



**AUBURN PARKS & RECREATION
ADVISORY BOARD
MEETING MINUTES
MARCH 13, 2013 6:30 P.M.**

ATTENDEES: Eric Audette, Denis D'Auteuil, Paul Douglas, Dan Poisson, Ravi Sharma and Leroy Walker

GUESTS: Phil Nadeau and Dot Meagher

- Ravi Sharma opened the meeting by postponing the review of the minutes of the last meeting in order to allow Phil Nadeau and Dot Meagher to present the Lewiston-Auburn Public Health Committee's proposed no-smoking policy to the board.

Dot Meagher stated that the proposed ordinance would prohibit tobacco products in parks and all city-owned property. The school department already has a policy prohibiting smoking on school grounds. Associated fines will be charged at some point to those not complying with the ordinance.

Phil Nadeau added that the city council would like to have a workshop requesting that the new ordinance be enforced. Smoking ordinances exist in other communities, which were changed in some way or even terminated, however, they are relatively new. He indicated that Clint Deschene introduced trying to come up with language that would be clear to the public, to expand the order to all city owned facilities, structures and land, to include the parking garage, Hasty, Auburn Hall, etc. Controlling what goes on around a public building is easier to manage than outdoor parks. In Lewiston, councilor Saddlemire is interested in moving this template along, but Mr. Nadeau has not discussed anything with him or the city council yet. The comments received will be researched.

Dot mentioned that there is a question as to whether or not the ordinance can be enforced on private land, i.e. Androscoggin Land Trust property. Other questions about the ordinance include enforcing no smoking on city sidewalks and parking lots. Presently, the ordinance does not cover any sidewalks or roads. If a person is parked in a city-owned parking lot, can he/she smoke in his/her car? Mr. Nadeau said that smoking is not prohibited in personal vehicles, but will be prohibited in a vehicle that is parked in a city parking lot, to include the parking garage or other city-owned property. State law already prohibits smoking within 20' of public buildings.

One councilor asked about the rights of the smoker, a reverse consideration. Dot was not sure if that was just a comment or something that the councilor wanted them to seriously look at.

It is proposed that fines will be delayed for 1 year in order for the public to embrace the new ordinance. It was suggested that 1 year was too long. The committee will be looking at shortening that time frame. The committee will be going to another workshop with the council to bring them information from their questions.

Paul Douglass asked where people would be allowed to smoke. The ordinance seems to cover even personal motor vehicles, all open space and private property. He felt that people driving through city-owned property should be exempt from the application of this ordinance. He also feels that the law covering littering would address the problem with throwing cigarette butts on the ground. It is illegal to litter. Regarding a person who is asked not to smoke and refuses to comply, an infraction charge should be issued, with a warning. Failure to comply with the warning should result in a fine.

Phil Nadeau responded that Portland banned smoking in all city parks. In Lewiston, the city council decided that when there is a public event, smoking must cease ½ hour prior to and after the event. Ultimately, what the city wants is up to the city to decide. Relative to smoking in vehicles would be determined by what the city wants to include, clearly, in the ordinance. Goals for public health should be established. Public policy is a reflection of what the community wants and the LAPHC will support the city's decisions.

Eric Audette expressed concerns about reaching out to other communities who have adopted this ordinance to see what they have done about educating the community. A year is way too long in his view. From the law enforcement side, he wondered if any signage is being put up to inform the public. The education piece is critical so that all people will know about the ordinance.

It was suggested that handouts can be given to all those registering for softball leagues as they register, with the indication that this ordinance will be enforced. It was also suggested that an email can be sent to all team managers who would be asked to disseminate the information to all their team members. Eric suggested that alcohol be added to the wording also. He said that if there is one team member who is not complying with the ordinance, that he/she, singularly, could be fined.

Denis D'Auteuil stated that the fields are already posted as to alcohol being prohibited, and that the rule is not followed.

Phil Savignano said that there already is no smoking in beach areas. He asked if watershed areas are affected. The Androscoggin Land Trust land is private property, and the Auburn Police Department would have to be invited in order to enforce the ordinance.

