

MINUTES
PARKS AND RECREATION COMMISSION
TOWN OF FAIRFIELD, CONNECTICUT
October 27, 2010

A meeting of the Parks and Recreation Commission was held Wednesday, October, 27, 2010 at the Board of Education Administrative Bldg., at 7:00 p.m.

PRESENT: Ellery Plotkin; Jack Tetreau; Dante Gallucci; Bob Seirup; Bob McMaster Barbara Rifkin and Brian Nerreau

ABSENT: Stacey Zahn and Michael Hahn

ALSO PRESENT: K. Flatto, 1st Selectman; G. Lombardo, Dir Parks & Recreation; S. Kiraly, Asst. Dir. Parks & Recreation

The meeting was called to order at 7:00p.m.

I. ACT ON MINUTES: September 15, 2010

MOTION: B, Rifkin made a motion to amend the minutes Under Public Input to read: Linda Crowley spoke regarding the recommendation to place cameras at both ends of the roofs of the Jennings Pavilion, the new Penfield Pavilion, and atop the Bait & Tackle & Boating Fuel Concession Building in order to enable the police to monitor activity and review in case of an incident.

VOTE: 5-0-2 (Tetreau and McMaster Abstain) Motion Passes

MOTION: B. Rifkin made a motion seconded by B. Seirup to approve the minutes as amended above.

VOTE: 5-0-2 (Tetreau and McMaster Abstain) Motion Passes

II. COMMUNICATIONS:

1. Kevin Simmons – Burroughs Center - Laura Magnotta was present to request the use of Jennings Beach on Sunday, Feb, 5, 2011 for the 3rd annual Freezin' for a Reason plunge to benefit the Burroughs Community Center.

Motion – B. McMaster made a motion, seconded by J. Tetreau to approve the request.

Vote - Unanimous

2. Luellen Perkins- Arthritis Walk- A request was made for the use of Sherman Green on Sunday, May 1, 2011 Ms. Perkins was not present but Mr. Lombardo stated that this was a repeat event and suggested approving it.

Motion – B. Rifkin made a motion, seconded by J. Tetreau to approve the request.

Vote- Unanimous

3. Menorah Lighting- G. Lombardo reported that Rabbi Stock of Trumbull contacted the First Selectman's Office to request the use of the Green across from Bob's Stores to erect a Menorah on Dec 8, 2010. He asked that this request be added to the agenda for discussion.

Motion – B. Nereau made a motion, seconded by B. Seirup to add this request to the agenda.

Vote- Unanimous

Motion – B. Rifkin made a motion, seconded by D. Gallucci to approve the request.

Vote- Unanimous

4. Best Friends Animal Society – G. Lombardo reported that a late request had been made for use of the Sherman Green on Friday, Nov. 5, 2010 for a Pet Adoption event in conjunction with the appearance of Rachel Ray at Borders Books. He asked that this be added to the agenda for discussion

Motion – B. Rifkin made a motion, seconded B. Nerreau to add the request to the agenda.

Vote- Unanimous

Motion – J. Tetreau made a motion, seconded by B. McMaster to approve the request contingent upon Mr. Lombardo determining that they are a non-profit 501-C3 and that they do not plan to sell anything at the event.

Vote- Unanimous

III. PUBLIC INPUT – None

IV. OLD BUSINESS.

1. To hear and act upon a motion to reconsider the approval of the Gould Manor Field Renovation

E. Plotkin explained that according to the Town Attorney, Eileen Kennelly, the Commission should take up #2, let the Amer. LL make their presentation to the neighbors as promised and then, if they so choose, the Commission can then reconsider their previous approval of the plan for Gould Manor field.

2. To hear and act upon the proposed Field Renovation at Gould Manor- D. Pierpont, 82 Woods End Rd. was present to make the presentation but first asked what the reasons were for a possible rescinding of the approval so that they could be sure to address them. E. Plotkin explained that in August, the Commission had voted to approve the conceptual plan but that there were no neighbors present. At the Sept. meeting, it was requested that the neighbors have an opportunity to view the plan because they were not aware that the vote was taking place and there had been some indications that the approved plan might have changed in some ways, i.e. change in the slope of the hill, tree removal.

