

TOWN OF ESSEX
Conservation Commission

29 West Avenue • Essex, Connecticut 06426
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Executive Board

*Kathleen Tucker, Chairman
Jeffrey Lovelace, Vice Chairman
Frank Hall, Secretary*

Regular Members

*Richard Helmecki
Adrienne Forrest
Robert Ward
Mark J. Reeves*

Alternate Member

Jerri MacMillian

Unapproved

Minutes

Regular Meeting

**Thursday, May 5, 2016 at 7:30 P.M.
Town Hall, 29 West Avenue - Room B**

The Essex Conservation Commission conducted their regularly scheduled meeting on May 5, 2016 in Room A of the Essex Town Hall.

Attending Members

Kay Tucker
Jeffrey Lovelace
Frank Hall
Richard Helmecki
Mark Reeves
Robert Ward
Adrienne Forrest left the meeting at 7:31 pm

Absent Members

Jerri MacMillian

Staff: Stella Beaudoin, Recording Secretary

Present: Norman Needleman, First Selectman, ex officio

Audience: There were three audience members Nancy Rambeau, Robert Nussbaum, Essex Land Trust and Jae Wolf, Animal Control Officer

1. Call to Order

K. Tucker called the meeting to order at 7:30 p.m.

Seated for the meeting were K. Tucker, R. Helmecki, J. Lovelace, M. Reeves, F. Hall, R. Ward.

2. Public Comment

There was no public comment.

3. Old Business

a. Dogs

K. Tucker stated that there have been several incidents involving unleashed dogs on the trails in Canfield Meadow Woods and she noted that the Conservation Commission and the Essex Land Trust (ELT) jointly have purview of two properties, Bushy Hill Preserve and Canfield Meadow Woods.

K. Tucker asked J. Wolf, in his capacity as the tri-town Animal Control Officer, to present an overview on dog behavior, and requested that the Essex Land Trust discuss their policies as related to this topic, and that N. Needleman provide feed-back on this evening's discussion.

J. Wolf stated that there are no leash laws in the State of Connecticut, however if a dog is not leashed, per the CT General State Statutes, the dog must be "under your control". If a dog leaves your side it is considered roaming and there is a CGS that states such. There is a \$92 fine for roaming.

J. Wolf stated that dogs are unpredictable and there is no way to know how a dog will react or respond to another dog. As such, to say that any one dog is well behaved, particularly off leash, is not an accurate assumption.

R. Nussbaum, ELT stated that Essex is a dog friendly community. The ELT has posted signs, stating dogs must be under the owner's control. Canfield Meadow Woods has signage requesting dogs remain leashed until they have passed the point where homes are located. R. Nussbaum stated that there are no State of CT grants that require leash control, however state forest and state parks do require leashes, but that does not apply to any of the properties under the purview of the ELT. R. Nussbaum stated that if the ELT is aware that any one area within their purview is receiving complaints, signage will be posted, and he noted that there are a good number of people who utilize the trails, and there have not been many incidents reported. R. Nussbaum stated that the membership of ELT coincides with the dog community.

N. Needleman stated that the issue of dogs on the trails does not create a problem, however occasionally a situation will occur where there is an encounter. The leash law was established in-town because Viney Hill Preserve drew many owners and their dogs. Over time, there was a proposal to create a swimming hole at Viney Hill Brook Park and the concession was to appropriate enough money to make an appropriate swimming area and to install a dog park. N. Needleman stated that the ordinance was passed for the use of town parks and in retrospect, he noted that he would not have passed that particular law related to leashing of pets. N. Needleman stated that the leash law was enforced to keep dogs off the beach and keep dogs out of the swimming area.

N. Needleman stated that animals are unpredictable, but whether on a leash or not leashed, it would make very little difference. N. Needleman stated that there are currently no existing problems related to pets traversing on the trails with their owners and he noted that no one is going to police the woods for unleashed pets. He advised that if you see someone coming toward you, place your pet on a leash.

R. Nussbaum stated that he networks with various land trusts all over the state and in general the land trusts who impose on-leash regulations, do so because the town has that leash regulation in place. However, most towns do not have a leash law. The Nature Conservancy is reluctant to post signage, because the implication is that the area will be policed, when it is not.

