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TOWN CLERK

Fairhaven Board of Selectmen

January 28, 2019 Meeting Minutes

2019 FEB 12 A 10:48

FAIRHAVEN,
MASS.

Present: Chairman Daniel Freitas, Vice Chairman Charles Murphy, Clerk Robert Espindola
Town Administrator Mark Rees, and Administrative Assistant Vicki Paquette.

Chairman Freitas called the meeting to order in the Town Hall Banquet Room at 6:37 p.m. The meeting was recorded by Cable Access.

TOWN ADMINISTRATORS REPORT

- Mr. Rees informed the Board that the videos produced for the Town by CGI video are now on the Town webpage. The Board took a few minutes to view several of the videos and were impressed with how the final product came out. Mr. Espindola thanked Tourism Director, Chris Richard for his help in producing the videos and reminded the Board that these videos were done at no cost to the town but were paid for by the businesses that advertised on them
- Mr. Rees thanked the Sustainability Committee for their hard work in obtaining a "Green Communities" grant in the amount of \$174,535. (Attachment A)
- Mr. Rees told the Board that two requests for proposals have been issued this week; one being for solid waste and recycling collection and the other seeking land to place the public safety facility on
- Mr. Rees told the Board he attended the Massachusetts Municipal Association Annual Conference this past weekend and attended workshops on state public works grants and facilities management
- Mr. Rees and School Superintendent Bob Baldwin listened in on a telephone conference with state officials concerning the new formula the Governor is proposing Chapter 70 school aid funding
- Mr. Rees met with the Planning Board and the Economic Development Committee to review with them the recruitment timeline for filling the vacancy in the Director of Planning and Economic Development

- Mr. Rees informed the Board that the State recently adopted legislation that allows the state and municipalities to tax short term rentals (Airbnb) for those properties that are rented out more than 14 days a year
- Mr. Rees told the Board that BASK, Inc. dropped off their quarterly check in the amount of \$32,725.30

COMMITTEE LIASON REPORTS

Mr. Murphy told the Board he had a video call from Japan with the Sister City to celebrate John Manjiro's birthday. He also mentioned that the Whitfield-Manjiro Friendship Society will be offering Japanese an eight week course to learn Japanese.

Mr. Espindola attended a SRPEDD meeting last week regarding the regional transportation plan.

Mr. Espindola updated the Board that the Vacant Property Database has money left over in the fiscal year and he would like to try to utilize the senior work off program with the extra money to update the database.

Mr. Espindola will be meeting with the Marine Resources Committee next week 2/7/2019

Mr. Freitas stated that he will be meeting on January 31, 2019 for the Bristol Aggie Commissioners meeting to discuss the budget of 26 million.

FIRE TRUCK SURPLUS

Mr. Rees informed the Board that the Fire Department would like to declare two vehicles as surplus property. The Fire Department has a 1985 E-1 Hurricane 110' Aerial Ladder (former Ladder 1) with 17,458 miles and a 1994 Ford LS8000 Cargo Heavy Duty Rescue (former rescue 1) with 14,098 miles. Mr. Murphy made a motion to declare both trucks as surplus and available for purchase. Mr. Espindola seconded. Vote was unanimous. (3-0) (Attachment B)

30 EVERGREEN STREET

Mr. Rees recommended tabling this until the next meeting when the homeowner would be available.

LOO AQUACULTURE

Habormaster Tim Cox and Matt Loo met with the Selectmen for final approval on the aquaculture site where Mr. Loo intends harvest oysters. Mr. Cox updated the Board that back in 2013 Mr. Loo had applied for an aquaculture license and has done all the necessary paper work to proceed and now needs the final approval from the Board of Selectmen. Mr. Murphy made a motion to give final approval subject to receipt of the bond in the amount of \$5,000 for the term of 2 years. Mr. Espindola seconded. Vote was unanimous. (3-0)

ABC DISPOSALS, INC SERVICES AGREEMENT

Mr. Rees explained that the renewal contract between ABC, Inc and the Town allows other towns to use some of Fairhaven's excess trash capacity at the Seamass disposal site at a 10% prepaid premium. Mr. Murphy made a motion to authorize the Town Administrator to sign on

behalf of the Board of Selectmen. Mr. Espindola seconded. Vote was unanimous. (3-0)
(Attachment C)

COMMON VITUALER LICENSE

Mr. Murphy made a motion to approve the common vitualer license for Festiva Buffet. Mr. Espindola seconded. Vote was unanimous. (3-0)

ROTARY CLUB TALENT SHOW

Mr. Murphy disclosed that he is a Rotarian and will also MC this event, therefore he recused himself from this vote. Mr. Espindola made a motion to approve the use for the Town Hall auditorium and waive the rental fee but keep the custodian fee. Mr. Freitas seconded. Vote passed. (2-0-0)

MATTAPOISETT LAND TRUST TOUR DE CRÈME

Mr. Murphy made a motion to approve the Mattapoisett Land Trust Tour de Crème bike ride on Sunday, May 19, 2019. Mr. Espindola seconded. Vote was unanimous. (3-0)

HOMECOMING DAY FAIR

Mr. Murphy made a motion to approve the Fairhaven Improvement Association's Homecoming Day Fair on Saturday, June 29, 2019. Mr. Espindola seconded. Vote was unanimous. (3-0)

MUNICIPAL FIBER STUDY COMMITTEE

Mr. Rees recommended to the Board to appoint Cable Access Director, Derek Frates to the Municipal Fiber Study Committee as the Town Administrator's Appointee. Mr. Espindola recommended to the Board to appoint John Seed to the Municipal Fiber Study Committee as the Economic Development Committee appointee.

Mr. Murphy made a motion to appoint Derek Frates and John Seed to the Municipal Fiber Study Committee. Mr. Espindola seconded. Vote was unanimous. (3-0)

RESIGNATION OF DOG PARK COMMITTEE MEMBER

Mr. Murphy made a motion to accept the resignation of Maryann Krane from the Dog Park Study Committee and thanked her for her service. Mr. Espindola seconded. Vote was unanimous. (3-0)

DOG PARK COMMITTEE UPDATE

Dog Park Study Committee (DPSC) members Vanessa Gralton and Acting Chair Geneva Woodruff met with the Selectmen to discuss a possible site the committee would like to install a dog park on. Ms. Woodruff presented several documents showing all the research the committee has done to find a suitable location. (Attachment D). The DPSC has also found a grant from the Stanton Foundation that funds dog parks only to municipalities. Ms. Woodruff and Ms. Gralton praised the work of the previous committee and spoke about all their efforts including all the fundraising they did to help fund a dog park. Ms. Woodruff said the committee researched all town owned land to find a suitable location for a dog park and several criteria needed to be met

in order a choice to be made. They eliminated some of their choices based on the locations and things around it: Conservation land, playgrounds, and too many houses, too far away, too close to the highway and too commercial of an area. In the end, after all their research was completed, the Committee chose the area of Grimshaw Park as a place they would like to see a dog park. Selectmen Freitas informed them that Grimshaw Park is deeded to the Town and cannot be used for use other than for the senior citizens. Chairman Freitas said that the Long Road location that was chosen by the previous committee was more suitable but it was rejected when the Board of Public Works said they may need to use the land from time to time for disposal of brush in the event of a severe storm. Selectmen discussed the idea of Long Road or Grimshaw Park as a location for a dog park. Ms. Woodruff suggested that it might be possible to make the location a combined place for both senior citizens and the dog park and feels this could be beneficial for all and still uphold the terms of the deed. Anne Gardella who is a former resident of Long Road, feels the Long Road location would be a better location and has everything to offer and it is already unofficially a dog park now as residents bring their pets there now. Mr. Rees disclosed that Ms. Woodruff is his landlord.

The Board would like have Town Counsel review the Grimshaw Park deed to get more clarification on the use of the park. Mr. Murphy made a motion to accept the preliminary report of the Dog Park Study Committee and to instruct the Town Administrator to explore using Grimshaw Park and to further explore Long Road as a dog park. Mr. Espindola seconded. Vote was unanimous. (3-0)

FAIRHAVEN GETTY OIL LICENSES

Mr. Rees explained that he had received a letter from Attorney Perry asking for another extension until February 27, 2019 on Fairhaven Getty Oil licenses. (Attachment E). Selectman Freitas and Espindola were not in favor of giving an extension until February 27, 2019 without a reason stating that Fairhaven Getty has already been given enough time. Mr. Murphy made a motion to extend the temporary license until February 11, 2019. Mr. Espindola seconded. Vote was unanimous. (3-0)

AMMENDMENT TO PAY AND CLASSIFICATION PLAN

Mr. Rees read a memo from Human Resources Director, Anne O'Brien explaining why the Water Superintendent and the Sewer Superintendent positions were not included in the non-union pay and classification plan. (Attachments F & G) Board of Public Works (BPW) member Michael Ristuccia asked the Selectboard to pass over a vote because this will create other issues and feels there will be "serious ramifications" from this.

Public Works Superintendent Vinnie Furtado spoke to the Selectmen and explained under the Town Administrator's Act the current contracts are deemed null and void due to changes in the personnel by-law. Mr. Furtado stated that the language in BPW Act and the Town Administrator's needs to be updated to reflect the current personnel by-law. Mr. Rees told the Board that Town Counsel has determined that the contracts are invalid. (Attachment H)

BPW member Cameron Durant want to have some clarification on the special acts before moving forward. Both Boards would like to have Town Counsel review the language of these acts to clarify the wording.

Chairman Freitas feels this could start a precedence for anyone who has a contract and decides they could have more money as part of the pay and classification plan. Mr. Murphy asked if the Board delays this vote will the outcome still be the same. The answer was yes, it shouldn't change. Mr. Espindola made a motion to table this vote until the February 11, 2019 meeting. Mr. Freitas seconded. Mr. Murphy voted no. Vote passed. (2-1)

OTHER BUSINESS

Selectmen Murphy thanked Town Hall custodian Kevin Fournier for "going above and beyond" recently at a wedding ceremony in Town Hall last weekend.

Mr. Espindola told the Board that the Town Hall guest WIFI will be up and running soon.

Mr. Murphy made a motion to adjourn at 8:36 pm. Mr. Espindola seconded. Vote was unanimous. (3-0)

Respectfully Submitted,

Vicki L. Paquette

Vicki Paquette
Administrative Assistant
(Minutes approved 2/11/2019)

Documents appended:

- A: Green Communities Press release**
- B: Letter from Fire Department re: surplus trucks**
- C: ABC Disposal, Inc services agreement**
- D: Handouts from Dog Park Committee**
- E: Letter from Attorney Perry**
- F: Pay and Classification grade/position, Description of Water and Sewer Superintendent**
- G: Memo from Human Resources**
- H: Letter from Town Counsel**



TOWN OF FAIRHAVEN, MASSACHUSETTS

CONSERVATION AND SUSTAINABILITY DEPARTMENT

Town Hall • 40 Center Street • Fairhaven, MA 02719

Press release
January 28, 2019

Fairhaven designated a Green Community by state, earns \$174,535 grant

The Town of Fairhaven is among the 30 new cities and towns designated as a Green Community by the Commonwealth of Massachusetts last month. Fairhaven was additionally awarded a grant of \$174,535 from the Massachusetts Department of Energy Resources (DOER) to accomplish projects that will lessen its carbon footprint and improve energy efficiency. There are now 240 municipalities in the Commonwealth that have earned Green Community designation.

"The Green Communities program is an essential component of our nation-leading clean energy success and demonstrates our administration's commitment to partnering with municipalities," said Governor Charlie Baker in a December 2018 press release. "These 30 newly designated communities are pledging to join in responsible stewardship of the environment and taxpayer resources while creating a cleaner, healthier Commonwealth for our residents and businesses."

The goal of the Green Communities Designation and Grant Program is to support investment in energy efficiency and renewable energy projects that further clean energy goals set forth by the designated communities. To earn designation and qualify for grants, municipalities must pledge to reduce energy use by 20 percent over five years and meet four other criteria established in the Green Communities Act.

"This designation is quite an achievement and reflects the hard work and tireless efforts your community has exhibited in meeting the Green Communities Designation and Grant Program's five criteria," wrote Nicholas Connors, Director of the Green Communities Division of the Department of Energy Resources, in his letter informing Fairhaven of its designation.

Fairhaven's Green Communities designation is a result of the collaborative efforts of the offices of Fairhaven Board of Selectmen, Town Administrator Mark Rees, Public Works Superintendent Vincent D. Furtado, Fairhaven Schools Superintendent Robert N. Baldwin, Massachusetts DOER Green Communities Regional Coordinator Seth Pickering, and the Fairhaven Sustainability Committee, as well as significant contributions from Southeastern Regional Planning and Economic Development District (SRPEDD).

In October 2018, the Fairhaven Board of Selectmen adopted the Energy Reduction Plan, which was prepared by SRPEDD with support from Energy Source and the Town. This plan identifies energy-saving measures to reduce usage and meet the goal of a 20

percent reduction over five years. These proposed projects include installing LED lighting and controls and Energy Management Systems in municipal and school buildings. A list of proposed projects is being developed for submission to the Green Communities Division as required for the dispersal of the grant award.

"This is something the Town has been working toward for a number of years, so it's great to be able to move forward with green initiatives that will provide benefits to the town," said Selectman Bob Espindola of the designation. "The town is now eligible for additional future grants to achieve our goals going forward and I am very grateful for the collaboration and cooperation from everyone to get this accomplished."

For questions, please contact Whitney McClees at 508-979-4022, ext. 128 or wmcclees@fairhaven-ma.gov.



TOWN OF FAIRHAVEN

MASSACHUSETTS

FIRE DEPARTMENT / EMERGENCY MEDICAL SERVICE

146 Washington Street, Fairhaven, MA 02719

Phone: 508 994-1428 • Fax: 508 994-1515

Emergency # 911



C-1

January 15, 2019

Mark Rees
Town Administrator
40 Center Street
Fairhaven, MA 02719

RE: Surplus Property

Mr. Rees,

As a result of the purchase of the new Ladder 1, the Fairhaven Fire Department would like to declare the following vehicles surplus property:

- 1985 E-1 Hurricane 110' Aerial Ladder (former Ladder 1) Mileage: 17,458
- 1994 Ford LS8000 Cargo Heavy Duty Rescue (former Rescue 1) Mileage: 14,098

These vehicles are still in good condition and I would like to recommend ideas for their future use elsewhere. The ladder truck could be put out to bid to earn revenue for the Town. I feel a \$5,000 minimum bid would be fair.

The rescue truck could be useful to the Bristol County Tech Rescue Team, to which I would like to recommend offering the vehicle to them.

Both vehicles have served the Town of Fairhaven for many years and although our Department's has outgrown the use for both, they may have another useful life somewhere else.

If you need any additional information, please feel free to contact me.

Respectfully,

Timothy Francis
Chief of Department

TF/ka

WASTE DISPOSAL SERVICES AGREEMENT

This Agreement entered into between the Board of Selectmen for the Town of Fairhaven ("the Town") and ABC Disposal, Inc. ("the Hauler"), a Massachusetts corporation, on this__ day of January 2019.

WHEREAS, by the terms of a Waste Acquisition Agreement ("the WAA") dated October 14, 1984, and as subsequently amended, the Town of Fairhaven has the right to deliver certain amounts of solid waste to the COVANTA/SEMASS Partnership plant at Rochester ("SEMASS") for disposal, regardless of whether that solid waste originated from sources inside or outside the Town of Fairhaven, and

WHEREAS, by the terms of the WAA the Town may be obligated under certain circumstances to pay SEMASS for a short fall in the minimum tonnage delivered on the Town's account to SEMASS, and

WHEREAS, the Hauler is in the business of hauling waste for disposal, or is a municipality which directly or through a contractor hauls waste generated within that municipality, and

WHEREAS, the town wishes to sell to the Hauler a portion of its right to deliver waste to SEMASS for disposal, and the Hauler wishes to buy from the Town that right to deliver waste,

THEREFORE, the parties agree as follows:

1. Term

The term of this Agreement shall be from January 1, 2019 (the "Commencement Date") until December 31, 2019 unless earlier terminated as otherwise provided herein (the "Termination Date").

2. Delivery of Waste

The Hauler shall deliver to SEMASS, on the Town's account, 10,000 tons ("the Contract Tonnage") of solid waste during the term of this Agreement. The Hauler may not deliver to SEMASS more than 1,000 tons of solid waste in any calendar month except with the prior written permission of the Town.

3. Additional Waste Delivery

The Town may from time to time offer, or the Hauler may request and the Town may approve, the option to deliver additional waste to SEMASS during the remainder of the term of this Agreement, or of any extension thereof, depending on the availability of unused allocation. The Town will give the Hauler seven (7) days to notify the Town of its intent to exercise that option, and if the Hauler exercises that option, the Contract Tonnage and the Pre-payment pursuant to Article 5 of this Agreement will be adjusted accordingly.

4. Quality of Waste

The Hauler will not deliver to SEMASS solid waste which fails to comply with both (i) the provisions of the WAA regarding quality of solid waste, or (ii) any applicable laws or regulations. The hauler will comply fully with the directions of SEMASS for removal of unacceptable waste delivered by the Hauler to SEMASS. The Hauler will pay to the Town the amount of any charge imposed upon the Town as the result of delivery by the Hauler to SEMASS of unacceptable waste.

5. Disposal Fee and Pre-payment, Final Adjustment

The disposal services fee, advance payments and adjustments shall be as follows:

A. **DISPOSAL FEE.**

1) The fee for each ton of solid waste delivered under this Agreement to SEMASS, subject to the adjustment described in Article 6, below, is one hundred ten percent (110%) of the acceptance fee charged to the Town by SEMASS per ton (the "Disposal Fee").

2) In the event that the Hauler fails to deliver 10,000 tons of solid waste to SEMASS during the term of this Agreement the Hauler will pay to the Town ten percent (10%) of the per ton acceptance fee otherwise charged to the Town by SEMASS under the WAA for the difference between 10,000 tons and the tonnage actually delivered by the Hauler to SEMASS. Payment shall be made pursuant to the terms of paragraph E., below.

3) In the event that the Hauler fails to deliver 10,000 tons of solid waste to SEMASS during the term of this Agreement and the Town is charged by SEMASS for failure to deliver the minimum tonnage to SEMASS under the WAA the Hauler will pay to the Town one hundred ten percent (110%) of the per ton acceptance fee otherwise charged to the Town by SEMASS under the WAA for the difference between 10,000 tons and the tonnage actually delivered by the Hauler to SEMASS. Payment shall be made pursuant to the terms of paragraph E., below.

B. **PRE-PAYMENT.** Simultaneously with the execution of this Agreement, the Hauler will pay the Town the amount which is equal to $10,000 \times \text{Disposal Fee} \times 1.5 \div 12$. In the event that a pre-payment made by the Hauler to the Town under the similar provisions of a prior agreement has not been reimbursed to the Hauler, the parties may agree that the Town will continue to hold that pre-payment, and that the amount of that pre-payment will be credited toward the Pre-payment otherwise due upon execution of this Agreement.

C. **USE OF PRE-PAYMENT.** Each month the Town shall pay from the Pre-payment, the amount due by the Town to SEMASS for solid waste authorized or delivered by the Hauler to SEMASS up to the last day of the preceding month, plus any costs imposed upon the Town by SEMASS as a result of the delivery by the Hauler to SEMASS of unacceptable waste.

D. MONTHLY PAYMENT. The Town shall issue a statement each month to the Hauler for solid waste authorized or delivered by the Hauler to SEMASS up to the last day of the preceding month, plus any costs imposed upon the Town by SEMASS as a result of the delivery by the Hauler to SEMASS of unacceptable waste. Within fourteen (14) days of receipt of that statement from the Town the Hauler will pay that amount to the Town. The Town will allocate a portion of that payment to the Pre-payment account, so that the Pre-payment balance is returned to the original Pre-payment amount set forth in paragraph B., above. The balance of that payment will be allocated to Town revenues.

E. FINAL ADJUSTMENT. Upon completion of all deliveries of waste under this Agreement, any over-payment including any unused balance of the Pre-payment, will be reimbursed to the Hauler, or set off against any amount due by the Hauler to the Town under Article 7; and any underpayment will be paid by the Hauler to the Town, subject to the set-off provisions of Article 7, below, in either event within thirty (30) days of determination and notice of the amount due.