Leroy Walker stated that someone should be given the authority to hand out warnings. Mr. Nadeau said that this would be an internal decision. Mr. Walker suggested that a time frame of 3 to 6 months would be long enough before fines are charged. The time frame should be written into the ordinance. He feels that the harder this ordinance is pushed, the more resistance there will be.

Mr. Nadeau encourages public input. The board's comments should be given to the LAPHC by the meeting after the April 1st council meeting.

It was stated that if volunteers were allowed to write parking tickets they would have to go through training and be made a Constable in order to do that. Officers would have to be invited onto the private property, i.e. the Auburn Mall in order to issue tickets. The question was raised about being able to issue tickets on private property in handicapped parking spaces that are governed by the State of Maine parking permits without an invitation. Mr. Nadeau was not sure if that was the case. Eric stated that like most laws that are on the books, the department looks for voluntary compliance.

Eric Audette asked if there is a tobacco grant available, to which Mr. Nadeau responded that there is not. There used to be money for that kind of enforcement but, unfortunately, it is no longer available. Since the ordinance has been on the books in Lewiston, he doesn't believe that even one ticket has been issued.

Leroy Walker brought up the fact that there is no monitoring or ticketing of dog owners who allow their dogs to relieve themselves in public areas without picking up after them. The parks employees are directly and adversely affected by this.

- Ravi Sharma moved on to the approval of the minutes of the last meeting. Paul Douglass made a motion to accept the minutes as presented. Seconded by Phil Savignano. Vote was 5-0, all in favor.
- 2013 Public Service Application: The recreation department's request for funding has been put through the Citizen's Advisory Committee that looks at all of the CDBG funding requests. Our request was put in at the full funding level of \$25,000.00. The council will make the final decision. The CDBG budget will be reviewed by the council on May 6th.
- CIP Projects Review: Some capital improvement projects that have taken place have been discussed previously. Per request, a memo was sent to the finance director to use the remaining balance of \$3,382.37 from the Raymond Park project for other purposes. Ravi wants the board to discuss how that money should be used at Raymond Park – benches, tables, etc.
- Double surface ice arena. The Arena Manager position was advertised on March 1st. Deadline for application is March 18th or until the position is filled. Construction has begun on the new arena. The ground has been stripped and a construction entrance has been built.

Paul asked if any applications have been received. Ravi responded that some applications have come in. Paul asked if they included the present arena manager. Ravi stated that the present manager would be moved over in the same capacity and would be re-titled the Operations Manager.

Paul asked if Ravi would oversee the rink, to which he responded that he would not. The way it is structured now, the arena management would report directly to the city manager. Not all the management plans have been worked out yet.

Paul asked if Ravi would still be involved in the rec programs. Ravi indicated that he would still be involved in any recreation programming at the new arena.

- Spring Work goals & cemetery maintenance plan: The parks & recreation department and public works department will work collaboratively for maintenance of cemeteries, spring clean-up, spring projects and preparation for holidays throughout all the seasons. Ravi and Denis realize that the parks crew cannot perform all the work required without assistance from the public works staff.

Leroy Walker asked if there was any plan to put a cemetery committee together. Denis D'Auteuil responded that he has put 3 projects together.

