

**TOWN OF FAIRFIELD
PARKS AND RECREATION COMMISSION
Minutes of May 20, 2020**

A tele-conference meeting of the Parks and Recreation Commission of the Town of Fairfield was held on Wednesday, May 20 at 7:00 p.m. at the Eunice Postal Recreation Center, Fairfield, Connecticut.

PRESENT: Scott Walker, Chairman; Brian Nerreau, Jamie Benton, Bridget McBride, David Weber, Chris McCoy, Mary Von Conta, and Jessica Gerber

ABSENT: Caitlin Schmidt

ALSO: Anthony Calabrese, Dir. Parks & Recreation and Justin Cathcart, Marina Manager

Chairman Scott Walker called the tele-conference meeting to order at 7:00 p.m. He asked the members to identify themselves when speaking and voting.

I. ACT ON MINUTES OF: February 19, 2020 – Hearing no objections, the minutes were approved as written.

II. PUBLIC INPUT: Henry von der Linden, 120 Florence La & Dan Jagoe 416 Joan Dr.

An email was received on May 18 regarding M stickers for partners in a boat slip. Mr. Cathcart explained that a partnered boat ownership is in fact not taken into consideration when slips are assigned. Regardless of boat ownership, only one person is the slip owner. Rules state that the owner of the slip is granted two M (Marina Only) parking stickers. The gentlemen asked for a review of the policy for granting stickers, and while not asking for more stickers, they are asking that one be assigned to each partner. Due to the pandemic situation, The Emergency Management Team made the decision to limit parking to M stickers only. No one else, including, in this case, the co-owner of the boat, can access the parking lot. Kyle Fournier of the Public Works/Marina staff expressed concern that partnerships should not be considered by the Commission as this could be result in non-residents obtaining parking passes. Most members felt that if both partners can prove that they are residents and co-owners of the boat, then they could each be given a sticker. Mr. Calabrese suggested that while the Covid-19 rules are in effect, perhaps, Mr. Cathcart can give a placard to the co-owners, or a list is left at the gate for the guards. Mr. Walker asked if this was conflicting with the reason for the rule, to limit the number of people parking there in the first place. Mr. Calabrese will take this to the Emergency Management Team. The Commission did not take any action.

III. Ratification of Action Taken Between Meetings:

Mr. Walker explained that since the Commission had not met during the pandemic, the Department needed to make some decisions regarding Special Events and items that normally would have come before the Commission, The staff would like to make the Commission aware and to be sure that there were no objections to the items listed.

- A. Kiwanis Club Field of Flowers – July 1-8
- B. Reschedule of McKinley Carnival October 19-25
- C. Reschedule of Holy Family Carnival May 17-24, 2021
- D. Reschedule of Half Marathon and 5K - September 12/13
- E. Farmer's Market – Delay two weeks until June

Motion: B. Nerreau *moved*, and J. Benton *seconded* to approve the slate of items presented, which were dealt with by the staff between meetings.

Vote: 5-0-3 (*McCoy, Von Conta and Walker abstained*)

IV. NEW BUSINESS:

A. South Benson Marina Appeals

Mr. Walker let the members know that there are three South Benson Boaters who are appealing their removal from the Marina due to late renewal. The boaters are present on the line and were heard separately as to why they feel they should be permitted to retain their slips.

1. Mr. Kris Ciccarelli, 166 Eastfield Dr. – Mr. Ciccarelli explained that they had technical/email/phone issues and medical issues. They realized on February 27 that they had not received any renewal notification and reached out to Mr. Cathcart. They were told then to appeal. Per Mr. Walker's request, Mr. Cathcart confirmed the numerous contacts made to all boaters.

2020 Renewal notification process

Applications emailed out 12/18/19.

Posted on the Marina Newsfeed from 12/18/19 to 2/26/20

Newsletter emailed 1/10/20

CodeRED call 6pm 1/22/20

Email sent to all slip holders 2/3/20

Email sent to all slip holders 2/12/20

Deadline 4:30pm 2/19/20

Email sent to 32 non-responsive slip holders on 2/20/20 informing that they had missed deadline, 3 slip holders responded that they forfeited their slips

Mr. Ciccarelli stated that he received none of the notifications because they changed emails and did not notify the Town of the change. Ms. Gerber asked about the phone numbers on the application. They no longer have a home phone and they did not get the call or update the Town. At the time, the Town did not have the cell phone number. Mr. McCoy asked how many years the Ciccarellis have had a slip to which he was told 8 years and that they had never filed an appeal in the past. He stated that they were preoccupied by medical issues and as soon as they realized they hadn't renewed they reached out. They are not contesting the \$250 late fee. Mr. Nerreau asked about the current application and the phone numbers. Mr. Cathcart explained that the applications are prefilled with information from the Department's software based on the prior year's information unless since updated. Mr. Cathcart was asked if the Code Red goes to both phone numbers. He believes that the call does go to both but he will research that. Mr. Ciccarelli stated that he had never received the notification on the second number, which is his cell. He explained that it was merely the time of year that prompted him to call.