6. Adjustment to Disposal Services Fees

In the event of an increase in the acceptance fee charged to the Town by SEMASS under the terms of the WAA, the Disposal Fee will be increased to an amount equal to one hundred ten percent (110%) of the acceptance fee charged to the Town by SEMASS. The Pre-payment pursuant to Article 5 of this Agreement will be increased based upon the increased Disposal Fee. In the event of such an increase in the acceptance fee, the Town shall notify the Hauler of the change and of the new Disposal Fee and Pre-payment. The adjustment shall be effective simultaneously with the effective date of change in the acceptance fee charged by SEMASS.

7. Offset, Interest

A. OFFSET In the event of the failure by the Hauler to pay the monthly statement in full when due under Article 5 Paragraph D., the Town shall offset against the amount due the total amount due by the Town to the Hauler under the terms of any other agreement or agreements.

1. If the amount due by the Hauler to the Town under this Agreement exceeds the total amount due by the Town to the Hauler under the terms of any other agreement or agreements, the Town shall credit the amount due by the Town against the amount due by the Hauler, and shall submit a revised statement to the Hauler setting forth the amount so credited and the net amount payable by the Hauler to the Town. The amount credited by the Town as a result of the offset shall be paid by the Town into the Hauler's Pre-payment.

2. If the amount due by the Town to the Hauler under the terms of any other agreement or agreements exceeds the amount due by the Hauler to the Town under this Agreement, the Town shall credit the amount due by the Town against the amount due by the Hauler, and

shall submit a revised statement to the Hauler setting forth the amount so credited and the net amount payable by the Town, which the Town shall pay to the Hauler. The amount credited by the Town as a result of the offset shall be paid by the Town into the Hauler's Pre-payment.

Notwithstanding the provisions of any other agreement or agreements between the Hauler and the Town, the time for payment by the Town to the Hauler for services rendered during the same monthly period shall commence upon payment by the Hauler to the Town under this Agreement, or upon the exercise of the Town's right of offset, whichever occurs later.

B. INTEREST. A late charge of one percent (1%) per month shall be charged on all overdue payments.

8. Indemnity

The Hauler shall indemnify and hold the town harmless from any and all claims of any sort whatsoever including, without limitation, claims for property or financial damages or bodily or personal injury, and shall reimburse to the Town all costs, including reasonable attorney's fees, incurred by the Town in defense of, or as a result of such claims, which are alleged to arise from or be in any way related to i) the Hauler's performance or failure to perform under this Agreement, or ii) any act, omission or default by the Hauler whether negligent, intentional or otherwise; and excepting only such claims arising solely from the acts or omissions of the Town.

9. Insurance

The Hauler shall keep in full force and effect insurance in the following types and amounts, and shall provide to the Town at the time of execution of this Agreement, and no later than December 31 prior to the commencement of any subsequent calendar year in which this Agreement may be extended, a certification that such insurance is in effect for the term of this Agreement, or extension thereof. Such certificate of insurance shall indicate that the insurance required by this Agreement will not be canceled except upon thirty (30) days written notice to the Town. The Town shall be an additional named insured under this coverage.

<u>Type of Coverage</u>	<u>Amount</u>
Public Liability and Automobile Liability	\$1,000,000
Personal Injury	\$1,000,000
Property Damage	\$500,000
Workers' Compensation	Statutory

10. Default and Remedies

A. The following shall be considered a default by the Hauler of its obligation under this Agreement:

1. Failure by the Hauler to pay any statement or Pre-payment when it has become due;
2. Delivery by the Hauler of unacceptable waste to SEMASS;
3. Violation by the Hauler of the Board of Health's regulations for delivery of waste to SEMASS; or
4. Failure by the Hauler to perform any other obligation under this Agreement.

B. In the event of a default by the Hauler, the Town shall have the following remedies and may, without waiving any of its rights, elect to exercise any or all of them:

1. It may terminate this Agreement.
2. It may terminate the Hauler's access to deliver waste to SEMASS under the Town's account.
3. It may, without notice to the Hauler, seek and obtain payment of all amounts due from the Pre-payment provided under Article 5.
4. It may contract with any other party or parties to assume the Hauler's rights under this Agreement.
5. It may pursue all other remedies available in law and equity, notwithstanding the availability of the remedies otherwise provided herein.
6. It will be entitled to its costs, including reasonable attorney's fees, incurred in the pursuit of any of its remedies.

11. Force Majeure

It shall not be an event of default if performance of this Agreement is prevented by circumstances beyond the control of the parties, including, but not limited to, acts of God, acts of war or the public enemy, legal prohibition, or order of any court or agency of competent jurisdiction. In the event delivery of waste to SEMASS is prevented by such circumstances the Hauler's right to deliver waste, and obligation to make payment, shall be proportionately reduced.

12. Non-Assignment

This Agreement may not be assigned in whole or in part by the Hauler except with the prior written consent of the Town, which consent may be withheld in the sole discretion of the Town.

13. Non-Waiver

The failure of either party to exercise any right or to enforce any obligation of this Agreement shall not be deemed a waiver of that right or obligation.

14. Amendments

This Agreement shall not be amended except in writing signed by both of the parties.

15. Notices

Written notices shall be sent to the parties at the following addresses:

Town of Fairhaven
Fairhaven Board of Selectmen
Attn: Mark H. Rees, Town Administrator
40 Center Street
Fairhaven, MA 02719

Hauler:
ABC Disposal Services
Attn. Mike Camara
1245 Shawmut Avenue
New Bedford, MA 02745

(Signature Page Follows)

Town of Fairhaven by its Town
Town Administrator as
Authorized by vote of
Fairhaven Board of Selectmen
On 1/17/19

Alma Rees
Town Administrator

Date: _____

ABC DISPOSAL SERVICE INC.

Hauler:

Michael R

MICHAEL CAMARA

By:

CEO

Its:

Date: 1/16/19

Fairhaven Board of selectmen Meeting

January 28, 2019

Fairhaven Dog Park Report

Agenda

- 1. Introductions**
 - a. Committee attendees**
 - b. Handout of committee Members and contact information**
- 2. Handout of Materials the committee reviewed to assist in selecting a site for the Fairhaven dog Park**
 - a. Fairhaven General Information of Town Property**
 - b. Recommendations for Guidelines for Dog Park Selection (City of Ann Arbor)**
- 3. Handout - Dog Park Committee Minutes**
- 4. Handout - Mission Statement Packet**
- 5. Review Mission Statement and the three areas that were addressed by the committee**
 - a. Reviewed the work of the prior Dog park Committee**
 - b. Developed a list of sites for the dog park and prioritized them on the basis of location, utilities, parking, impact on neighbors, environmental issues, etc**
 - c. Researched funding Sources to support the construction of a Fairhaven Town Dog Park.**
 - d. We did not address the other items on the mission statement because they were related to activities for the park once it had been determined that the town had secured funding for a park, i.e. rules and regulations regarding governing the park, maintenance and repair, and park volunteers. (Presently there are 22 town parks in Ma. who can provide this information.)**

- e. We did not develop a strategy to involve the public and town officials. Mark said he would take responsibility for involving town officials once the site for the park was identified. It would then be up to the Town officials involved in working on the dog park to take the lead in notifying abutters and town residents about the location of the park, and the process the town would be implementing to design, construct and maintain the park. The present dog park committee role would be to be available to attend and offer their support at these town meetings.
- f. In addition, both Bob Espinola and Mark Rees have been actively involved and informed of the activities of the dog park committee. Both have attended several of the committee's meetings and have provided ongoing information to the committee in response to our requests.
- g. Mark has also agreed to seek a commitment for initial funding at the May town meeting. A 10% per cent match of the construction costs for the park is a requirement of the Stanton Foundation for towns seeking their funding.
- h. Acting Chair's Report on the items on the Mission Statement Addressed by the Committee.
 - a. Reviewed the Activities of the former dog park committee.
 - b. Researched funding sources and identified the Stanton Foundation, as the most logical foundation in which to see funding for a Fairhaven town Dog Park.
 - i. Stanton mission is to fund dog parks that are owned and operated by town municipalities and are located in Massachusetts. They do not support grass roots community parks. They are interested in funding state of the art, and high quality parks.

- ii. The foundation provides the town 3 separate grants or the design, construction and maintenance of a town dog park.**

Design Grant - \$10,000 to \$25,000 (Review letter of Assurance)

**Construction Grant - \$100,000 to \$225,000
(foundations guide for the design of the park)**

Maintenance Grant – 12, 18, 24 months after the opening of the park for replacement items and repair.

- c. Review of the process to select a site and the recommendation for the Green Street Site as the location for the Fairhaven Town Dog Park.**
 - i. Case for Green Street as the site for the Fairhaven Dog Park**

Town of Fairhaven

Resolution Regarding Dog Park Study Committee

- Whereas:** Community Dog Parks provide great public benefit allowing for socialization among neighbors, friends and their pets;
- Whereas:** Community Dog Parks are perceived to be a municipal asset and serve as an incentive for individuals and families to stay and locate in communities;
- Whereas:** There is possibility of grant funds to pay for the construction of a dog park;
- Whereas:** Many residents have expressed an interest in assisting the Town in developing and maintaining a dog park;
- Whereas:** The Town previously had a Dog Park Committee that began the process of reviewing possible locations for a dog park;

Now therefore be it resolved:

That Dog Park Committee will be reinstated, that it will consist of five members appointed by the Board of Selectmen to serve one year terms eligible for annual reappointment, and will be an ad-hoc, advisory committee that, after its work is completed, will be discharged from its duties. In addition to the five members, one member of the Board of Selectmen and one member of the Board of Public Works will serve as ex-officio members of the committee. The committee will comply with State of Massachusetts Public Meeting laws and Public Record laws.

The Committees work will be include, but not be limited to:

- 1. • Reviewing the work of the prior Dog Park Committee
- 2. • Developing a list of possible sites for the dog park and prioritizing the sites based on specific criteria such as location, utilities, parking, impact on neighbors, environmental issues, etc. and make a recommendation to the Board of Selectmen as to the most suitable location.
- Develop a strategy to involve the public and stakeholders such as the Board of Public Works, Planning Board, Conservation Commission, Building Commissioner and others that may be determined, in the review and selection process.
- Based on the location selected for the Dog Park, design the park in a way maximizes community benefit while minimizing negative impact.
- 3. • Research possible grant and other financing sources to pay for the construction of the dog park.
- Draft a plan that would provide continued maintenance and repairs to the facility through the use of volunteers.
- Write rules and regulations governing the use of the Dog Park and how they will be enforced.
- Submit an annual report, or more often if necessary, to the Board of Selectmen regarding progress made in building a Dog Park.

Approved by the Fairhaven Board of Selectmen on June 4, 2018

(4)

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Canine Health and Welfare (<http://thestantonfoundation.org/canine>)

Dog Park Grants

Note: This program is now open and accepting applications from communities in Massachusetts. In January 2017 the Foundation made significant changes to the application process. We ask you to review the description below and the related links carefully, even if you have visited these pages before.

As part of its mission of encouraging positive dog/human relationships, the Stanton Foundation supports the development of enclosed dog parks in Massachusetts cities and towns.

This support takes the form of a series of grants to support park design, park construction, and capital improvements in parks supported by the Foundation. Access to these grants requires community contributions as detailed below.

Foundation contributions include:

Design grants: Design grants typically range from \$10,000 to \$25,000 and are intended to cover up to 100% of the costs of taking a dog park from initial concept to bid-ready construction documents. Expenses covered by a design grant include: preparation of schematics, preliminary drawings, bid documents, construction observation and, if necessary, an initial site survey.

Construction grants: Construction grants will fund 90% of the park's "hard" construction costs. Hard construction costs include labor and materials. They exclude contingency allowances, insurance, permits, bonds, overhead, or other miscellaneous

1

expenses. Construction grants have ranged from \$100,000 to \$225,000 and are capped at \$225,000.

Capital improvement grants: Capital improvement grants fund the purchase of new equipment and landscape or repair and replacement of items that were included in the original construction grant. A community is eligible for capital improvement grants at 12, 18, and 24 months after the park opens. Each grant is equal to 5% of the hard construction costs and require an application from the community. They may not be used for routine maintenance.

Required community contributions include:

Land and infrastructure. The community must identify a town owned site or sites(s) prior to the award of the design grant and provide water lines and other basic infrastructure, if applicable (e.g. if the proposed plan includes lighting, an electricity source).

10% match on hard construction costs. This contribution must be in cash, not in-kind services. The source of the cash may be the town budget or contributions.

All "soft costs" associated with park building, including bond, contingency, overhead, insurance, and other miscellaneous items not fairly categorized as "labor and materials."

Ongoing park maintenance. The community is responsible for all ongoing maintenance costs.

Application Logistics

The Stanton Foundation will fund 10 design grants each calendar year. *As of February 6, 2018, seven design grants are available.* Applications will be reviewed on a rolling basis until all 10 design grants are disbursed, at which point the application period will close for the year and re-open on January 1 of the following calendar year. Since many design grant applications require edits after review, merely submitting a design grant application does not reserve community's position as one of the 10 grantees.

lead, receiving confirmation from the Foundation that a community's application has been *approved* will secure their spot as a design grant grantee. This website will be updated to reflect when the application period has opened and closed each year.

If a community submits an application after the application period has closed, the Foundation will notify the community accordingly but will nonetheless provide feedback on its application so it is best postured to re-apply when the next period opens. If a community submits an application that requires edits while the application period is open and, during the editing process, the 10 grants are disbursed, it's re-application eligibility will be determined on a case-by-case basis.

While the decision to build a dog park has the potential for enormous benefit for the community, it also requires a major commitment of time and energy from the town as a whole. If your town is enthusiastic about bringing a dog park to the community and is willing to commit to the process, the Stanton Foundation encourages you to apply.

Please be aware that the Foundation works exclusively with one contact person, employed by the city/town, to discuss grant opportunities and requirements. Volunteer committee members, group organizers, or other community members involved in dog park design or construction should contact their local officials and encourage them to contact the Foundation, but should not themselves contact the Foundation.

> CURRENT PARTICIPANTS ([HTTP://THESTANTONFOUNDATION.ORG/CANINE/DOG-PARKS/PARTICIPANTS](http://thestantonfoundation.org/canine/dog-parks/participants))

> DOG PARK GUIDE ([HTTP://THESTANTONFOUNDATION.ORG/CANINE/DOG-PARKS/GUIDE](http://thestantonfoundation.org/canine/dog-parks/guide))

> HOW TO APPLY ([HTTP://THESTANTONFOUNDATION.ORG/CANINE/DOG-PARKS/HOW-TO-APPLY](http://thestantonfoundation.org/canine/dog-parks/how-to-apply))

> AFTER THE PARK OPENS ([HTTP://THESTANTONFOUNDATION.ORG/CANINE/DOG-PARKS/AFTER-THE-PARK-OPENS](http://thestantonfoundation.org/canine/dog-parks/after-the-park-opens))

STANDARD
FOUNDED

The following (or substantially similar) assurances **MUST** be included in an Assurance Letter to be approved for design grant funding. Please review your letter, **check each box** in this checklist to signal its inclusion in the letter, sign the bottom of this checklist, and submit it with your other design grant application materials.

- ☐ The chosen site (or sites, if a final decision has not been made) is on city/town-owned land;
- ☐ The plan to use the site(s) for a dog park has been communicated to relevant city/town bodies;
- ☐ Confirmation that the city/town will meet a commitment of 10% of the hard construction costs;
- ☐ The city/town named "point person" who will be the Foundation's point of contact throughout the process;
- ☐ Confirmation that the design grant funds will be applied to costs including the preparation of schematics, preliminary drawings, bid documents, construction observation and, if necessary, an initial site survey;
- ☐ Confirmation that the city/town will select a design firm that has previously designed at least one dog park (preferred) or has extensive outdoor public space design experience;
- ☐ Confirmation that once the city/town has a final bid on construction costs, it will sign a memorandum of understanding (MOU) reasonably similar to the example available on this website;
- ☐ EITHER:
 - ☐ A list of financial contributors to the park and any commitments the city/town has made to those contributors; OR
 - ☐ A commitment to use best efforts to avoid permanent donor sponsorship signage and a commitment to use a sign template provided by the Foundation if it is financially imprudent to avoid a sponsorship opportunity with requisite signage;
- ☐ The Letter is signed by the senior town administrator or elected official (e.g. mayor).

Signature: _____

Printed Name: _____

Title: _____

Date: _____

Appendix 7: Scoring Sheet for Placement Criteria

Appendix 7: Scoring Sheet for Placement Criteria						
Criteria Description	Score 1	Score 2	Score 3	Score 4	Comments	Score
Size Variable and dependent upon proposed park location. Minimum 1/4 acre; 1/2 acre preference	Less than 1/4 acre	1/2 acre to 1 acre	> 2 acres			
Buffer from Residential Ideally limit neighborhood disturbances to be consistent with typical park uses. Desired increased distance; vegetative buffer	50' or less from adjacent residents and little opportunity for buffer	> 100' from residents and moderate opportunities for buffer	> 200' from residents and good opportunity for buffer			
Nonresidential Adjacent Land Use Depending on the type of business or institution, may be considered either a benefit or an undesirable amenity	Surrounding institution/business does not consider dog parks compatible with its mission/compatibility	A dog park would be neutral for the surrounding institution or business	An adjacent dog park would be a positive addition to the surrounding institution or business			
Drinking Fountain Highly desirable within or adjacent to dog park area	No drinking water available on site; would be expensive/difficult to provide water	Drinking fountain and/or water service available on site, but outside of dog park	Drinking fountain available within proposed dog park area			
Parking Sufficient and convenient; Provided without undue burden on neighbors.	On-site parking not currently existing; Site too small to accommodate parking lot	On-site parking not currently existing; Site can accommodate parking lot	Existing parking lot on site can accommodate dog park			
Land Suitability Relatively flat topography; permeable soils; design to minimize erosion potential; protection for water bodies; good visibility through site	Excessive slopes; impermeable soils; and high erosion potential	Moderately flat; moderate visibility; moderately permeable soils	Primarily flat; good drainage; permeable soils; good visibility			
Shade Highly desirable; Site provides good mix of shade/mature trees and open space/turf grass	No trees on site; full sun	Some trees on site; smaller trees don't provide much shade	Mature trees; good mix of shade and open space			
Use Conflict Avoidance Avoid placing dog park in area that would conflict with or displace desired active and passive activities	Dog park would conflict with existing active uses	Existing active uses would not be impacted by proposed dog park	Dog park would complement existing park uses			
Protect Natural Areas Should not be located in close proximity to high quality natural areas to limit disturbances of nesting birds, small mammals, native plants	Site within 50' of high quality natural area	Natural area > 100' from proposed dog park area	No natural areas at site			
Geographic Distribution Located such that there is equitable distribution to dog parks in the City	Within 1/4 mile of an existing dog park; Well served by dog park	Within a 1 mile of an existing dog park; Moderately well served	Equal distance from other dog parks in reserved area of City			
Highest Score Attainable: 45 points; Minimal Score for Consideration: 27 points; Eliminate as Possibility < 27 points						Total Score
Summary Comments						

