

New Haven Board of Park Commissioners

Meeting No. 1461

Zoom Conference Meeting

October 20, 2021

New Haven, CT 06513

Present: President Belowsky, Commissioner Ernie Santiago, Commissioner Hector Torres, Commissioner Kevin Walton; Aaron, Ann McGuire, Marge Ottenbreit, Jane Comins, Maggie Nardini, Marian Huggins, Patricia Wallace, Susan Klein, Victoria Vebell
Absent: Commissioner Carl Babb; Thomas Verderame
Staff: Director Jeff Pescosolido, Deputy Director William Carone, Director Gwen Williams, Tariq Dasent, Katherine Jacobs, Catherine LaMarr

I. **Minutes of Meeting #1460: Motion to approve Minutes of Meeting 1460. Motion Seconded.** Commissioner Kevin Walton has unreadiness regarding the minutes. He wants the record to reflect there was a suggestion to talk to President Belowsky regarding the donation from Fantasy of Lights (Rich Borer). President Belowsky believes the donation was higher previously. President Belowsky will reach out to Borer and ask for an increase in the payment to the city. Commissioner Ernie Santiago pointed out the donation is a percentage received not a set amount so it can fluctuate each year. **Unanimously approved. Closed.**

II. **Treasurer's Report: Treasurer's Report was not received.** President Belowsky is not happy that he has not been signing checks or receiving treasurer's reports. **Since no report was received there is no vote.**

III. **New Business:**

- President Belowsky stated he was contacted by Fred Norman regarding the brush at the back of the backstop at Amrhyn Field. Deputy Director Carone stated he will look into clearing it.
- A few people have reached out to President Belowsky about trees. In front of 710 Woodward Ave and 130 Bristol St there are a couple trees that need to be looked at. The tree at 130 Bristol St looks hollow to President Belowsky, and he was unable to look at the one on Woodward. There were two trees removed a while ago from Woodward but there is still one tree there that seems to be dying.
- Commissioner Santiago asked if the field near John Martinez school belongs to parks or Board of Education. Deputy Director Carone stated no one really knows. They typically help each other to maintain the field. Carone stated they are aware the field is overgrown and trying to come up with a schedule to get it cut for the season. Commissioner Santiago stated they are finding needles in the field so the guys should be careful when cutting.

Little Libraries – Elm City Park Conservancy

Marge Ottenbreit President of Elm City Park Conservancy mailing address 720 Edgewood Ave New Haven, CT, and Ann McGuire a board member for the Friends of Fort Wooster on Beacon Ave in New Haven. They requested permission to put up a little library in Fort Wooster. The library would be placed at the top of Beacon Ave near the park. Also, looking to place libraries in East Shore Park at Hannah's Dream Playground and at Peat Meadow Park. The library is a standard box used around the country which volunteers will put together. They do not need the

help of the Parks Department they are only need the permission from the commissioners so they can set up in early spring. Commissioner Kevin Walton asked how the little libraries would work in the parks. McGuire stated there would be books in the box that children could borrow or keep. The library would be registered with Little Free Library online and they will send free books in both English and Spanish to fill the library. There will be good quality hard cover books on all subjects and topics, mostly the younger ages. Commissioner Walton asked if any libraries were operating now in the parks. Ottenbreit stated there are not any in Fort Wooster but there may be some in other parks. McGuire stated at one point the city had someone making the boxes. McGuire wanted to know if the person from the city still had to be used of if their person could build the libraries. Commissioner Walton stated Deputy Director Carone will investigate who must build the box and get back to McGuire. Commissioner Walton stated if the libraries are approved that the boxes would have to be uniformed and look the same in every park.

Commissioner Walton stated action will be taken at the end of the meeting.

Little Library- Maggie Nardini

(Maggie Nardini is presenting and not Holly as Holly is her mother and Girl Scout leader.)

Marian Huggins a librarian at Mitchell Branch, 37 Harrison St, introduced intern Maggie Nardini. Nardini is a senior in high school and a Girl Scout. The highest award in Girl Scouts is the gold award, and this is what the project is for. Nardini is looking for permission to place a little library near the playground at South Genesee St. The books will be provided by the library. Volunteers will diligently watch to make sure the library is being used correctly.