Mr. Pierpont then proceeded to explain that in the first draft they had measured out to fit two fields to meet LL standards and improve play by improving the surface and changing the orientation of the fields. There were no exact measurements and it was a conceptual plan. The plan tonight, which he gave copies of to the Commission and to Tony Pontecorvo, 90 Parkwood.Rd. for the GMNA (Gould Manor Neighborhood Assn.) shows what he believes to be a win for both the League and the neighborhood. He stated that there will be more room for sledding when current bleachers and fencing are removed near the current field by the playground. It will move the crowds away from the streets, it will eliminate foul balls from going into the 4 corners, will mimic a safer backstop as they have at Warde HS., will provide more space in the playground area once those fences are removed and will open up the area between the fields. There will be no fencing along the foul line areas. There will be a controlled egress in and out of the field which they believe will be much safer. He noted that there was discussion about taking down another tree on the Crestwood Rd. side but instead they moved the field 5 feet to avoid this. The red maple would need to come down. When asked about the sledding hill he replied that there is a grading plan that will be in an arc and go in about 8 feet at the center-most portion. The hill will look similar to the way it does now but pushed back between 6 and 8 feet. They are not cutting into the hill in terms of needing a retaining wall. Temporary fencing along the outskirts of the fields will go into the bottom part of the hill into sleeves in the ground and be up during the three playing seasons. Those sleeves will be capped when the fences come down. B. Nerreau asked what else is played there and learned from Mr. Pierpont that FALL (Ffld. Amer. Little League) has 95% of the permitted time. He knows that others use the field for Flag football, Frisbee, etc and there is still space to do that. Steve Schwartz, Pres. of FALL, added that “S. Kiraly said that any activity that she would put there normally could be moved to other locations.”

T. Pontecorvo spoke to the Commission stating that the field/park gets used by neighborhood kids and adults throughout the year adding “You are asking to come into what is a neighborhood park and we’re not screaming and saying no, but in all fairness to us we haven’t seen this plan. I was in Gerry’s office two days ago and he didn’t have a plan. We are asking for a set of the drawings. Let the neighborhood take a look at it and get back to you next month”.

There was then discussion about the quote, “They’d put other things somewhere else”...which Mr. Pontecorvo took to mean that it would only be LL baseball at the field. Mr. Pierpont then took exception to the inference that this was the first time the neighbors had a chance to see this plan. He said that he reached out to the GMNA several times and most recently was planning to go to an association meeting and was “uninvited.”

G. Lombardo wanted to correct the record and clarifies that the plans Mr. Pierpont had shown the Commission were always draft, conceptual plans and that yesterday was the first day that actual plans were shown to me.

Tom McCarthy, 23 Shady Brook Rd., asked, “To what extent does this plan make it safer for the kids? When this was brought up to us in May, we looked and thought the back hill was safe, Mike Hahn made the point very clear that as long as nothing precludes any other activities that go on in the park they wouldn’t have any problem with that but, 8 feet is a lot and what happens if, in grading the hill, you hit shelf?”

D. Pierpont responded that in designing the field the entrance and exit is “all over the place” no organization and we believe that putting it all in one location we increase the safety of the field 100 fold. *Jay Fain, 8 Elm St* spoke as an environmental consultant whose wife is a landscape architect. They drew up the plans and he described how they tried to organize the parking lot to an angled system with a sidewalk and a crosswalk for a safer access. The drainage will improve the footing and therefore safety in the infield. The bleachers are also dangerous in their present location. The fences and bleacher location will protect the spectators. He thought that the black locust trees should come down above the hill but

D. Pierpont interjected that they were not planning to take those down. Mr. Fain continued that the Red Maple has to come down and the grading is very minor and if they are sledding on it now they can sled on it later. If they hit ledge, they can cut the field back a couple of feet or the League can “ram out the rock, or they can change the field a little bit.” He said there will be a net gain on the sledding hill. Mr. Fain finished by saying that there is not a loss for anything or anyone.

D. Gallucci explained stated that he feels the fields are “incredibly dangerous” in their present configuration. The new plan takes outfielders out of harms way.

