



DATE POSTED:

Town Clerk Use Only

## **MEETING NOTICE & AGENDA**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A §§18-25

### **Recreation & Parks Commission**

\_\_\_\_\_  
Name of Board/Committee

Address of Meeting: 10 Humphrey Street, Marblehead MA. 01945 Room: Conference Room

Tuesday

Day of week

August

Month

18

Date

2015

Year

7:00 PM

Time

**Agenda or Topics to be discussed listed below** (That the chair reasonably anticipates will be discussed)

1. Approval of past meeting minutes
2. Appearances:
  - a. Carol Santoro - Dog Park
3. Old/New Business
4. Topics:
  - a. Fort Sewall
  - b. Beach Update
  - c. Fountain Park
  - d. Seaside Park
  - e. Correspondence
5. Reports: Superintendent/Recreation Supervisor
6. Next meeting: TBD

**THIS AGENDA IS SUBJECT TO CHANGE**

Chairperson Chip Osborne

Posted by: Recreation & Parks Department

Date: August 13, 2015



# TOWN OF MARBLEHEAD

## Recreation & Parks Department



### Recreation and Parks Meeting Minutes

08/18/2015

**NOTE:** The following is a **summary** of matters submitted at a meeting of the Recreation and Parks Commission in accordance with M.G.L. Chapter 39 and the Massachusetts Open Meeting Laws. Meetings are often recorded and tapes used as an aid.

- 1) **Call to order:** Chip called the meeting to order at 7:05PM.
- 2) **Attendance:**
  - a) Present (constituting a quorum): Chip, Derek, Jerry, Linda
  - b) Absent: Sam
- 3) **Minutes of last meeting:** Motion made and seconded to approve the minutes of the 07/21/2015 meeting; all in favor.
- 4) **Appearance:**
  - a) Carol Santoro, Susanne Sickler, Steve Cooper, Pam Peterson & Dave Cameron: Would like to bring some dog park issues to the boards attention:
    - i) Tim will get 3 quotes on trenching cost for water at dog park
    - ii) Would like to look into creating a "pooch pass" for residents (\$10 for seniors/\$15 for all else). Will inquire with town how much of fee will go to dog park revolving fund.
    - iii) Will create "Marblehead Dog Website" through Godaddy.com for \$248. **Motion:** Allow website to be purchased out of revolving fund - dog fund line. **Approved**
    - iv) Create a Dog Incident Form. This must be reviewed by town council and Tim will create.
- 5) **Old Business/New Business**
  - a) Shell at Devereux Beach: Tim will approach school about getting the class officers information who donated. Would like to receive a donation for repairs if fund available.
  - b) Library: Would like to approach Brent Monroe with assisting in taking care of lawn at library. The board would like to provide Brent with the supplies and he would provide the labor.
- 6) **Agenda Items:**
  - a) Fort Sewell: The town is requesting \$170,000 from the Fort Sewell/Crocker Park Fund for phase 2 of repairs to Fort Sewell. **Motion:** allow the town to utilize the \$170,000 with the understanding that Becky Curran will come to the next board meeting to review the next phases of the project. **Approved**
  - b) Beach Update: Have received approval to remove islands from the resident's parking lot at Devereux Beach in Mid-September. Next meeting will be held at Devereux Beach.
  - c) Fountain Park: The board would like have a letter drafted to John McGinn inquiring about the application process for the storage shanty at Fountain Park.
  - d) Seaside Park: Has expressed interest in painting scoreboard on grandstand.
  - e) Correspondence:
    - i) Rachel Schauer: would like to use the Marblehead Community Center for drop off/pick up for her bar mitzvah on Saturday, 12/5/15. **Motion:** Allow her to use lot. **Approved**