1. Organizing veterans. Met with them in February to offer help putting out flags for Memorial Day and other support that they need. He will meet with them again at the end of the month. Roland Jordan keeps a list of all of the people who are buried in all the cemeteries. We know who is buried, but not where they are buried. This information has to be manually collected.
 2. He has reached out to Museum L-A, the Historical Society and Roland Jordan to develop a committee and get the project going. Volunteers will be sought to put data together and map out all cemeteries. How many plots are available is not known.
 3. MOCA is a cemetery association that provides training to preserve/repair headstones. Wants parks and public works employees to participate in this training. Repairing a headstone is an extensive process and is very detailed. Training will include what we should NOT be doing, headstone resetting instructions and repair processes.
 4. Leroy Walker added that Murphy Monuments also provides that type of training at a low cost. Also, the city manager gave the okay to spend between \$20 & \$30,000.00 for Oak Hill Cemetery. He suggested hiring one company to build our own cemetery association for all of the cemeteries, rather than hiring a company to work at one cemetery. Last year, 15 public works staff worked with the parks staff to maintain Oak Hill Cemetery, each working a total of 40 hours, and the cemetery was still not done the way it should have been done.
- Auburn Municipal Beach: Funds totaling \$62,500.00 have been allocated for beach improvements. Discussion is ongoing about usage of the facility. A swimability study has been done. The board should look at the assessment and make recommendations to do what needs to be done to make the area acceptable. The algae bloom on Lake Auburn is making the beach side worse. It was suggested that Ravi ask someone from the water district to come to the next meeting as well as someone from the State of Maine to see if some of the issues can be addressed. The board would like to receive the study digitally. The board should look at it together and give an opinion as to what they feel should be done to the area from decommissioning it as a swimming area to investing \$2 to \$3 million for improvements, with no guarantee that the improvements would make it swimmable. Paul asked if it was swimmable right now. Ravi responded that, based on the CEI determination that most times the water quality is not within EPA standards because of bacterial content from animals, runoff from Rt. 4, poor water flow, etc. The report details all the sources of pollutants. Higher water temperature also has impact. There is an algae bloom in the main water source. Factors in the lake affect the beach area.

Mr. Walker stated that the company that is dealing with the water quality may be professionals, but there are other companies out there. The city's desire to keep the beach open is not a priority. The state has done nothing to deter the chemicals and other pollutants

from running off Rt. 4 into both the lake and the outlet. The state should be contacted to find out if there is money available to help to correct the situation. If \$1 million is to be spent, the city should force the state to pay the \$1 million. It's not the department's job to go up there every day and shoot off a gun to scare the geese and ducks off. The water district drove the ducks and geese to the other side of the lake so they could get rid of them from the lake. The water district has grants that could be used to fund getting rid of the birds. If we don't get them to take responsibility to get rid of the geese and ducks, we may never be able to open the beach again for swimming. If we do what we should, we may be able to be swimming at the beach again within the next 5 years. Whether or not we will be able to swim at the beach this year has not yet been decided. Ravi suggested that the board offer their input.

Mr. Walker further stated that there are hundreds of different ways that the algae problem can be resolved. With the infusion of oxygen into the water through the use of bubblers (at about \$100.00 each), the algae goes away, and it even has a positive effect on the fish.

- Recreation Programs Needs Assessment: Staff has been looking at programs and everything we offer. Ravi would like to start up an internal review process that will outline all the programs and events that the recreation department offers and come up with some new plans. Results will be brought back to the board.
- Townsend Brook runs through the Tot Lot property. There is a question as to what the algae bloom will have on the brook. No progress has been made at this time.
- Ingersoll Financial Report:

The total revenues as of 3/4/13	\$293,801.71
Total expenses as of 3/4/13	<u>\$295,238.03</u>
Net loss to date	\$ 1,436.32

This is a big change from last month. Expenses and revenues are cyclical. Many expenses come at the beginning of the fiscal year and a lot of the revenues come in toward the end of the fiscal year. February and March ice time has not yet been billed out, but should be received prior to the end of the fiscal year which should bring revenues into the positive.

Mr. Walker has been asked why people can't reach the arena manger. They would like to rent ice for tournaments and have left messages and get no returned call. They feel like the system is breaking down, not knowing if the current manager is going to move into the new arena or not. Ravi stated that the client most likely wants to rent the ice below the existing rate, but doesn't know why his calls have not been returned. He will check into it.

- Advisory Board Ordinance Review:

Ravi stated that two new board members will be appointed at the March 18th to fill the vacant spots. They will be able to join us for the next meeting.

The advisory board is created by charger. There is an ordinance for the advisory board that focuses on member ship, terms of members, officers - rules & procedures, vacancies, duties

and a reserved section. Ravi read the ordinance and the board discussed what the ordinance means. The document gives very loose rules for the board.

