

**Town of Cape Elizabeth**  
**DRAFT Ordinance Committee Minutes**

October 19, 2017

2:00 p.m.

Town Hall

Present:       Patty Grennon, Chair  
                  Katharine Ray  
                  Caitlin Jordan

Staff: Bob Malley, Public Works Director

Councilor Grennon called the meeting to order at 2:00 p.m. The minutes of the September 19, 2017 meeting were approved 3-0.

Public Comment

Jim Kerney, Fort Williams Park Committee: - Gave an overview of the FWPC Recommendation to change existing delineation of off-leash area in FWP.

Heidi Hansen, 313 Fowler Rd. – She is the admin person for the “Dogs of the light” Facebook page that has about 170 members. They are aware how fortunate they are to have a park like the FWP. They find inconsistency between the ordinance, the map and the signage regarding off-leash areas in the Park.

Theresa Fox, 14 Farm Hill Rd. – Noted that the dog owners’ community organize yearly clean-up day and they do daily clean-up at the off-leash areas. They try to be good stewards of the park.

Liz McEvoy, 35 Park Circle – She is a dog owner and mother of two children. She spends considerable time in the park playing field and loves the dog owner community, and loves the park.

Deb Hart, 55 Cross Hill Rd. – She is going to the park all year round. She recommends better parking signage for letting people know where are the off-leash areas, so when people get out of the car with a walker or wheelchair do not get terrified by the dogs running off-leash. In addition, people need to know where to park when they use the playing field without interfering sport activities.

Jim Kerney, 1015 Shore Rd.-- He believes that even when the park is busy and have buses and trolleys coming and going, the “green” area is not experiencing heavy traffic.

Deb Cavanaugh, 16 Littlejohn Rd. – She moved here 10 years ago and her dog’s hip problems got much better because of the running off-leash and now the dog does not need hip replacement.

Public comment period closed.

Councilor Grennon asked Bob Malley what the current policy is and what the FWP Committee proposes.

Bob Malley showed the map of the off-leash area and he agreed that it needs some adjustment to be clearer and adjustment should reference the measurements too. He responded to Councilor Jordan's questions about the size of the area – it is close to 20 + acres.

Councilor Grennon mentioned the letter from Chief Williams/Police Department, stating that during the past 10 years there were 55 reports of the FWP; 3 was dog bites and one was about a loose dog.

Councilor Ray suggested that because of the multi-purpose use of the off-leash field, during fall sports programs, the dogs be kept off the field.

Councilor Grennon was wondering if the committee wants to make off limits/shift?

Councilor Jordan suggested to define the period when the area is off limits.

Bob Malley suggested April 1 to November 1 be off limits, not off-leash. This would protect the athletic field; put out signs and include watering station, provided that the incoming Parks Manager agrees.

Councilor Ray agreed, but thinks that the proposal is too complex. The Park Manager needs to be hired first. The FWP is a big issue, affects many people, buses, taxpayers, who pay a lot to maintain the Fort. There were seven buses, all running at the same time because they needed the air-condition running in the buses. The key issue is who will enforce the regulations? The dogs just a piece of it.

Councilor Grennon appreciated Councilor Ray's input. There are no other places in town where dogs can be off-leash except the farm across the Transfer Station. Community dogs go there and it is a robust group. Point is clearer; no multi-purpose, lean signage, safety does not seem to be an issue. Cover all the month, produce plan and signage.

Suggestion: April 1 to November 1 off-leash, FW Committee to re-write ordinance 7-1-7. Deal with all athletic fields. Make sure animal control officer and police to enforce.

Councilor Ray asked if we have staff available to be called who can handle the issue immediately? How far can we stretch people? Town staff have to have resources to enforce safety and sanitation issues.

Bob Malley suggested that park Ranger can help to police and animal control.

Councilor Ray concerned that we do not have enough people and hiring more people becomes a budget issue. There are more professional dog walkers than ever, coming from outside Cape Elizabeth. We need to pay attention to everything and to see where things are going.

Motion/Action: Bob Malley to re-write/update ordinance, update map, and propose signs to be done. Send signage example to Town Council. Noticing be done in time; put on town's website.

Suggest enforcement, as the key issue; on – and off-leash too. Focus on Cover Memo to the Town Council, so they can move forward quickly.

Next meeting is scheduled for Friday, October 27, 2017 2:00 – 3:30 p.m.

Councilor Grennon thanked everyone for their participation.

#### Renewable Energy Committee

Councilor Grennon introduced this item. The Town has had an ad-hoc Alternative Energy Committee in 20087 and 2016. One recommendation of the latest committee is to create a standing committee. We are reviewing changes to the Board and Committee Ordinance, Chapter 4, to create a standing committee.

Councilor Ray explained that she does not support this. The Town Council has not done anything with the 2016 committee report. She noted that the committee struggled with preparing minutes and staffing.

Councilor Grennon agreed the struggle with minutes and staffing was unfortunate. Creating a standing committee is a recommendation of the 2016 committee.

Councilor Ray is concerned with the committee's duties to implement as all committees are advisory to the Town Council. We have had issues with committees going too far and then need to be reined in by the Town Council. She supports town sustainability efforts. Those efforts should be decided by the Town Council. Expenditure of town funds should be decided by the Town Council with staff implementing Town Council approved projects.

Councilor Grennon noted that the Town Council established Environmental Sustainability as a Town Goal. She agreed it is up to the Town Council and staff to implement, but a committee can do research and we can benefit from their talent. The Town Council decided that the timing wasn't right for 2 of the committee recommendations.

Councilor Jordan noted that Councilor Ray will not support the committee recommendation and that no text revisions are needed. She moved to recommend the amendment to the Town Council. seconded by Councilor Grennon. The motion passed 2-1 (Ray).

Ms. O'Meara will prepare a cover memo for the amendments and submit it to Councilor Grennon for approval. All will be prepared for the November 6th Town Council meeting.

The meeting adjourned at 3:05 p.m.