MARBLEHEAD COMMUNITY CENTER

10 HUMPHREY STREET

MARBLEHEAD, MASSACHUSETTS 01945-1906

www.marblehead.org

TELEPHONE: (781) 631-3350

FAX: (781) 639-3420



TOWN OF MARBLEHEAD  
**Recreation & Parks Department**



- ii) Jocelyn Cook (SPUR): would like to have bouncy house at event on 9/13. Motion: Allow bouncy house at function provided we get updated insurance info.
- iii) Devereux Beach Bench: Soulmates would like to dedicate a bench at Devereux Beach: **Motion**: the parameters of this donation do not meet the town regulations and thus cannot be donated. **Declined**.
- iv) Corinthian Yacht Club: Would like to use Riverhead Beach for storage of 4 trailers on 8/28-8/30/15 for regatta being hosted. **Motion**: Approve this request. **Approved**.
- v) Claudia Kassal: Would like to have wedding under pavilion at Devereux Beach on 10/24/15. **Motion**: approve this but needs to pay the \$100 fee. **Approved**
- vi) Tom McNulty: Would like to hold 50<sup>th</sup> class reunion at Chandler Hovey on 9/19/15. **Motion**: Approve this request with no charge. **Approved**
- vii) Goodmans Gracious 5k: The Goodman Group LLC would like to hold a 5K Run/Walk on Saturday, November 7<sup>th</sup>. Motion: **Allow** Goodman Group LLC to utilize Devereux Beach for event. Approved.

7) **Reports (attached)**:

- a) Tim Short Report: See attached
  - b) Travis Farley Report: See attached
    - i) Would like to hire Edisson Naranjo-Mejia & Alyssa Nye as lifeguard for the end of the season.
- 8) **Timekeeping**: Meeting Adjourned: 9:30 PM. Next meeting to be determined.

*Attachments: Meeting Notice and Agenda.*

# ***Marblehead Dog Park Meeting Agenda***

August 18, 2015

7:00 PM

Type of Meeting: Review of outstanding issues for the Marblehead Dog Park

## **I. Open issues**

- a) How much money does The Dog Park have in its account?
- b) Bulletin Board – when will it be installed – and where?
- c) Water issue -Please see the attached diagram using the existing water in the lower field. Is The Town of Marblehead willing to help The Dog Park with the labor and finances for installation of water? Don't need anything fancy, something similar to the pipe's in the cemetery. Will the town drain for us in the winter? Can use Pex hose. Need approximately 330'. Start 4' deep gradually work to 2' deep. Take approximately 1 week to complete project.
- d) Website – Andy
- e) Fence repair – tightening of chain link fence
- f) Dog Park Rules Sign- what is status? Need to add: Prohibited: Food, Toys of any kind-except tennis balls. Female dogs in heat. Change the age of puppies from 6 to 4 months. Also need to add: No Children under the age of 3
- g) Should we continue to allow dogs that are not fixed into the park?
- h) Dog Park Incident Report, (see attached) can we add this to the forms at the park?

## **II. New business**

- a) Park fees will be a means of raising money for the park on a yearly basis. Create a Pooch Pass. \$10.00 for elderly over 60. Otherwise \$15.00. Who will sell them? Licensing? Park and Rec or Dog Park Board Members?
- b) Tim was to call Gloucester (they allow everyone) and Salem to find out how they monitor residents. Do we restrict the park usage to Marblehead residents only through the Pooch Pass?
- c) The owner of the dog that attacked Molly has said that his dog is a "Service Dog". See attached report on "Service Dog's". At no time did the owner bring his dog to the park wearing a vest and never restrained his dog. His response to his dogs attack on Molly was he knew what needed to be done, his dog Sarah, had to be quarantined because she had done this before. He also refused to pay for Molly's veterinary bill.

## Marblehead Water Department

## House Service

Owner Reynolds PlaygroundDate Installed 5/3/68End of Line ST

Installed By .....