A B C D E F G H I WA

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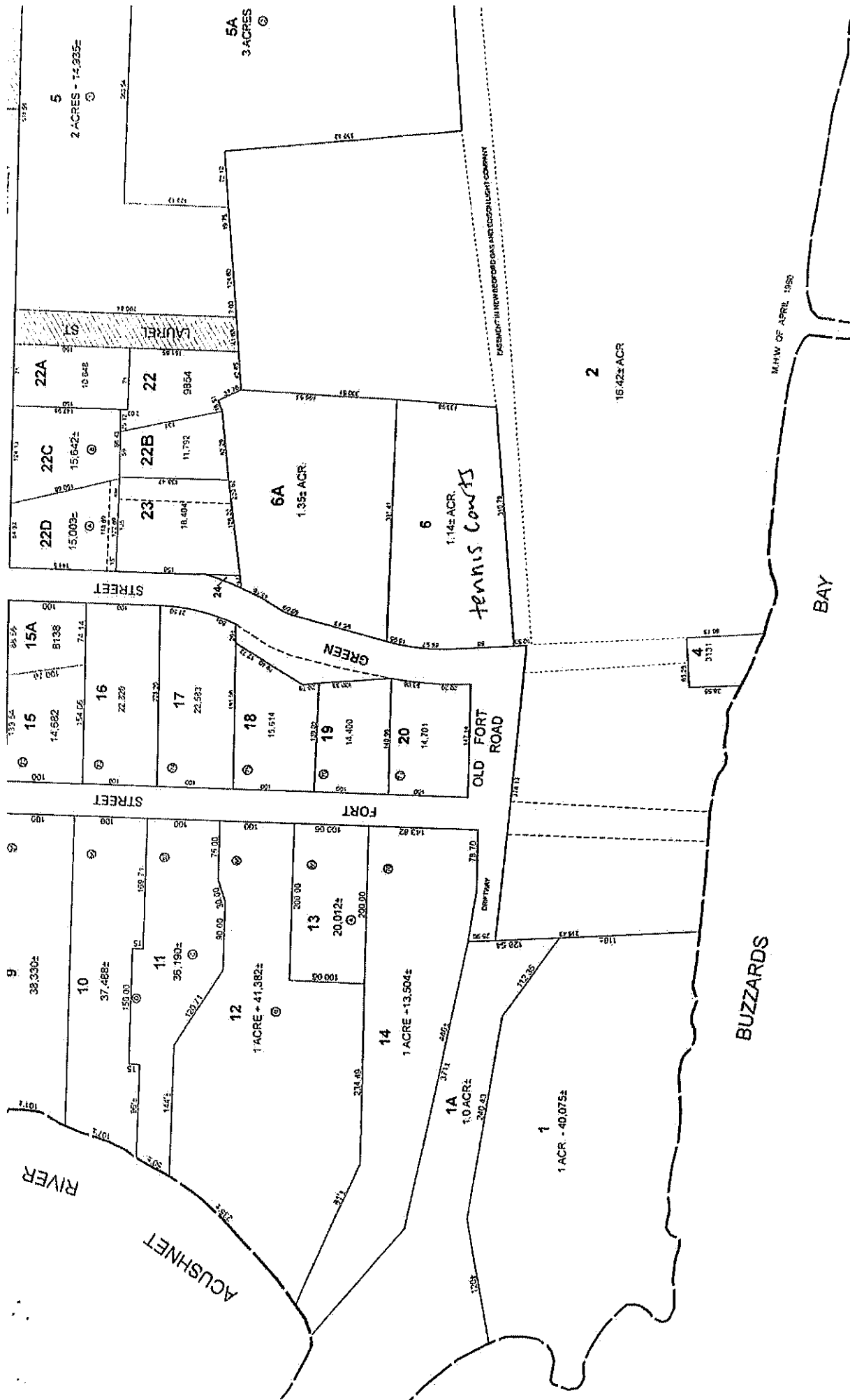
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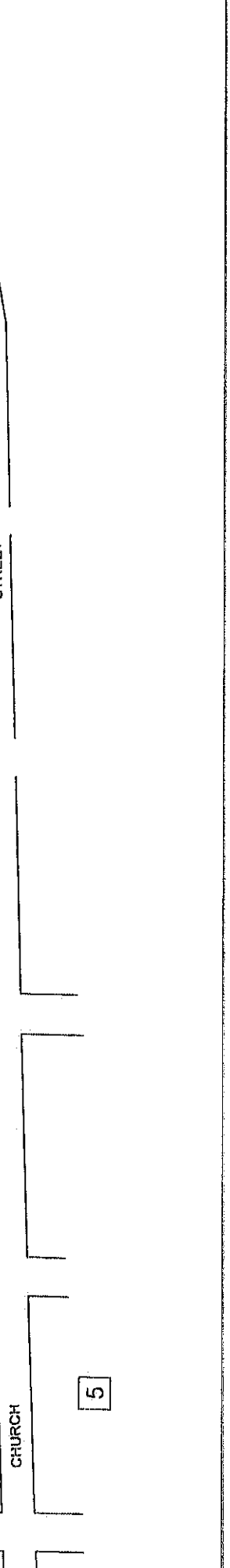
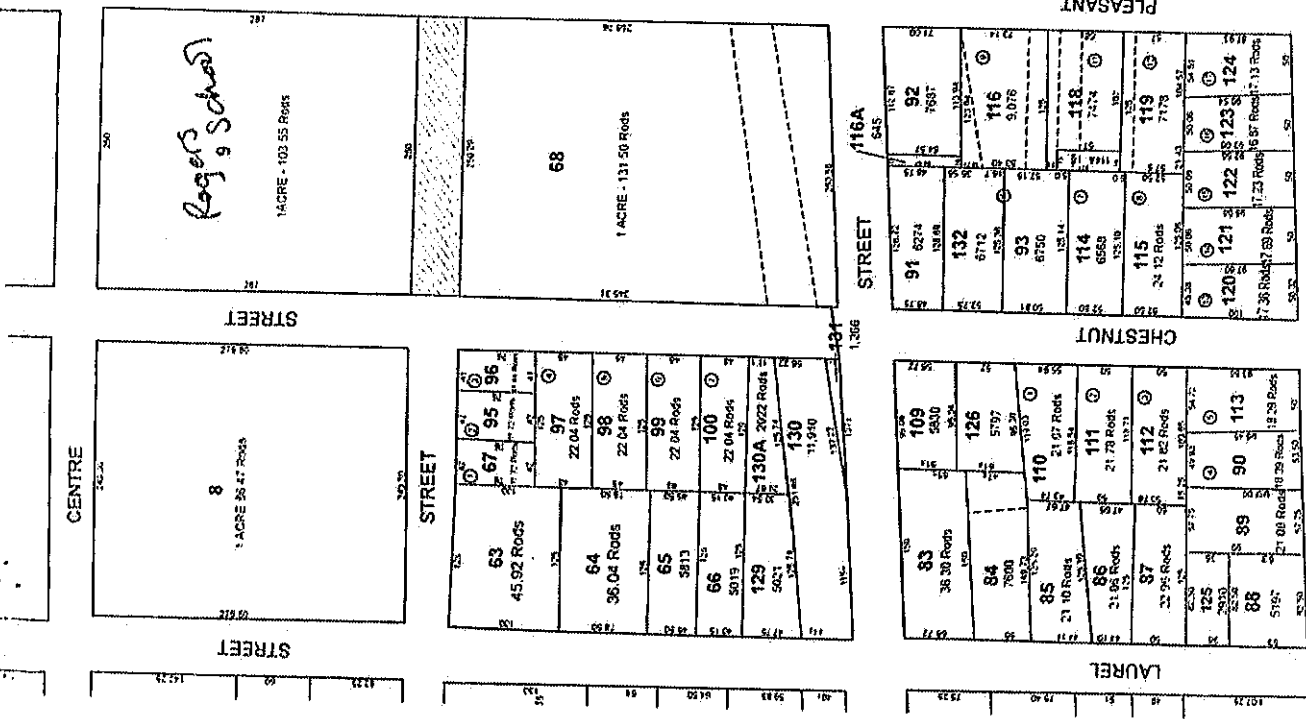
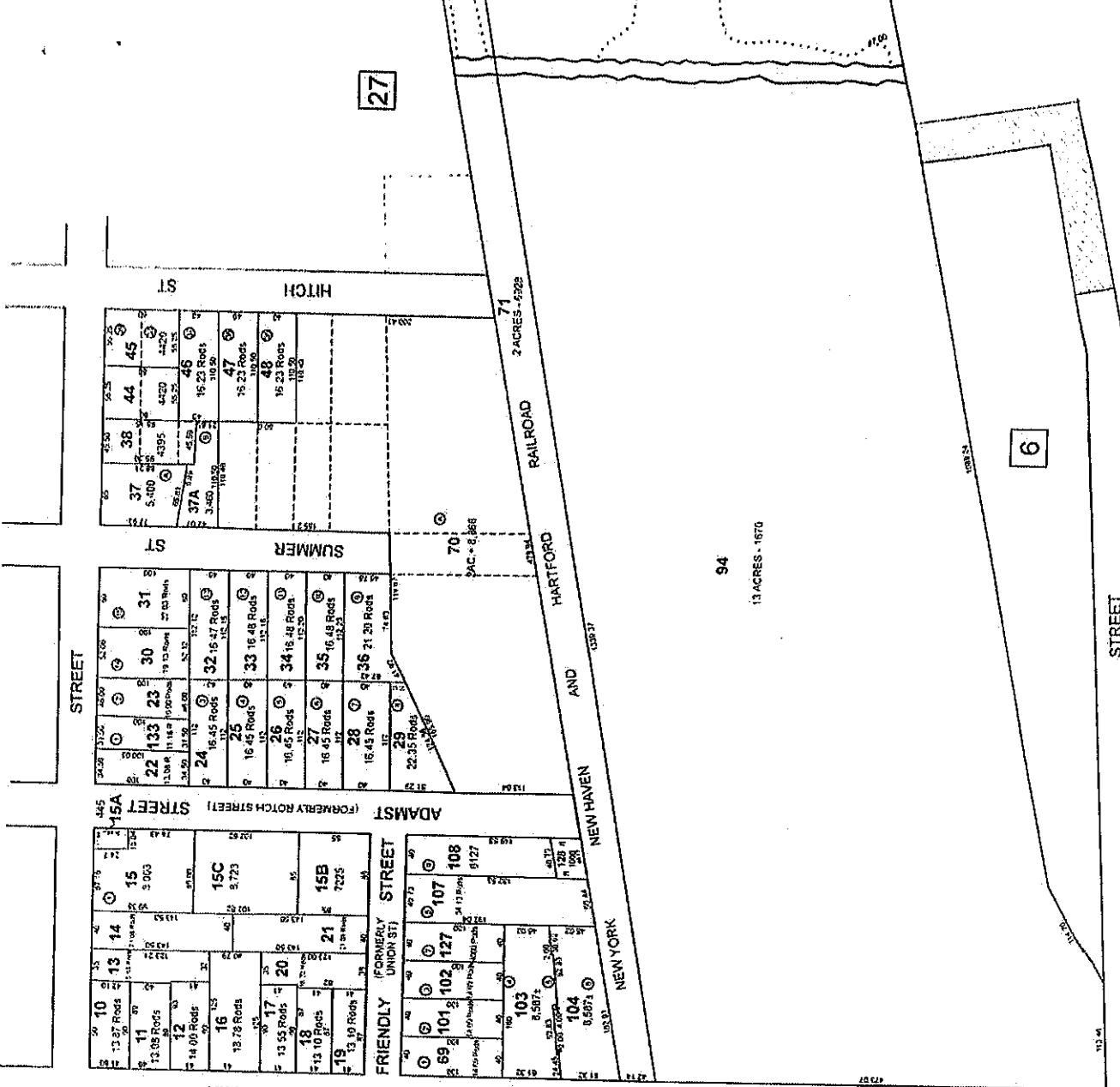
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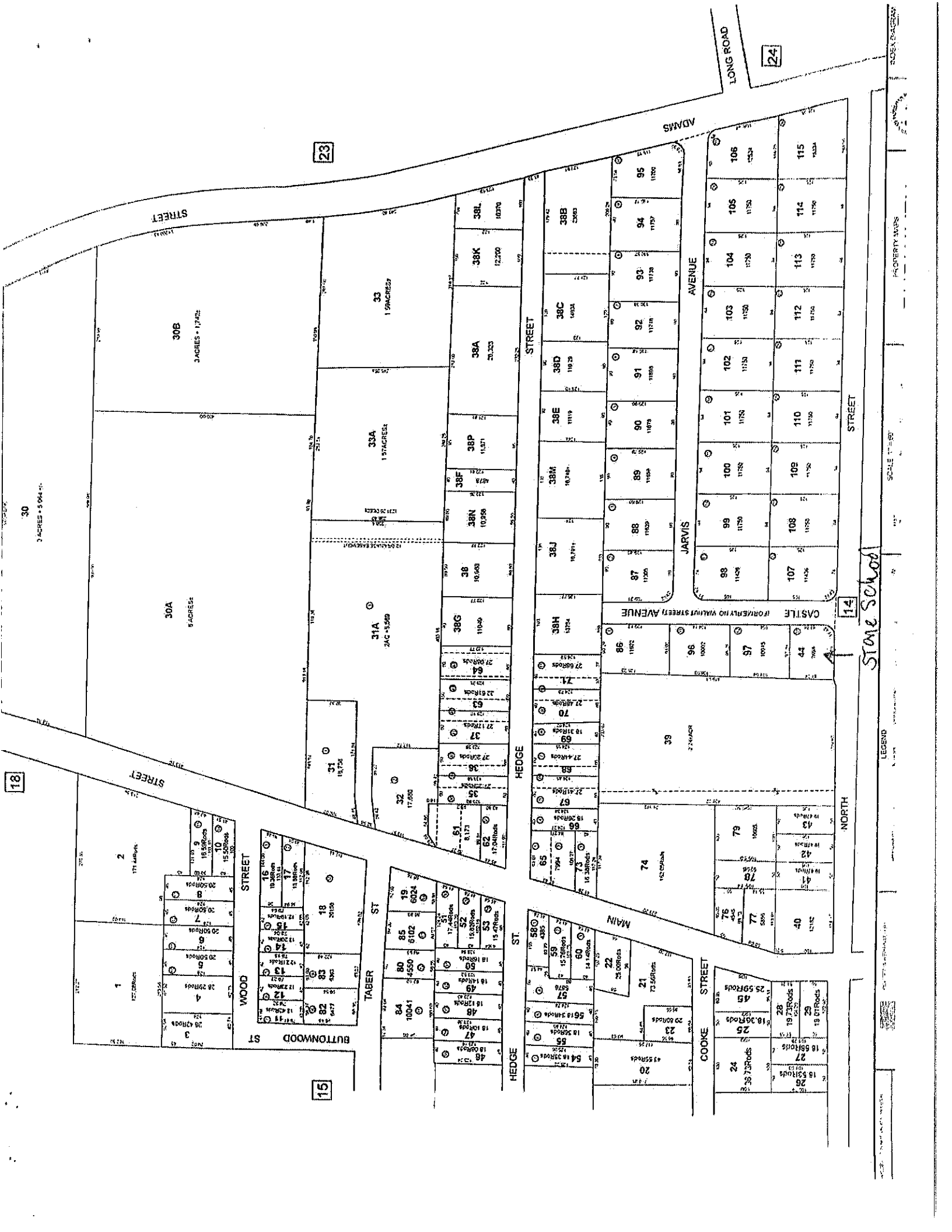
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01-201		FAIRHAVEN TOWN OF /									
631-151		40 CENTER STREET - FAIRHAVEN, MA 02719	11/27/1926		930	99		C	0	1,030,300	1,030,300
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1779-751		40 CENTER STREET - FAIRHAVEN, MA 02719	3/11/1979		930	08		C	0	251,800	251,800
GREEN STREET											
01-024		FAIRHAVEN TOWN OF /									
1925-469		40 CENTER STREET - FAIRHAVEN, MA 02719	6/18/1985		930	08		C	0	1,400	1,400
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07-068		FAIRHAVEN TOWN OF /									
1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	07		C	0	145,400	145,400
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1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	07		C	0	71,000	71,000
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07-086		FAIRHAVEN TOWN OF /									
1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	07		C	0	73,500	73,500
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08-062		FAIRHAVEN TOWN OF /									
1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	07		C	0	28,500	28,500
ROW SOUTH STREET											
08-068		FAIRHAVEN TOWN OF /									
1173-209		40 CENTER STREET - FAIRHAVEN, MA 02719	2/20/1956		930	07		C	0	198,200	198,200
CHESTNUT STREET											
08-071		FAIRHAVEN TOWN OF /									
1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	05		C	0	111,400	111,400
ADAMS STREET											
08-130		FAIRHAVEN TOWN OF /									
1146-209		40 CENTER STREET - FAIRHAVEN, MA 02719	5/16/1955		930	07		C	0	72,300	72,300
SOUTH STREET											
08-131		FAIRHAVEN TOWN OF /									
9450-67		40 CENTER ST - FAIRHAVEN, MA 02719	7/24/2009		930	07		C	0	2,500	2,500
SOUTH STREET											
08-024		BATES HOWARD S & EDITH L									
597-535		FAIRHAVEN TOWN OF /									
		40 CENTER STREET - FAIRHAVEN, MA 02719	7/29/1924		930	05		C	0	19,700	19,700
WALNUT STREET											

Adjacent #1 Phoenix

Behind Rogers







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State School

LEGEND

1" = 80'

PROPERTY MAPS

ROCK BASIN

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Fairhaven General Information

