Park and Recreation Commission

Andrew Cota, Chairman

Ronald Sill
James Butler Sr.
Bruce Sill
John Bittmann
Sal Frosceno
Heather Beauton

Minutes

(meeting recorded)

Monthly meeting: Monday, May 10, 2021 – Zoom meeting.

Meeting was called to order at 7:04 p.m.

By roll call, members present: Andrew Cota, Ronald Sill, James Butler Sr. and John Bittmann. Bruce Sill, Sal Frosceno and Heather Beauton were excused.

Parks and Recreation Director Dennis O'Connell was present. Athletic Director Matthew Bradshaw was absent.

Town Clerk Marc Garofalo served as host for the Zoom meeting.

ADDITIONS OR DELETIONS TO THE AGENDA:
There were no changes.

APPROVAL OF MINUTES:
MOTION made by John Bittmann and second by James Butler Sr. MOVE to accept the meeting minutes of April 12, 2021, as written. Motion carried unanimously.

PUBLIC PORTION:
No one spoke and public portion was closed.

CORRESPONDENCES:
Nothing was presented.

DIRECTOR REPORTS:
Mr. O'Connell stated
As of right now Little League enrollment is down drastically and they are teaming up with adjoining towns to play games.

Youth Soccer is struggling with enrollment see only a third of what they you to see in participants.

The Summer Program is not going to go forward this year. Bradley School has grant money for a number of projects including HVAC so there will be contractors working and there would be no access to the school. He has looked at other locations but there was no feasible alternative site. He will be exploring having an open gym a few hours a day at the Derby Veteran's Community Center instead.

The Tri-State Shields Football team game was held on May 8th, as scheduled. It went well but the crowd was not exceptional. The teams were very impressed with the facility.

Payden Great Room has been scheduled six times in May by the Board of Education and the Derby PD.

The outdoor facilities are fully scheduled with athletic and recreational programs. Ryan Complex turf fields are fully scheduled with school athletic programs and the field house is also being utilized.

The Derby Veteran's Community Center continues to do well with the swim lessons. Revenue projections have been met with this program as well as some other rentals.

High School Athletic Director's Report: Mr. Bradshaw was absent.

NEW OR OTHER BUSINESS:

A. Fee Schedule for Amendola Field and Witek Park: Members concurred that the policies for Payden are new and may need further interpretation. The Board of Alderman and Alderwoman have been overseeing much of the new implementation and thus, jurisdiction between them and the Parks and Recreation Commission is cloudy. The charter points to Parks and Recreation Commission having the jurisdiction.

Extending the fees set for Payden to the other fields needs further consideration. The current requested uses by outside sources are very limited. Generally, the uses are by the recreation and athletic programs. The classifications for non-profits and the associated charges seemed severe when compared to past allowances and taking into consideration the conditions at each field. The sub-committee encouraged the Commission to review the new documents and regulations for Payden Park and draft a document that could be applied to these other facilities. During public portion at the sub-committee it was encouraged to implement a fee schedule as there are maintenance needs that are chronically overdue. The comment further stressed that the maintenance expense would then be shouldered by the user rather than solely on the taxpayers of the City.

In response to the sub-committee's suggestions the following document was drafted:

CITY of DERBY

Use of Witek Park Soccer fields and Bradley School Athletic Fields and Its Facilities Policy

The following policy will reflect the procedures as set forth with the Witek Park Soccer Fields and the Bradley School Athletics Fields. its facilities with exceptions enumerated in this policy. The purpose is to make it clear and simple the procedure to be utilized in the fee scheduling and scheduling of use. Please refer the aforementioned procedure for clarification.

Since city properties and grounds are public property, the City of Derby may make them available for community purposes. As such, the City of Derby through the Parks & Recreation Department encourages the use of the Witek Park Soccer Fields and Bradley School Athletic Fields and its facilities by responsible community organizations and the public at large.