Nardini stated she is installing little libraries outside of Wilson and Mitchell on November 2nd and it would be ideal if the South Genesee location could be approved so can install on November 2nd as well. Commissioner Walton asked Nardini would she be building the little libraries herself. Nardini responded she has built them already and is in the final stages of painting. Commissioner Walton asked McGuire if Nardini is someone that could be used to build their little library. Nardini stated although she is building her own little libraries Jim O'Hare the facilities manager for the New Haven libraries will do the installation. Commissioner Walston stated he commission will take action and Deputy Director Carone will get back to you.

Splashpads at Goffe St. Park – Alder Jill Marks

Alder Jill Marks did not show up for the meeting.

Marge Ottenbreit stated she was working with a group at McClain Park on Washington Ave and the splash pad was vandalized. Ottenbreit wanted to know if there was any plan to get the splash pad back up or rebuilt. President Belowsky stated Deputy Director Carone would know however he was on the phone trying to call Alder Jill Marks. President Belowsky stated he would like to get the splash pad up and running again but they need to get a plumber out there to correct the problem.

Playground Rule Sign for Goffe Street Park – Katherine Jacobs

As part of improvements to Goffe Street Park Katherine Jacobs is proposing installing a new playground rule sign to the two entrances of the playground. Before moving forward Jacobs is seeking approval of the sign as there is not a standard playground rule sign. This is the same format and size as an existing rule sign that is in the park which will be replaced because it is in poor condition. President Belowsky asked about smoking being on the rule sign. Jacobs stated she was unaware if smoking was prohibited. Commissioner Walton and President Belowsky stated smoking was prohibited. Jacobs stated she would add no smoking.

Commissioner Walton questioned if playground rules were at all parks, Jacobs stated no. Commissioner Walton asked so then why Goffe St to which Jacobs stated because it is new. Commissioner Walton asked what is new? Jacobs stated improvements were done including installing a fence that encloses the playground. Jacobs stated Alder Marks has requested signage be worked on at the park. Commissioner Walton disagrees with the rule children must be supervised by an adult. Jacobs stated that is a typical playground rule. Commissioner Walton would like to know what playground is that a rule in. Jacobs stated any playground that does have rule signs has this rule on it. Also, it is a standard rule on any sign you purchase from a playground manufacturer because playgrounds are not designed so that children will be unsupervised. This is an industry standard guideline. Commissioner Walton stated he has never heard of this industry standard. If there is going to be a sign at Goffe St with this rule than there should be a sign at every park with this rule. Commissioner Walton questioned how old the children must be to be unsupervised. Jacobs stated she guessed 12 years old. This rule will not be enforced to that level of specificity. The intention is to communicate to families that the playground is not designed in a way that is going to one hundred percent protect your child from harm and in general there should be adults present to help protect the children. Commissioner Walton thinks the sign needs to be changed and it needs to be more specific. The sign as it is gives the idea that there can be enforcement and puts children in danger of interaction with police. Jacobs stated, currently any parks that have rule signs do have this rule. Commissioner Walton questioned what parks have rule signs. Jacobs stated off the top her head the West Rock Playground just has a sign that says children should be supervised. Commissioner Walton stated should be and must are two different words. Commissioner Walton asked Jacobs for the next meeting to have a list of all the parks with signs and what those sign state. Commissioner Walton does not agree with the rule that children must be supervised by an adult as this just does not happen in some neighborhoods. A park may be a child's only refuge. Commissioner Walton thinks this should be reconsidered. Director Gwen Williams asked Commissioner Walton is it the verbiage that could change that could give it laxity so there is no police interaction. Director Williams pointed out Jacobs made the statement should be versus must be. Must be means you can get legality involved but should be is suggestive. Commissioner Walton agreed and pointed out if safety is a concern there should be a message to parents. Commissioner Walton wants the verbiage changed and wants to ensure this is equitable across the city, so every park has the same sign and rules across the board. Jacobs stated the idea of presenting for one park is because there were improvements to Goffe St. Park. Jacobs stated it may take some time for her to review what is at all the parks as there are many city parks. President Belowsky asked if Scantlebury Park has a sign as it is a new park. Jacobs was not sure if there was a sign there. Deputy Director Carone offered to help Jacobs. Jacobs stated over the course of the next few months she will work on Commissioner Walton's request. Commissioner Walton stated this is an equity issue and he does not want to single out one park. He is fine if it takes two months to get this information, he just would like to have it. Jacobs stated this sign is a request from the neighborhood, so this is not something that Jacobs is imposing.