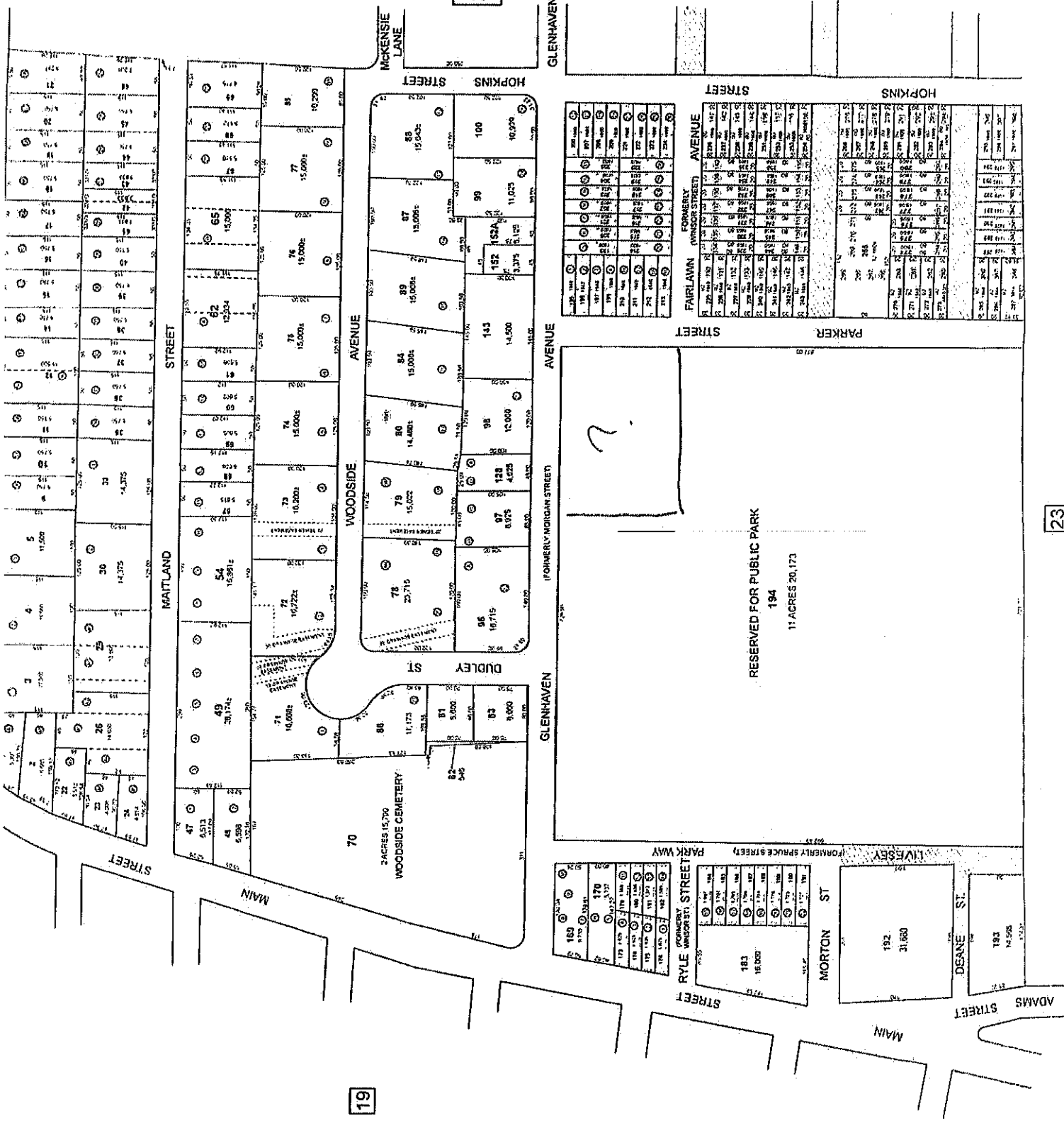
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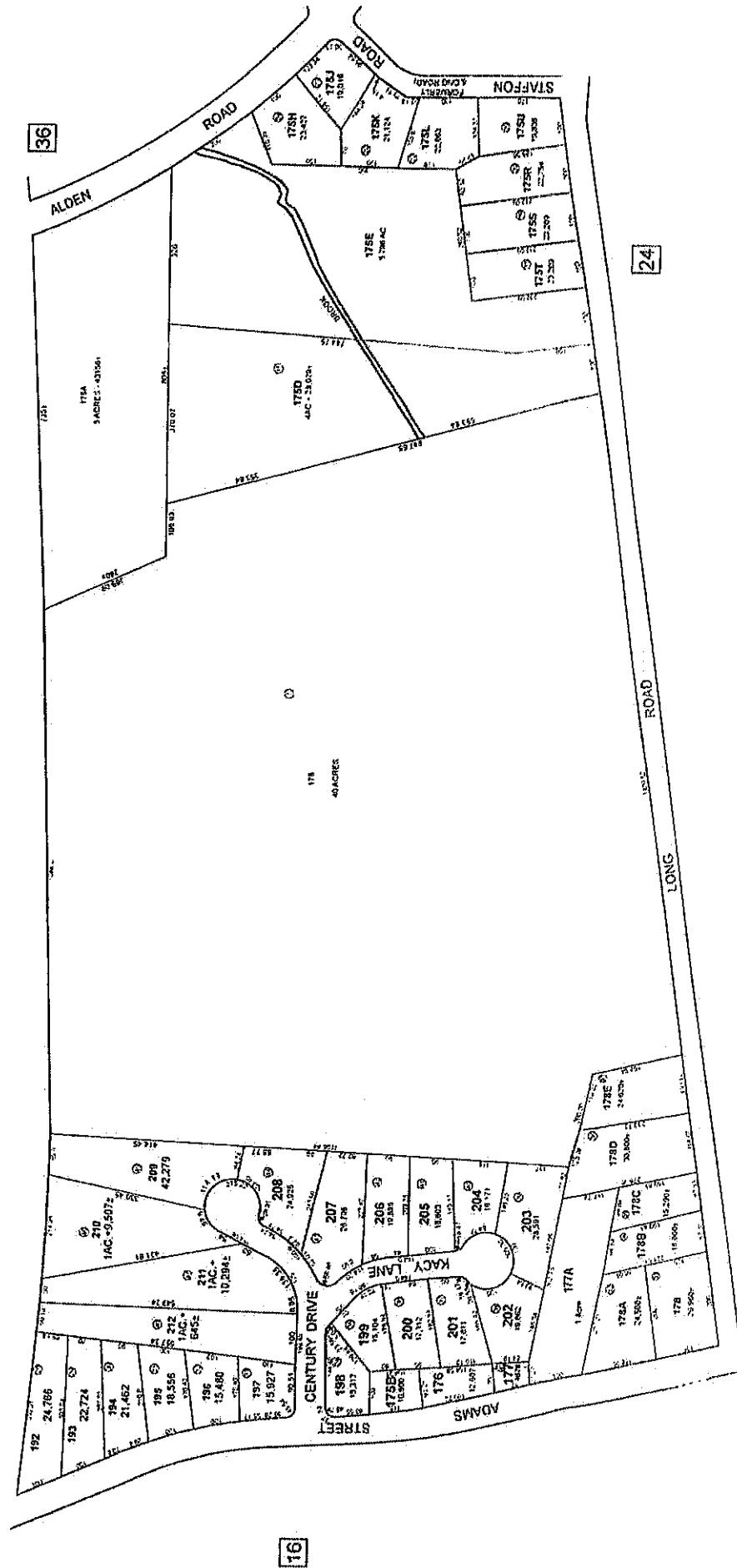
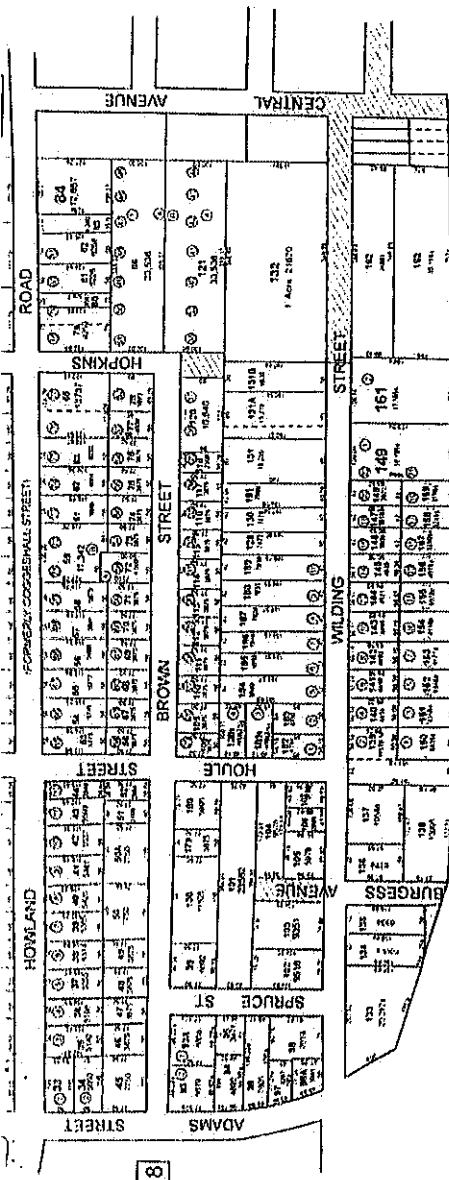
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5553-313						9/26/2003	930	91	C		0	0 20	209 300	0	209,300	
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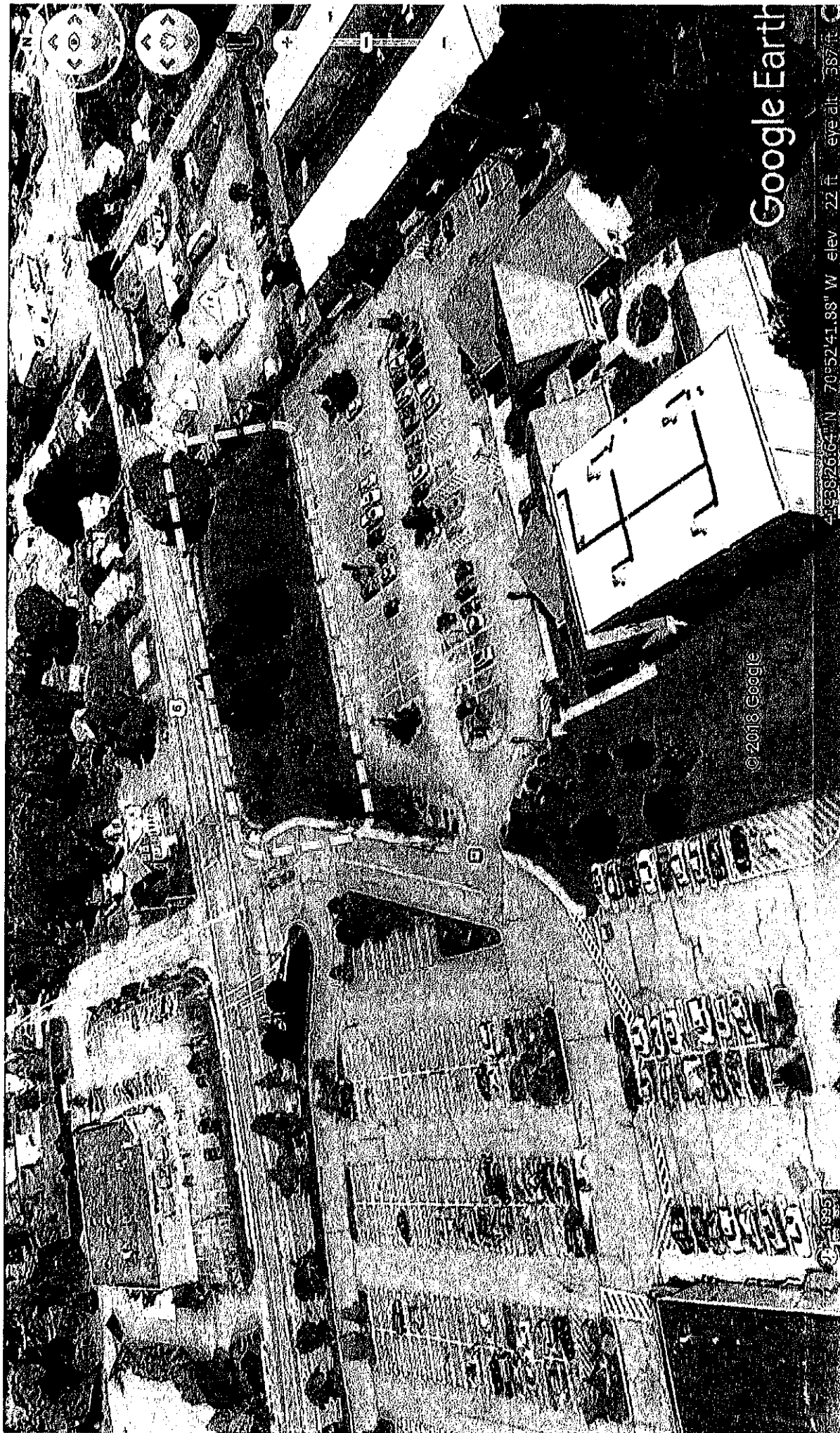
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41.382664° N 70°52'41.88" W elev. 22 ft eye alt. 387 ft

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance



2013/2014

Park Advisory Commission Dog Park Subcommittee

MISSION STATEMENT

To create formal guidelines regarding the placement and management of new dog parks and the improvement of existing dog parks in Ann Arbor.

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INTRODUCTION

Dog parks have grown in popularity throughout the country as more people have pets and are asking that communities provide recreational opportunities for them. The City of Ann Arbor is no exception. This planning document has been developed in response to resident advocacy for additional dog parks and to assure that, moving forward, the existing and proposed dog park areas are successful and well received.

The City of Ann Arbor currently has 158 parks covering 2,118 acres. Two of these parks contain fenced off-leash dog run areas, known as dog parks. These include 10-acre Swift Run Park and .7-acre Olson Park. These parks are located at the extreme south and north of the City, and residents have requested that new dog park areas be more accessible to their residence. This document provides historical information on the background leading up to the development of the existing dog parks, information about the existing dog parks in the City, data about dog parks in other cities, guidelines for the location and design of any new off-leash dog parks, and guidelines for how to improve existing dog parks. In addition, details are provided about the process that the City's dog park subcommittee went through to establish these guidelines.

BACKGROUND AND HISTORY

A Brief History

Public advocacy to establish dog parks dates to the mid 1990's. To address these requests, in 1997, a Dog Off-Leash Taskforce was formed as recommended by staff and the Park Advisory Commission with the goal of gathering and reviewing information, reporting findings, and making recommendations for the design, placement, and management of dog parks. The task force met for seven months. Their work included holding interviews with dog behavioral specialists, and researching materials on dog behaviors and management from around the country.

The resulting report, (attached as a hyperlink) released in 1998, addressed design criteria, including size, fencing, gates and entrances, sanitation facilities, water, surfacing, shade, seating, emergency phone, agility equipment, paths, parking, park maintenance, supervision and monitoring, signs, and hours of operation. It also provided information about obtaining a permit, dog park rules, costs and funding, enforcement, changing the City ordinance, and a pilot project. The report was presented to the Park Advisory Commission in November of 1998.

The effort to establish the first dog park did not move forward until 2005 as there were concerns about potential management issues, funding, and resistance from residents. However, the concept of an off-leash dog park continued to gain momentum in the intervening years and advocates continued to lobby to establish one or more dog parks. In response, the City researched potential locations using the criteria developed in the 1998 report. In 2005, the City started discussions with the Washtenaw County Parks and Recreation Commission, who were also hearing from constituents that a dog park was a desired amenity, to explore the joint development of a dog park at Swift Run Park.

Establishment of Dog Parks in Ann Arbor

In June 2007, City Code was amended to provide for dogs to run off-leash in designated dog play areas (i.e., dog parks). In December 2007, a partnership agreement was signed between the City of Ann Arbor and the Washtenaw County Parks and Recreation Commission for the development, maintenance, and operation of

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

a dog park at Swift Run Park. Swift Run was suggested as a location because of its proximity to the County maintenance facility, was not near residences, was adequately sized, and was not being used for any other park purpose.

A second dog park area was established at Olson Park in 2008. This location was adopted after a series of public meetings, in which alternative locations were discussed, including Ward Park, Leslie Park, and South Maple Park, but were not supported by adjacent residents or were not compatible with other city functions for the site at the time. Olson, like Swift Run, is located away from housing. It is part of a larger multi-use park, and does not conflict with or preclude any other existing park use; however it is much smaller, and primarily serves residents in the northern part of the City.

Assessing the Desire for Additional Dog Parks

In the past few years, public advocacy for additional dog parks has again risen to the forefront of desired park amenities. Input from the 2011-2015 Parks and Recreation Open Space Plan also supported the desire for additional Dog Park areas. This input has been focused on creating additional parks closer to residences, especially one that is centrally located and walkable from the downtown for residents who do not drive.

In 2012, staff suggested West Park would be worth considering since a master plan had just been completed and property purchased along Chapin was not being utilized for any specific purpose. A public meeting was held and there was general support for the concept. However, enough opposition arose that the project was eventually rejected. A new initiative to explore dog park locations was needed.

In response, a subcommittee of the Park Advisory Commission was formed in 2013. Over the course of 2013-14, the committee met more than 13 times. These meetings were posted and open to the public, and public commentary was first and last on every agenda. The committee was tasked with developing a public input plan and a process for determining appropriate criteria to locate dog parks. The committee looked to establish criteria and to test these criteria at several park locations to see if the elements were relevant and a good determinant for a successful location. The committee looked at the parks in the vicinity of the downtown as a first step. Several potential locations were identified to test the criteria before holding public meetings. Two public meetings were held to discuss the criteria and other issues surrounding establishment of dog parks.

After considering strong public feedback regarding the process, the committee decided to take a step back to revisit the existing criteria and develop revised recommendations for locating, designing, and operating a dog park, before proposing any locations and holding public meetings on specific park areas. A key piece of these recommendations relates to process, more specifically, ensuring that the public has a chance to be actively engaged in discussing, reviewing, and commenting on these criteria for locating new dog parks. This document is the culmination of these discussions and provides the framework for how the City can move forward with creating and maintaining successful dog parks. However, it is also understood that this is a living document and will be revisited in the future to consider new initiatives and trends.

GOALS AND OBJECTIVES

To guide the subcommittee's mission, a series of goals were established. These goals cover the process and outcomes for creating new dog parks and improving existing ones. The four goals established by the subcommittee include:

Goal 1 -- Evaluate Community Preferences around Existing and Potential Future Dog Parks

To meet this goal, the dog park subcommittee utilized a series of tools including: a community-wide survey, a series of public meetings, targeted outreach to engaged citizens, and discussion during dog park subcommittee meetings.

Goal 2 -- Research Best Management Practices to Inform Guidelines for Ann Arbor Dog Parks

To meet this goal, the subcommittee contacted communities from around the country, referenced master plans, and conducted Interviews with staff and other community members. From this research, summaries and charts were developed to compare best practices regarding dog parks. Results can be found in *Appendix 4* and *Appendix 5*.

Goal 3 - Provide Guidelines for the Development and Maintenance of New Dog Parks

To meet this goal, the subcommittee set three objectives: 1) To develop criteria for site location; 2) To develop criteria for site design; 3) To establish a public process for decision making regarding siting new dog parks.

To inform the guidelines, the committee reached out to communities around the country to gather best management practices, as well as to learn what might be improved with existing dog parks (*Goal 2*). The research included email, telephone interviews, website research, and review of master plans from other communities. The data was then collated into charts to compare criteria that guide development and maintenance of dog parks (*Appendix 4*).

The committee also created a community-wide survey to assess citizen needs, interests, desires, and concerns regarding future and existing dog parks in Ann Arbor. In addition, two public meetings were held with citizens to review the results of the survey and further discuss issues and opportunities related to new and existing dog parks in Ann Arbor. The subcommittee reviewed the survey and public meeting input in the creation of this document. The results from the survey and meetings can be found in *Appendix 1* and *Appendix 3*, respectively.

Goal 4 -- Provide Guidelines for the Ongoing Operation and Improvement of Existing Dog Parks

To meet this goal, the subcommittee inventoried the existing Ann Arbor dog parks, including layout, amenities, operation, and maintenance practices. Enforcement issues outside of the existing dog parks were also studied. Input gathered from the survey and public meetings about what is and is not working well at Swift Run and Olson Parks, and research from other communities, helped the subcommittee to learn about best management practices. The committee also looked at volunteer and educational opportunities to aid in the management of future and existing dog parks.

From this information, the subcommittee made recommendations to improve ongoing operation, infrastructure, and amenities at existing dog parks and to improve enforcement issues surrounding off-leash dogs in parks.

RESEARCH AND FINDINGS

Evaluate Community Preferences around Existing and Potential Future Dog Parks (Goal 1)

Research was conducted by asking residents of Ann Arbor to provide input through a number of mechanisms explored below. Additionally, other cities and regions were interviewed to determine best management practices for establishing new dog parks and operating existing ones.

Public Input Methods

Several methods were used to obtain public input including a citizen survey, two public meetings, input at task force meetings, emails, and phone interviews. Each input method provided important information that helped to inform the criteria for site selection and design, as well as recommendations for improvements to existing dog parks.

A questionnaire was designed by the Park Advisory Commission subcommittee with public input and advertised via email, press releases, the City website, and postcards placed at recreation facilities, the City Hall customer service desk, and other public locations. The questions were designed to gain a better understanding of the existing dog population, the desire for or concerns against dog parks, whether and how people use dog parks, and what they like or dislike about them. Questions also addressed dog behaviors, geographic distribution, and locations where dog parks would or would not be acceptable.

A dog park web page was maintained during the public input period detailing the ways in which residents could be involved and provide input. The page listed the survey link, public meeting dates, email address, and Park Advisory Commission subcommittee meeting times and locations. The page is attached in *Appendix 2*.

Two public meetings were held to obtain input. The meetings included discussion about potential location and design criteria, maintenance issues with existing dog parks, concerns about creating new parks, potential locations, and questions about what other communities are doing about dog parks.

Minutes of both meetings and detailed survey results are included in *Appendix 3*.

Summary of Survey Responses

- The survey was completed by over 1,500 people, ranging in age from teens to seniors, and representing all areas of the City, with the majority being from zip code 48103.
- The majority of respondents own dogs and many own more than one dog.
- The majority of respondents do not currently use dog parks, but of those who do, more use Swift Run. Frequency of use ranged from daily use to a few times annually.
- The current dog parks were appreciated for their existence, size, fencing, and distance from homes. The dislikes included ill behaved dogs, fees, lack of shade, and issues with cleanliness.
- Respondents indicated that dog park usage would increase as the distance to the home decreased, with the most popular time for use being late afternoon.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- The most important items mentioned for a successful dog park were cleanliness, maintenance, location, and shade.
- The greatest concerns were cleanliness, dog conflicts, and maintenance.
- Many residents were willing to volunteer at a dog park to help clean, landscape, organize events and activities, and fundraise.

Summary of Input from Public Meetings

- Three public meetings were held with 29 people attending the first meeting, 9 people attending the second meeting, and 17 attending the third meeting.
- Important considerations should include buffers between the dog park and other uses, protection of natural areas and water quality, provision of shade, appropriate surfacing, adequate drainage, and parking so as not to put additional burden on existing neighborhoods.
- Take care of what we have and correct existing issues, including cleanliness, inadequate shade, condition/maintenance of existing dog parks, and issues with dogs running off-leash.
- Location is important, but it is also important to recognize that the City will never be able to provide dog parks walkable from every residence and land other than parks should be considered.
- Research and provide data from other communities to establish best practices when designing and locating new dog parks and managing existing parks.
- Establish an ample and well thought out process for public input.