T. Pontecorvo said, “You have fields to play on and for 27 years this has worked. Why do you want this field now?” What is your reason for coming into this neighborhood and taking this field from what has been used for the last 27 years? The Commission explained that “They are already there and Mr. Pierpont responded, “We want to improve it. We want to make it better.”

T. Pontecorvo stated that he went to the Police Dept. and over the last 6 years there have been 6 accidents; 4 car accidents, and 2 with kids on the field, one with a ball to the head and one in the mouth. “So I don’t think we have a problem with accidents”.

Liz Hoffmann RTM Dist 8 – Asked for an opportunity to look at the plans as a neighborhood. If it’s benign and positive then of course we’re going to say ‘go ahead’. We just don’t want it pushed through. If we have a positive productive dialogue, it’s a win/win. She later stated that in the LL charter it states that they need to work with neighborhoods and that is all that they are asking, just to be heard and work together on this.

Nick Cardone 158 Coventry La.- Spoke as a Little Leaguer who learned to love baseball at Gould Manor. We are not asking for money, just permission to make the field better.

Kim Calabrese- 28 Fox Fun – Does there need to be an accident before we try to prevent one?

Walter Bernd-99 Parkwood Rd.- Quoting D. Pierpont, he wondered what is “needed” about this project? He was concerned that temporary fencing is going to be up for 6 months and that sounds semi-permanent to him. He asked about the remark S. Schwarz made about moving other activities to other places. D. Pierpont responded that he used the word “needed” because there is always the need to improve the safety of the park and the fields are sub-standard as set by the International LL Assn. He used the word temporary because they can come down. S. Kiraly responded that when the project was first brought forth the Wildcats were using the field and she thought that she could move them somewhere else. Since that time they are now practicing elsewhere.

E. Plotkin stated that the Commission voted in August and therefore would need to vote to rescind that vote if they chose to. If they did that, he asked D. Pierpont how that would affect LL plans. D. Pierpont responded that although he felt that they had done their due diligence, had followed the process and reached out and now they just want to get going with it. They don’t really have a time line. They know they need to do an RFP and line up vendors, but with leveling and irrigation things take time.

Liz Hoffmann responded that Tony (Pontecorvo) really feels strongly that he needs more time with the plans. When asked by B. Rifkin what other Town Boards might need to approve this, G. Lombardo responded that it only needs in-house certification since there is no change in use.

They have already met with Zoning and Engineering Departments. He added that they should however go to the Police.

D. Gallucci stated that they brought this up again this month because last month Liz Hoffmann said that since the neighbors felt that they didn't get a chance to talk. Now they are raising the issue of not seeing the plans.

Sara Cammarato – 175 Parkwood Rd. – She stated as a neighbor, she just wants to have a chance to look over the plans especially if they are different than they were 36 hours ago.

Tom McCarthy- Since things are still in the air about the disposition of the hill and final measurements haven't been taken, we understand that the plan was evolving. He thinks three weeks is a reasonable time to have an opportunity to look things over.

Lambert Rugani – 1466 Round Hill Rd. Give the neighbors a fair opportunity to review this on both sides and if no one has any objections it can just go forward.

After stating again that he tried to get the neighborhood involved D. Pierpont said that he was disinvited to the meeting. T. Pontecorvo responded that an email exchange between Liz Hoffmann and D. Pierpont got ugly and Tony after seeing Liz "treated badly" considered Dave "persona non grata" and told him NOT to come to the GMNA meeting.

Mr. Flatto stated that "since the concept stands approved, he offered to meet in his office with a couple of Commission members as well as representatives from LL and the GMNA for an in-house review. After that, if there are no changes, there is no reason for the Commission to take further action. At the end of the day, if you hear something you don't like then you can address it." B. Rifkin agreed with this plan and stated further to have both parties meet in Mr. Flatto's office if need be. Other members agreed that there was no reason to reconsider the vote at this time. D. Gallucci remarked that just because no action is being taken today, it doesn't mean that the Commission couldn't take action in November. J. Tetreau and B. Nerreau agreed to meet with Mr. Flatto for the review. E. Plotkin added that he hopes that the Amer. LL understands that this park is in a neighborhood and that they will be sensitive to that. No action was taken.

