

**Town of Brookline
Advisory Committee Minutes**

Sean Lynn-Jones, Chair

March 28, 2019

Present: Ben Birnbaum, Clifford M. Brown, Carol Caro, John Doggett, Harry Friedman, Janet Gelbart, David-Marc Goldstein, Neil Gordon, Susan Granoff, Kelly Hardebeck, Amy Hummel, Alisa G. Jonas, Janice S. Kahn, Steve Kanes, Bobbie Knable, David Lescohier, Carol Levin, Pam Lodish, Mariah Nobrega, Michael Sandman, Lee L. Selwyn, Kim Smith, Claire Stampfer, John VanScoyoc, Christine Westphal

Absent: Carla Benka, Dennis Doughty, Sean Lynn-Jones, Stanley Spiegel, Charles Swartz

Also Attending: Commissioner of Public Works Andrew M. Pappastergion, Parks and Open Space Director Erin Gallentine; Park & Recreation Commission members John Bain (chair), Nancy O'Connor (vice chair), and Dan Lyons; Michael Hackel (Green Dog Subcommittee); WA 22 Petitioner Frank Caro

The Acting Chair, Michael Sandman called the hearing to order at 7:33 PM.

1. Discussion and possible vote on Warrant Article 1: Appointment of Measurers of Wood and Bark. (Selectmen)

There was no public hearing noticed for consideration of Warrant Article 1 but members of the public in attendance were invited to comment.

A **MOTION** was made and seconded recommend favorable action on WA 1.

By a **VOTE** of 16 in favor, none opposed and no abstentions, the Advisory Committee recommends favorable action on WA 1.

2. Review and possibly vote on Article 2 Approval of Collective Bargaining Agreements. (Human Resources)

A **MOTION** was made and seconded recommendation for No Action on WA 2.

By a **VOTE** of 16 in favor, 1 opposed and no abstentions, the Advisory Committee recommends No Action on WA 2.

3. Review and possibly vote on Article 18 Amend Section 8.6.7 of the Town's General By-Laws pertaining to the restraint of dogs in designated off-leash areas. (Commissioner of Public Works)

David-Marc Goldstein gave an overview of the subcommittee's deliberations on Article 18, the substance of which can be found in their report.

Correction to the report: Green Dog license is \$50 not \$15.

The first amendment modifies the General By-Laws, Article 8.6, Dog Control (Restraint of Dogs) by adding section 8.6.7:

7. The dog must be registered with and accompanied by proof of current registration in the Town's off leash program in order to participate, which participation shall be subject to compliance with publicly available rules established by the Director of Parks and Open Space.

The second amendment modifies Article 10.2 Prosecutions and Enforcement by authorizing enforcement and prosecution of Article 8.6, section 7 by the Commissioner of Public Works and the Commissioner's designees.

Erin Gallentine commented that this is a simple straight forward amendment to the by-law. We need to clarify that an actual dog license is separate and distinct from the Green Dog Program which allows the Parks Department to lift the leash law in certain instances in certain areas. This is a huge program that has sought to resolve conflict with off leash dogs in public places so that everyone can enjoy our natural resources. Change in culture and compliance so one small step in a host of improvements.

This is not a problem with the Green Dog Program but rather with compliance with the Town-wide leash law.

QUESTIONS AND COMMENTS

Q: How much revenue is generated? A: \$88,000 per year.

I think the people who use it are pleased with it so it might be possible to increase the fees. We are looking at that, also better communication, different areas; the committee is looking at many options then Park and Rec would make a recommendation about the fee to the Select Board.

Q: What is the \$20,000 offset? A: When we rolled out the GD Program for 14 parks, we also rolled out fees for permitted athletic field use; we recommended two other employees and compliance folks, staffing model. But we didn't know how many people would use the program. Park Rangers funded through Green Dog and permit fees for picnic use (over 2000 picnic and event permits and over 9000 athletic fields).

Comment: The Green Dog Program is very social-substantial community of dog owners. Non-compliance is not clear but comes with non-Green Dog members. Fully support this.

Q: No pro rata rate for Green Dog or dog license. A: We are looking at that – quarter year, half year, etc.

Q: When can Park Rangers issue citations? A: Enforcement would be for all times in all areas.