Summary of Placement, Design and Management Practices from Other Cities (Goal 2)

Staff and Park Advisory Commission subcommittee members researched development and management practices from numerous cities, and obtained information via phone conversations, email, websites, master plans, and policy documents. Cities contacted include: Baltimore, MD; Boulder, CO; Chicago, IL; Kalamazoo, MI; Madison, WI; Norfolk, VA; Alexandria, VA; Portland, OR; San Francisco, CA; and Meridian Township, MI. Existing master plans referenced include Denver, CO; Salt Lake County, UT; and Oakland, CA.

Below is a summary of the responses. The data from the research on each city is detailed in *Appendix 5*.

Placement

- **Size:** The recommended minimum size for dog parks varies considerably among cities, but is generally between 1/2 acre and one acre.
- **Buffer from Residential:** A few cities provide definitive distances from residences, varying from 50 feet to 200 feet. All strive to minimize conflicts and include guidelines such as: making sure that noise and activity levels are no more than other park uses, importance of screening or visual buffers, and having a minimal impact on residences.
- **Water Source:** Most recommend having a source of drinking water for humans and dogs if possible.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- **Parking:** Recommendations include that parking should be readily accessible, close to the site, sufficient/adequate size, and convenient. There were no standards for size; rather it is important to consider parking when locating a dog park.
- **Drainage:** Important aspects included that the site be relatively flat and have permeable soils.
- **Shade:** All recommend some shade as desirable, but not heavily shaded to allow for grass growth and for the ground to dry.
- **Use Conflict Avoidance:** Guidelines include avoiding play areas and other recreational amenities, high use areas, natural areas and water sources, wildlife, trails, community gardens, and historic sites.
- **Protect Wildlife and Natural Areas:** Several cities discuss avoidance of conflicts with wildlife and sensitive habitats.
- **Geographic Distribution:** A few cities have general guidelines, such as a one or two mile service area, but most do not state explicitly how the parks should be distributed through their community.

Design

- **Fence Height and Material:** All cities contacted have galvanized or vinyl coated chain link fences, with a minimum height of 4 feet. Double gated entries to allow for dog owners to unleash the dogs in a corral prior to letting the dog run free are the norm.
- **Surfacing:** There is no consensus as to the best type of surface. Several cities have multiple surfacing types including crusher fines or decomposed granite around the entrance area, concrete, grass, and mulch. For the larger areas, grass is used most often.
- **Separate Small and Large Dog Areas:** Most cities provide small dog areas if space allows.
- **Site Furniture and Other Amenities:** Most provide benches. Some have community bulletin boards to post announcements and some have shade structures. Very few have dog play amenities.
- **Trash Cans and Bag Holders:** All provide trash containers and some provide bag holders. A minority of cities also provide bags.
- **Signage:** All cities contacted post rule signs.
- **ADA Access:** All cities contacted said that they comply with the ADA for access to the site.

Management

- **Staffing:** Cities that have rangers or other park staff monitor dog parks, as well as illegal off-leash activity outside of dog parks, find this helpful for controlling dogs and building community support.
- **Fines:** Cities that issue warning tickets and/or fines find this effective at reducing the number of repeat offenders of illegal off-leash dog activity.
- **Entry Fees:** Fees to use dog parks range from free to \$35 or \$40 per year.
- **Entry Key Fob:** Cities that restrict use of the dog parks to patrons who pay for the permit by installing a key fob entry find that it encourages more people to follow rules, increases revenue, and provides a more equitable system for all users.

- **Hours of Operation:** Dawn to dusk is common.
- **Use Permit:** Obtaining a dog park permit as part of purchasing a dog license is common practice.
- **Volunteers and Enforcement:** A few cities have volunteers involved with the park maintenance and activity programming. Involvement of community members was noted to increase acceptance of the dog park and helps to minimize problems.

DOG PARK GUIDELINES FOR ANN ARBOR

Guidelines for Development and Maintenance of New Dog Parks (Goal 3)

Many of the below criteria are consistent with the off-leash Task Force Report of June 1998. However, several criteria have been updated based on current research and public input. This section outlines guidelines for placement, design, management, and enforcement of both existing and proposed dog parks, and the public process to be followed to establish new dog parks. The guidelines are derived from public input and what the subcommittee learned from research of other city's practices.

Guidelines for Placement of New Dog Parks

- **Size:** The size of dog parks will be dependent upon the particular park in which it is proposed, other park activities, facilities, proximity to residences, etc. Larger is better (at least ½ acre), but if a smaller dog park area is all that can be accommodated in a particular park, and if there is community support, then a smaller size will be considered.
- **Buffer from Residential:** It is crucial to provide a buffer between nearby residences and the dog park. The buffer should allow for neighbors to have no more disturbances from a dog park than other typical park uses. Buffers may include vegetation and/or berms to aid in noise/visual attenuation.
- **Non-residential Adjacent Land Use:** Depending on the type of business or institution, a dog park may be considered either a beneficial amenity or an undesirable facility.
- **Drinking Fountain:** A source of drinking water is highly desirable within or adjacent to the dog park area.
- **Parking:** Sufficient parking, convenient to the site, should be provided such that the dog park does not create undue burden on surrounding neighborhoods.
- **Land Suitability:** The site should be relatively flat and have permeable soils. If a desirable site has excessive slopes, it should be designed such that erosion does not become an issue, water bodies are protected, and visibility to all dogs is possible within the fenced in area.
- **Shade:** Shade is highly desirable. The site should provide a good mix of mature trees and open space/turf grass.
- **Use Conflict Avoidance:** It is important to provide a sufficient buffer between the dog park area and other recreational facilities such as playgrounds, trails, ball fields, picnic shelters, game courts, or any existing heavily used or programmed area.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- **Protect Natural Areas:** Dog park areas should not be located in or in close proximity to natural areas where flora and fauna, such as ground nesting birds, small mammals, and native plants, would be disturbed.
- **Geographic Distribution:** Dog park areas should be distributed in the City such that there is equitable distribution to dog parks in the City.

Guidelines for Design of New Dog Parks

- **Fencing Height and Type:** A minimum of a 4 foot high chain link fence, either galvanized or vinyl coated, be installed around the perimeter of the site.
- **Perimeter Plantings/Buffers:** If the budget and site permit, and if it is necessary to buffer the dog run area, vegetation should be planted on the outside of the fence to aid in the aesthetic quality of the site and to assist in mitigating noise associated with the dog park.
- **Entrance Design:** An entry corral, consisting of at least an 8 foot x 8 foot fenced area with two gates, should be provided to allow for pet owners to safely unleash their dog prior to letting them in the dog run area.
- **Visual Character and Aesthetics:** Dog parks should be located so as not to detract from the aesthetic quality of a park or open space. Ideally, the dog park should be designed to integrate well into the existing site.
- **Surfacing:** A variety of surfaces may be used within a site. Crushed fines at the entry are recommended as this area has a concentration of use. In smaller dog run areas, a larger crushed fines area is recommended as the concentration of dogs may not allow grass to grow. All surfaces should be easy to maintain. If possible, lawn areas should be rested periodically to allow the turf to recover.
- **Separate Areas for Large and Small Dogs:** When space permits, separate small dog areas should be provided for dogs up to 25 pounds.
- **Signage:** Rules shall be clearly posted, including codes of behavior, hours, and requirements for entry.
- **ADA Accessibility:** Barrier free access to the site shall be provided, as well as an area through the corral and at the entry. Barrier free paths through the dog run area should be provided if space and funding permit.
- **Trash Containers:** Trash containers and waste removal bag holders shall be provided in the dog run area, making sure that they are located with easy access for maintenance vehicles.
- **Site Furniture:** Ideally, several benches should be provided in convenient locations to allow for gathering and resting throughout the dog park area.
- **Pathways:** Walking trails around the perimeter would encourage owners to interact with and monitor their dogs more closely, as well as to provide additional ease of access to the entire site, and should be provided if there is sufficient space and funding.
- **Shade:** Trees and/or small shade structures should be provided if the site has insufficient shade to allow humans and dogs to retreat from the sun.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- **Water:** Drinking fountains should be provided if water is readily available and should include a dog drinker/bowl.
- **Lighting:** As the park areas are open from dawn to dusk, lighting need not be provided as an additional amenity.
- **Agility Equipment:** Amenities such as agility equipment may be included if a user group desires them.
- **Ease of Maintenance:** Service gates and trash barrels should be located such that maintenance vehicles may easily enter from an existing park road, parking lot, or street frontage.
- **Bulletin Board:** A community kiosk and bulletin board should be provided to provide a place to post notifications for meetings, work days, and events.

Guidelines for Management and Enforcement of Dog Parks

- **Staffing:** Staff monitoring of dog parks during heavy use periods is recommended.
- **Fines:** Warning tickets, followed up by fines, are recommended for repeat offenders to help reduce the amount of illegal off-leash dog activity outside of dog parks and enforce use by those who have not paid the fee to use dog parks.
- **Entry Fees:** Fees to use dog parks ranged from free to \$35 or \$40 per year. The City's fees are in line with those around the country. Continue to evaluate fees in relationship to other dog parks.
- **Entry Key Fob:** Restricting use of the dog parks to patrons who pay for the permit is recommended to encourage more people to follow city rules, increase revenue, and provide a more equitable system for all users. A key fob would assist in monitoring who has purchased dog park passes and have obtained the required vaccinations.
- **Hours of Operation:** Maintain current hours to be consistent with all parks: dawn to dusk.
- **Dog Park License:** Obtaining a dog park permit as part of obtaining a dog license is efficient and should be continued. Explore implementation of an online application process to be more user-friendly and increase compliance.
- **Rules:** City rules are consistent with other cities. They should remain as is and continue to be posted. Existing dog park rules are listed in *Appendix 6*.
- **Turf Maintenance:** Design of dog parks should permit resting grass to allow turf to reestablish.
- **Volunteers:** Volunteer involvement should be encouraged to promote stewardship of dog parks. Work with park volunteer staff to help develop programs and events, and recruit stewards.
- **Education:** Develop program to educate park users on dog etiquette, and to educate the community about dogs and dog parks in general.

Process to Establish New Dog Park Sites

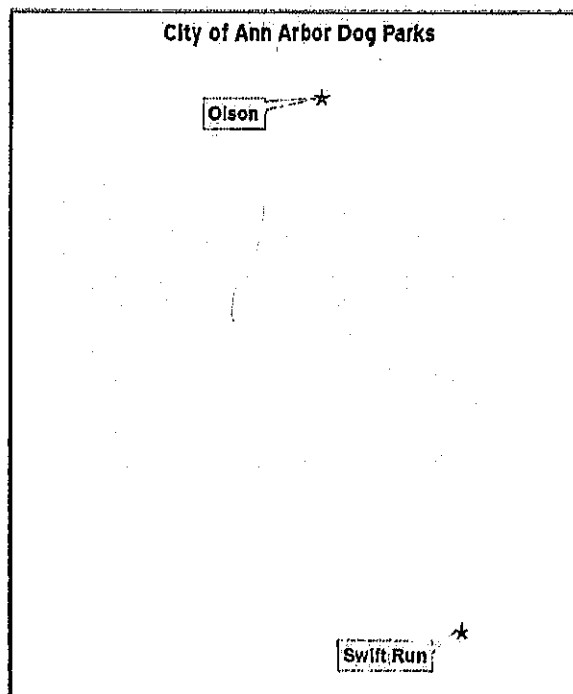
Any proposed location should have strong support from surrounding neighbors and, in general, be supported by the community. Buy-in from immediate neighbors is crucial to the success of any proposed location. Given this basic criteria, the following process shall be followed when considering establishment of a new dog park.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

1. Establish an ad-hoc committee comprised of members from the Park Advisory Commission, staff, and citizens to identify potential sites using established guidelines.
2. Have committee evaluate sites using the placement criteria (Appendix 7) to ensure the greatest opportunity for success while considering geographic distribution.
3. Using the scoring sheets, narrow the sites to those that score the highest.
4. Develop a concept plan for the site being considered that shows the proposed location in the particular park or public land, the access points, parking, amenities, and landscaping.
5. Plan for public input using the Community Engagement Tool, including conducting an online questionnaire available to all citizens, and notifying all residents within ¼ mile of the proposed site by mail with the link for the questionnaire, and the date and place for the public meeting.
6. Hold public meeting to discuss the site being considered and include the input received from the email questionnaire.
7. If there is general support for the project, concerns and suggestions are shared at the public meeting and staff will explore modifications to the concept plan.
8. If, after the concept plan is modified, opposition to the plan is still such that the project lacks the necessary support to succeed, then the second site on the list of potential parks will be considered, and the public process will be repeated.
9. When a proposed location is generally supported, being sensitive to residents in close proximity to the proposed dog park, the ad hoc committee will vote on the proposed site.
10. If the committee approves the proposed site, it would then be brought to the Park Advisory Commission for discussion and recommendation.
11. If the Park Advisory Commission approves the proposal, the site will be brought to City Council and include a public hearing so that City Ordinance can be modified to accommodate the proposed site.

Guidelines for Improvements to Existing Dog Parks (Goal 4)

In order to improve existing dog park areas, it is important to inventory what we have and explore what is working and what needs improvement. Lessons learned will also inform maintenance practices for new dog parks. The City currently has two dog park areas, Swift Run and Olson Parks. The inventory of these parks follows, as well as recommendations for improvements.



Inventory of Existing Dog Parks

OVERVIEW OF SWIFT RUN DOG PARK

- Location: 2998 E. Ellsworth Road at corner of Platt Road
- Size – 10 acre grassy field area with 5 foot high perimeter fencing
- Large and small dog run areas
- Gravel parking lot with approximately 30 spaces
- Double entry/exit control gates (wheel chair accessible)
- Mowed trail, landscaping, and benches
- On-site portable toilet and nearby, off-site, flush-restrooms (Southeast Area Park at Northwest corner of Platt and Ellsworth)
- Trash receptacles and dog waste disposal stations
- Posted rules, signage, and information kiosk

ISSUES AND POTENTIAL IMPROVEMENTS TO SWIFT RUN DOG PARK

1. The location of the park on a former landfill limits the types of amenities that can be installed as footings are not permitted that might puncture landfill cover.
2. The condition of the parking lot has been a source of complaint because of muddy conditions and rutting. Paving the parking lot should be considered.
3. Requests have also included water and permanent restrooms. However, no water is available at the site due to the fact that there is no water main in the vicinity.
4. Continue to explore improvements to surfacing.

OVERVIEW OF OLSON DOG PARK

- Location – Dhu Varren Road at corner of Pontiac Trail
- Size – .7 acre grassy field area
- 5 foot high perimeter fencing
- One area – no separate large and small dog run areas due to space limitations
- Paved parking lot for all park uses
- Two double entry/exit control gates (wheel chair accessible)
- Benches
- Flush restrooms on-site
- Drinking fountain with dog bowl located near restrooms
- Trash receptacles and dog waste disposal stations at entries to dog park
- Posted rules, signage, and information kiosk

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- Separate maintenance/entry gate for mowing/maintenance equipment
- Surfacing consists of gravel and grass
- Wind and shade shelter
- One bench in fenced in area and other under shade structure
- Shade trees within fence, but not many mature trees

ISSUES AND POTENTIAL IMPROVEMENTS AT OLSON DOG PARK

1. Maintenance of the surfacing has been challenging because of the small size and clay soils. Staff has experimented with different surfacing types, including woodchips and gravel.
2. Trees have been planted, but they are still small.
3. Location serves north area of town, but is too far from other parts of town.
4. In response to public input, improvements made to the dog park after initial construction include a wind/shade structure, a second entry corral, and installation of a variety of surfacing types.

Suggestions for Improvements to Existing Dog Parks

1. Continue to evaluate surfacing. Make changes to improve drainage, wearing surface, and turf quality.
2. Work with Park Volunteer staff to find ways to engage volunteers for clean up days and other dog park events.
3. Establish a plan for future amenities and improvements so that if funding for park amenities is donated, there is a plan for inclusion in the existing dog parks.

APPENDICES

Appendix 1: Community Questionnaires

The subcommittee decided that questionnaires of the general public would allow a greater number of residents to participate in the public process. The questionnaires were posted on the City's website, emails were sent out via govDelivery, two press releases were posted, and post cards were placed at City Hall as well as several recreation facilities. The first questionnaire was available to the public for several weeks in August 2013, and the second in February and March, 2015. The results are as follows:

Questionnaire #1

Over 1,500 individuals completed the first questionnaire

2/3 were female (67.1%); 1/3 male (32.9%)

Age Breakdown for Respondents:

0.2% - under 18
2.1% - 18-24
42.4% - 25-44
45% - 45-64
10.3% - 65+

Zip Codes for Respondents:

58.8% from zip-code 48103

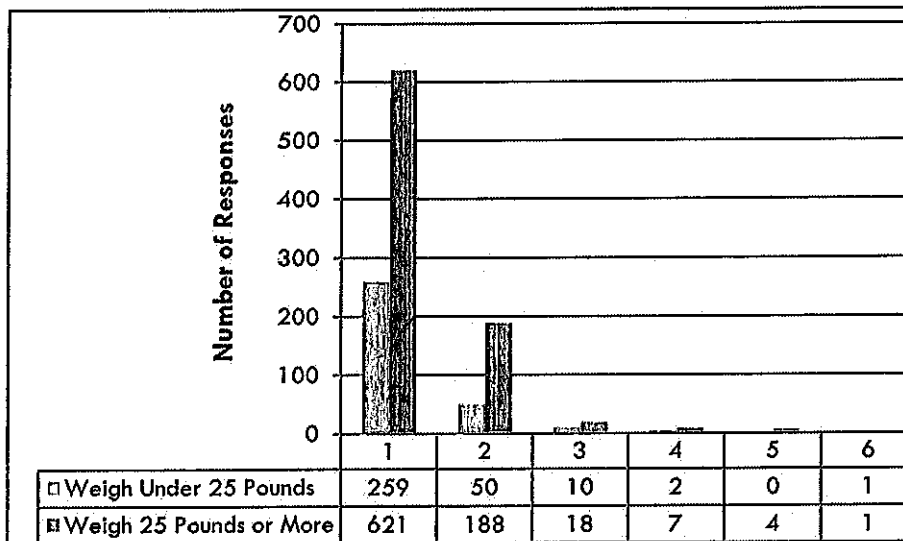
18.9% from zip-code 48104
 15.2% from zip-code 48105
 7.1% from zip-code 48108

Q1: Do you currently have a dog?

Currently have a dog – 67.5%
 Do not have a dog – 26.2%
 Planning to get a dog – 6.2%

Q2: If yes, how many dogs?

Participants were asked to list the number of dogs they owned under 25 pounds and/or over 25 pounds.



Q3: Do you currently use any existing dog parks? If so, which dog parks do you use?
 Respondents could select all that applied.

Swift Run – 332
 Olson Park – 158
 Do not use dog parks – 956

Participants were also able to list other area dog parks. Other sites mentioned included:

- Animal Kingdom
- Arise Dog Park
- Mill Pond
- Paw Run
- Neighborhood

Q4: How often do you use dog parks?

- I don't use dog parks – 61%
- A few times annually – 16.6%
- Once a month – 7.6%
- Multiple times per week – 6.8%
- Daily – 1.9%

Q5: What do you currently like about the existing dog park(s)?