FOIA – Catherine LaMarr

The city of New Haven has adopted new FOIA compliance rules. Everyone in the city will receive FOIA training however, the Parks Commission has been ordered to have training because of a complaint about a particular meeting. Catherine LaMarr trained only on the public meeting portion of the Freedom of Information Act. The general rule is all meetings of public agencies are open to the public except for Executive Sessions. Public agencies include municipalities and their boards and commissions. A public meeting is any hearing or other proceeding by a public agency and any communication by or to a quorum of a public agency, this includes emails and text messages. If you discuss anything over which you have

supervision or control that is a public meeting. Meetings do not include birthday parties or other social events not intended for the purpose of discussing meetings or for official business. Doesn't include strategies or negotiations with respect to collective bargaining. Doesn't include a meeting of a search committee, a caucus of members political party, administrative staff meeting, or communication limited to notices of meetings. If you have a quorum of your members that are attending another meeting that is not a public meeting for you.

There are five acceptable reasons for an Executive Session.

- 1.) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee. (Employment reasons)
- 2.) Strategy and negotiations with respect to pending claims. (Litigation)
- 3.) Matters concerning security strategy or the deployment of security personnel.
- 4.) Discussion of a site lease. Anything that has to do with the disposal, purchase, or sale of real estate.
- 5.) Discussion of any record that would be exempt under the Freedom of Information Act. (Such as attorney client privilege or HIPAA data.)

Please remember any time you go into Executive Session you must have a motion to enter Executive Session, you must state the purpose of the Executive Session, and it has to be one of the items mentioned above. President Belowsky asked LaMarr if certain accounts are privileged to the Parks Department do we have to discuss at our regular meetings if we have our financial advisor come or can we have an Executive Session. LaMarr asked if the financial advisor would be providing you with materials that would be exempt under the Freedom of Information Act. President Belowsky asked what the exemption is. LaMarr stated there are thirty-seven exemptions. LaMarr stated if President Belowsky is interested in a specific document that he would like to know if discussion of that would be appropriate for an Executive Session, then he can send a sample of the document and she can give him advice. Commissioner Santiago asked if the exemptions can be emailed to them or if that is privileged. LaMarr said she can email them the exemptions.

There are three types of meetings.

- 1.) Regular – regularly scheduled meetings.
- 2.) Special – those things outside of regularly scheduled, meetings that are to address special or time sensitive matters.
- 3.) Emergency – must be a true emergency something that is unpredictable and unavoidable. Something that needs immediate action. Extremely rare.

There are different requirements for different types of meetings. For regular meetings you must file a notice with the City Clerk by the 31st of January, or 30 days in advance of meeting. Special meetings need 24-hour notice. There is no notice requirement for emergency meetings. Hybrid and remote meetings, the requirement is 48 hours. The reason for this is the public may request in writing 24 hours before the meeting that they have a physical location be made available to participate. The city has 2 meeting rooms which can be used for a hybrid or remote meetings upon the request of the public. Agendas for regular and special meetings need to be available 24 hours before the meeting filed with the City Clerk's Office. No agenda is needed for emergency meetings if the emergency is justified. If you would like to add things to your agenda notice you can at your regular meeting with a vote of 2/3rds of your members. You can not add items to special meetings. The agenda for a special meeting is set. For emergency meetings only emergency matters can be considered. If you are conducting a remote meeting and you are using handouts of any kind as a matter of courtesy LaMarr suggest posting those documents on the website.