ERS

ctor

h

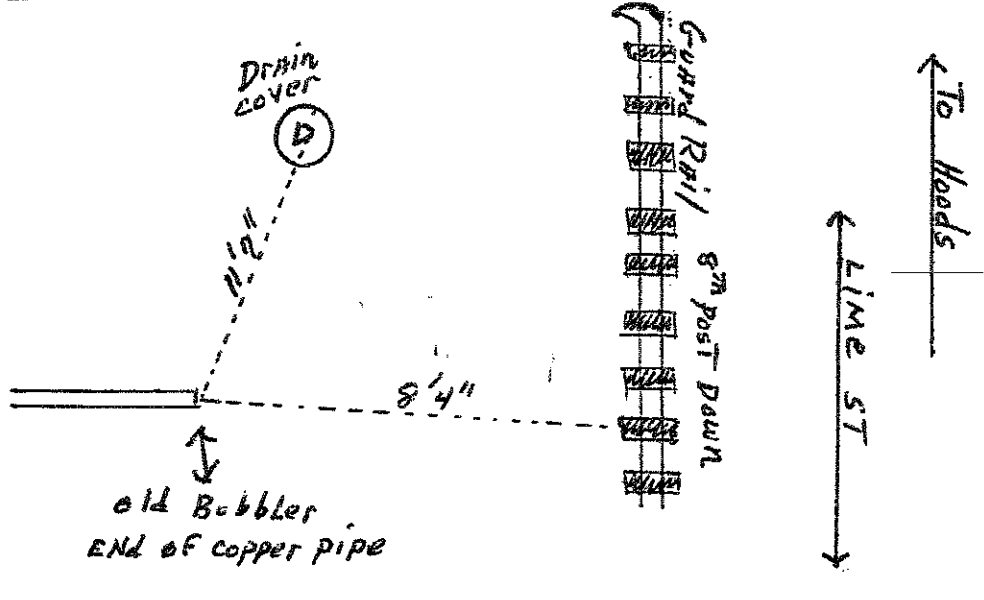
to Main

to House

Main

of Service

Meter

JUST A DRAWING

# Marblehead Recreation and Parks Department

## Dog Park Rules

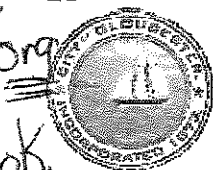
The Marblehead Dog Park is a privilege and therefore we ask all users to comply with the dog park rules for the benefit of everyone. Marblehead Recreation and Parks Department and Marblehead Animal Control will monitor the park on a regular but not constant basis and will require that all users comply with the dog park rules. Use of the Dog Park will be at the sole risk of the those who use it.

- The park is open sunrise to sunset.
- The park is divided into two sections.
  - One section for small and sedentary dogs.
  - One for large and active dogs.
- Owners must remain with and watch their dog(s) at all times.
- Dogs must remain on a leash when entering and leaving the park.
- The gates to each section and to the outside must remain closed at all times.
- Dogs must remain unleashed while in the dog park and prong, spike or choke collars must be removed.
- Dogs must be healthy, fully immunized and licensed with the registration tag displayed on the collar.
- Female dogs in heat, injured dogs and dogs with open wounds are prohibited from the park.
- ★ • Intact male dogs must be closely supervised.
- Dogs exhibiting aggressive behavior are to be removed immediately.
- Puppies must be at least ~~six~~ (6) months of age before entering the dog park.
- Users must pick up after their dog(s) and the waste disposed of properly, not on the Marblehead Recreation and Parks Department property. Any person who enters the park must be at least 18 years of age or of sufficient strength to control a dog and/or ward off unwelcome attention from dogs.
- This park is made available in accordance with laws governing recreational use (M.G.L. Chapter 21 Section 17c.)
- The Town of Marblehead does not assume responsibility for injuries or damage to personal property.

~~Children under 3~~

Hi Everyone, attached are sample Rules / forms at the park in Gloucester for review and comment. Also, it's Gloucesterdogpark.org

we are on facebook, maybe a web page?



Thank you everyone!  
Carol.

Office of the City Clerk  
9 Dale Avenue  
Gloucester, Massachusetts 01930

### DOG LICENSE REGISTRATION FORM

#### Instructions

1. Fill out form completely; license will not be issued if any information is missing.
2. Checks should be made payable to *City of Gloucester* for \$15.00 per spayed/neutered dog and \$16.00 per un-spayed/neutered dog.
3. Mail check and form to the address above. Include \$2.50 for postage if paying by mail (postage fee covers up to three dogs).
4. *Renewals* received after April 30<sup>th</sup> (in person or with a postmark after April 30<sup>th</sup>) will be charged a \$10.00 late fee per dog.

Your Name \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

( ) \_\_\_\_\_ ( ) \_\_\_\_\_ Ext. if work number \_\_\_\_\_  
Home Phone Other Phone Number

Email Address \_\_\_\_\_

Dog's Name \_\_\_\_\_ Breed \_\_\_\_\_ Color \_\_\_\_\_

#### PLEASE CHECK ONE:

\_\_\_\_ Male  
\_\_\_\_ Female  
\_\_\_\_ Neutered  
\_\_\_\_ Spayed

\_\_\_\_\_  
Veterinary Office

\_\_\_\_\_  
Due Date of Next Rabies

\_\_\_\_\_  
Rabies Tag Number

\_\_\_\_\_  
Age of Dog

## GLOUCESTER DOG PARK INCIDENT REPORT

As per the City of Gloucester Ordinance: Any incident involving bodily injury to humans or dogs requiring medical attention should be immediately reported to the Gloucester Police Dept. by calling 978-283-1212 or '911'.