*****Agenda Items taken out of order to allow the Gould Manor Field audience to vacate the room.**

4. Tennis Center Renovation Plan Report – G. Lombardo reported that they plan to go before the BOS in December and will make the entire presentation to the Commission in November prior to going to the BOS so they can be sure that they are answering all the possible questions that may arise.

5. Girls' Softball Field Report – G. Lombardo reported that the plan is still in Zoning. The neighbor's are reviewing our environmental study and we are reviewing theirs. Plus they are looking at a traffic study. We had to start all over as our attorney, John Fallon removed himself from the case so that there would be no issues regarding his interests. John Knuff and Russ Green are the new attorneys and they will start over and take the plan back to TPZ for approval.

6. Penfield Renovation Project Report – G. Lombardo reported that the construction began and it should be all down by the end of the week. The plan for construction is to get the Lifeguard Station, the Concession and the Deck Area done first, then work on the inside and rental area last so as much as possible can be available for the general public.

3. To hear and act upon the Skate Park Hours – E. Plotkin reported that at the September Commission meeting it was decided to allow G. Lombardo to set hours and supervision at the park and then to report back to the Commission. G. Lombardo reported that he opened the park only under the following supervised hours of W/D 3-5, Sat/Sun 10-5 and planned to close after Thanksgiving Weekend. He received numerous calls, regarding the restrictive hours. He added that his preference was to have the park remain open but the Commission felt otherwise. There was a Power Point presentation shown by Duncan Nevard, 135 Howard St. (see attached). Mr. Flatto spoke to the Commission, stating that he was "taken aback" by the decision to open the park only under certain supervised hours, stating further that the park was approved and built with the understanding that it would be open dawn to dusk and use no Town money. He added that there will always be injuries with sports, noting Pop Warner, HS Cheerleading and others

but to choose this one sport and decide that it's too dangerous to have without supervision is "unfair". Prior to this meeting, he asked Gerry to get Town comparisons and to have someone from the Town's Risk Management come as well as the Town's insurance company to speak.

E. Plotkin remarked that skateboarding is not like the usual regulated sport or team with coaches, rules and supervision, and therefore the Commission was concerned about three things, (1)that the users were not wearing helmets, (2)that there were BMX bikes in the park and (3) that children under 3 were using the park. Therefore, they voted for this supervision with a sunset of this meeting to decide if that was the best way to go since the rules were not being followed. G. Lombardo gave a report on the comparisons of nearby CT Towns who have skate Parks. (See attached). He added that rules were definitely not being followed and that the instances of rude and disrespectful behavior were also prevalent. "The kids said they would Police themselves but that did not happen."

Ellen Thees of Beardsley, Brown & Bassett, the company who insures the Town, was present to report that although skateboarding is not more hazardous than other sports, they would like it to be supervised. She added, "I sold this to the Underwriter stating that the Town would spot check to be sure that the rules are being followed. Overtime, fewer and fewer are wearing helmets." She felt that there are two main issues; if the insurance company goes by a few times and sees that they aren't wearing helmets, they'll pull the policy because of the real concern and possibility of brain injuries. Secondly, there is the issue of integrity. The Town made a promise to the insurance Company and the kids made a promise to the Town. She finished saying, "I am hoping that you can find a way to open the park back up." When asked by D. Gallucci what would happen if the Town decided NOT to insist on the use of helmets, Ms. Thees responded that they would close the park or lose the insurance. Then asked what would happen if someone after seeing the posted rules, decided not to wear a helmet and was injured, Ms. Thees stated that if that person sued and the insurance company found that the Town was not diligent in enforcing the rules, the injured party would win.

Mary Carroll Mirylees, Dir. of HR for Fairfield spoke stating that the kids' pitch made to the BOF was persuasive and they made a commitment to "Partner with the Town". "This is about insurance, but it's also about safety and veracity; mine and that of the kids when they said they'd follow the rules. I don't want to worry that we could have made a difference and chose not to."

Jerold Rosenblum- 51 Greenbrier Rd- *Could the users possibly sign a release waiver?* M. Mirylees responded that we'd still need to have someone down there to check THAT.

John Cramer- 330 Stratfield Rd. -Spoke twice asking that bikes be allowed in the park or that a certain time be set aside for bikes. He mentioned a grant he knows about that could be applied for if bikes are permitted in the park.