Recognizing, however, that the City of Derby must maintain its properties, it is the policy of the City of Derby to charge for some uses. Charges, where applicable, will be based on the following:

- The type of organization applying
- The facilities/grounds required
- The length of time facilities are required
- The type of function (whether or not admission is charged)

Such charges cover labor, general maintenance, trash removal, replacement supplies, utility and energy costs. Examples of customary uses and their fee categories are set forth in the administrative regulations accompanying this policy. Fee Schedules will be reviewed annually by the Board of Aldermen/Alderwomen, and the Parks & Recreations Department.

The City of Derby Board of Aldermen/Alderwomen reserves the right to approve any use beyond those described in this policy. The Parks & Recreation Department reserves the right to refuse the use of a facility if an activity is determined to be inappropriate.

The Parks & Recreation Director will be the agent for the City of Derby regarding all requests for use of the facilities. Upon completion of the application to use a facility by an individual or organization, the application is reviewed by the Parks & Recreation Director, and the School's Athletic Director (if applicable) using the following criteria to determine if the proposed activity and organization meet the conditions set forth within. The Parks & Recreation Director's review will specifically determine the following:

- The submission of liability insurance required of the applicant organization;
- The need for police protection and/or traffic control if the necessity arises;
- The fees to be collected for the event or activity; CITY of DERBY Use of Witek Park Soccer Fields and Bradley School Athletic Fields & Recreation Director shall approve and schedule the use of facilities by an individual, organization or group, except as outlined in Request for Use Form, Appendix A: Definition of User Groups, Group #5, of these documents, and forward a monthly report to the Board

CITY of DERBY
Use of Witek Park Soccer fields and Bradley School Athletic Fields and Its Facilities Policy

Aldermen/Alderwomen on the use of any field or facility, which will include the individual or organization or group utilizing the field or facility, date and times of the event, all fees collected from the event or activity, designation of User Group and any other circumstances with the event or activity that should be noted.
The Fee Schedule for the use of facilities will be set by the Board of Aldermen/Alderwomen and amended as necessary. The Parks & Recreation Director, in collaboration with the Board of Aldermen/Alderwomen, shall review the Fee Schedule items and User Groups individually and determine rental category for use as well as fees for service from employees; custodial, maintenance and repair,
Each applicant will get a copy of the following documents at the time of request for application to utilize any field/facility: Conditions for the Use of Facilities Request for Use of Facilities Form Appendix A – Definition of Groups Appendix B – Fee Schedule-Requirements and Fee Schedule-Rental Fees All fees collected will be deposited into a specific revenue line item.
TYPES OF ACTIVITIES WHICH WILL NOT BE PERMITTED INCLUDE, BUT ARE NOT LIMITED TO:
1. Activities which are unlawful in nature;
2. Any activities which are inconsistent with the health and welfare of the public and/or the policies delineated by the Parks & Recreation Department and the City of Derby;
3. Any activity which promotes violence or violent behavior;
4. Fundraising campaigns, except as permitted by the Parks & Recreation Department and the City of Derby;
5. Any activity which may cause damage to the buildings, grounds, or equipment of the City of Derby;
6. Activities advocating the overthrow of the United States, State of Connecticut, or the local governments and their boards, councils or agencies. A community group will not sponsor another group or relieve an organization of its fee requirement for use of any of the facilities if that organization would not have been eligible under its own application.