This form should be completed for all incidents of aggressive dog behavior & those incidents noted above regardless of the severity.

Day \_\_\_\_\_ Date of Incident: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_\_ AM/PM

Location: \_\_\_\_ Large Dog Area \_\_\_\_ Small Dog Area \_\_\_\_ Training Area \_\_\_\_ other (please specify): \_\_\_\_\_

Reporting parties name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ Town \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone#: \_\_\_\_\_ Cell #: \_\_\_\_\_ Work #: \_\_\_\_\_

Your Dog's Name: \_\_\_\_\_ Breed: \_\_\_\_\_ Weight: \_\_\_\_\_ Lbs.

Color: \_\_\_\_\_ General Description: \_\_\_\_\_

### Other Individuals/Dogs Involved:

Owner's Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ Town \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone#: \_\_\_\_\_ Cell #: \_\_\_\_\_ Work #: \_\_\_\_\_

Dog's Name: \_\_\_\_\_ Breed: \_\_\_\_\_ Weight: \_\_\_\_\_ Lbs.

Color: \_\_\_\_\_ General Description: \_\_\_\_\_

Car information \_\_\_\_\_

Describe Incident: \_\_\_\_\_

Witnesses to incident or other additional information: \_\_\_\_\_

*Please provide as much information as possible; their dog's name, and anything that may be pertinent, including make, model, color of their car, license plate number, etc.*

Description of Injuries: To humans: \_\_\_\_\_

Description of Injuries: To dogs: \_\_\_\_\_

Actions Taken: \_\_\_\_ None \_\_\_\_ First Aid (please explain): \_\_\_\_\_

\_\_\_\_ Police \_\_\_\_ Veterinary \_\_\_\_ Doctor \_\_\_\_ Ambulance

This form can be downloaded at [www.gloucesterdogpark.org](http://www.gloucesterdogpark.org)

Email completed form to [gloucesterdogpark.org](mailto:gloucesterdogpark.org)

Mail to GDP PO Box 6, Gloucester MA 01931

Note: That all incidents will be handled in as timely a manner as possible.

All of the guidelines and ordinances of use of this facility can be found on the above website.

This form is provided by the City of Gloucester, Friends of Gloucester Dog Park.



[Home](#)[Contact Us](#)[Rules](#)[About Us](#)[Support](#)

# WELCOME

Gloucester Dog Park is located in Stage Fort Park, G  
You'll like it, too. Dogs must have a valid dog licence (fr



## Help Fund Your Park!

The City of Gloucester let us use the land,  
but maintaining the park is on us. Help us  
reach our Annual Fundraising Goal of  
\$10,000.

**Park  
Ambassador**



# Service, Please

*Some non-disabled people are tempted to pass off their pets as "service dogs." Here's what real service dogs do, and why faking is bad.*

BY STEPHANIE COLMAN

For people living with disabilities, a dog can be the key that opens the door to independent living. It's been estimated that there are more than 500,000 service-dog/handler teams in the United States, and by law, these teams are accorded the right of access to nearly every place that the human handlers can go. Most dog owners love seeing well-trained service dogs enabling their disabled humans to ride public transportation, navigate shopping and workplaces, and enjoy a night out in restaurants and the theater.

Few of us, however, like seeing obviously *untrained* or out-of-control dogs in public places where they may reflect badly on the service-dog industry. They may also engender hostility from business owners and managers, who often feel they have no recourse when ill-mannered dogs wreak havoc in their establishments.

We discussed the moral and legal considerations associated with the growing problem of "fake service dogs" in "Artificial Needs" (WDJ July 2013). It's a complex conundrum, in part due to the Department of Justice's use of an "honor system" as to whether or not a dog is a trained service animal, the various agencies involved, and the challenging nature of drafting regulations designed to protect – without infringing upon – the rights of those living with a disability.

Adding to the confusion is another class of companion animals who, teamed with their disabled handlers, are accorded expanded rights of access in certain

situations: emotional-support animals, often referred to as "ESAs." Many people believe – *falsely* – that emotional-support animals are allowed to go anywhere with their handlers that service-dog/handler teams can go.

It seems that almost everyone is confused about which dogs can go where, and how one can determine which dogs are legitimate helpers and which are pets whose owners may be taking advantage of the confusion! Let's sort it all out.