Comment: Green Dog is a social thing, I once met a guy who won a Pulitzer Prize while picking up his dog's dropping; but the Brookline folks are not scofflaws, young people with dogs who don't get the tag and bring their dogs to Amory and get in the way of games, but most everyone else wants the program to succeed. Problem sites – Amory and Brookline Street. People are reluctant to call Police and dime out somebody whose dog gets loose and get sin the middle of a ball game. Reports can be made discretely but there is no real notice whom to call when there is a problem.

If no expansion request we may not be able to do the citation and compliance. Seasonal employees are fine but take a lot of time to onboard

\$25, \$50 and \$ 75 are the range of fines.

Q: How are the parks and the issues monitored and responded to? A: We have a variety of actions in any given day, patrols, maintenance, or complaints about particular area or dog will go there and try to address the problem through education, then bring Animal Control. There is a response protocol for aggressive dogs and we work that through with the Police.

Q: Any way to make this less complicated? An app and stricter fines, clearer rules, etc. A: Human nature isn't such that simplicity might work.

Q: How will this help address larger leash law issue? A: Violation of leash law to have your dog off leash anywhere – all parks and open spaces.

Q: What would prompt them to pay a fine? A: We will work with the Police and they will issue a ticket. Need to look further at how to enforce this – fined \$25 and don't pay, go to small claims court, don't show up, a warrant is issued.

We need to have park rangers who are willing to give the citations. Hopefully increase revenues.

We have about 1400 residents and 150 non-residents who participate in the program.

Q: Do all of our parks list clearly whether dogs are allowed or not allowed and if allowed, specific hours?
A: We thought so – signs at each entrance, brochures, and top 6 rules/regulations. Unless you have this tag, you cannot be in this park with your dog off of leash.

A **MOTION** was made and seconded recommend favorable action on WA 18.

By a **VOTE** of 18 in favor, none opposed and no abstentions, the Advisory Committee recommends favorable action on WA 18.

4. Review and possibly vote on Article 22 Resolution regarding pedestrian-friendly street lighting (Caro, TMM 10)

Susan Granoff gave an overview of the subcommittee's deliberations on Article 2, the details of which can be found in their report.

The petitioner, Frank Caro noted that Susan did a great job summarizing the comments from subcommittee hearing and the intent of this article. He added that the desirability of North Brookline is its walkability and walking is the preferred mode of transportation for many. Goal is to make this equally attractive to them after dark, as well. Some of them did a walk through at night and identified areas that were dark, street lights that didn't work, different types of lights, conflict between trees and street lights, and did a thorough examination of walkways. The Town already does have some pedestrian friendly lights. This Article proposes that this just be looked at more thoroughly. Open to whether it is a

Select Board or Moderator's Committee that takes this up. Would like or hope for some interest and staff support and technical expertise from DPW, for example.

A third kind of committee to consider taking this up: A staff-appointed committee because then you have built in buy in, commitment, and staff resources from that department.

Q: Is there an accepted definition of what "pedestrian friendly lighting" is? A: Above the sidewalk directed down at the sidewalk versus light directed over the street.

Q: Who sets the standards for how we deploy street lighting? A: That's why we need a representative from the Department of Public Works.

Comment: Back to committee, let the Select Board decide to do it with a committee, or staff, or just come up with a plan. Not a study just a plan.

Comment: We have a Pedestrian Advisory Committee and it seems that should be the Committee that should be directed to do this. I don't see why we need a separate committee to do this. David Trevvett is the Chair of that Committee. He noted that while Transportation Board is supportive but they are swamped themselves. We are looking at traffic signals currently but need staffing and technical support.

Response from Petitioner: It is advisory to the Transportation Board. The Transportation Board does not have a history of dealing with street lighting but they could be asked to take this on. Still if the Pedestrian Advisory were to take this on, they would need staff and technical expertise.

Comment: This is an important topic to focus on. Crosswalks are woefully unlit and it is a real hazard not to be able to see people. Would offer a small amendment to add "crosswalks" to second whereas clause.

Q: Cost of light fixtures and how many we need? A: No one from DPW came to the Public Hearing but wrote questions to the Commissioner and he responded about the cost (had not been determined and would require funding through a CIP request but this wouldn't happen until FY 21).