CITY of DERBY
Conditions for The Use of Facilities

1 The primary use for the City of Derby facilities is the regular planned instructional program for our schools. Because these facilities are supported by the residents in the City of Derby, The Parks & Recreation Commission and/or its director shall be responsible for the scheduled use of these facilities for sports programs other than City of Derby school sponsored sports programs which is under the direct responsibility of the Derby High School Athletic Director.
Please read the following conditions for use before completing an application form

1. Users shall only have access to the facilities/grounds during the time authorized on the application form. 2.

2. Applications are to be received in the Parks & Recreation Department for which the activity is planned. It is the policy of the Parks & Recreation Department that school activities shall have first priority in the use of the building/grounds, and outside groups may have to adjust their schedules accordingly. Scheduling conflicts shall be resolved by the Parks and Recreation Director.
3. The applicant agrees that the individual or organization will indemnify, save and hold harmless the City of Derby, the Derby Board of Education, Derby Parks & Recreation Department, Derby Public Schools or any agents, employees or officials, from any and all claims for personal injury or property damage suffered, incurred or in any way connected to or arising from the applicant's use of the facilities, whether or not such claims are due or alleged to be due to the negligence of the school district, the applicant or any other person or entity or due to any other cause.
4. The applicant, as required by the City of Derby, will be required to furnish evidence of general liability insurance coverage meeting the City's requirement against claims for bodily injury, death or property damage, occurring upon, in or about the demised premises, in the minimum limits of $1,000,000 for each occurrence and $2,000,000 in the aggregate. In addition, the City of Derby is to be named as "an additional insured" party and a certificate of insurance will be required to be filed with the original request. CITY of DERBY Conditions For The Use of Facilities
5. The applicant organization contracting for use of the building/grounds will agree to indemnify the City of Derby for any damage to the property/grounds or equipment by any person or persons attending the activity. Individuals and organizations not adhering to this policy may be faced with immediate termination of their activity, denial of future use of the facilities, and/or all legal remedies available to the City of Derby.
6. The Fee Schedule for the use of the facilities is set by the Board of Aldermen/Alderwomen and updated as necessary. A copy of the Fee Schedule Requirements and Fee Schedule-Rental Fees is included as Appendix B to this document and can be found online with the Request for Use of Facilities application form. All fees must be paid with submission of the Request for Use of Facilities prior to the date of the event or approval may be withdrawn. Any fees not accounted for will be invoiced after the event and must be paid within fourteen (14) days of the invoice date. Approved longterm use will be invoiced. Checks are to be made payable to "City of Derby". A $25 fee will be charged for any check returned for insufficient funds.
7. All applicants and utilizing groups must observe and obey the rules for the facility or field use that are provided in each facility or field.
8. The facility will be inspected before each event, practice, etc. by the person responsible. Any damage shall be reported to the Parks and Recreation Director and/or the School Principal.
9. Requests for use of the City of Derby facilities, including buildings, grounds and equipment, may be denied if and when there are any outstanding balances for a prior activity/event or failure to pay all fees and charges.
10. Each applicant organization is responsible for the conduct of all participants and/or guests. Representatives from the applicant organization must remain on the premises throughout the function and must maintain control at all times. The number of such representatives will be designated by the Parks and Recreation Director. Names, addresses, and contact information of all designated persons in charge must be submitted with the application and they will be held responsible for the conduct of the participants and any property damage. A

responsible adult in attendance will have a cell phone to make or receive an emergency phone call should that need arise.

11. The Parks and Recreation Director, in consultation with the Athletic Director and other City of Derby Departments, reserves the right to postpone activities in the case of inclement weather or excessive stress to the playing fields.
12. Police coverage will be required when, in the opinion of the City of Derby and/or the Parks and Recreation Director and/or the Derby Police Department, the event calls for traffic control, crowd control, or security. The applicant organization must make arrangements for police coverage whenever required and provide documentation/verification, once obtained, to the Parks and Recreation Director. The charge for police coverage will be paid directly by the applicant organization to the City of Derby based upon the rates set forth by the Derby Police Department.
13. Use of facility/grounds shall be confined to those areas designated on the Request for Use of Facilities Form.
14. The Parks & Recreation Department is not responsible for property left overnight.
15. No facility/grounds may be reserved for a public function during a planned school function, except for activities that do not interrupt regularly scheduled school activities.
16. All requests for use of facilities must be submitted on the "Request for Use of Facilities Form". This form is available online at www.derbyct.gov.
17. There is no smoking permitted on the grounds.
18. Alcoholic beverages, illegal drugs, and weapons are prohibited in the buildings or on the grounds at all times.
19. 29. Persons attending the activity must confine the participants to the rooms and corridors assigned for their use. CITY of DERBY Conditions For The Use of Facilities 5 30. Parking on the grass or playing fields will not be permitted without the prior approval of the Parks and Recreation Director. Approved off-road parking is to be coordinated with the Parks and Recreation Director and/or the Derby Police Department.
20. The City of Derby will contract for trash removal.
21. No motorized vehicles, or vehicles with wheels including but not limited to bicycles, roller skates, roller blades, or skateboards or footwear that might cause damage are permitted on the fields.
22. The City of Derby complies with the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, contain updated requirements, including the 2010 Standards for Accessible Design (2010 Standards). No dogs or other pets are allowed on the grounds, except for service animals that are specifically trained to aid a disabled person. Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person's disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA. 35. The sale of items in