## THE "ADA"

The law that gives service-dog/handler teams the right to enter places where dogs are not usually permitted is the Americans with Disabilities Act (ADA). First enacted in 1990, the ADA is overseen by the United States Department of Justice. An amendment process began in 2008, with revisions to the Act taking effect in 2011. (Technically, the current regulation is known as the Americans with Disabilities Act Amendment Act (ADAAA), though most people still refer to the "ADA" when referencing federal service-dog law.)

The ADA was enacted to "provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities," and to protect a disabled person's access and right to "fully participate in all aspects of society."

The ADA defines a disabled person as one who "has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment."

The phrase "major life activities" is defined in the ADA as including "caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning,

Moe has been Steve Killips' service dog for 8½ years. The handsome Labrador, who was trained by Paws With a Cause in Wayland, Michigan, often helps pull Steve's wheelchair, vastly increasing Steve's ability to enjoy the outdoors.



reading, concentrating, thinking, communicating, and working.”

The ADA recognizes that disabled persons may require “reasonable accommodations or auxiliary aids or services” in order to “fully participate in society.” Service animals are included as one of those aids; that’s why dog/handler teams are granted expanded rights of access to areas that are typically off limits to animals. Under the ADA, “state and local governments, businesses, and nonprofit organizations that serve the public generally must allow service animals to accompany people with disabilities in all areas of the facility where the public is normally allowed to go.”

Currently, only dogs and miniature horses who have been individually trained to do work or perform tasks for a disabled person may be considered service animals. (Miniature horses are regulated with slightly different guidelines; we will discuss only service dogs in this article.)

Keep in mind that it’s the task that the dog is specifically trained to perform, in order to entirely or partly mitigate the handler’s disability, that gives handlers the right to have that dog in public areas that are typically off limits to dogs. The ADA’s definition of a service animal includes these clarifications:

“Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with post traumatic stress disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability.”

The ADA imposes reasonable restrictions on the use of service animals in public; the Act is certainly not a license to bring just any dog anywhere at any time. The dog must be harnessed, leashed, or tethered, unless the device interferes with the animal’s ability to work, in which case the individual must still be able to control the animal through

voice commands, hand signals, or other means of effective control.

The dog must also be well-behaved and entirely under control. “Through the ADA, if a dog is misbehaving in public – if they’re in a restaurant and the animal is not house-trained, or is eating food off of the table, the business owner

## WORDS MATTER (BUT VARIATIONS ON THESE TERMS ARE COMMON)

Jeanine Konopelski is a spokesperson for Assistance Dogs International (ADI), a non-profit coalition of more than 100 organizations working together to promote assistance dogs and the benefits they provide to people with disabilities. Konopelski recommends the phrase “assistance dog” as an umbrella term that covers a variety of working dogs who are specially trained to aid people in different ways.

ADI further refers to “guide dogs” (those that are specifically trained to assist handlers who are visually impaired), “hearing dogs” (those who are specifically trained to assist handlers who are deaf or hard of hearing), and “service dogs.” The latter is a broad category that can include dogs with skills such as alerting to impending seizures, recovering dropped items, assisting with mobility, retrieving medication or emergency equipment, or interrupting self-mutilation caused by obsessive-compulsive disorder. These are just a few ways in which a service dog can be trained to assist his or her handler. The common denominator is the *specific task or tasks for which the dog has been trained to assist a disabled handler.*

### WHAT ABOUT “THERAPY DOGS”?

Many people confuse therapy dogs with service dogs, but they are very different. Therapy dog teams are volunteers with pet dogs who have been trained to a standard that deems them safe and appropriate for interactions that provide emotional comfort to others. These volunteer teams are routinely found in hospitals, assisted living facilities, and other care centers, but can also be found on college campuses during finals week, alongside children while in family court, or as part of literacy programs in public libraries.

Therapy dog teams are usually registered with a therapy dog organization. To become registered, the dog and handler are evaluated to ensure that the dog is of a sound temperament and that the dog and handler work well together as a team. Therapy dog teams are not guaranteed public access; whether or not they are welcomed in any facility that doesn’t ordinarily allow dogs is entirely up to the individual establishment.