Mr. Nerreau wanted to explain that he will make a motion to approve the appeal but he does so with hesitation given past work on this problem and all that Justin goes through to notify all the boaters. But given that Mr. Ciccarelli reached out within a week of the deadline and that there were notification issues he will make the motion.

Motion: B. Nerreau *moved*, and D. Weber *seconded* to approve the appeal to retain his slip made by Kris Ciccarelli

Vote: 7-1 (*Walker opposed*) **Motion Passes**

2. Michael (Max) Rothman, 62 Louvain St. - Mr. Rothman stated that he owned a business in Town for many years and sold it in September unknowingly along with the email and phone number attached to the business. These were the means of notification attached to the boat slip application. He stated that they have loved the slip for many years after waiting 10 years to attain it. Mr.

Rothman noted that he assumed that with the Covid 19 Pandemic that the Marina was closed. He received none of the notifications. He asked for consideration and stated that he believes that he is in the same situation as the previous appellant. Mr. Nerreau asked why the appeal took nearly two months, submitted April 17. Mr. Rothman stated that he has been in the marina 8 years but moved to a new job out of state, life has been very busy, and he thought that because he received no notifications that the marina was in fact closed. When the weather got nice, he wondered why he hadn't received any notification so he then contacted Mr. Cathcart. Mr. Nerreau questioned Mr. Rothman's assumption of the Marina being, as the applications were first sent out in December, the deadline was mid-February, and things didn't start closing due to the pandemic until mid-March. Mr. Rothman stated that he isn't great about keeping a calendar and he awaits notification from the Town. Mr. McCoy asked why, after being on a waitlist for 10 years and having the slip for 8 years, you would not be alert to the fact that mid-February was renewal time. He also question why the Covid-19 issue later in March would cause him not to renew in February.

Mr. Rothman agreed that he was at fault for waiting as long as he did, but previously he received notification and really never knew when the renewal date was. He stated that he acted on the notifications and receiving none, he did not act. As things started to go on, in March he still hadn't received anything and he assumed that the Marina would be closed. Mr. McCoy felt that as with taxes on April 15, he should know the deadline for slip renewal, Ms. Gerber likened it to the Parking Pass for the train station and the onus should be on the slip holders considering that there are many waiting on waitlists. Mr. Rothman agreed that he should have been more proactive but asked that he be given consideration given the current circumstances, and that he received no notification, due to incorrect contact emails and phone numbers. There was discussion about the change from mailing renewal letters in past years as opposed to the recent years by email and phone. Had he thought that these were the contacts the Town had, he would have corrected them. He understands that it is possible to ask for a letter rather than an email or phone call. He maintains that he was never contacted by the Town this year, which he does not hold the Town responsible for. Mr. Rothman has no objection to paying the \$250 late fee for missing the deadline

Mr. Walker noted that appeals have been an issue for years and that the Marina Sub-Committee worked very hard several years ago to make changes to ensure that the Marina Manager and Commission did not wind up in this situation as was the case several years ago when almost 50 people missed the deadline. He feels the application is purposely very clear and he read from the capitalized wording on the current application. See wording italicized below.

Time is of the essence with regard to all filing deadlines. It is the responsibility of applicant to be aware of the filing procedures and to make sure that the Town has proper contact information. The Town will not be responsible nor will waivers be granted for missed or improper communications, No slips or stickers will be made available until all fines are paid.

Mr. Walker also noted that the previous paragraph assigns April 15 as the absolute deadline. He further stated that Mr. Rothman missed all the deadlines and does not know how, after just adopting these rules, the Commission can go against them. He added that this is not a new policy but has been in place for several years.

When asked, Mr. Cathcart let the members know the waitlist time.

Small – 2 years

Medium 4-5

Large/ Prem -11 years.

Mr. Rothman's slip is a small slip

Mr. McCoy made a motion to deny the appeal but was asked by Mr. Walker not to make a motion in the negative.

Motion: D. Weber *moved*, and B. McBride *seconded* to approve the appeal to retain his slip made by Michael Rothman.

Vote: Motion Fails 3-4-1

3 in favor (Weber, McBride, Benton)

4 opposed (McCoy, Gerber, Nerreau, Walker)

1 Abstain (Von Conta)

Mr. Rothman asked why the previous appellant was approved, having broken the rules just as he did, yet he was denied, based merely on a date. He feels that the reasoning doesn't make sense and stated that the Commission would hear from him.

3. William Teels, 469 Riders Lane - Mr. Teel also admitted to being late getting his information in and stated that this was only his second year renewing. He also stated that the contact information was not current. The email was not one that he checks. The one phone number was an old number (longer than he has had his slip), and the second phone number is not any number he is familiar with. He is almost certain that he made the corrections last year. He stated that he spoke to Andy last year in January, 2019. It was determined that Andy left on September 28, 2018. Mr. Teels felt that he had spoken to Andy. He took responsibility and stated that he misinterpreted the February deadline and missed the April 15 deadline due to a Covid death in in the family. Mr. Teel intended to renew prior to April 15 with the late fee, misunderstanding that he needed to have put at least the application in by February 19. His father passed away and then he missed the April 15 deadline and then reached out to Mr. Cathcart. There was an explanation of the renewal dates and exactly what is needed by what dates. There was further explanation of the work done in prior years to have clear deadlines and consequences.

