

ANIMAL AND DOG PARK ADVISORY COMMITTEE MEETING

Friday, September 11, 2020

8:00 am – 9:00 am

Meeting held via Webex

Call-In Number: 1-408-418-9388

Access code: 173 153 0498

Minutes

Attendees	
Committee Members:	
Bob Langis, Animal Control Officer	✓
Becky Longval, Nashua Humane Society Representative	✓
June Leman, Community Member (Vice-Chair)	✓
Amber Logue, Community Member (Chair)	✓
Megan Villacis, Community Member	✓
Tom Lopez, Board of Aldermen	
Patricia Klee, Board of Aldermen Alternate Member	
Staff:	
Nick Caggiano, Parks and Recreation Superintendent	✓
Deb Chisholm, Waterways Manager	✓
Julie Chizmas, Transportation & Long-Range Planner	✓
Cheryl Lindner, Chief of Staff	
Sarah Marchant, Community Development Director	✓
Cecilia Ulibarri, Mayor's Liaison	✓

Prior to beginning the meeting, a "Checklist to Ensure Meetings are Compliant with the Right-to-Know Law During the State of Emergency" was read aloud so all committee members and any members of the public listening by phone were aware of the steps that had been taken for the virtual meeting, including:

- a) Providing public access to the meeting by telephone.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

1. Adoption of the [August 7, 2020 meeting minutes](#)

Motion: Amber Logue

Second: Bob Langis

Voting Members in Favor: All

2. Update on Potential Dog Park Locations

Julie informed the Committee that the Crown Street location was off the table for now as the City needs to use the land this winter to store barriers and other equipment obtained in response to the Covid-19 pandemic. If that need changes next year, the group may be able to revisit the site but for now, we should focus on the Millyard property.

Director Marchant told the Committee that \$50,000 in escrow funds for a Dog Park Feasibility Study at the Millyard location was approved. She suggested the Committee draft a Scope of Work for the Study be drafted and depending on the anticipated cost, we can either publish an Invitation to Bid (if under \$25,000) or a Request for Proposal (RFP, if over \$25,000).

Julie recapped a phone conversation with Jay Leonard, Legal Counsel for the Millyard Board of Directors. The Board is largely supportive of having a dog park located on their property provided the current tenant, Absolute Broadcasting, doesn't have any concerns that can't be addressed. Mr. Leonard stated that he had preliminary conversations with Absolute Broadcasting and one of their concerns is dogs digging up their buried antenna. Economic Development Director Tim Cummings had left a message for Tom Monahan of Absolute Broadcasting to begin a dialogue about how the dog park might impact their operations but had not heard back as of the time of the meeting. Mr. Leonard provided an additional contact at Absolute Broadcasting that the Committee could speak with and Amber said she would take the lead on making that call. A primary goal of the call is to determine the depth and extent of the underground infrastructure and what restrictions there would be on the site due to the tower.

Mr. Leonard also said there were several questions raised by the Board that would need to be addressed before any decision was made about siting a dog park on the Millyard property:

- What physical improvements would be made to the site – e.g., lighting, access to potable water, fencing?
- Who would operate and maintain the dog park?
- The Board didn't express interest in selling the property, so what type of rent would be feasible?
- How would parking be addressed so the Millyard's private lots aren't negatively impacted?

Amber said that when she spoke with Millyard property owners in the past about siting a dog park on their property, they noted that snow removed from their lots is stored on the site, so that would also need to be addressed.

Next Steps:

- Follow up with Tim Cummings re: call with Tom Monahan
- Speak with Absolute Broadcasting about antenna and restrictions
- Research Dog Park Feasibility Studies for cost estimate and draft Scope of Work

3. Animal Shelter and ACO Updates

Becky reported that things are back to normal and going well at the Shelter. There has been an increase in the number of cats at the Shelter and they successfully reunited their first stray chicken with its owner.

Bob shared the attached report on ACO calls through August and stated that call volumes are normal. They usually see a decrease in At Large calls once school starts but with so many kids remote learning, that may not be the case this year.

June asked if it was legal to have full sized or pygmy goats in Nashua. Becky said its fine if they are in the Agricultural Zone and they do not distinguish between breeds. June followed up by asking how they could determine what zone a property was in and Sarah said to call the Planning Department for that information.

