission has had a meeting with the forester and the easement holder together in the woods. The next step is to call a special meeting of the Conservation Commission to discuss it. The meeting should be held within the next couple of weeks.

Chairman White asked if anyone wants to propose a motion that would impose “leash only” in a certain area next to where Rye landowners are having problems if the Conservation Commission does not act.

Member Joyce stated that at the last meeting he had said that he was going to propose that motion. He continued that he took Member Garvan’s map and highlighted the trails that he would ask for a temporary leash law to be imposed by the Selectmen. Those are the major areas where there are dog issues. (He submitted the highlighted map to the committee for review.) At a minimum, he would ask the Selectmen to institute a temporary leash law in the Rye Town Forest from points A to A and B to B, (on the attached map), because there are many issues with dogs trespassing on private posted land, as well as disturbing running wildlife.

There was discussion on wording for a motion for the recommendation of a temporary leash law.

After discussion, it was agreed to wait on the motion until the Conservation Commission makes a decision on what they are going to do.

- **Next Meeting scheduled for Wednesday, August 15th, 6:00 p.m., Town Hall.**

VI. Public Input

A member of the public asked if someone vacationing in town, or visiting their parents who live in town, are going to have to pay \$75 to walk their dogs for the week that they are in town.

Member Joyce explained that people can walk their dogs on leash. Anybody, at any time, can walk their dog on leash for free.

The gentleman stated that he looks at ticket revenue as additional revenue. He continued that he saw in the paper an article about a dog show that was held at one of the beaches. The show is not for purebreds. It is for mutts and they compete for prizes. This could be a potential fundraiser.

Bettina Caminati stated that she has a rental property at Wallis Sands. She has some concern because she has a few dogs who stay in the rental property and the people would have to pay the \$75. She continued that aside from that, the situation at Wallis Sands Beach has been dismal this summer so far. It has been horrible. There are a number of people who are down there walking dogs. There are women who come in from Stratham, Exeter and Portsmouth who open the car door, the dog flies out of the car and heads for the beach with absolutely no concern of others who are around. She thinks that people who are at the beach frequently and property owners have had it. She does not know what can be done anymore.

Member Shepcaro asked what time this is happening.

Ms. Caminati replied very early in the morning; 5:30/6:00.

Chairman White explained that what the committee is proposing will change the definition of “dog under control”. What was just described would be a ticket. If the regulations pass, the times the dog officer is down there will have to be considered.

Ms. Caminati commented that it sounds great and she has absolute respect on what the committee has been working on; however, she is not all optimistic.

Member Joyce stated that if the tag program works in the Rye Town Forest it can be implemented at the beach. That would take care of the beach problems. The Town Forest is being used as a beta-test. If there cannot be buy-in, the reality is that there will be a leash law at some point in time.

Member Kobylinski stated that part of it is the enforcement or the ACO presence being down there. He noted that he goes to the beach every day. On July 9th, he saw three dogs at 6:27 walking on the beach. He is not going to approach the people because they will say it is none of his business. There are the five percent who break the law but it has to be enforced. He thinks

the ACO has to be down there at 4:00 or 5:00 to make sure people with dogs are not going down there. He has seen many times people going down a half hour to forty-five minutes early because they know they can “scoot” in before the rest of the dogs show up.

Ms. Caminati stated that the ACO has to be at the beach with a vision of his purpose for being there.

Member Joyce stated that there is a resource issue with the police department’s staff. There is Jenness Beach and Wallis Sands. It is a big town for one person to cover.

Speaking to Ms. Caminati, Member Shepcaro asked if she has any suggestions.

Ms. Caminati stated that she supports a leash law.

In regards to the concern about the \$75, Chairman White explained that this is just for the Town Forest to have a dog off-leash.

Chief Walsh assured the residents that he will make some adjustments based on their input.

Adjournment

Hearing no objections, Chairman White adjourned the meeting at 7:40 p.m.

Respectfully Submitted,
Dyana F. Ledger