This was an open ended question. The most common responses are listed below:

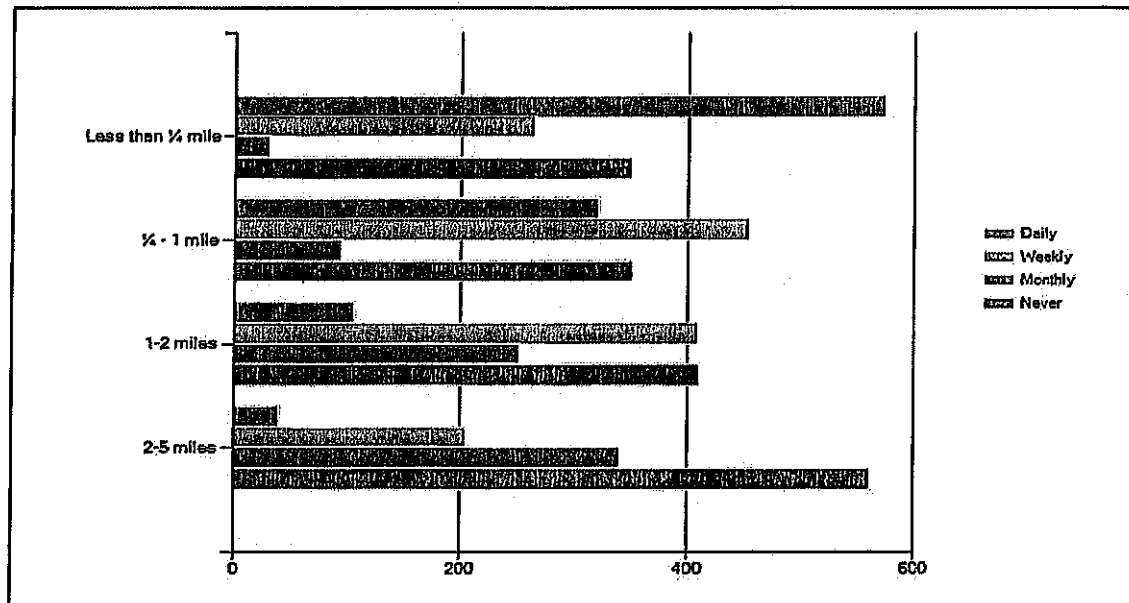
- That they exist
- The space – size
- Secure fencing
- That they are close to my home
- That they are far from my home
- No competition for other uses – outside existing parks
- Seating
- Nothing
- That there is a legal place for dogs to play off-leash

Q6: What do you dislike about the existing dog park(s)?

This was an open ended question. The most common responses are listed below:

- Ill-behaved dogs
- Fee charged
- Location – too far away
- No water
- Not enough shade
- Cleanliness
- No enforcement

Q7: If a dog park were located at a given distance from your residence, how often would you use it? (Check all that apply):



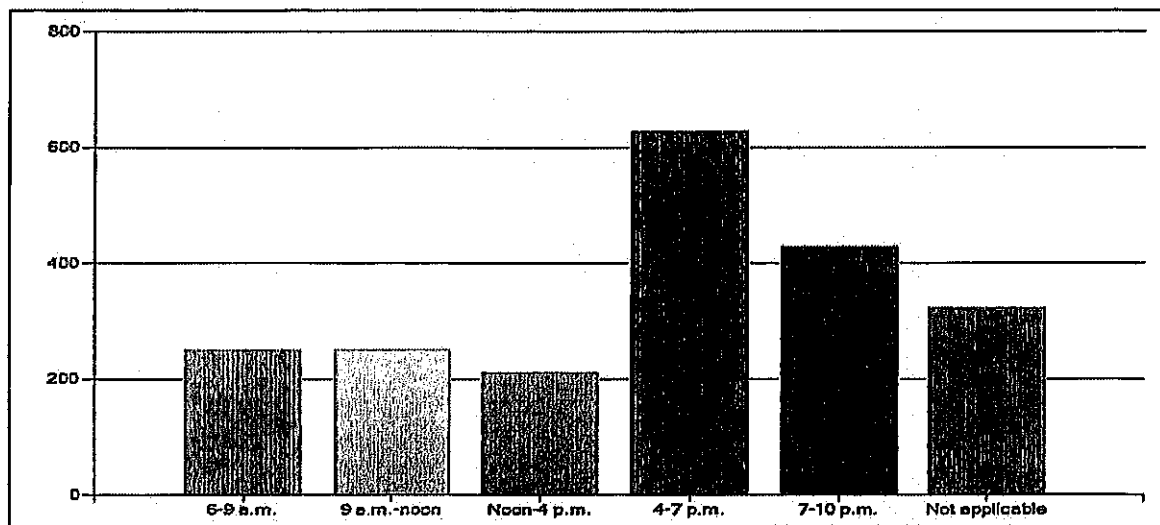
68.8% Would use a dog park daily if it was less than 1/4 mile from their residence

63.5% Would use daily or weekly if it was 1/4 to 1 mile from their residence

56.1% Would use weekly or monthly if it was 1-2 miles from their residence

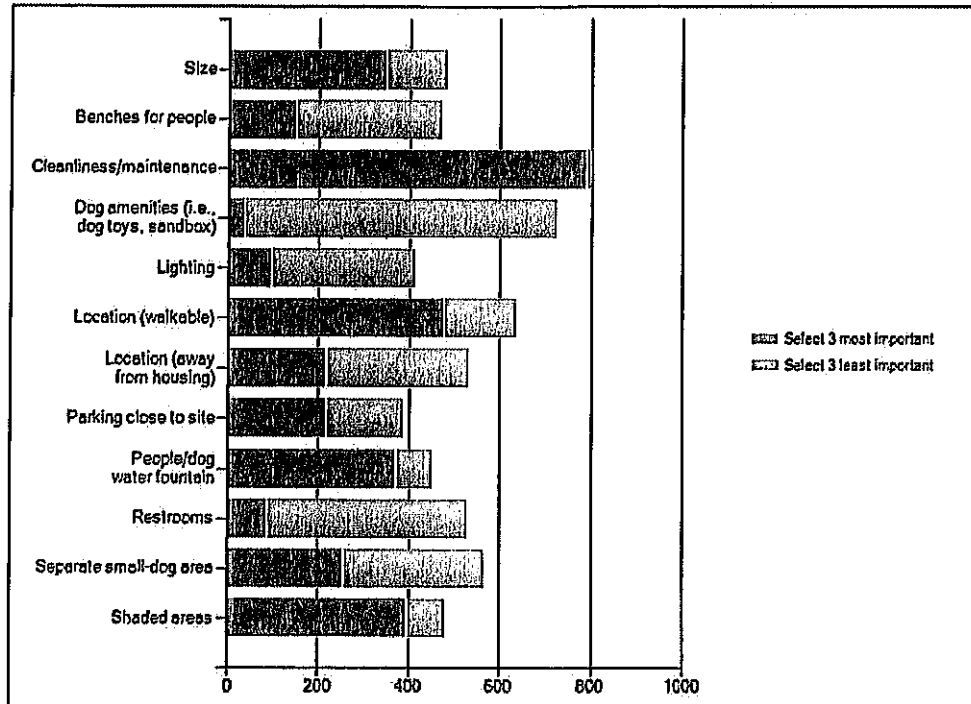
78.7% Would use monthly or not at all if it was 2-5 miles from residence

Q8: What times of day do you or would you most likely use a dog park? (Select all that apply.)

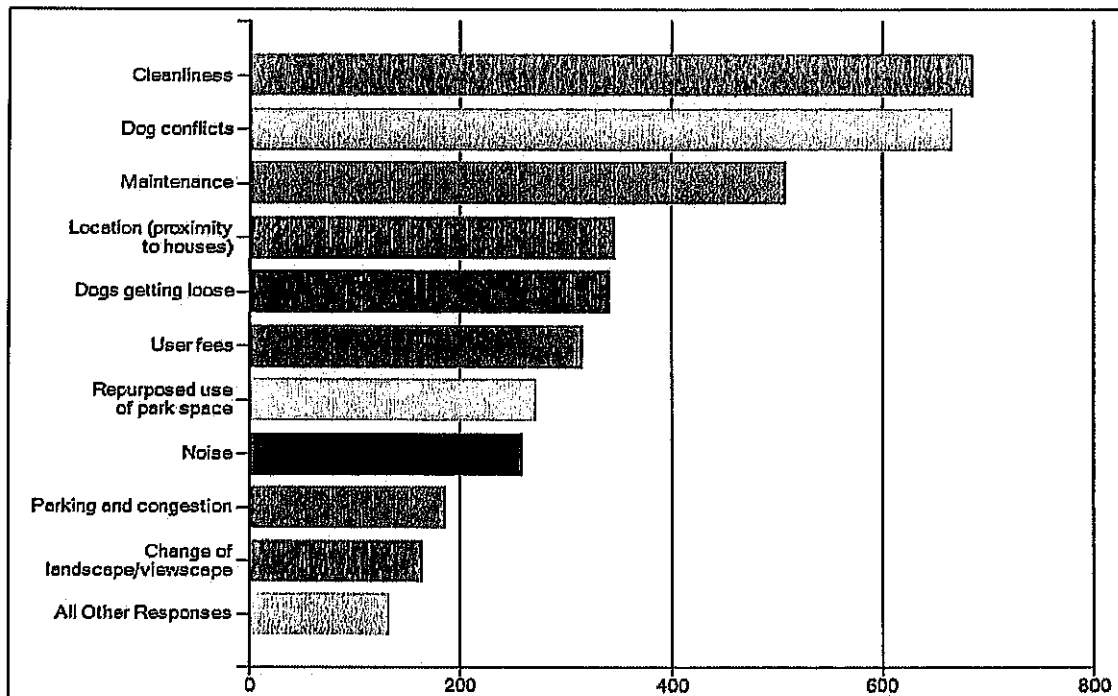


Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

Q9: How important are the following items to a successful dog park? Please select the 3 items that are MOST important to you and the 3 items that are LEAST important to you. Selecting more than 3 for each column will nullify the response.



Q10: Are there issues related to dog parks that concern you? (Select all that apply.)



Q11: Would you support a dog park being located in...? (Answer all that apply)

Participants were asked to list parks for each sub-question. Word clouds are used to indicate the variety of responses. The larger the word(s) appear, the more times it was mentioned.

My neighborhood park (please provide the name of the park).

581 out of 943 selected this option.

Allmendinger Beckley Buhr Park Burns Park County Farm Park Cranbrook
Park Frisinger Park Fritz Park Gallup Park Hollywood Park Hunt Park
Maryfield Miller Park Nature Area Neighborhood Parks Park Near
Sugarbush Swift Run Vegas Park Veterans Park Vets Park Virginia Park
Waterworks Park Wellington Playground West Park Wheeler Park Windmere
Park Wurster Park

Larger community-wide park (please provide the name of the park).

478 out of 943 selected this option.

Allmendinger Almendinger Park Bandemer Barton Bird Hills Buhr Burns Park County Farm
Eberwhite Gallop Gallup Hunt Park Nature Area Veterans Park Vets West Park

Other community park (please provide the name of the park).

251 out of 943 selected this option.

Allmendinger Bird Hills Field Greenview Hudson Mills (at my place) Nature Area Park school
Virginia West Side Woods Wurster

As many places as the city will provide (please provide locations).

267 out of 943 selected this option.

Allmendinger Ann Arbor Bandemer Bird Hills Buhr Campus Downtown Fuller
Gallup Halsley Leind Langford Lillie Locations Nature Area Park Place River School
Slason Space Specific West Side Wurster

I do not want a dog park anywhere.

130 out of 943 selected this option.

Q12: Would you be willing to volunteer at a dog park?

Clean – 199

Landscape – 180

Help organize events and activities – 156

Fundraise – 115

Q13: Would you support off-leash dog hours in parks without fencing?

Yes – 40.1%

No – 46.1%

Don't know – 13.8%

The full results of the community questionnaire, including all open ended responses may be found at this link: [PAC Dog Park Survey Results \(PDF\)](#).

Questionnaire #2

The subcommittee decided that a second questionnaire of the general public was needed after there were requests to revisit the criteria. The questionnaire was posted on the City's website, emails were sent out via govDelivery, a press releases was posted, and emails were sent to everyone who had attended a previous meeting or provided their email. The questionnaire was available to the public for several weeks in February and March, 2015. The results are as follows:

168 individuals viewed the questionnaire, and 40 completed the questionnaire.

Three questions were asked about the process, research and scoring sheet:

Q1: Given the research presented from other cities, and that there are not universally accepted dog park best management practices, does the proposed criteria for Ann Arbor provide sufficient guidance to determine potential sites for a new dog park?

Yes – 55%

No - 42.5%

No opinion – 2.5%

Q2: Do you feel that the proposed scoring sheet provides an objective means to help determine whether or not a particular site should be proposed for a dog park?

Yes – 60%

No – 32.5%

No opinion – 7.5%

Q3: Do you feel that the proposed process to establish new dog park locations provides for an open and fair decision making process for locating dog parks?

Yes – 67.5%

No – 25%

No opinion – 7.5%

The full results of the survey included open ended responses are located on the dog park website page.

Appendix 2: Website Page

A webpage was developed containing information concerning meetings, the survey, and resource materials.

Information on the website included the following:

SURVEY ON POTENTIAL NEW DOG PARKS

Your input and feedback are important to us! The desire for additional dog parks is identified in the current City of Ann Arbor Parks and Recreation Open Space Plan (an element of the City Master Plan). In an effort to ensure the Park Advisory Commission is responding to this need in an appropriate manner, the public is being asked for input on where one or more dog parks could be located and what types of amenities should be considered for inclusion in new and existing dog parks.

SURVEYS:

We invite everyone to take the dog park survey, whether or not you have a dog. In total, the survey should take between 5-10 minutes to complete. We greatly appreciate your time, and thank you in advance for sharing your thoughts. The survey link is www.surveymonkey.com/s/ZYXPKXG or please call 734.794.6230 ext. 42590 to receive a paper copy. The survey will remain open through Monday, Aug. 12, 2013.

PUBLIC MEETINGS:

- Wednesday, Sept. 11, 7 to 9:00 p.m. at Cobblestone Farm Barn (2781 Packard Road)
- Tuesday, Sept. 24, 7 to 9:00 p.m. at Traverwood Library (3333 Traverwood Drive)
- Tuesday, March 5, 7-8:30 at City Hall (301 East Huron Street)

EMAIL YOUR INPUT:

a2parks@a2gov.org and visit our website at <http://www.a2gov.org/parks>.

Persons with disabilities are encouraged to participate in public meetings. Accommodations, including sign language interpreters, may be arranged by contacting the city clerk's office at 734.794.6140; via email at cityclerk@a2gov.org; or by written request addressed/mailed or delivered to the Ann Arbor City Clerk's Office, 301 E. Huron Street, Ann Arbor, MI 48104. Requests need to be received at least 48 hours in advance of the meeting.

PAC SUBCOMMITTEE MEETINGS:

Tuesday, April 23, 2013, Monday, May 5, 2013, 8 to 9:30 a.m., Friday, May 31, 2013, 4 to 5:30 p.m., Friday, June 21, 2013, 4 to 5:30 p.m., Monday, July 8, 2013, 4 to 5:30 p.m., Thursday, July 25, 2013, 8 to 9 a.m., Friday, Aug. 23, 2013, 2:30 to 4 p.m., Friday, Sept. 20, 2013, 8:00 a.m., Friday, Nov. 8, 2013, 9 to 10 a.m., Monday, Nov. 25, 2013, 8 to 9 a.m., Monday, Dec. 2, 2013, 8 to 9 a.m.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

CITY WIDE PUBLIC MEETINGS:

Wednesday, Sept. 11, 2013, 7 to 9 p.m., Cobblestone Farm, 2781 Packard Road, Ann Arbor

Tuesday, Sept. 24, 2013, 7 to 9 p.m., Traverwood Library, 3333 Traverwood Drive (at Huron Parkway)

The Dog Park Subcommittee of the Park Advisory Commission is exploring options for additional dog parks within the City of Ann Arbor. Meetings are open to the public and a space for public commentary is included on the agenda.

You can e-mail Parks Planner [Amy Kuras](mailto:Amy.Kuras@cityofannarbor.org) or call 734.794.6230 ext. 42590 to receive additional information.

SUBCOMMITTEE MEMBERS INCLUDE:

Ingrid Ault

Karen Levin

Missy Stults

Staff support include Amy Kuras, Colin Smith, David Rohr

DOCUMENTS THAT THE SUBCOMMITTEE IS REVIEWING INCLUDE:

[Dog Park Questionnaire](#)

[Dog Park Survey](#)

[Dog Park Letter](#)

[Dog Park Article](#)

[PAC Dog Park Survey Results \(PDF\)](#)

[PAC Dog Park Survey Results \(Excel\)](#)

The survey results are now available in an Excel spreadsheet format (above) for those interested in delving deeper into the material. The Excel file can be downloaded and saved to your computer.

Additional cross tabulated survey reports are available upon request. Please email request to David Rohr at drohr@a2gov.org.

Appendix 3: Public Meetings

Three public meetings were held to obtain general feedback about locations, criteria, and existing parks.

Notes from public meeting held on September 11, 2013

29 members of the public and 5 Park Advisory Commission members attended. The background and an overview of the input process was presented as well as a summary of the survey. Meeting participants then were asked to provide feedback.

Discussion about criteria:

- Parks are used by many types of people, children, etc.
- Adequate space is important.
- Big spaces – wide and long for dogs to run.
- Pay attention to potential use conflicts; children's play area at Wurster Park.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- Permeable soils are important.
- Not bordering households.
- Distance from neighbors.
- Avoid established neighborhood uses.
- Drainage – not on slopes, so that feces does not drain into areas where children are playing.
- Adequate parking – Old West Side is already full of cars from people who work downtown. There is traffic congestion. People who would drive to a proposed park would make the situation worse.
- What did we look at – want more specifics – how did these come about.
- Every site needs to be evaluated on its own merits. The neighborhood is going to need to like it.
- Drainage – not only slope away, but how soil perks – permeability.
- Can you please reveal which parks informed your criteria?
- Baltimore, Provincetown, Madison, and New Haven – lessons learned.

Maintenance:

- Why are we considering another dog park when we can't maintain what we have?
- Would help to know mitigation strategies for taking care of what we have.
- We need to know how to fix things – do it right before building more dog parks

Budget:

- What is the budget?
- How much is the partnership with the County?
- What is the budget for capital and operating?
- Why can't we cooperate with the County?

Existing Dog Parks:

- Users had a lot of complaints about existing dog parks.
- Lessons learned – needed to modify parks, volunteers didn't work out.
- Why not reconfigure Swift Run to make it more fun?
- Add to Swift Run – sand, pea gravel, cement – surfaces that can be cleaned.
- Swift Run – water, filling in of low areas, parking lot, partitioning.

Issues:

- Every park is a dog park – everyone lets their dogs run off-leash.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

- Do not want a dog park in West Park.
- Focus on one park vs. many parks.
- Illegal gatherings.
- Dog park licenses – online instead of having to come down to City Hall.
- Remedy current dog park issues and learn from it.

Location:

- Is there something that can be a walkable amenity from downtown?
- It will never be walkable for everyone.
- Look at the process in other communities – What is the best distance from houses? What is the minimum size? People are interested in what makes a good location.
- What parameters should we consider for a downtown park?
- Identify dead spaces, other spaces that are not parks.
- What about newly acquiring areas for dog parks?
- Consider spaces that are not currently used as parks. Are there empty lots downtown or parking lots that could be used as part time dog runs?
- Will the city acquire new property for a dog park to avoid existing use conflicts in existing parks?
- Be clear about centrally located dog park.
- The question of dog park locations needing to be no more than 2 miles away makes me ask “away from whom?? The people who would like Wurster Park would not be willing to walk to the North Main City property, but folks closer to that spot would. How will you resolve that?
- Why not remodel or use space not currently a park?
- What properties have you looked at and eliminated – non-City owned.

Other:

- Excited to have a dog park.
- How do we hear what cities like Baltimore are doing?
- Timeline – when do we expect to arrive at a conclusion?
- Park fee with dog licensing fee

Notes from public meeting held on September 24, 2013

9 members of the public and 3 Park Advisory Commission members attended. The same presentation was made as at the first meeting, but then participants were divided into two groups to discuss the criteria and make suggestions as to specific potential locations.

Input on Proposed Criteria:

- Size - people tend to take little dogs to little parks.
- Enforcement is crucial – needs to be staffed.
- Cleaning up after dogs.
- Bar code entry, swipe card.
- Swift Run is really huge – it doesn't need to be that big. People lose track of their dogs.
- Drainage – muddy dog park not good, need to rethink surfacing, provide alternatives, make sure any new areas have proper drainage.
- Parking spaces – need to be adequate for anticipated use.
- Noise – elevation difference between park and surrounding area – in a valley or on a hill can help.
- Keep an eye on historical nature of park; make sure that change in use does not change intention or character.
- Natural feature preservation – no development of sensitive natural features/areas.
- Shade – need to make sure there are adequate trees.
- Operation – can you control number of dogs using a particular dog park at any one time?
- Use conflicts – buffers needed between different types of uses (play areas, etc.).
- Connection to river or a moving body of water is a desirable feature.