K. Tucker stated that the Town has no regulations for dogs on leash and she noted that Viney Hill Brook Preserve is divided into two sections; thirty acres of active and sixty acres of passive. When the Town requested

funding for Viney Hill Brook Preserve through grants, signage was made a requirement by the DEEP, and in order to obtain the grant, the dogs must be leashed.

K Tucker stated that where she works there are DEEP signs posted stating that coyotes have been seen in the area and she asked if there have been similar sightings in this area.

J Wolf stated that there was an incident where a German Shepard who was leashed, was attacked by a coyote in Deep River last year.

R. Nussbaum stated that the number of coyotes in our area have increased.

R. Nussbaum suggested imposing a citation on the pet owner who is a repeat offender.

N. Needleman stated that people need to know their pets and their pet's temperament, and realize that if your dog injures another person or their pet, the owner is liable for that action. N. Needleman stated that until there is a broad, pervasive problem there is no action that should take place.

R Helmecki questioned if there is a law requiring that the owner pick-up after their dog and J. Wolf stated that there is a law that requires the owner pick up their pet's waste on sidewalks.

R. Nussbaum stated that the Essex Land Trust has hired someone to come in and pick up the dog waste at Cross Lots.

J. Lovelace stated that there is a section within the DEEP that is very concerned about unleashed dogs, particularly in public areas such as wildlife management areas. Dogs are allowed to run on private property, but on public property they must be on a leash seven feet long. One of the best ways to control a dog when confronted by a coyote is to have the dog leashed. There is a situation related to unleashed dogs that needs to be handled appropriately. J. Lovelace stated that his comments are based on research he conducted and facts gleaned, and this information is not based on his personal opinion.

F. Hall stated his research revealed that according to national statistics, a significant number of homeowners insurance claims are related to dogs. In 2011 the average claim for a dog bite was almost \$30,000. F. Hall stated that he encourages some level of public education to inform the public that they have a responsibility for their dogs and that they are liable for the actions of their pets. F. Hall questioned how the Town might wish to provide some level of information to our residents. He recommended to extend some type of public education on the extent of the pet-owner's responsibilities.

K Tucker asked if the ELT, the Board of Selectman and the Conservation Commission would be willing to endorse an educational statement.

N. Needleman stated that if the dog warden, the Essex Land Trust and the Conservation Commission wish to pen an article and present it to the Board of Selectmen for review, the information will then be published in Essex Events and N. Needleman will send out an email blast, and add it into the next email newsletter.

J Wolf stated that people who own vicious dogs, should not walk them in a public park and he noted that he keeps a list of offenders. J. Wolf stated that in his experience, when an owner walks through the park with an unleashed dog who encounters another unleashed dog, there is seldom a situation between the pets. However, in his experience, he has noticed that when two leashed dogs, who are being walked in-town are confronted, the encounter frequently becomes a problem.

R Ward asked R. Nussbaum if he was in possession of statistics on the number of dog walkers within the preserves. R. Nussbaum stated that no incidents have been reported on the Preserves, however there are always dogs on the trails in addition to the bikes and the runners.

J. Wolf noted that the incidents within the preserves typically occur when one dog who is on-leash encounters one dog who is off-leash.

N. Needleman suggested a group effort go into a letter that will be penned by J Wolf and endorsed by the ELT and the Conservation Commission. J. Wolf will draft something and forward to the ELT and the Conservation Commission and the N. Needleman will review the letter prior to it being posted on the Town's website.

N. Needleman stated that none of the current policies in place will be changed, however he would like the letter to maintain a positive spin with the purpose of informing people of the liabilities and of the consequences.

b. Discuss Vision for Long Term Future Projects

F. Hall stated that April 29th is International Beaver Appreciation day. F. Hall suggested that in April of 2017, the Conservation Commission facilitate an educational session and to provide a tour of the area of the beaver's lodge at Viney Hill Brook Park.

K. Tucker suggested organizing a plan for this educational event to include a morning session and an early evening session.

R. Ward stated that he spoke with the Army Corps of Engineers related to making application for a series of grants offered, for which there is a due date of May 8, 2016. The next submission date is fall 2016. The grant funding is proposed to go toward the creation of a bike path that would extend from Bokum Road south to the other side of the Saybrook Train Station. R. Ward stated that it would be nice to bicycle ride on a non-use road which would be well used by families. The roads are filled with distracted drivers and this would provide a safe avenue for families and individuals to safely ride their bikes. R. Ward will pursue funding on behalf of the Conservation Commission.