The record of the votes is one of the issues that caused the Freedom of Information commission to order this training. Votes of all action taken must be posted within 48 hours after a meeting and this is true for regular, special, and emergency meetings. Hybrid and remote meetings must be recorded, and votes taken by roll call. Minutes must be posted for a regular meeting within seven calendar days after a meeting. Minutes must be posted within 7 business days after a special meeting, within 72 hours of an emergency meeting and a recording of a meeting must be posted within 7 days, and it must stay up for at least 45 days for hybrid and remote meetings. All meetings need appropriate meeting behavior this including meetings through email. Comments of the public are not required by the Freedom of Information Act. Tariq Dasent asked LaMarr how far back the meeting minutes need to go when posted on the city's website. LaMarr stated she would get back to her because she is unaware of anything under the Freedom of Information Act but there may be something under records retention requirements. LaMarr thinks it is helpful to the public and city employees to be able search minutes as far back as possible.

LaMarr pointed out an issue with the vote on the minutes in the meeting. LaMarr pointed out there was a motion, a motioned was seconded, and then there was discussion all of that was correct. However, there was no discussion on how the minutes were to be amended and then there was not a roll call vote. President Belowsky asked LaMarr to explain a roll call vote. LaMarr said a roll call vote is some way to identify how each member voted on a particular item. Consensus is not a vote. If you have a unanimous vote than you do not have to do a roll call of names but if you have a nay, then you must do a roll call vote. The vote needs to be clear.

LaMarr stated any time there is a question about FOIA compliance feel free to contact her.

IV. Old Business:

Ciociola Memorial Bench – Katherine Jacobs

Katherine Jacobs met with the family to go over location options as Jacobs was not comfortable with the family's initial pick due to a visibility issue. Their bench will have a memorial plaque and the addition of the deceased family member's initial on either side of the bench in the concrete. Additionally, because of a car accident there is a need for a new bench. Jacobs will circle back with the family to see if the available spot works for them. President Belowsky stated the bench must be standard. Jacobs stated the bench is standard the only difference is the engraving.

V. Director's Report Parks & Public Works:

- Status quo from meeting last month.
- Filling 3 caretaker positions.
- Still busy with sporting events, permits and other events, the weather has been warm, so the parks are still busy.
- The Christmas Tree tie up in Cheshire is going well planning to bring to the Green next week.
- Assisting Pop Smith with their batting cage project.
- Milling on Fort Hale Park Road is complete, and paving should begin next week.

- The department is looking into guard rail replacement city wide. There was a recent accident at the Seawall on Townsend Ave. The current system at the Seawall on Townsend Ave is in review with the engineers and it is deemed to be insufficient. If there are any changes to the single post system Director Jeff Pescosolido will present to the commission. President Belowsky stated the guard rails at Fort Hale Park Road are in disrepair and would like to know when those rails will be addressed. Director Jeff Pescosolido stated a city-wide inventory was taken and the rails at Fort Hale Road have been added to the list for repair. There is money that is earmarked for guard rail repair throughout the city which includes city parks.

Director's Report Youth & Recreation:

- Hired 1 park ranger and will post again for an additional ranger.
- 2 positions open for rec specialist supervisor.
- Fencing for Clinton Ave fields has come in and just waiting on installation.
- Trunk or Treat will take place at Edgewood Park on Sunday, October 31st. Will stick with the drive thru methodology to get candy due to Covid.
- An email was sent to the commissioners regarding the issues Director Williams is having with Barnard School and Barnard Nature Center. Director Williams is requesting any information on any MOU or contract with Barnard School. Barnard School does not have enough space and is now having classes for 6 periods in the Nature Center displacing the ranger. They are also having afternoon activities. The issue at hand is the custodians will not come across the bridge to clean and they are adamant the park rangers should be cleaning the toilets in the bathrooms. The doors are being left open and Director Williams is afraid this will cause an unsafe environment. Barnard School emailed Director Williams some pages of a document however it was not signed. Also, Director Williams reached out to Corp Counsel, and they do not have any documentation of any agreement with Barnard School. Director Williams is hoping the commission has some information or insight on this matter.

