

Bylaw Review Committee Meeting
February 28, 2022 - 7:00 PM
Sanford Hall, Town Hall
155 Village Street, Medway

Committee Members Present: Glenn Trindade, Maryjane White, and Tim Fagerson

Committee Members Present (via phone): Tom Gay

Committee Members Absent: Ellen Hillery

Staff Present: Allison Potter, Asst. Town Manager

1. **Call to Order:** At 7:05PM, Mr. Trindade called the meeting to order.
2. **Public Comments:** There were none at this time.
3. **Approval of Minutes (8/31/21, 10/18/21, 12/15/21)**
4. **Discussion/Vote: - Continued Review of Draft Amendments Outstanding Articles:**
 - a. **7-Cemetery Trust Funds**

VOTE: Mr. Trindade offered a motion to keep Article 7 as written. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

b. 8-Trade in Junk, Old Metals and Second-Hand Articles

VOTE: Mr. Trindade offered a motion to keep Article 8 as written. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

c. 9-Removal of Earth Products

VOTE: Mr. Trindade offered a motion to keep Article 9 as written. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

d. 10-Repairs to Private Ways

Mr. Gay expressed concerns about how the outstanding street acceptances may impact subdivision development. Ms. Potter reviewed the existing language and suggested modifying it to be slightly more permissive; she did not feel this would negatively affect development.

Mr. Trindade suggested that the committee gather further information and revisit this issue at a future meeting. Ms. Potter offered to follow up with Mr. Gay about this matter in the interim.

e. 12-Penal Laws (dog bylaw)

- i. Mr. Trindade inquired as to what the committee thinks is the best handling of dog-related bylaws, specifically in which locations they are allowed and not allowed. Right now, dogs are technically banned from some parks, but are frequently present, nonetheless. He also expressed concerns about how the size of a dog may impact regulations.
- ii. Mr. Gay expressed concerns about enforcement issues. He also noted how the dog population in Medway has dramatically increased, which has therefore also increased issues of dog waste management, in particular. He suggested a leash law as a solution in order to ensure that individuals control their dogs and pick up after them properly.

Mr. Fagerson arrived at 7:09PM.

- iii. Mr. Trindade and Ms. White suggested allowing dogs to walk in all parks as long as the owners follow the rules, and the guidelines are appropriately and consistently enforced. Mr. Trindade noted Idlebrook and Choate as particular areas of concern.
- iv. Mr. Gay expressed concerns about potential damage to artificial fields and felt this should be an exception to the potential rule. He cited the existing bylaws as antiquated and overbearing.
- v. Mr. Trindade advocated for the establishment of maintenance stations in all relevant parks that provide bags for waste disposal for owners, as is currently the case in Holliston. He shared that the cost would be approximately \$1,000. He also noted that part of what makes it so effective is the town's follow-through on waste disposal. He suggested increasing the cost of a dog license by five to ten dollars to address this issue.
- vi. Ms. White estimated the total number of dogs in the town at approximately two thousand or slightly less. She expressed concern that the committee may receive significant backlash if the cost of a dog license were to increase, but she agrees with the idea to increase the fee.
- vii. Mr. Trindade suggested a bylaw that explains where dogs are and are not allowed, as well as include a clause that explains how the increased cost of a license facilitates the waste management stations.

- viii. Ms. Potter cited the current bylaw, which notes that if a dog is picked up on school property, the owner can be subject to a 14-day muzzle and stay-at-home enforcement, as well as a \$15 fine.
- ix. Mr. Trindade asked the committee if \$15 was an appropriate charge for a first offense; Mr. Gay responded that he felt it was a reasonable charge, as it is more about consistent enforcement than the financial penalty.
- x. Mr. Trindade asked the committee their opinions about camera surveillance as a means to ameliorate this issue. He noted that not all cameras need to be hardwired; rather, they could be battery-operated. In response, Ms. Potter inquired as to who would identify the individuals on camera, if necessary. Ms. White noted that the police could assist with this.
- xi. Mr. Fagerson asked if dogs would be allowed on the outermost perimeter and/or in the woods; Ms. White and Mr. Trindade agreed that this would be acceptable.
- xii. Mr. Gay expressed that the bylaws should not be punitive; he felt the ideal situation would make compliance simple. This would therefore make the enforcement and accountability more feasible.
- xiii. Mr. Trindade and Ms. White underscored the importance that the fees and penalties be borne by the individuals who have dogs, not all citizens.
- xiv. Ms. Potter suggested that a committee member write up and propose a specific amendment to the existing bylaw; Mr. Trindade agreed to do this.
- xv. Mr. Trindade suggested 2-3 waste management stations at Choate, 1 leading up to the high school, and others along the trails. He felt it would total about 12-15 stations, which would be up to roughly \$15,000 annually.
- xvi. Ms. Potter noted that this plan would not go into effect until the bylaw is approved.
- xvii. Mr. Trindade inquired what the committee members thought about dogs playing on the fields; Ms. White and Mr. Gay both felt that allowing field access for dogs would lead to potential disputes or lack of clarity about the guidelines. He noted that if there is consistency at all facilities, it is easier for dog owners to adhere to the rules, since they are all the same.
- xviii. Mr. Trindade summarized that dogs should be banned from turf fields, schools, and playing fields; he asked how the committee felt about allowing access to trails via these properties. Ms. White felt this would be reasonable. Mr. Gay felt that as long as these areas are identified as access points of walking trails, as opposed to simply just school grounds, this would be fine. He felt this could be accomplished through a twofold approach: a clearly worded bylaw and strict enforcement at the sites.

- xix. The committee agreed that dogs should be able to be present at various parks, as long as they are leashed and avoid restricted areas. They also agreed to increase the cost of a dog license.
- xx. Mr. Trindade reiterated that he will write the drafted bylaw then share it with Ms. Potter and the other committee members.

f. 13-Bylaw Changes and Effectivity

VOTE: Mr. Trindade offered a motion to leave Article 13 as written but move its location to now be Article 1. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

g. 14-Prevention of Leakage of Underground Fuel or Chemical Storage Tanks and Systems

Mr. Trindade suggested that the committee gather further information and revisit this issue at a future meeting.

h. 15-Town Clerk Fees

Mr. Trindade suggested that the committee gather further information and revisit this issue at a future meeting.

i. 17-Historical Properties

Ms. White and Mr. Trindade decided to attend the next Historical Commission meeting in order to gain more information on this matter before voting.

j. 18-Personnel

VOTE: Mr. Trindade offered a motion to leave Article 18 as written. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

k. 19-Audit Committee

VOTE: Mr. Trindade offered a motion to delete Article 19. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

l. 22-Tobacco/Youth

VOTE: Mr. Trindade offered a motion to delete Article 22. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

m. 23-Town Administrator

VOTE: Mr. Trindade offered a motion to delete Article 23. Ms. White seconded the motion, which passed unanimously. Gay: aye, Trindade: aye, White: aye, Fagerson: aye. VOTE: 4-0.

n. 24-Water Use Restriction

Mr. Trindade wanted to be sure he discussed the matter with other committees prior to making a decision.

5. **Set Next Meeting Date:** This matter was not addressed at this meeting.

6. **Motion to Adjourn:** At 8:13PM, Ms. White offered a motion to adjourn. Mr. Fagerson seconded this motion, which passed unanimously. White: aye, Gay: aye, Trindade: aye, Fagerson: aye. VOTE: 4-0.