Leroy Walker agreed with the rules once the 2 new members are in place. If the board has the opportunity to work with the full board, it can be successful. He also feels that the rule that states that if a member misses 3 consecutive meeting, he/she will be replaced should be changed to missing 3 meetings in a 12 month period. He also feels that we do not need eleven (11) members. Does not feel that we need an exofficio member from the school department. He would also like to elect a chairman at this meeting.

Amendments proposed by the city manager were reviewed.

Proposed changes:

1. Have 11 members on the board with 1 additional exofficio member.
2. Advise on Master Plan
3. Review safety report prepared by staff, submitted to the parks & recreation director and city manager by December 1st.
4. Investigation of federal, state and private programs for financial assistance and development of recommendations regarding participation in such programs by the city. The board shall also research and advise the parks & recreation director on other potential grant opportunities to apply for.

This was run by council and sent back to the board for discuss/advise/recommend. Paul Douglass asked who drafted the changes and Ravi responded that the city manager put the draft together.

Leroy Walker felt that the revised rules were circumventing the board and referred to #2 of the amendments, stating that the safety report should not go from the parks & recreation director to the city manager, but should be passed by the advisory board first for review and then go to the manager.

He also stated that the master plan should not be written into our by-laws.

The City of Auburn voted in two alternates to be available for all committees if extra people are needed. This was passed just a short time ago. If someone is missing, the alternate takes the place of the missing person.

Phil Savignano did not have a problem with having the athletic director on the board. He felt that we need to be connected rather than being in competition. If the athletic director is asked to come to a meeting vs. being a member of the board, he would not be as engaged.

Dan Poisson stated that he feels that we should leave the ordinance the way it is now and change it later if necessary. Board members liked the idea of having the athletic director on the board.

Leroy Walker brought up electing a chairperson right away. Ravi responded that it is up to the board, but he advised that the board come up with some guidelines before electing a

chairperson. One of the reasons why it hasn't been possible to elect a chairperson is that we haven't had a quorum at the past few meetings. Paul Douglass stated that there is nothing written defining a quorum. He also asked if any other boards actually have by-laws. It was determined that other boards do have by-laws, but that they are not necessary. This board has no power at all, so he did not see what substantive by-laws would accomplish as the board is only advisory. The board can use Robert's Rules of Order to run the meetings. Anyone who wants to run should throw his/her name into the hat. The decision was to wait to vote until the board was full. This will be put on the agenda for the next meeting.

Paul Douglass stated that he doesn't feel that researching grants should be required of the advisory board members.

- Open

Susan Patneaude made comments regarding the by-laws, stating that the director works with the chairperson to establish agenda items. She also stated that there should be a job description for the chairperson.

There are no clear guidelines in the ordinance about who can and can't vote, what the definition of a quorum is, and what the power of the exofficio members is, and if they are voting members. This needs to be defined. If a quorum is a simple majority, it just needs to be stated.

Leroy Walker would like to re-visit the subject of developing a dog park in Auburn. There is considerable information at the recreation office, and he would like to bring it back up. He would also like a report after the Mt. Apatite meeting.

Phil Savignano is a member of the Maine Sports Commission. They look for events to come to Maine, which brings a lot of money in to the state. The economic impact and development on the city is considerable. This would attract sports tourism to the city. It would be a good idea for Auburn to establish a similar program. The department is putting the framework together for a sports commission.

The board will be asked to brainstorm alternate uses for the Ingersoll Arena once it is closed. It was suggested that it could be used for soccer. The board will be asked to brainstorm ideas for programs/events that the building can be used for. Leroy does not want to see it torn down or used as a warehouse.

Phil Savignano mentioned that he will bring forward a report on what the Mt. Apatite task force is doing. There will be an open house, probably in May, at Auburn Hall to include geologists, bicyclists, and rock hounds.

Leroy Walker made a motion to adjourn. Seconded by Paul Douglass. All in favor.
Adjournment: 8:35 p.m.

Respectfully submitted:

Jan Biron