R. Ward stated that he has been unsuccessful in attempts to contact Tanner Steeves related to the environmental review grants which have been re-funded. Jean Davies, Director of Environmental Review Team is collecting her team to inventory the wildlife, etc., in Canfield Meadow Woods, and is looking to ascertain what the Conservation Commission's interests are. R. Ward will contact J. Davies and brainstorm ideas on how to proceed. The ERT will go into the area and inventory the wildlife, and habitat indigenous to that Preserve. J. Davies would like to know what the Conservation Commission recommends to be appropriate for grant funding, i.e., how can the trails be improved or better management of the woods which is something ERT can promote.

c. Trails and Maintenance

• Bushy Hill Preserve

R. Helmecki reported that Jason Wilcox was retained to cut the Wolf Tree limb and that job has been completed. However, a rotten section in a portion of the Wolf Tree has been detected. R. Helmecki will check with A. Pampel, Essex Tree Warden for suggestions on how to proceed.

MOTION to pay Jason Wilcox, Wilcox Tree Services, invoice from the Conservation Commission's fund, for work he did on the Wolf Tree, made by Mark Reeves; **SECONDED** by R. Helmecki **Voting In Favor:** K. Tucker, R. Helmecki, J. Lovelace, M. Reeves, F. Hall, R. Ward; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

• Viney Hill Brook Preserve

F. Hall reported that Mike Callahan, Beaver Solutions will meet him on Tuesday, May 10th at 9:00am to look at the exclusion fence. F. Hall was at Viney Hill Brook Park and he unplugged the underground culvert on the west side.

R. Ward reported that he and F. Hall, K. Tucker and A. Forrest cleared the trails and cleared the inlet pipe in the area of the beaver lodge side, on the corner.

K. Tucker reported that the trails were very wet and she stated that the Commission will focus efforts on the construction of more bog bridges.

• Canfield Meadow Woods

R. Ward stated the trails are highly used and he noted that there is a group of women whom on Saturday's, walk their dogs. R. Ward noted that there is a portion of the trail near Book Hill road that is becoming very overgrown.

d. Schedule Work Excursion to Remove Undergrowth Encroaching on Wolf Tree

R. Helmecki reported on the Wolf tree with the broken branch and noted that it looked good, and the area around the tree did not appear to need clearing.

Members will meet at Bushy Hill to look at the Wolf tree, on Saturday, May 14, 2015 at 3pm.

e. Financial Report

K. Tucker reported that there is a remaining balance in the Conservation budget of \$3037 which does not include the Wilcox Tree Service Invoice. The projected expenditures for the remainder of the fiscal year is as follows: Shirley Malcarne and the contracted services with All Habitat Services to include the cost of the DEEP Permit.

f. Other

There was no other business.

4. New Business

There was no new business.

5. Inland Wetlands and Watercourses Report.

No report.

6. Review and Approve April 7, 2016 Meeting Minutes

MOTION made by M. Reeves to approve the April 7, 2016 Regular Meeting Minutes with the following amendments; Page 2, second paragraph: *to inspect exclusion fence and flexible pipe*; Page 2, second paragraph: *K Tucker asked T. MacWhinney to submit his invoice for pipe removal*; Page 2, second paragraph: *Previously trimmed the large Tulip Tree in Canfield Meadow Woods*; Page 3, Tanner Steeves; **SECONDED:** F. Hall **Voting In Favor:** K. Tucker, R. Helmecki, M. Reeves, F. Hall, R. Ward; **Opposed:** None; **Abstaining:** J. Lovelace; **Approved:** 5/0/1.

7. Correspondence

There was no correspondence.

8. Adjournment

MOTION made by R. Helmecki to adjourn the regular meeting at 9:15 to the next regularly scheduled meeting which will be conducted on June 2, 2016 at 7:30pm, Essex Town Hall, Conference Room B, 29 West Avenue, Essex, CT; **SECONDED** by F. Hall **Voting In Favor:** K. Tucker, R. Helmecki, J. Lovelace, M. Reeves, F. Hall, R. Ward; **Opposed:** None; **Abstaining:** None; **Approved:** 6/0/0.

Respectfully submitted,

Stella C. Beaudoin
Recording Secretary