violation of or inconsistent with Parks & Recreation Department policies will not be permitted.

23. In addition to complying with these conditions, the applicant must comply with all federal, state and local laws, including ordinances, policies, rules, executive orders and regulations.
24. Qualifying groups may conduct fund-raisers under certain conditions. The following regulations shall apply for all groups: a. The applicant organization will make all arrangements through the Parks & Recreation Department.
25. The Parks & Recreations Department reserves the right to deny the use of facilities to any group when it is deemed to be in the best interest of the City of Derby to do so. Under NO circumstances are fields or facilities to be altered or adapted by outside groups without the written approval of the City of Derby Board of Aldermen/Alderwomen.

CITY OF DERBY
REQUEST FOR USE OF FACILITIES FORM

PLEASE TYPE OR PRINT Items 1-10 must be completed and the form signed by applicant. Incomplete forms will be returned.

1. Name of organization or group requesting use:_____ Please provide EIN, if applicable _____

2. Name of specific facility desired: Witek Park Soccer Fields; Bradley School Athletic Fields_____.

3. Group (see APPENDIX A): Group 1 ____ Group 2 ____ Group 3 ____ Group 4 ____ Group 5 _____

4. Date of Activity: From:_____ Day(s) of Week: _____ To: _____ Hours From: _____ to _____ 2 Day Maximum.

9. Name of Organization/Group/Person Renting Area: _____ _____ Street: (No PO Box Address allowed) City: State: Zip: Phone: _____ Email: _____

10. Primary Contact Name: (Must remain on premise during event)

*** A Certificate of Insurance providing for general liability insurance against claims for bodily injury, death or property damage, occurring upon, in or about the demised premises, in the minimum limits of $1,000,000 for each occurrence and $2,000,000 in the aggregate must be provided to the Parks & Recreation Director, OR Superintendent of Schools, 48 hours prior to the event naming the City of Derby (and the Board of Education when applicable) and its agents and employees as insured parties; otherwise, access to the facility will be denied. A deposit of $ shall be required with this application (50% of Item 7 above). Balance Due must be paid 48 hours prior to the event date. Cancellation requires a 48-hour written notice to the Parks & Recreations Director.

I, the undersigned, acknowledge that I have read this document in full including the Use of the Witek Park Soccer Fields or Bradley School Athletic Fields.

_____
(Signature of Renter/Date

CITY OF DERBY
REQUEST FOR USE OF FACILITIES FORM
Fee Worksheet (Pricing in Appendix B)
OFFICE USE ONLY

Organization/Individual Name: _____

Group # Assigned: _____ 4 hours minimum.
Number of Hours requested: _____
Total Cost $ _____

CITY of DERBY
REQUEST FOR USE OF FACILITIES FORM
1 APPENDIX A DEFINITION OF GROUPS

Priority use of the City of Derby facilities, including the buildings, grounds or equipment will be given to those Group 1 organizations that primarily benefit City of Derby youth. The classification of user groups and priority use order shall be as follows:

Group 1

Derby Public Schools/District Activities and School-Related Organizations: (Priority Users I)

This group of users includes Derby Public Schools' student groups, Derby Public School student athlete groups, Derby Public Schools' staff, school-related parent groups and school-related fundraising activities of Parent Teacher Organizations (PTOs), and other school related parent and student associations.