Craig Stearns- 12 Benson Pl- *Asked that the Commission please find a way to open the park back up from Dawn to dusk. Offered to be part of a Parent's Advisory Board.*

Marie Stalling -5 Brookfield Ave- *"Perhaps some more communication is needed and if the kids knew that they were impacting the Town's insurance they would realize 'This is bigger than me' and think twice."* Offered to be part of a Parent's Advisory Board.

Lou Heumann- 494 Harbor Rd. - Submitted a petition to the Commission that was signed by many of the Town's Downtown merchants. (see attached).

Bernie Trueblood- 1230 S. Pine Creek Rd. - He felt that it was a real political liability for the Commission and as a guardian of a 15 year old he asked that bikers be allowed into the Park on certain nights because otherwise they are going to go downtown and possibly be injured.

Doug Adams -693 So. Benson Rd. - There is never going to be 100% compliance on any new facility. A strong message was sent and they heard it.

Mike Mangan - 21 Galloping Hill Rd. - By eliminating the early hours the younger kids are forced to skate with the older ones and then there are safety issues. Also he is strongly against adding BMX bikes into the mix.

Tom Walton- 51 Newell Pl- *Please add back the early hours for the younger ones.*

John Donovan- 164 Taintor Dr.- *If you add back the early hours there is really no need for the supervision because the parents are there.*

Robert Katz- 713 Sturges Rd. – If other Towns can keep their parks open without supervision let's try to do it too. Do spot checks but find some sort of solution.

Will Whalen 0 394 Jeniford Rd- One of the youth planners of the park, I take pride in the park and take shame if it fails.

Michael Wahlde- 43 Moody Ave. – Since the hours have changed, I can't skate.

David Becker- RTM Dist 1 Catherine St. – He feels this was a knee-jerk reaction with unintended consequences. Whether or not to have rules should not be debated, but a strong message has been sent. Our downtown is now thriving. Don't send the skaters back there.

Will Vetterer - 543 Old Post Rd. A Youth planner. Since the park was put under supervision the helmet use has skyrocketed but the park replaced an eyesore, got the kids out of downtown but now with all types of skaters skating together during this short time, with the younger ones not really knowing skate etiquette, it's dangerous.

G. Lombardo remarked that there is no money budgeted for this and if the hours stay as they are it will cost \$18K/year. He feels it's not fiscally prudent to put a supervisor down there in Jan/Feb for so few people. "I think we have sent a message, I do believe the Commission is serious."

D. Gallucci stated that he was all in favor of this when it was built but people aren't wearing the helmets and when spoken to they react a certain way. Self-Policing doesn't work. We've heard "knee-jerk reaction" but it's irresponsible and it endangers our insurance exposure. We want the skate park and we want it open as much as possible. The question is how to open it as much as possible and to enforce the rules that we need in order to keep the insurance. These limited hours were what we could afford to do because people wouldn't follow the rules and we are responsible for enforcing them, so we needed to do something.

K. Flatto asked that the Commission think about opening it and giving it another month since you've seen a change in attitude. It's true we need to do a better job of getting the rules followed. He offered to seek a Parent's Advisory Board see if they want to implement some things and report back next month. G. Lombardo stated that he'd like the opportunity to follow Mr. Flatto's advice and work on it administratively.

Motion – B. Nerreau made a motion, seconded by J. Tetreau to reopen the Skate Park from dawn to dusk with unadvertised, spot checks while giving the Parks & Recreation Department authorization to close the park at any time for non-compliance.

Vote- 4 in favor, 1 opposed (Gallucci), 1 abstain (Plotkin) B. Rifkin was not present for the vote.

Motion Passes

V. NEW BUSINESS:

1. Lake Mohegan Policies – Due to the late hour, G. Lombardo suggested tabling this matter until next month.

2. Penfield Locker Renewal Policy - Due to the late hour, G. Lombardo suggested tabling this matter until next month.

VI. BOARD OF EDUCATION REPORT: No Report

VII. DIRECTOR'S REPORT: No Report

VIII. PROGRAM REPORT - None

ADJOURNMENT: There being no further business, B. McMaster made a motion to adjourn at 10:15

Respectfully submitted,
Joan Ryan, Recording Secretary