Lori Weltz is a disabled veteran whose Dogue de Bordeaux service dog, Diesel, helps her by bracing (so she can balance and get up), pulling her out of chairs or up small stairs, and picking up items that she drops. Diesel and Weltz, shown here after Weltz’s spine surgery, trained together at the All American Dog Training Academy in Clearwater, Florida.

has the right to ask the individual to remove the dog from the premises,” says Jeanine Konopelski, a spokesperson for Assistance Dogs International (ADI).

The ADA also states that, in some cases, it might be appropriate to exclude a service animal. For example, although a service dog can’t be excluded from

## TAKING ADVANTAGE OF THE ACTS?

Whether it's the most common violation of these three Acts (ADA, Fair Housing, and Air Carrier Access) or the one that makes advocates for the disabled the angriest is a matter of debate, but the most talked-about abuse of legislation that protects the rights of disabled people has to do with "fake service dogs."

In some cases, this is a matter of people who are *not* disabled trying to pass off their dogs as service dogs in order to bring their dogs with them into places dogs are not ordinarily allowed. In others, it's people taking emotional-support dogs into places where only *service dogs* are allowed, such as restaurants, grocery stores, and public transportation.

The perpetrators of these violations may themselves be ignorant of the laws they are breaking, or knowingly taking advantage of the ignorance (or resignation) of the business owners or operators who could – theoretically – lawfully turn them away or even (in some states) summon law enforcement officials to enforce the health codes or other state laws that restrict non-service dogs.

Individual state laws vary. In the case of misrepresenting a pet dog as a service dog, the relevant laws often deal with the misrepresentation of the *person*, not the dog – meaning, it is a crime to falsely present oneself as being disabled and therefore in need of a service dog.

There is no *federal* law against representing a pet dog as a service dog. The Americans with Disabilities Act is a civil rights act designed to protect the rights of people with disabilities, including those who use service dogs. The ADA does not address individuals *without* disabilities, such as anyone who might falsely claim that a pet is a service animal.

"Because this issue does not address the civil rights of people with disabilities, it is not in our regulating authority under the ADA to issue regulations to penalize false claims that a pet is a service animal. However, we note that state civil or criminal

law may already penalize such claims in some circumstances," a Department of Justice spokesperson told us.

That's the law, but what's morally and ethically *right*? We think it's important to keep the people that the laws are in place to protect – the disabled – foremost in consideration. When in "mixed" company, dogs who are less than perfectly behaved make it more difficult for actual service dogs to perform their own important work. Also, poorly behaved dogs may increase the slow-burning resentment of business operators toward *all* dogs, leading to an atmosphere of suspicion and a distinct lack of welcome.

### HOW TO IDENTIFY A FAKER

This is a trick; the fact is, you *can't* always identify a fake service dog, just like you often can't always visually detect a person's disability. As dog lovers, we can't help but notice other dogs, especially in places that don't welcome all dogs. And when we see dogs with people who appear perfectly abled, it can be easy to wonder why the person has a service dog and if it's legitimate.

"Society has a lot of issues with invisible disabilities – the whole 'you don't *look* disabled' thing," says Matthew Karpinski, chief legal officer for The ProBoneO Program. "Just because a person doesn't look disabled doesn't mean he's not. I don't know anybody with a disabled parking placard who isn't in a wheelchair who hasn't been confronted by some self-efficacious person challenging them. What somebody looks like gives you no information about their disability status."

Even assessing the dog's behavior isn't 100 percent accurate when it comes to spotting what you might think is a "fake" service dog. Often, the dog suspected to be a "fake" is owned by a disabled person who is doing the best she can to train her dog for public access, but whose dog might be struggling with that facet of the job.

"There are people who take a pet dog they already have and try to turn it into a service dog because they can't afford to get or keep two dogs," says ProBoneO's executive director, Dailayah Rudek. "Some people will wash out a dog with problems, but many won't; they'll try and work through the issue because they don't feel like they have any other options."

"I have met several task-trained service dogs who aren't dogs you'd want to take with you for public access because they aren't comfortable in public," Karpinski says. "That doesn't mean they aren't true service dogs, but it might mean that they are useful to their partners only at home."

Bottom line: Whether the dog is a legitimate task-trained service dog or dog-in-training, or belongs to a pet owner trying to get away with cruising the coffee shop with his Cockapoo, if the dog is ill behaved, the problem should be immediately addressed by the business establishment.



**Dailayah Rudek and her service dog, Riley, enjoy a break. A passionate supporter of service dogs, Rudek started The ProBoneO Program, a non-profit organization that provides legal resources to people who use service dogs.**

cation cards inadvertently make it harder for those within the community who don't, because it sends a mixed message to businesses, many of which become more resistant to teams who lack the same gear.