Motion: B. McBride *moved*, and M. Von Conta *seconded* to approve the appeal to retain his slip made by William Teels.

Vote: Motion Fails for lack of majority

4 in favor (Weber, McBride, Benton, Von Conta)

4 opposed (McCoy, Gerber, Nerreau, Walker)

Mr. Teel responded that in his first year in the Marina he never was even allowed to tie up and he never complained. He added that the two years he had his slip, the slip next to his remained empty. He felt that this went against the rules. Mr. Walker explained that these remarks are not germane to his appeal and that the appeal has been acted upon. He pleaded that this was a fairly new process for him and that his family was just trying to have some semblance of normalcy. He felt it wasn't entirely his fault and asked for some understanding. When asked his recourse, Mr. Walker stated that while they sympathize, the next step would be to get back on the waitlist

B. Coronavirus Facility and Program Updates –* See Director's Report below.

All Programs canceled from Mid-March through June 30 for now. Beaches have been open for walking but are opening Saturday of Memorial Day weekend for sunbathing and swimming with lifeguards. No bonfires and no Grills. Parks and fields are open but not playgrounds. No Organized sports or gathering. All social distancing rules are in effect. Rest rooms will remain closed but with portable restrooms at most locations. All special events and occasions at the pavilions are cancelled though June. The staff has refunded spring soccer and all summer playground programs but is looking to provide some sort of Child Care option in accordance with limiting guidelines such as 10 to a group with only 30 on site. They are working with the Board of Education to see what schools might be available. Ms. McBride was very concerned about children in buildings without air conditioning and children having to keep socially distant. She did not feel it was possible. Mr. Calabrese stated that they would try to have a fun safe alternative. They sent a survey to 2000 and heard back from a small percentage with 80 stating that they would take advantage of the described childcare option.

Mr. McCoy asked about the possibility of Little League playing a summer season. Mr. Calabrese did not see that happening. They receive guidance one month at a time.

C. Field Remediation Update – Bids are currently out for work at Gould Manor field remediation. It will be off-line for quite some time. They will try to salvage the infield grass and re-sod. They need to dig up the rest of the field. Brian Carey, Interim Director of Public Works is overseeing the project.

VI. To hear and act upon information in Reports:

A. Board of Education Report: Ms. Gerber reported that the budget process is slowly moving along. The BOS cut \$1.4 million, \$800K was in health care but \$600K coming from the operating budget. The Superintendent will work to find those cuts. BOF cut an additional \$2.29 million most of that was Covid-19 related expenses (utilities, lunches, substitute teachers, etc.) from this year and should not affect 2021. They are working on a Memo of Understanding with the BOF to set up a non-lapsing account to move the savings from this year's budget to next year's.

The next important work will be re-opening schools in fall and if the buildings do open then there will be additional costs.

June 17 will be the last day of distance learning

Seniors last day is June 2, other HS grades will end on June 9. There will be no final exams. Graduation plans are up in the air though there will be no traditional ceremonies.

B. Director's Report:

Mr. Calabrese presented a written report summarized below:

Due to the COVID-19 outbreak all programming, leagues, special events, and all rentals (pavilions, bonfires, and fields) were cancelled from March 16th through June 30th. This has essentially been a monumental task of refunding thousands of patrons.

During the past months the staff has been brainstorming ways to reimagine what Parks and Recreation will look like in a post-COVID world. It has become obvious to the general public how vital Parks and Recreation is to the community and how important the programs and facilities we offer are to the wellbeing of our users.

The Emergency Management Team is working with our staff on a month-by-month basis to decide which programs are safe to run by following social distancing and CDC guidelines. We expect most if not all of our summer programming, to be cancelled. As you may have heard from our First Selectwoman, the beaches are currently open to Fairfield residents only with a valid 2020 beach sticker only. Parking lots at these locations are presently operating at a 50% capacity.

As a substitute for camp, our staff is working to offer some sort of childcare option for parents who need childcare in order to return to work. Once the details of this program are finalized, we will be releasing the particulars and the new registration date.

The budget process is winding down. Our budget has been approved by the Board of Selectmen and Board of Finance with minor adjustments. I presented the modified budget to the RTM this past week. They will be holding their vote on June 1st. I would urge each of you to write to your representatives in support of our budget as presented.

VII. GOOD OF THE ORDER – Mr. Walker asked for any feedback from the members regarding the teleconference because this may be the format going forward for some time. Mr. Nerreau asked about an expected fourth appeal from Mr. Heffner and was told that he withdrew the appeal the prior day and planned to donate his vessel. The members were concerned about the cost to the Town if Mr. Heffner does not remove the boat in a timely manner. Ms. Von Conta explained that there are maritime rules for abandoned vessels but was told that if a lien is put on the boat, the Town would be responsible for removal and storage costs.

ADJOURNMENT: There being no further business to come before the Commission, the meeting was adjourned at 9:03 p.m.

Respectfully submitted,

Joan C. Ryan, Recording Secretary

Tele-meeting location for audio: <https://www.youtube.com/watch?v=ams9RICu1Mg>