Comment: Agree with this, has to get done but concern about staffing and unfunded mandates from Town Meeting. Need to convince Select Board and Town Administrator that Town Departments need to be funded, too.

Comment: There are many uneven sidewalks and many in need of repair – so I think it is a two pronged approach – lighting is important since it takes a while to get the sidewalks repaired. It is an important safety consideration.

The Pedestrian Advisory Committee is attentive to the problem of tree roots and in contact with Kevin Johnson in the Highway Department and with Tom Brady the Arborist and tree well which are also hazardous.

Suggest just giving it to the Select Board to act on – doesn't have to be delegated down to a committee to report back to the Select Board.

Recommend having a citizen voice in the process however it turns out –“with the advice of the Pedestrian Advisory Committee...”

A **MOTION** was made and seconded recommend favorable action on the Resolution as Amended by the Subcommittee on WA 22.

An Amendment was made and seconded – in the first resolve clause, after Select Board, with the advice of the Pedestrian Advisory Committee, develop a plan

In next paragraph strike committee be charged/Select Board determine public
Request that the Select Board report its recommendation to a fall Town Meeting
...and input from appropriate Town Staff.

By a VOTE on 6 in favor, 11 opposed and no abstentions the AMENDMENT on the AMENDMENT fails.

By a VOTE of 7 in favor, 9 opposed and 1 abstention the AMENDMENT fails.

By a VOTE of 17 in favor, none opposed and no abstentions the AMENDMENT to add “including sidewalks” passes.

By a VOTE of 17 in favor, none opposed and no abstentions, the Advisory Committee recommends favorable action on the subcommittee amended resolution with the addition of “including sidewalks”

Resolution calling for a study of pedestrian-friendly street lighting

To see if the Town will adopt the following resolution:

WHEREAS the Town encourages walking as a mode of transportation, especially in densely developed areas,

WHEREAS, residents and visitors walk on sidewalks and across streets after dark,

WHEREAS, safety is a concern for people of all ages and abilities who walk after dark,

WHEREAS the Town, for illumination of its streets and sidewalks, currently relies primarily on “highway lighting” that fails to provide consistently adequate lighting for pedestrians, especially where there are mature street trees,

WHEREAS “highway lighting” is a source of glare that can interfere with the vision of pedestrians,

WHEREAS pedestrian-friendly lighting reduces such glare and allows improved illumination so pedestrians can see obstacles such as uneven, raised black asphalt pavement covering tree roots,

WHEREAS pedestrian-friendly lighting reduces dark shadows that may make pedestrians feel insecure;

WHEREAS the Town's Complete Streets policy states that “Sidewalks and crosswalks should be adequately lit,”

WHEREAS the Town already has some pedestrian-friendly street lighting predominantly in commercial areas that demonstrates the benefits for pedestrians of this form of street lighting,

THEREFORE, BE IT RESOLVED that Town Meeting requests that the Select Board {with the advice of the Pedestrian Advisory Committee} appoint a committee to develop a plan (Select Board, including resident participation), develop a plan to extend pedestrian-friendly lighting with a focus on sidewalks with, or leading to, extensive pedestrian activity;

BE IT FURTHER RESOLVED THAT Town Meeting requests that the (Select Board including resident participation) committee be charged to determine the extent to which there is a public safety need for improved lighting for pedestrians, identify locations, (including crosswalks) where improved pedestrian lighting is most needed, and examine costs of installation and operation of new pedestrian-friendly street lighting;

BE IT FURTHER RESOLVED that Town Meeting requests that the committee (the Select Board) report its initial recommendations to the fall 2020 Town Meeting.

Or act on anything relative thereto.

Upon a **MOTION** made and seconded to adjourn, and voted unanimously, the meeting was adjourned at 9:15 pm.

Documents Presented:

- Public Safety Subcommittee Report on Warrant Article 18
- Green Dog Program Poster
- Green Dog Brochure (copies will be distributed at the meeting)
- Green Dog Program Costs and Fees Summary
- Letter of support for WA 18 from Rob Davies, TMM P5
- Public Safety Subcommittee Report on Warrant Article 22
- Presentation offered by the petitioner of Warrant Article 22 in PDF form
- Commissioner Response to Street Light Questions