#### ■ ARE THERE ANY STANDARDS FOR SERVICE DOGS AT ALL?

The answer to this depends on what is meant by standards. As discussed above, service-dog/handler teams don't need any official certifications in order to have public access. However, many service-dog advocacy organizations, including International Association of Assistance Dog Partners and Assistance Dogs International, promote a similar set of minimum training standards for service dogs, which they recommend handlers meet or exceed when training or working a service dog in public.

The two above-mentioned organizations address a minimum number of training hours for basic obedience and public access-specific issues. They also provide basic guidelines for obedience and the ability to perform disability-related tasks on cue. The standards state



Paul Vaughn of Kennesaw, Georgia, purchased Hunter as a puppy. Paul and his wife trained Hunter to be Paul's service dog. Hunter's primary duties are to help Paul around the house, picking up and giving Paul items as needed. And when Paul's arm falls off his armrest, preventing him from driving his power chair, Hunter pushes Paul's arm back up on the armrest.

that a service dog must not display any signs of aggression (either natural or elicited on-cue, such as in protection work), and further include the handler's responsibilities as part of the dog-handler team.

Both sets of standards can be used as a road map of sorts for handlers wishing to train their own service dogs, or when training in partnership with a professional trainer. They are also used by professional organizations that provide fully trained service dogs. When a dog/handler team successfully meets the minimum standards or passes the public access test, the team is often considered "certified" by virtue of meeting the standard. It's a tricky choice of words, as it likely contributes to the public's confusion regarding the lack of a legally required certification. (Perhaps referring to such dogs as "verified" versus "certified" would lessen the confusion?)

"We at ADI call a dog who has passed our public access test a 'certified dog,' but it's not a certification that's required by law," Jeanine Konopelski explains. "It's sort of like, if you work in finance and you have an MBA; you're not legally required to have that certification. The certification is something we do to make sure that the dog can abide by and adhere to the different guidelines for public access," she adds, pointing out that the certification is for the dog/handler pair as a team and not the individual dog.

#### ■ WHY ISN'T THERE A NATIONAL CERTIFICATION FOR SERVICE DOGS?

Experts cite two major challenges of implementing a national certification process for service dogs: Who would be responsible for testing, and how would such a program be funded?

"The disabled are statistically in the lowest economic bracket," Rudek says. "To have a test become mandatory, you'd have to make it super accessible to a bunch of people, many of whom don't drive and who have no money. How do you make that work? Many people say, 'Well, what about making it like a driver's license?' and the problem with that is that driving is a privilege, not a right. If you're disabled, having your service dog with you is a civil right."

Currently, a Canadian province is exploring new regulations that will potentially limit access to "no pets" areas to only those teams trained by professional ADI partners and the International Guide Dog Federation.

Such a move, while likely initiated in an effort to raise the training standards, could severely limit the disabled community's access to service dogs. Karpinski estimates that in the United States, only 1 to 5 percent of all service dogs are trained through a professional training organization.

#### ■ CAN STATES PASS DIFFERENT LAWS TO PROTECT OR PROHIBIT THE USE OF SERVICE DOGS OR ESAS?

Service-dog law is complicated by the fact that there are two levels of legislation to be considered – state and federal, says Karpinski. While the ADA provides *federal* protection for the public access of service-dog teams that meet its qualifications, individual counties and states have the option of drafting *additional* laws that *extend* ADA accommodations. For example, many states have their own laws that prohibit denying access to a service-dog team, making it a state crime that carries a hefty fine. States may not, however, pass legislation that limits the disabled person's protections to less than what the ADA provides.

The difference between state versus federal protection is most relevant when addressing public access violations. If a team is denied access where it is against *state* law to do so, the police can be called and the issue is likely to be promptly resolved. In states without that enhanced protection, the team's only recourse is to file a complaint with the Department of Justice – a much longer process.

#### ■ CAN STATES REQUIRE THAT SERVICE DOGS BE CERTIFIED, OR REQUIRE THAT HANDLERS SHOW PROOF THAT THE DOG HAS BEEN VACCINATED?

Remember, state laws cannot be more restrictive than federal law. Therefore, states can't require any special certification in order for the team to be granted the public access rights that are outlined in the ADA. However, individual states can designate certain requirements in order for the team to receive state-specific enhanced protections.

