

PARK COMMISSION

APRIL 11, 2011

The regular monthly meeting of the Park Commission was held at Town Hall, opened at 7:40 p.m., with the following in attendance:

Robert Ferrigno (Presiding)
Kevin Bellows
Vin Lipinski

Ken Martin
Anthony Chmielewski
Diane Mayo

Also,
Park Superintendent Dmitri Paris
Town Chief of Staff, Dan Nelson
Town Attorney Edward Walsh

Guests:

Gary Bean, 162 Hilltop Circle, Trumbull Babe Ruth League
Greg McDonald, 57 Raven Road, Extreme Chaos Soft Ball Program
Janice Kenney, 30 Saddle Hill Road, Monroe, CT. Yankee Dachshund Club
Gary and Dana Pugliese, 2470 Huntington Tpke, Hot Dog Cart in Parks
James Caprio, 388 N. Main Street, Seymour, Ice Cream Truck
Frank Grazynski, 21 Sharon Road, Trumbull Land Trust
Former First Selectman Kenneth Halaby and Linda Halaby, 24 Coventry Lane,
Trumbull Land Trust

PUBLIC COMMENTS:

Gary Bean, Trumbull Babe Ruth League, submitted Team Schedules and Rosters and distributed and reviewed an informational packet on Field Maintenance and recommendations prepared by Landscape Architect J. G. Lotto on Infield Skin and Composition, Mound/Home Plate, Drainage, Dugouts, Fence Repairs Field Grass and Maintenance. He presented final, Building Official signed, plans for the Batting Cage including fenced top as required, and reviewed Tree Pruning request in right field area, and questioned when water and lavatories could be available.

He added that the left corner gate was bent and repaired today. Safety Caps were installed on top metal prongs. They have selected M and M Fence Company to install the fencing. He requested permission to begin installation April 20-30. They have a new maintenance contractor this season, Gary Thoma. Mr. Thoma should set an appointment with the Superintendent and submit to him in writing his exact planned maintenance schedule for review prior to begin of work.

Mr. Bean will email Team Schedules ad Rosters to the Recreation Director.

Chairman reminded that any time work is going to be done on the fields, they and all other leagues, must first come to the Park Commission and Park Superintendent for approvals. Chairman and Superintendent will review the Recommendations of J.G. Lotto, Landscape Architect, prior to begin of their proposed maintenance program.

Superintendent noted that with the new Field Use Policy in place, no teams will be affected for this spring season. But, very important for them to know that we are going to be transitioning to the uniform policy for field time and scheduling.

Mr. Bean met with the Chairman, Mr. Martin, and Park Ranger to view the over-hanging trees. It was determined that the limbs need to be trimmed back approximately 8 feet beyond the fence line. Chairman felt that the effect on trees would be minimal. The cost to accomplish the trimming would be departmental. Superintendent will make a site visit and determine whether the trees need to be trimmed or removed. Unless an immediate hazard or effect on play, the removal will be delayed beyond the spring season.

Superintendent said Lavatories and Concessions will be available end of April. Field is currently released for play. Mr. Bean said clay was delivered and the department was able to get it immediately spread on the field.

MOTION by Dr. Bellows, second by Mr. Lipinski, unanimously passed to hear all groups not appearing on the Agenda.

Greg McDonald, Extreme Chaos Soft Ball Program:

He provided a signed 501c3 from their out-of-town sponsoring organization.

Chairman indicated we will have the Town Attorney review whether we can accept a 501c3 from an out-of-town sponsoring organization with multiple teams to fulfill their Trumbull field-use requirement.

Mr. McDonald noted that all 13 girls are Trumbull residents. They currently play in Stratford and at the Ansonia indoor facility.

Janice Kinney, Ct. Dachshund Club:

She is attending for Debbie West, 85 Old Church Hill Road, Trumbull resident who was unable to attend this evening. They are once again requesting use of Old Mine Park for their annual fun match August 7, 2011. They have cleared the date with the Recreation Department. They set-up at 10:00 a.m. through late afternoon with 20/25 dogs participating. They carry their own insurance. They clean the areas prior to leaving.