Ideas for new dog parks:

- Fuller Park South – has adequate parking, need to stay away from wetlands.
- Kuebler Langford Park – thruway hikers, away from neighbors, noisy highway would cover noise of barking.
- Broadway Park – close to downtown, not much pedestrian traffic, not connected to B2B trail, noise from trains, away from neighbors.
- Veterans Memorial Park – noise offset by traffic, parking adequate, may be too popular, need an acre minimum for this site.
- DTE Property – not owned by City, away from neighbors.

Notes from public meeting held on March 5, 2015

Fifteen members of the public and two Park Advisory Commission members attended the meeting. Research done by the subcommittee was presented, along with proposed revised scoring criteria based on what was learned.

Comments from attendees about why they came to the meeting:

- Would like equal access to city services
- Saline dog park – really like it, interested in parks in general
- Special place where dogs should be, not around churches and things of that nature
- Where could a dog park be placed? Concerned about cleaning up after dogs
- Walks in regular parks, don't think that Ann Arbor is going to make a dog park because we have too many spaces where people keep their dogs off leash
- Dog clean up is an issue and would like to have input on where dog parks could be and where they shouldn't be
- Concerned about proximity of parks and who is going to maintain the park
- Concerned about dog residue, and don't want dogs around little people and elders because they could bite, concerned about location around church. Wants to know about methods for choosing dog parks.

Overview of meeting purpose

- There is a long history of advocacy to establish dog parks, and people have very strongly held views about dog parks
- Worked to come up with a consistent and coherent process for locating dog parks, and want to make sure that the process is as objective as possible
- Want to make sure City is on the right track before considering specific sites

Attendees at meeting scored a location, and provided the following feedback about the scoring sheet:

- There should be extra points for water bodies for swimming
- Change residential buffer to institutional buffer as well, including churches, hospitals, etc.
- Buffer from residents isn't always better as maybe being closer for walkability is desired
- Shade criteria is confusing
- Use conflict avoidance should be about not just what is in the park, but what is around it
- Geography – simplify so that it is about more equitable distribution
- Clarify water quality and drainage criteria

- Water source was confusing – Is it about places to drink or swim or both?
- Not sure that separating kids from dog parks is a desirable thing, having the kids at the park and then a place for dogs in the same vicinity can be desirable as well.
- Could the scoring be weighted?
- Is there wiggle room in the selection criteria in the times of use, etc. It's not like there is a formula, it is site by site.

Appendix 4: Research from Other Communities

Staff and Park Advisory Commission subcommittee members performed research to explore best practices from communities around the country, as well as professional organizations that specialize in pets. The research included internet searches to find out what type of criteria were being used to site dog parks, as well as what kind of design criteria were used to establish the areas. In addition to the web searches, staff and Park Advisory Commission members telephoned and emailed individuals from more than 10 cities to discuss the successes and struggles associated with their public process, design, and maintenance of dog parks in their communities. A range of cities were contacted, including several whose population and makeup were similar to Ann Arbor (university towns), several major cities who have numerous dog parks, and regional facilities in Michigan and other states in the Midwest with similar climate.

The questions that were asked included the following. Responses are summarized in the charts:

- Do you have criteria to site a dog park?
- Do you have criteria for design of a dog park?
- Do you have a minimum buffer and/or distance between dog parks and existing residents? If so, how did you arrive at the criteria?
- What kind of oversight do you have to enforce rules, monitor behavior of dogs, restrict entry, etc.? Do you have staff on site?
- Do you engage volunteers? If so, how?
- Do you have any educational programs for the public, such as dog behavior issues they might encounter, complaint procedures, etc.?
- What type of decision making process was involved to establish the dog park?
- Are you satisfied with how your public process panned out? Were there contentious issues? If so, how did they get resolved?
- Do your dog parks include a separate area for small dogs? If so, how large is the area?
- What has, in your opinion, worked well in establishment and maintenance of your dog parks?
- What would you do differently next time around?

In order to compare the responses that were gathered, the following charts outline the responses received in categories to allow for comparison.

Recommendations and Guidelines for Dog Park Site Selection, Design, Operations and Maintenance

Several cities, including Denver, CO; Salt Lake County, UT; and Oakland, CA have master plan documents that were used to provide data. Others were telephoned and emailed, and others had useful information on their websites. These were all utilized to compare criteria. Not all cities had criteria for every category included in the charts, but there was sufficient information to provide comparative information.

Appendix 5: Charts Summarizing Data from Other Cities

Appendix 5: Data Summary										
Location	Size Guidelines	Parking	Buffer from Residential	Conflict Avoidance	Surfacing	Drainage	Fees	Small & Large Dog Areas	Geographic Distribution	Other Information
Alexandria, VA	≥ 21,780 ft ² (0.5 acre)	Easy access for police/animal control	50 ft			At least 60 ft from stream bed or water source				Perimeter fencing
Baltimore, MD	≥ 5,000 ft ²		200 ft Changes in topography or landscaping can reduce amount	Avoid playgrounds, athletic fields, sensitive habitats, areas directly upstream from community gardens, paths, and historic sites	Grass or hard surface to allow for cleaning with a hose	Well drained, max 5% slope, and avoid floodplains				Double gated entry
Boulder, CO	No specific design requirements		No set criteria	Locate as far away from adjacent residences as possible	Decomposed granite or crushed limestone that isn't too sharp. All weather surface		Free and open to public during normal park hours	Unspecified size		Vinyl coated chain link fence
Chicago, IL	≥ 3,500 ft ² (not to exceed 3.5% of total park area)		Excess noise and activity levels are no more disruptive than typical park	Strong buffer between uses	Hard surface	Proximity to drainage in a sanitary sewer system	Annual \$5			
Denver, CO	≥ 43,560 ft ² (1 acre) (2-3 acres preferred)	Existing off street parking should be available	200 ft from street	100 ft from playground or other children's facility. No fenced areas within 200 ft unless fully fenced.	Crusher fines at entry. Min 1 acre of surface fenced bound soil mix, synthetic turf or infield mix		Annual \$25 residents \$40 non-residents	Recommended	One mile service area radius for most popular areas. Two mile service area for lower density areas	4 ft fence and double gated entry
Kalamazoo, MI		Nearby	No set criteria. Existing park 100-150 ft from street	Full time staff for park maintenance			Fee and levy/fee required	Separate areas. Some entrance		
Madison, WI	≥ 43,560 ft ² (1 acre)	Nearby	Maximize distance. Include vegetative buffer	Avoid use conflicts	Grass		Daily \$5 Annual \$30 Senior/Disabled \$15	100-200 ft for small dogs		Chain link
Meridian Township, MI	10 acres		Screening from other park uses required		Decomposed granite			Small dog area 1/4 size of large dog area		4-6 ft galvanized and double gated entry
Montgomery County, MD	10,000 ft ²	Adequate parking	Appropriate distance from residents		Various					5 ft min height and double gated entry
Norfolk, VA	≥ 32,670 ft ² (0.75 acre), approx 175' x 200'	Appropriate parking. Maintain diversion to resident parking	Avoid highly populated or high use areas	Avoid high use areas such as schools, jogging tracks, trails, playgrounds or recreational amenities						Neighborhood associations requires majority approval in public meeting. Adjacent property owners must provide written approval.
Oakland, CA	≥ 20,000 ft ²	Nearby (within reasonable walking distance)	Avoid locating adjacent to residences	Avoid wildlife conflicts or conversion of parkland	Easy to maintain turf not desired in smaller fenced areas. Preferred surfacing TBD	Relatively flat, well drained, firm, avoid slopes, relatively level	Annual \$25-\$35 recommended	Small dog areas Minimum 1/4 acre	Ideally dog areas within two miles of every Oakland resident	4 ft black vinyl fence and 8 ft x 8 ft double gated entry with two 4 ft gates. Separate gate for maintenance
Portland, OR	≥ 5,000 ft ²	Nearby	Minimize impacts to adjacent residences	Avoid conflicts with fish and wildlife habitat, water quality, playgrounds		Dry and undisturbed rather than wet, avoid slopes, relatively level	Free		Fence on multi-family neighborhoods where people don't have backyards	Opportunities for community bulletin board/back yard stewardship days.
Salt Lake County, UT		Sufficient and convenient	Minimize conflicts with existing/planned land uses		Surfacing type must be carefully considered	No standards, but very important		Sometimes Unspecified size		No permanent volunteer group. Some programs. Fee of up to \$150 for reduction of off-leash law.
San Francisco, CA	≥ 10,000 ft ² (0.25 acre) (preferred)		Natural or man made buffer to avoid conflicts	Avoid use conflicts and overcrowding	Turf in larger parks, alternative surfaces in smaller parks					
American Kennel Club	≥ 43,560 ft ² (1 acre)	Parking				Adequate drainage				
Association of Pet Dog Trainers	Enough to avoid crowding		Visual buffer within fenced park							

Appendix 6: Existing Dog Park Rules

DOG PARK USERS

PLEASE OBSERVE THE FOLLOWING RULES

1. A permit is required to use this facility. For registrations call 994-2725 City, 222-6600 County.
2. Dogs must display current registration, license, and vaccination tags.
3. Users of this facility do so at their own risk. Dog behavior can be unpredictable around other dogs and strangers.
4. Dog owners and handlers are strictly liable for any damage or injury caused by their dogs.
5. Dog handlers must be 16 years of age or older.
6. Children under age 15 are not allowed in the park unless accompanied by an adult.
7. All dogs must remain on leash until inside the designated fenced area.
8. Dogs must not be left unattended. Dogs must be in view and under the voice command of their handler at all times.
9. Dog handlers are required to clean up and dispose of their dogs' waste.
10. Dogs in heat and puppies under 4 months of age are not permitted in the park.
11. Dogs that fight or exhibit aggressive behavior must be immediately removed from the park.
12. No more than two dogs per handler are allowed at one time.
13. No smoking, food, or alcohol is allowed within the park.
14. Professional dog trainers shall not use the park to conduct their business.
15. Failure to comply with posted rules is subject to citation, expulsion, or arrest, as well as dog impound.

Park Hours are dawn to dusk
(Subject to closures during required maintenance operations.)

Call 911 for Emergency Assistance

Appendix 7: Scoring Sheet for Placement Criteria

Appendix 7: Scoring Sheet for Placement Criteria					
Criteria Description	Score 1	Score 3	Score 5	Comments	Score
Size Variable and dependent upon proposed park location. Minimum 1/4 acre; 1/2 acre preference	less than 1/4 acre	1/2 acre to 1 acre	> 2 acres		
Buffer from Residential Ideally limit neighborhood disturbance to be consistent with typical park uses. Desired increased distance; vegetative buffer	50' or less from adjacent residents, and little opportunity for buffer	> 100' from residents and moderate opportunities for buffer	> 200' from residents and good opportunity for buffer		
Nonresidential Adjacent Land Use Depending on the type of business or institution, may be considered either a benefit or an undesirable amenity	Surrounding institution/business does not consider dog parks compatible with its mission/constituency	A dog park would be neutral for the surrounding institution or business	An adjacent dog park would be a positive addition to the surrounding institution or business		
Drinking Fountain Highly desirable within or adjacent to dog park area	No drinking water available on site; would be expensive/difficult to provide water	Drinking fountain and/or water service available on site, but outside of dog park	Drinking fountain available within proposed dog park area		
Parking Sufficient and convenient; Provided without undue burden on neighbors.	On-site parking not currently existing; Site too small to accommodate parking lot	On-site parking not currently existing; Site can accommodate parking lot	Existing parking lot on site can accommodate dog park		
Land Suitability Relatively flat topography; permeable soils; design to minimize erosion potential; protection for water bodies; good visibility through site	Excessive slopes; impermeable soils, and high erosion potential	Moderately flat; moderate visibility; moderately permeable soils	Primarily flat; good drainage; permeable soils; good visibility		
Shade Highly desirable; Site provides good mix of shade/mature trees and open space/turf grass	No trees on site; full sun	Some trees on site; smaller trees don't provide much shade	Mature trees; good mix of shade and open space		
Use Conflict Avoidance Avoid placing dog park in area that would conflict with or displace desired active and passive activities	Dog park would conflict with existing park uses	Existing park use would not be impacted by proposed dog park	Dog park would complement existing park uses		
Protect Natural Areas Should not be located in close proximity to high quality natural areas to limit disturbance of nesting birds, small mammals, native plants	Site within 50' of high quality natural area	Natural area > 100' from proposed dog park area	No natural areas at site		
Geographic Distribution Located such that there is equitable distribution to dog parks in the City	Within 1/4 mile of an existing dog park; Well served by dog park	Within a 1 mile of an existing dog park; Moderately well served	Equal distance from other dog parks in unserved area of City		
Highest Score Attainable - 45 points; Minimal Score for Consideration - 27 points; Eliminate as Possibility < 27 points				Total Score	
Summary Comments:					

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Robert L. Perry, J.D.

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508-295-6124

295-6184

Fax: 508-295-2154

January 23, 2019

Mark Rees, Town Administrator
Fairhaven Town Hall
40 Center Street
Fairhaven, MA 02719

Re: 371 Huttleston Avenue
Fairhaven Getty

Dear Mr. Rees:

Thank you for your courtesy at today's meeting regarding the above referenced matter. I believe that we are well on the way to an agreement.

I just spoke to Tom Crotty, wherein I suggested that you and I were making great strides toward resolution, but I need additional time. I am recommending a continuance until February 26, if I have calculated correctly. If that is not a good evening, just give me any date after that.

Kindly continue the temporary license until the new date. Please confirm that this is all set.

Thank you for your anticipated cooperation.

Yours truly,


Robert L. Perry

RLP/mas
CC: Hatem Elrifai

**FAIRHAVEN, MASSACHUSETTS
CLASSIFICATION PLAN
GRADE/POSITION**

1
Gate Assistant - Seasonal
Receptionist
2
Assistant Animal Control Officer
Volunteer Coordinator - COA
3
Van Driver
4
Lifeguard - Seasonal (BPW)
5
Deputy Harbormaster/Shellfish Deputy Warden
Tree Laborer
6
Recreation Supervisor
Videographer
Assistant Harbormaster/Senior Shellfish Deputy Warden
7
Account Payable Clerk I
Outreach Worker - COA
Recording Secretary
Social Day Assistant Program Coordinator
Veteran's Administrative Assistant
8
Custodian
9
Account Payable Clerk II
On-Call Firefighter - Base (A-F)
10
Programs Coordinator - Recreation
Planning and Economic Development Administrative Assistant
11
Animal Control Officer
Social Day Director - Coordinator
12
Executive Assistant or Administrative Assistant (Fire)
Executive Assistant or Administrative Assistant (Police)
13
Fire Alarm Technician
14
Assistant to the Town Administrator
Administrative Assistant - BPW

Gas and Plumbing Inspector
Health Inspector
Sealer of Weights and Measures
Tourism Director
Assistant Building Commissioner
Director of Community Television
Veterans Services Officer
Wiring Inspector
15
Council on Aging Director
Fire Alarm Coordinator
Recreation Director
16
Assistant Sewer Superintendent
17
Conservation/Sustainability Coordinator
Harbormaster/Shellfish Warden
Health Agent
18
Human Resources Director
Principal Assessor
19
Building Commissioner
Planning and Economic Development Director
Town Accountant
20
Sewer Superintendent
Water Superintendent
21
Finance Director
22
No Positions Assigned

Accepted by vote of the Board of Selectmen 10/22/2018

FAIRHAVEN NON UNION PAY PLAN - FY2019

Min wage at \$12/hour eff 1/1/2019

NEW GRADE	Amount	1	2	3	4	5	6	7	8	9
1	Hourly	12.00	12.00	12.00	12.30	12.61	12.93	13.25	13.58	13.92
	Weekly	480.00	480.00	480.00	492.00	504.40	517.20	530.00	543.20	556.80
	Annual	24,960.00	24,960.00	24,960.00	25,584.00	26,228.80	26,894.40	27,560.00	28,246.40	28,953.60
2	Hourly	12.01	12.31	12.62	12.94	13.26	13.59	13.93	14.28	14.64
	Weekly	480.40	492.40	504.80	517.60	530.40	543.60	557.20	571.20	585.60
	Annual	24,980.80	25,604.80	26,249.60	26,915.20	27,580.80	28,267.20	28,974.40	29,702.40	30,451.20
3	Hourly	12.85	13.17	13.50	13.84	14.19	14.54	14.90	15.27	15.65
	Weekly	514.00	526.80	540.00	553.60	567.60	581.60	596.00	610.80	626.00
	Annual	26,728.00	27,393.60	28,080.00	28,787.20	29,515.20	30,243.20	30,992.00	31,761.60	32,552.00
4	Hourly	13.75	14.09	14.44	14.80	15.17	15.55	15.94	16.34	16.75
	Weekly	550.00	563.60	577.60	592.00	606.80	622.00	637.60	653.60	670.00
	Annual	28,600.00	29,307.20	30,035.20	30,784.00	31,553.60	32,344.00	33,155.20	33,987.20	34,840.00
5	Hourly	14.71	15.08	15.46	15.85	16.25	16.66	17.08	17.51	17.95
	Weekly	588.40	603.20	618.40	634.00	650.00	666.40	683.20	700.40	718.00
	Annual	30,596.80	31,366.40	32,156.80	32,968.00	33,800.00	34,652.80	35,526.40	36,420.80	37,336.00
6	Hourly	15.74	16.13	16.53	16.94	17.36	17.79	18.23	18.69	19.16
	Weekly	629.60	645.20	661.20	677.60	694.40	711.60	729.20	747.60	766.40
	Annual	32,739.20	33,550.40	34,382.40	35,235.20	36,108.80	37,003.20	37,918.40	38,875.20	39,852.80
7	Hourly	16.84	17.26	17.69	18.13	18.58	19.04	19.52	20.01	20.51
	Weekly	673.60	690.40	707.60	725.20	743.20	761.60	780.80	800.40	820.40
	Annual	35,027.20	35,900.80	36,795.20	37,710.40	38,646.40	39,603.20	40,601.60	41,620.80	42,660.80
8	Hourly	18.02	18.47	18.93	19.40	19.89	20.39	20.90	21.42	21.96
	Weekly	720.80	738.80	757.20	776.00	795.60	815.60	836.00	856.80	878.40
	Annual	37,481.60	38,417.60	39,374.40	40,352.00	41,371.20	42,411.20	43,472.00	44,553.60	45,676.80
9	Hourly	19.28	19.76	20.25	20.76	21.28	21.81	22.36	22.92	23.49
	Weekly	771.20	790.40	810.00	830.40	851.20	872.40	894.40	916.80	939.60
	Annual	40,102.40	41,100.80	42,120.00	43,180.80	44,262.40	45,364.80	46,508.80	47,673.60	48,859.20