For example, let's say the law in a handler's state specifies that service dogs must be identified via orange vests. The handler may choose not to follow this rule, since state laws cannot be more restrictive than federal laws, and the ADA does not require service dogs to work in vests. However, should an issue arise

## **Recreation & Parks Commission Meeting**

### **Superintendent Report**

**8/18/15**

#### **New Bench at Memorial Park**

6<sup>th</sup> Bench has been delivered and plaque/granite ordered from Kimball Memorial. Working with Dave Rodgers on placement which will be bed end between the tree and the farthest bench on the Pleasant St side. Cal Titus to do the install.

#### **School Department**

Sitting down with Ken Lord on Friday to discuss the use of school facilities for afternoon programing this fall. Travis has had some back and forth with Ken concerning the timing of letting him know about programs that would take place in schools, specifically at Glover and Village. Let Travis expand.

#### **Float Storage Fee**

Current fee = \$1.25 sq. foot. Will we be keeping the same fee?

#### **Wood Fiber Chips**

100 cy has been spread out. We have split the bill with the school department. Each Dept will pay \$1,500.00

#### **Stramski Update**

Reviewing the ramp and what can and can't be done. Can't bring material from outside. Eyeing late Sept/Oct for landscaping.

#### **Beach Update**

New playground sign has been installed. Working on a dedication date for the playground.

Lights have been installed on posts

Requested that High-way assist in the

Resident contacted me about allowing smoking at Beach

Life Guards

Sundial

**Nature Center**

Plants & Pleasantries is finishing up work at the garden. Cobblestones have been installed as well as new pea stone around the perimeter.

**Library**

Measurement of grass on left and right sides of walk way going into Library is 3400 sq. feet

**Community Center**

Dana Weeder from Winter Street Architects will be meeting with me and Lisa Hooper from COA this Thursday. Items up for discussion: number of staff/number of desks, need for private offices vs shared office space, filing requirements, conference room requirements (if any), shared admin (?), any required adjacencies...any and all wish list items. It would also help if you could provide me with current or proposed daily schedules as I would like to consider the ebb and flow of use between department throughout the day

TV has been set up in the main lobby to provide information. Travis will be working on slides as well to add to rotation.

**Gatchells**

P.F. Gallo & Sons Phil Gallo 1200 day September / Paul Gallo



Travis Farley

Assistant Superintendent, Town of Marblehead

Tuesday, August 18<sup>th</sup> 2015

Assistant Superintendent Report

**Programming Updates**

- Programs:
  - o Playground Program
    - Receiving constant praise for staff/program
    - Taken in over 740 registrations for season and collected \$77,700 in fees
    - Just sent out survey to get feedback on how we can improve program
    - After deducting salary, supplies, and trips we profited \$24,500
  - o Sailing
    - Receiving praise about staff/program & sold out of every session
    - On track to break even and not lose money
    - Will be winterizing boats in coming weeks
    - Survey sent out to get parents feedback on season
  - o Other Programs/Clinics
    - Football Clinic – had 52 enrolled
    - Wicked Kid Vet School – 12 enrolled
    - Tennis- Collected 115 registrations this summer
    - Paddleboarding – Collected 74 registrations during season
    - High School Basketball Ended last week
      - Received great feedback and made small profit
  - o Canceled Program/Events
    - Sandblast Challenge
    - Viking Soccer
  - o Summer FY14 vs. FY15
    - Summer 2014
      - Registrations: 1,318
      - Fees Collected: \$161,077
    - Summer 2015
      - Registration: 1,691
      - Fees Collected: \$210,984

**Upcoming/New Programs:**

- Fall brochure was released on Friday
  - Receiving positive feedback and have already taken in registrations for fall programs

**Facility & Parks**

- Devereux/Riverhead Beach
  - o Have taken just under \$2,700 in revenue in Kayak Revenue

**Other:**

- We received a \$2,500 donation from a Bill McGrail for sailing
- Would like to hire the following:



- Alyssa Nye & Edison Narranjo – Both Lifeguard

#### **Hammond Nature Center**

- Met with Hammond Nature Center Committee on Monday
  - Met with principal of Glover this afternoon and seems very receptive to doing field trips at Nature Center in Spring
  - Working with current members to reach out to recruit 2 new teachers to join
  - Dragonflies program currently running at Nature Center with some great feedback on day 1