Mr. Lipinski questioned if they considered using the Dog Park at Indian Ledge for this event.

She was not aware of the Dog Park, would consider that location next year.

Chairman noted he witnessed last year's event which was very well organized and approval was given keeping in mind that the dogs are a deterrent to geese and our approvals for dog events have been for use of the Old Mine Park location with this in mind. They utilize the meadow area and the pavilion.

Gary and Dana Pugliese, Hot Dog Cart in Parks request:

They have a 4'x4' two-wheel cart that they would like to be able to bring into the town's parks and field areas similar to ice cream trucks. He noticed it was denied because of a Park Ordinance. He questioned ice cream trucks in parks.

Chairman indicated that all vending is denied which will include ice cream trucks, excepting those being utilized for Town programs.

Mr. Jim Caprio, Ice Cream Truck Request:

Indicated he has sold ice cream in the past in park areas where there are no concessions. He was curious as to why this is not allowed. People at these locations seem to like having the truck come in. He has a garbage can in the truck. He has all his health and vending permits and liability insurance.

Chairman said we are enforcing our ordinance which has been violated over the past several years. Based on our ordinance, requests for vending will be denied; however, we appreciate his coming in to have our decision clarified.

Frank Grazynski, Trumbull Land Trust:

Frank introduced former First Selectman Kenneth Halaby and his wife Linda who were instrumental in establishing the Trumbull Land Trust in 1988. Frank is past president of the Land Trust and currently a member of the Nature Commission. He explained that the Land Trust currently has 40 plus acres of land deeded for open space in perpetuity. The thought is to giving these parcels to the Town and they and the Town get the benefit to use that space. They would work together with the Nature Commission, as they have like programs, to maintain these properties. He went on to briefly describe the parcels: 27 acres off Shelton Road and Fox Road from the BHC and the Town, now dedicated as the Halaby Nature Preserve; one small buildable lot of 1.6 acres on the corner of Woodcrest Avenue and Huntington Road which was from the Nature Conservancy of Connecticut from the Poutatuck family; a small .6 acre parcel, near Great Oak Park and another 8 acres off Meadowview Road which is watershed area' one 3.5 area on Shelton border located on Friar Lane; and a small 2.5 parcel leased off Route 111 as part of the Rail Trail. These are all great spots for educational purposes. Town would take over the properties but their name would remain to keep it alive and utilized for programs. It is a win/win for the Trumbull Land Trust, which has a diminishing membership, and it would be an additional 40 acres of Town open space, rather than a 501c3.

There is very little maintenance with these properties. Woodcrest parcel covered with bittersweet. Trails are cleared by Eagle Scouts. Trumbull Land Trust would come to us for permission to create additional trails or board walks. No buildings and no fields would be built upon. It could not be built upon for any reason, it would be passive for perpetuity. If transfer happens, they would like a sign on properties stating donated to the Town of Trumbull by the Trumbull Land Trust. Their concern is that if the Trumbull Land Trust ended in the future, they want to know that the parcels would be protected as now. Town would pick up insurance.

Town Attorney Edwards Walsh stated that the Town would need to know how those properties are deeded at the present time and what are the terms of ownership. Concern for legal action if there has been dumping on any of the properties was expressed. Town Attorney said properties being proposed for transfer would have to be evaluated for any environmental concerns. The Town needs to take due diligence, accomplish title searches and engineering studies prior to acceptance of properties.

Mr. Halaby said it is his understanding that the Town could add these parcels to the Town's current policy with very little expense because there are no structures.

Mr. Martin said he did review the Deeds to the properties and is not clear on who owns the larger parcel from the BHC Company. Deed indicates BHC to Town of Trumbull. Town may have dedicated the parcel to the Land Trust. Title Search is necessary.