President Belowsky cannot remember what the agreement was between parks and Barnard School. Director Williams has no issue maintaining the site if it is her responsibility. Commissioner Walton asked who has Director Williams been in discussion with at Barnard School. Director Williams stated the principal at Barnard School has been having conversation with the ranger at Barnard Nature Center. Director Williams was unaware until last week when she spoke with her park ranger of what was going on. Commissioner Walton questioned if Barnard School is using the facility but wants the parks department to maintain it to which Director Williams stated yes. Director Williams is being told that is the agreement. Commissioner Walton asked what Barnard school was doing in prior years. Director Williams stated they were not using the building much prior to Covid. However, since they do not have space this year, they have assigned the Nature Center as a permanent classroom. Commissioner Walton stated if Barnard School is using the space as classroom space versus as a visitor, then they should be contributing such as doing maintenance. Director Williams agrees however Barnard School is stating there is a contract. Director Williams cannot verify or deny it as she has no history on the agreement. Commissioner Santiago stated if they say they have an agreement then they need to provide the agreement. Commissioner Santiago asked if the BOE asked if they could use the Nature Center as a classroom. Commissioner Santiago wanted to know if they were supposed to come to the board to ask for use of the space. Commissioner Hector Torres asked if the school can be evicted.

Commissioner Santiago stated we can tell them they can not use it. Commissioner Walton thinks that would be a good idea, but he would like to be able to work with them if possible. Catherine LaMarr stated if the documents that Barnard school is presenting has a date on them then reference the minutes from the Parks Commission from around that time and see if there was any action taken. Commissioner Santiago asked Director Williams to let the BOE know the stance of the commissioners and they are looking for the agreement just in case someone gets hurt in the meantime. Commissioner Santiago said if it were up to him Barnard School would stop using it right now.

- There is a Halloween parade that will be happening in east shore in the Annex area however no permits were given. The parade will empty out into Nathan Hall Park.

Director Williams stated the Legislative Services Director contacted her regarding whether a permit was granted for the annual Halloween parade that starts in the Annex. Townsend Ave has been shutdown by the State as it does not need city permission. Director Williams issue is the parade will go into Nathan Hale Park and no permit has been issued. Director Williams is concerned someone can be hurt. Commissioner Walton stated he is not aware of any of this. Commissioner Walton stated if they will be using the park then a permit is required. Since, the commissioners are unaware of this event Director Williams will reach out to the organizers so she can send them a permit request. Commissioner Santiago stated Alder DeCola is usually involved in the parade and she should contact him.

Patricia Wallace of friends of Kensington Playground addressed the commission to let the commission know a majority of the community management teams have now approved the resolution that was presented to the commissioners in the summer. In this resolution Wallace asked the commission to adopt a policy to have at least 1 playground in every neighborhood, the playground be fully equip (playscape, water element, trees for cooling), and the parks commission would not sell the only playground in a neighborhood or give it away. Wallace read decades of past meeting minutes and in 1903 Wallace found the first record of playgrounds being mentioned in a very affirmative way. Wallace believes it would be fitting after 100 years for the Parks Commission to approve a policy that simply commits to that. Wallace would like for this policy to be taken off the table and considered. Wallace would also like to know when it will be considered. Commissioner Santiago asked Wallace if she knew of any neighborhood that did not have a playground. Wallace provided a table to the parks commission where she did her best to organize the playgrounds by neighborhood. Wallace is not aware if her table is correct, she would need the commission to look over it. Right now, technically the Dwight neighborhood does not have a public playground as the city voted to give it away. Wallace thinks there may be one other neighborhood that doesn't have playground or only has one. Wallace thinks the first step is to really look at what is the city-wide configuration on a neighborhood-by-neighborhood basis. Commissioner Santiago also thinks the availability of the site would be good to look at because if there is not an available site to build a playground then a playground can not be built. Wallace thinks all this need to be looked at as not all playgrounds have a playscape, splash pad or trees. Wallace believes the Trust for Public Land and the Urban Resources Initiative have been doing a survey of playgrounds. Wallace believes it would be good for the commissioners to look at in light of the policy proposal.

Motion to adjourn. Motion Seconded. Unanimously approved. Closed.

Meeting Adjourned: 7:17 PM

Minutes Submitted by: Tariq Dasent, Executive Administrative Assistant to Park & Public Works

Next Meeting: November 17th, 2021

Location: Zoom