FAIRHAVEN PROPOSED PAY PLAN - FY2019

Min wage at \$12/hour eff 1/1/2019

NEW GRADE	Amount	1	2	3	4	5	6	7	8	9
10	Hourly	20.63	21.15	21.68	22.22	22.78	23.35	23.93	24.53	25.14
	Weekly	825.20	846.00	867.20	888.80	911.20	934.00	957.20	981.20	1,005.60
	Annual	42,910.40	43,992.00	45,094.40	46,217.60	47,382.40	48,568.00	49,774.40	51,022.40	52,291.20
11	Hourly	22.07	22.62	23.19	23.77	24.36	24.97	25.59	26.23	26.89
	Weekly	882.80	904.80	927.60	950.80	974.40	998.80	1,023.60	1,049.20	1,075.60
	Annual	45,905.60	47,049.60	48,235.20	49,441.60	50,668.80	51,937.60	53,227.20	54,558.40	55,931.20
12	Hourly	23.61	24.20	24.81	25.43	26.07	26.72	27.39	28.07	28.77
	Weekly	944.40	968.00	992.40	1,017.20	1,042.80	1,068.80	1,095.60	1,122.80	1,150.80
	Annual	49,108.80	50,336.00	51,604.80	52,894.40	54,225.60	55,577.60	56,971.20	58,385.60	59,841.60
13	Hourly	25.50	26.14	26.79	27.46	28.15	28.85	29.57	30.31	31.07
	Weekly	1,020.00	1,045.60	1,071.60	1,098.40	1,126.00	1,154.00	1,182.80	1,212.40	1,242.80
	Annual	53,040.00	54,371.20	55,723.20	57,116.80	58,552.00	60,008.00	61,505.60	63,044.80	64,625.60
14	Hourly	27.29	27.97	28.67	29.39	30.12	30.87	31.64	32.43	33.24
	Weekly	1,091.60	1,118.80	1,146.80	1,175.60	1,204.80	1,234.80	1,265.60	1,297.20	1,329.60
	Annual	56,763.20	58,177.60	59,633.60	61,131.20	62,649.60	64,209.60	65,811.20	67,454.40	69,139.20
15	Hourly	29.20	29.93	30.68	31.45	32.24	33.05	33.88	34.73	35.60
	Weekly	1,168.00	1,197.20	1,227.20	1,258.00	1,289.60	1,322.00	1,355.20	1,389.20	1,424.00
	Annual	60,736.00	62,254.40	63,814.40	65,416.00	67,059.20	68,744.00	70,470.40	72,238.40	74,048.00
16	Hourly	31.24	32.02	32.82	33.64	34.48	35.34	36.22	37.13	38.06
	Weekly	1,249.60	1,280.80	1,312.80	1,345.60	1,379.20	1,413.60	1,448.80	1,485.20	1,522.40
	Annual	64,979.20	66,601.60	68,265.60	69,971.20	71,718.40	73,507.20	75,337.60	77,230.40	79,164.80
17	Hourly	33.43	34.27	35.13	36.01	36.91	37.83	38.78	39.75	40.74
	Weekly	1,337.20	1,370.80	1,405.20	1,440.40	1,476.40	1,513.20	1,551.20	1,590.00	1,629.60
	Annual	69,534.40	71,281.60	73,070.40	74,900.80	76,772.80	78,686.40	80,662.40	82,680.00	84,739.20
18	Hourly	35.77	36.66	37.58	38.52	39.48	40.47	41.48	42.52	43.58
	Weekly	1,430.80	1,466.40	1,503.20	1,540.80	1,579.20	1,618.80	1,659.20	1,700.80	1,743.20
	Annual	74,401.60	76,252.80	78,166.40	80,121.60	82,118.40	84,177.60	86,278.40	88,441.60	90,646.40
19	Hourly	38.27	39.23	40.21	41.22	42.25	43.31	44.39	45.50	46.64
	Weekly	1,530.80	1,569.20	1,608.40	1,648.80	1,690.00	1,732.40	1,775.60	1,820.00	1,865.60
	Annual	79,601.60	81,598.40	83,636.80	85,737.60	87,880.00	90,084.80	92,331.20	94,640.00	97,011.20

FAIRHAVEN PROPOSED PAY PLAN - FY2019

Min wage at \$12/hour eff 1/1/2019

NEW GRADE	Amount	1	2	3	4	5	6	7	8	9
20	Hourly	40.95	41.97	43.02	44.10	45.20	46.33	47.49	48.68	49.90
	Weekly	1,638.00	1,678.80	1,720.80	1,764.00	1,808.00	1,853.20	1,899.60	1,947.20	1,996.00
	Annual	85,176.00	87,297.60	89,481.60	91,728.00	94,016.00	96,366.40	98,779.20	101,254.40	103,792.00
21	Hourly	43.82	44.92	46.04	47.19	48.37	49.58	50.82	52.09	53.39
	Weekly	1,752.80	1,796.80	1,841.60	1,887.60	1,934.80	1,983.20	2,032.80	2,083.60	2,135.60
	Annual	91,145.60	93,433.60	95,763.20	98,155.20	100,609.60	103,126.40	105,705.60	108,347.20	111,051.20
22	Hourly	53.46	54.80	56.17	57.57	59.01	60.49	62.00	63.55	65.14
	Weekly	2,138.40	2,192.00	2,246.80	2,302.80	2,360.40	2,419.60	2,480.00	2,542.00	2,605.60
	Annual	111,196.80	113,984.00	116,833.60	119,745.60	122,740.80	125,819.20	128,960.00	132,184.00	135,491.20

Position Purpose:

The primary function of this position is to plan, direct, implement, supervise and coordinate the operations of Water Department , managing daily operations, the use of materials and human resources, as well as complete all appropriate administrative oversight duties, related documentation and resident interaction, in a timely manner, abiding by all municipal, state and federal guidelines, regulations and quality standards and ensuring safe, courteous and professional behavior is observed in all situations This position is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control; performs all other related work as required.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

- At the start of the shift review email, voice mail and other communications, check schedule / calendar for meetings / appointments.
- Attend required scheduled meetings, training sessions (day and evening) staff, and vendor and resident appointments as required.
- Recommend and implement Water Dept. goals and objectives, establish schedules and methods for infrastructure operations and implement policies and procedures.
- Direct and coordinate staff, operations and maintenance activities of Water Department and Town's distribution systems and related facilities, Water Dept. Maintenance crews, including; installation, maintenance, repair or expansion of pumping stations and equipment and coordinates adjustments of water levels of the Mattapoissett River Spillway.
- Monitor and evaluate operations and activities of the water distribution operations; recommend improvements and modifications and prepare various reports on operations and activities.
- Collect water samples and perform pressure tests, interpret test results and determine changes in parameters.
- Review construction and cross connection plan submittals, manage all water system construction projects, contracts, supervise new services, pipelines, hydrants, etc. as required.
- Inspect field conditions to assess infrastructure and ensure work plans and schedules accurately reflect the findings of inspection, write specifications for projects, and work with engineers to develop plans revisions as needed.
- Monitor, supervise, inspect and assess field operations, infrastructure and all work site conditions and activities, construction, repairs, installations and projects, respond to public inquiries / emergency situations at the plant and town work sites.
- Represent the department at various meetings, handle questions, issues and concerns of property owners, contractors, builders and other concerned parties in regard to current and future projects as required.
- Participate in budget preparation and administration; prepare cost estimates for budget items;

monitor and control expenditures.

- Assist in preparation and implementation of capital improvement programs to ensure the water operations will maintain long term and stable operations and compliance with all federal and state regulations.
- Prepare contract documents, requests for proposals and other related procurement documents to obtain needed supplies, equipment and services and administer contracts.
- Participate in the selection of staff; provide or coordinate staff training to ensure safe and efficient performance; work with employees to correct deficiencies; implement discipline procedures.
- Research and prepare a wide variety of reports; maintain files and records on water distribution operations.
- Work with State Water Control Board staff to ensure that the water distribution system meets all Federal and State requirements.
- Process various types of forms, applications, reports and other types of information; assist in maintaining all department files and records, organize paperwork, makes copies, and distributes various reports and materials.
- Prepare bids and contracts and contact outside vendors and discuss services as required.
- Monitor the operation of the MRVWD facility and evaluate all operators and staff to assure the production of potable drinking water.
- Keep equipment and work areas clear, clean and in a safe condition inside, at end of shift, secure office, equipment as required.
- Performs similar or related work as required, directed or as situation dictates.

Recommended Minimum Qualifications:**Education, Training and Experience:**

High School Diploma or equivalent, Bachelor's Degree in a job related field is preferred. Ten (10) years of increasingly responsible and closely related experience in Municipal Water System operations including (2) yrs. supervisory experience or the equivalent combination of education, experience, Municipal Engineering, Cross Connection, Surveying and training. Must have Water Works Licensing (Min. Grade-3 Distribution/ Grade-1 Treatment) required by Commonwealth of Massachusetts. Must complete Confined Space / Trench Safety / Gas Monitor Fall Protection / Respirator / mandated Orientation & LOTO Training. Must have / maintain a valid Massachusetts driver's license.

Knowledge, Ability and Skill:

Knowledge: Thorough knowledge of the policies and operating procedures of the town's water supply source. Detailed knowledge of the distribution system and of materials, methods and techniques relative to underground installations. Specialized knowledge of water and water treatment systems. Thorough knowledge of hydraulics and water main construction practices. Thorough knowledge of the hazards and safety precautions involved in water distribution

WATER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

construction and repair work. Knowledge of water production system, pumping station operations, and diesel, gas, and electric motors. Knowledge of the local, state and federal water treatment regulations. General knowledge of other municipal services provided by Public Works.

Ability: Ability to interpret pertinent federal, state and local laws, codes and regulations. Ability to meet deadlines, work cooperatively with others, and provide customer service in a professional manner. Ability to handle employees and equipment and to maintain good public relations. Ability to effectively communicate (verbal and written) with workers/ vendors/residents regarding job tasks safety regulations, Must have ability to respond to inquiries / complaints with discretion and tact and to work calmly and effectively under any conditions.

Skills: Excellent planning and organizational skills. Budgetary skills. Excellent customer service skills. Skill in anticipating operational problems, and in taking connective action to avoid a serious malfunctioning of equipment.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Moderate to heavy physical effort required in connection with the operation and maintenance of water distribution and water treatment plant and equipment. Light to moderate physical effort generally required for supervisory and administrative duties of the Water Department. Frequent lifting in excess of 30 pounds and occasional lifting of 100 pounds required. Must be able to access all areas of the water plant.

Supervision:

Supervision Scope: Performs highly responsible duties requiring independent judgment and initiative in planning and operating the town's water system. Under administrative direction of the Board of Public Works / the BPW Superintendent, will work from municipal policies and objectives to establish short and long range plans and goals and assumes direct accountability for department results. The Superintendent consults with BPW where clarification, interpretation, or exception to municipal policy is required.

Supervision Received: Works under the general supervision of the BPW Superintendent.

Supervision Given: The Superintendent oversees Managers, Forepersons, Operators, Coordinators and Administrative Staff at multiple locations.

Job Environment:

- Administrative work is performed under typical office conditions; most work is performed under typical shop and field conditions, with exposure to various weather conditions and hazardous conditions associated with construction sites. On call for emergencies and may be contacted at any time; may be required to work beyond the normal hours of a regular work

WATER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

week. At the water treatment plant, there are health hazards from chemicals and fumes, and electrical shock.

- Operates all water treatment and other related equipment, such as pipe locator, gasoline cut-off saw and leak listening devices, pneumatic, hand and power tools; operates light truck and automobile; operates computer and standard office equipment as may needed.
- Makes occasional contacts with other town and state officials and with the general public; has ongoing contacts with commercial and industrial users of the town's water system to ensure compliance with rules and regulations relating to policies of the Water Department; resolves difficult customer service requests in person, by telephone, or in writing; investigates all customer complaints.
- Has access to some department-related confidential information, such as official personnel file and bid documents.
- Errors in either technical application of procedures, or in the interpretation of related data, could result in lower standards of service, inadequate water distribution, and damage to equipment, and could adversely affect the water supply service, resulting in financial and legal repercussions for the town. Errors in judgment could lead to danger to public health and safety.

(This job description does not constitute an employment agreement between the employers and is subject to change by the employer as the needs of the employer and requirements of the job change.)

SEWER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

Position Purpose:

The primary function of this position is to plan, direct, implement, supervise and coordinate the operations of Sewer Department and Wastewater Treatment Plants, managing daily operations, the use of materials and human resources, as well as complete all appropriate administrative oversight duties, related documentation and resident interaction, in a timely manner, abiding by all municipal, state and federal guidelines, regulations and quality standards and ensuring safe, courteous and professional behavior is observed in all situations. This position is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control; performs all other related work as required.

Essential Functions:

(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.)

- Attend required scheduled meetings, training sessions (day and evening) staff, and vendor and resident appointments as required.
- Recommend and implement Sewer Field Operations goals and objectives, establish schedules and methods for infrastructure operations and implement policies and procedures.
- Direct and coordinate staff, operations and maintenance activities of Wastewater Treatment Plants (Arsene St. / West Island) locations and Sewer Maintenance crews, including; installation, maintenance, repair or expansion of wastewater and sewer facilities.
- Plan, prioritize, assign, supervise and review the work of assigned staff in wastewater and sewer maintenance operations.
- Monitor and evaluate operations and activities of the sewer operations; recommend improvements and modifications and prepare various reports on operations and activities.
- Direct the testing of various treatment processes, interpret test results and determine changes in treatment parameters.
- Review private sewer plans, write specifications for projects, administer Inter-municipal Agreements and work with engineers to develop plans and grant applications.
- Monitor, supervise, inspect and assess field operations, infrastructure and all street conditions and activities, construction, repairs, installations and projects, respond to public inquiries / emergency situations at the plant and town work sites.
- Represent the department at various meetings, handle questions, issues and concerns of property owners, contractors, builders and other concerned parties in regard to current and future projects as required.
- Participate in budget preparation and administration; prepare cost estimates for budget items; monitor and control expenditures.
- Assist in preparation and implementation of capital improvement programs to ensure the sewer operations will maintain long term and stable operations and compliance with all federal and state regulations.

SEWER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

- Prepare contract documents, requests for proposals and other related procurement documents to obtain needed supplies, equipment and services and administer contracts.
- Participate in the selection of staff; provide or coordinate staff training to ensure safe and efficient performance; work with employees to correct deficiencies; implement discipline procedures.
- Research and prepare a wide variety of reports; maintain files and records on pumping station operations.
- Work with State D.E.P. and Federal E.P.A. staff to ensure that the sewer collection system meets all Federal and State requirements.
- Process various types of forms, applications, reports and other types of information; assist in maintaining all department files and records, organize paperwork, makes copies, and distributes various reports and materials.
- Prepare bids and contracts and contact outside vendors and discuss services as required.
- Keep equipment and work areas clear, clean and in a safe condition inside, at end of shift, secure office, equipment as required.
- Review email, voice mail and other communications, check schedule / calendar for meetings / appointments.
- Performs similar or related work as required, directed or as situation dictates.

Recommended Minimum Qualifications:

Education, Training and Experience:

High School Diploma/GED. Bachelor's Degree in Engineering or a related field of endeavor is preferred. Ten (10) years of increasingly responsible and closely related experience in municipal wastewater resource operations including (2) yrs. lead or supervisory experience or the equivalent combination of education, experience, municipal engineering and training. Must have Wastewater Works Licensing (Min. Grade-7C) as required by the Commonwealth of Massachusetts. Must complete Confined Space / Trench Safety / Gas Monitor Fall Protection / Respirator / mandated Orientation & LOTO Training. Must have / maintain a valid Massachusetts driver's license.

Knowledge, Ability and Skill:

Knowledge: Working knowledge of the policies and operating procedures of the town's water supply source. Detailed knowledge of the distribution system and of materials, methods and techniques relative to underground installations. Specialized knowledge of water and water treatment systems. Thorough knowledge of hydraulics and water main construction practices. Thorough knowledge of the hazards and safety precautions involved in water distribution construction and repair work. Knowledge of water production system, pumping station operations, and diesel, gas, and electric motors. Knowledge of the local, state and federal water treatment regulations. General knowledge of other municipal services provided by Public Works.

Ability: Ability to interpret pertinent federal, state and local laws, codes and regulations. Ability to meet deadlines, work cooperatively with others, and provide customer service in a professional

SEWER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

manner. Ability to handle employees and equipment and to maintain good public relations. Ability to effectively communicate (verbal and written) with workers/ vendors/residents regarding job tasks safety regulations, Must have ability to respond to inquiries / complaints with discretion and tact and to work calmly and effectively under any conditions.

Skills: Excellent planning and organizational skills. Budgetary skills. Excellent customer service skills. Skill in anticipating operational problems, and in taking connective action to avoid a serious malfunctioning of equipment.

Physical Requirements:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Moderate to heavy physical effort required in connection with the operation and maintenance of water distribution and water treatment plant and equipment. Light to moderate physical effort generally required for supervisory and administrative duties of the Water Department. Frequent lifting in excess of 30 pounds and occasional lifting of 100 pounds required. Must be able to access all areas of the water plant.

Supervision:

Supervision Scope: Performs highly responsible duties requiring independent judgment and initiative in planning and operating the town's water system. Under administrative direction of the BPW Superintendent, will work from municipal policies and objectives to establish short and long range plans and goals and assumes direct accountability for department results. The Superintendent consults with BPW where clarification, interpretation, or exception to municipal policy is required.

Supervision Received: Works under the general supervision of the BPW Superintendent.

Supervision Given: The Sewer Superintendent oversees Managers, Forepersons, Operators, Coordinators and Administrative Staff at multiple locations.

Job Environment:

- Administrative work is performed under typical office conditions; most work is performed under typical shop and field conditions, with exposure to various weather conditions and hazardous conditions associated with construction sites. On call for emergencies and may be contacted at any time; may be required to work beyond the normal hours of a regular work week. At the water treatment plant, there are health hazards from chemicals and fumes, and electrical shock.
- Operates all water treatment and other related equipment, such as pipe locator, gasoline cut-off saw and leak listening devices, pneumatic, hand and power tools; operates light truck and automobile; operates computer and standard office equipment as may needed.
- Makes occasional contacts with other town and state officials and with the general public; has ongoing contacts with commercial and industrial users of the town's water system to ensure compliance with rules and regulations relating to policies of the Water Department; resolves

SEWER DEPARTMENT SUPERINTENDENT

FAIRHAVEN, MA

difficult customer service requests in person, by telephone, or in writing; investigates all customer complaints.

- Has access to some department-related confidential information, such as official personnel file and bid documents.
- Errors in either technical application of procedures, or in the interpretation of related data, could result in lower standards of service, inadequate water distribution, and damage to equipment, and could adversely affect the water supply service, resulting in financial and legal repercussions for the town. Errors in judgment could lead to danger to public health and safety.

(This job description does not constitute an employment agreement between the employers and is subject to change by the employer as the needs of the employer and requirements of the job change.)

MEMO

TO: Board of Selectmen
FROM: Mark Rees, Town Administrator
DATE: January 25, 2018
RE: Amendment to Non-Union Personnel Pay and Classification Plan

Per the attached letter from Town Counsel, the employment agreements entered into by the Board of Public Works (BPW) and the Sewer and Water Superintendents are no longer valid and they should come under the personnel bylaw. Pursuant to the personnel bylaw, the Board of Selectmen previously approved a pay and classification plan for non-union employees that did not include the positions of Water Superintendent and Sewer Superintendent.

However, the consultant when developing the recommended pay and classification plan did develop job descriptions for these two positions and classified them accordingly into a grade level, but because at the time of the plan approval it was thought that these positions were covered by the agreements with BPW, they were not included in the pay and classification plan approved by the Selectmen.

Given Town Council's determination, it is now recommended that the Board of Selectmen vote to include these two positions in the Non-Union Personnel Pay and Classification Plan at the consultant recommended grade level and at the step consistent with the length of service schedule previously used for other non-union employees (one step for five years of service)

Sewer Superintendent: Level 20, Step 9

Water Superintendent: Level 20, Step 4

Cc: Anne O'Brien, Human Resources Director
Vincent Furtado, BPW Superintendent
Linda Schick, Sewer Superintendent
Jeffrey Furtado, Water Superintendent

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2019 JAN 22 P 12:30
THOMAS P. CROTTY
RUSSELL G. VITYNACH
BOARD OF SELECTMEN
FAIRHAVEN, MA

January 16, 2019

Mark Rees, Town Administrator
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

RE: Personnel By-Law – Employee Contracts

Dear Mark:

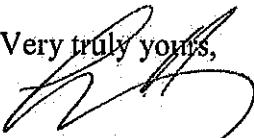
You have asked for my opinion regarding contracts entered into by the public works department heads as they relate to the personnel by-law.

In early 2018 the Board of Public Works entered into employment contracts with two department heads. As amended by the Town Meeting of May 2017, the personnel by-law provides that all department heads are subject to the personnel by-law, but may be exempted "upon recommendation by the Town Administrator and vote of the Board of Selectmen". Ch. 61 §61-2. The exemption becomes effective upon adoption of an employment contract. (Under the terms of the by-law before the May 2017 amendments, the adoption of an employment contract alone was all that was required to exempt a department head.)

As a result of the 2017 amendments these subsequent contracts are not sufficient to exempt those department heads, and they remain subject to the personnel by-law.

Please let me know if you have any further questions in this regard.

Very truly yours,


Thomas P. Crotty
Town Counsel

TPC/mch