Kenneth Halaby the Trumbull Land Trust was created when it was first known that the Pequonnock Valley property was going to be sold by the Bridgeport Hydraulic Company and over 300 people joined in order to prevent the sale of the property to developers. The land was subsequently purchased by the State and the Town. The Trumbull Nature Commission has offered to take over a lot of programs that the Land Trust had been providing. We thought this is the time to do this transfer. It is not necessary to maintain two organizations doing the same things. This would be the best way to give the properties back to the Town and keep our identity in so doing. The Trumbull Land Trust is grateful for your consideration of this proposal.

Chairman thanked them for their attendance and offer of their property to the Town to increase our open space properties and requested they submit their property documents to Dan Nelson, Chief of Staff at Town Hall, for review by Town Counsel.

MOTION by Mrs. Mayo, second by Dr. Bellows, unanimously passed to close the guest portion of the meeting.

MOTION by Mrs. Mayo, second by Dr. Bellows, unanimously passed approving the minutes of the March 14, 2011 meeting as distributed.

MOTION by Mr. Chmielewski, second by Mrs. Mayo, to approve the use of Old Mine Park Sunday, August 7, 2011 by the Connecticut Yankee Dachshund Club.

Discussion:

Mr. Lipinski noted we have a non-Trumbull resident requesting this event on behalf of a Trumbull resident. He feels they should be using the Dog Park for this event.

Chairman reiterated that use of Old Mine Park for dog events has been approved as it is a deterrent to geese and Old Mine is a picnic setting. These are serious “show” dogs.

Attorney Walsh indicated the recommendation of the Town Attorney is that they should provide a limited event policy of insurance naming the Town as additional insured for that date. Limits of liability should be \$2,000,000.

Mr. Martin was concerned with an open park which is utilized by a residents impacted by a dog event. He suggested we should perhaps have a Waiver from each participant.

Attorney Walsh agreed, some type of Waiver should be required. A specific Waiver drafted by the Town Attorneys’ Office for all participants to sign minimizing the risk.

Mrs. Mayo felt the Organization is taking all the responsibility. If we are going to be adding the Town as an additional insured, it’s okay.

Attorney Walsh felt Waivers need to be signed individually. State is very strict about waivers. We should do the best we can to balance it and protect the Town. A Waiver is another defense to a claim. Worthy to have an added layer of protection.

Mrs. Mayo suggested the Town Attorneys come up with a general waiver and require the appropriate insurance. Mrs. Mayo withdrew her Motion as stated.

MOTION by Mrs. Mayo, second by Mr. Chmielewski, to approve the use of Old Mine Park Sunday, August 7, 2011 by the Connecticut Yankee Dachshund Club contingent upon the submission of an insurance certificate naming the Town of Trumbull as an additional insured for the event and the signing of a Town Waiver by all participants to be submitted to the permitting Recreation Office prior to the event with any supplemental waivers from day of event submitted to the Recreation Office the first work-day following the event.

Vote: Three in Favor: Mr. Chmielewski, Mrs. Mayo, Dr. Bellows.
Two Opposed: Mr. Martin and Mr. Lipinski

MOTION CARRIED.

Correspondence Request:

From the German Shepherd Dog Club of Greater New Haven, Inc. requesting use of Old Mine Park on Sunday, September 4, 2011 for a match.

We will request a representative of the Club attend the May 9, 2011 meeting of the Park Commission in this regard. We will request that if approved, the Town be named additional insured on their insurance certificate in the amount of \$2,000,000 and request Waivers be submitted prior to the event.

MOTION by Mr. Lipinski, that we request the Town's Purchasing Agent prepare a Request For Proposal for food items in parks without concessions to be formulated by Mr. Lipinski and presented at the May meeting for consideration.

NO SECOND

MOTION FAILED.