Bob led a discussion on a proposed revision to [NRO 93-14](#), pertaining to violations and penalties. Currently under the city ordinances a dog related offense is punishable by a fine of \$25 while other animal offenses are punishable by up to a \$1,000 fine. As an example, a repeat offender of chickens getting loose could face up to \$1,000 while a repeat "dog at large" offender only get \$25.

Bob believes the courts should have more discretion in the dog related offenses. No one is going to request or impose the max fine but a repeat offender should be liable for increased penalties.

Considering the time and cost involved in a "dog at large" complaint, police resources to locate and catch the animal and transport it to the pound, time for the ACO or police officer to fill out the reports, complaints and testifying in court, it costs more to pursue than the penalty!

Bob proposes a simple solution to delete the phrase "except that violation of an ordinance relating to dogs shall be punished by a fine of \$25.", changing the comma preceding the text with a period:

[§93-14 Violations and penalties.](#)

[Amended 5-14-1996 by Ord. No. O-96-11; 8-11-1998 by Ord. No. O-98-42; 3-23-1999 by Ord. No. O-98-90; 8-12-2003 by Ord. No. O-03-191]

EXISTING: Any owner found violating any provision of this article shall be guilty of a violation and upon conviction thereof shall be punished as provided in § [1-12](#) of the City Code, except that violation of an ordinance relating to dogs shall be punished by a fine of \$25.

PROPOSED: Any owner found violating any provision of this article shall be guilty of a violation and upon conviction thereof shall be punished as provided in [§1-12](#) of the City Code.

[Article II General Penalty](#)

[NRO 1975, T. 16, § 1(b); amended 10-14-1980 by Ord. No. O-80-2; 11-10-1983 by Ord. No. O-83-139; 12-9-1997 by Ord. No. O-97-156]

§ 1-12 General penalty for violation of ordinances.

Whenever in the Code or in any ordinance of the City any act is prohibited or is made or declared to be unlawful or whenever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided therefor, the violation of any such provision of the Code or any ordinance shall be punished by a fine of not more than \$1,000 and/or the issuance of a citation. Each day any violation of any provision of the Code or of any ordinance shall continue shall constitute a separate offense.

§ 1-13 Extended applicability.

This section shall be applicable to accomplices and accessories as well as to principals, and to attempts; and a violation, failure to comply or conspiracy on the part of a corporation shall also constitute a violation, failure to comply or conspiracy on the part of any and all individuals participating therein.

4. Social Media Updates

In addition to Facebook, the Committee now has a presence on Instagram (<https://www.instagram.com/downtowndogpark/>). Megan is the primary administrator and Julie will sign up for an Instagram account since all City social media pages are to have a City Staff person as an administrators. The Instagram site is linked to Facebook. Content to be added to the social media sites includes:

- Committee Mission Statement
- Educations information
 - Info from the Humane Society's Education Committee
 - General safety tips
 - Color-coded Dog Leashes/Ribbons indicating specific health or behavioral issues
- Upcoming events
 - [Annual Yard Sale \(The Re-Mix\)](#) on September 26th
 - [Walk for Whiskers](#) on October 24th
 - Humane Society "Howleen" Party on October 31st with Halloween pet safety tips

Becky will connect directly with Megan to provide content from the Humane Society.

5. Dog Park Design Sub-Committee Updates

Nick is retiring from the City of Nashua on September 25th but will remain a member of the Dog Park Design Sub-Committee.

Amber has gathered information on cost of fencing, ground cover, gates, signage, etc.

Once we speak with Absolute Broadcasting about the underground antenna, we will have a better idea of how much area we have to work with.

6. Committee Vacancy Update

June has spoken with resident Kathy Abel about filling the remaining vacancy on the committee. Amber will conduct a phone interview with Kathy and ask for a letter of interest and resume to go with the nomination form. That information will be forwarded to the Mayor and if he agrees with the nomination, it will be put forward for confirmation by the Board of Aldermen.

Motion made to adjourn (Bob Langis) and seconded (Becky Longval). All were in favor and meeting adjourned at 8:44am.

Next Scheduled Meeting: Friday, October 2nd at 8:00 AM – 9:00 AM via Webex

Minutes by: Julie Chizmas