MOTION by Dr. Bellows, second by Mrs. Mayo that the Park Commission hereby endorses the presentation by the Trumbull Land Trust to transfer its forty 40 plus acres of open space to the Town of Trumbull for open space in perpetuity and the land constituting the premises shall be preserved and maintained forever in its natural, scenic state, open and free of development, and shall be used only in such a manner as will conserve its natural beauty and resources; and, said proposal shall be referred to the Trumbull Town Council for its consideration and approval once legal review and environmental studies of all parcels is completed.

Discussion:

Mr. Martin expressed concern over who owns the Red Fox Lane Parcel as Deed indicates Town of Trumbull.

Vote: Four in Favor: Dr. Bellows, Mr. Lipinski, Mr. Chmielewski, Mrs. Mayo.
One opposed: Mr. Martin

MOTION CARRIED.

OLD BUSINESS:

Discussion on Use of Fields Requests:

Sea Hawks, Extreme Chaos, both need their 501c3's finalized.

Trumbull Lacrosse needs to have its request and paper work submitted.

MOTION by Mr. Lipinski, second Mrs. Mayo, and unanimously approved to inform Trumbull Youth Lacrosse Organization that they need to apply for field use in the way other sports organizations do.

Mischa Brook Park:

Mr. Martin reported that the stream culvert is once again blocked. As background, sewer construction went through the park, a temporary service road was installed, the stream bed eroded and water ran over the service road, the culvert was clogged and in the fall it was unclogged. The culvert is once again clogged.

MOTION by Mr. Martin, second by Mr. Lipinski, unanimously approved to send a letter advising the Town's Engineering Department and Tiegh and Bond Engineers that the sewer installation temporary service road culvert in Mischee Brook Park is once again clogged and should be remediated.

NEW BUSINESS:

Mr. Martin provided a copy of an advertising card for a private for profit Trumbull's Fitness Boot Camp Program (first Class Free, Affordable Packages Available) within Trumbull parks system. Photos show use of Town Park Property for outdoor classes.

MOTION by Mr. Martin, second Mr. Lipinski, unanimously approved to refer the advertising card to the Town Attorney to send a Cease and Desist letter to Fitness Boot Camp promoters .

Mr. Martin had a call from a Frenchtown School Teacher to complain that her request to bring her classes to the Indian Ledge Water Park had been denied as we no longer allow organized group events be bussed into parks. Hers would be 25 youngsters for a picnic to be bussed in and then a second group with the same approximate number. Parents join in private vehicles.

Mr. Martin attempted to explain the problem with taking time from residents wishing to utilize the sprinkler park as well as limited parking spaces because parents join in their private vehicles and we no longer allow parking on the street because of the hazard. He invited her to attend one of our upcoming Park Commission meetings to voice her concerns with limited use of Water Parks.

Further discussion on use of water parks will be included on the May Agenda.

Superintendent's Report:

- Old Mine River Dam boards are in and area being stocked again this year.
- Much Erosion and drainage on Trails in the Valley.
- DEP funds provided pass-through of water at base of White Trail.
- He reported that one of our Mason Body Dump trucks was determine completely out-of-service and un-drivable during the budget process (so not at the point of preparing our budget request). He will need to request a Special Appropriation to purchase a truck with a five-year lease from the Board of Finance.
- Manpower is currently critical: Two out on workers comp, three on sick leave, one retiring. We will phase in projects to open this season.

MOTION by Mr. Lipinski, second Dr. Bellows, unanimously passed to request the Board of Finance consider a Special Appropriation to purchase a replacement vehicle for one which is no longer deemed drivable and removed from the fleet.

MOTION by Mr. Chmielewski, second by Mrs. Mayo, unanimously passed to send a letter to the Director of Public Works urging him to fill the vacant position in the Park Department as quickly as possible as the vacancy has a great effect on the operations of the Parks Department.

MOTION TO ADJOURN at 11:35 p.m. by Mrs. Mayo, second Mr. Chmielewski, unanimously passed.

Respectfully submitted:

Joan E. Plouffe
Clerical Administrative Assistant

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