Group 2

City of Derby Departments and City Government: (Priority Users II)

This group of users includes the before and after-school childcare programs managed by the City of Derby, sports activities and camps sponsored by the City of Derby Recreation Department, and such City of Derby activities intended for participants under the age of 18 (or where the participants are eligible for exception to age 21) such as Derby Little League and Derby Pop Warner. Additionally, this user group includes City of Derby government activities, e.g., Board of Aldermen/Alderwomen meetings, BOE meetings, etc.

Group 3

Non-profit Community Organizations and Use for Charitable Purposes: (Priority Users III)

This group of users includes all Derby based recognized local youth groups such as Boy Scouts and Girl Scouts whose activities are intended for participants under the age of 18 (or where the participants are eligible for exception to age 21). Also included in this group are Derby community service clubs / organizations, senior citizens groups, and Derby church organizations.

Group 4

Commercial, For-Profit Organizations; Non-City of Derby sponsored activities; non-City of Derby non-profit Community Organizations: (Priority Users IV)

This group of users includes commercial groups organized for the purpose of providing an event or activity to make a profit or non-City of Derby sponsored activities or non-City of Derby nonprofit Community Organizations. These users do not have charitable organization status and may charge an admission fee to an event. Such groups include, but are not limited to, for-profit sports camps and athletic event groups, local businesses or entrepreneurs, public concerts, non-City of Derby sponsored sports and athletic groups and similar activities. This user group includes the Connecticut Interscholastic Athletic Conference (CIAC). Also included are the non-City of Derby non-profit Organization events.

Group 5

All Other Group Requests and Special Requests: (Priority Users V)

This group of users includes any non-conforming group as defined in Groups 1 through 4 above-referenced, or any special event or request not addressed or designated within said "Request for Use of Facilities Form, Appendix A Designation of Groups" i.e. alcohol use on premises. Any application for use under Group 5 must be approved by the Board of Aldermen/Alderwomen after all other criteria for rental have been met.

City of Derby
Request for use of Witek Park Soccer Field and Bradley School Athletics Field.
(Fee schedules are based on four (4) hour increments)

	Group 1	Group 2	Groups 3	Group 4
Witek Park Soccer Field(s)	$0	$0	$100.00	$200.00
Bradley School Athletic Field	$0	0$	$100.00	S200.00

Adult soccer teams playing in the State of Connecticut soccer league are to pay $50.00 for each home game. These games are on Sunday mornings.
Adult softball leagues pay $150.00 per team for a league that takes place at Bradley School Athletic fields.
The Valley Firemen's softball league has never been charged for use of Derby's fields.

Members continued the discussions on the rules and the protocols that need to be followed. They weighed how timeframes could affect requested uses as the process could require attendance of many city meetings prior to acceptance. Clarity of the group status of the user was discussed as there were differing determinations between the sub-committee and the director. It was determined to forward this draft to the sub-committee and await their response.

Other Business -
Mr. Garofalo noted that he spoke with the State Fisheries and a representative will visit the Park and explore the feasibility of stocking the reservoir at no cost to the City. They will explore what fish are currently in the reservoir, the depth and conditions of the reservoir and what may be suitable for the water. Also, Public Works has scheduled to begin removal of the phragmites starting next week.

MOTION made by Ronald Sill and second by James Butler Sr. MOVE to adjourn the meeting at 7:55 p.m. Motion carried unanimously.

Respectfully prepared,

Karen Kemmesies

Karen Kemmesies, secretary
These minutes are subject to the Commission's approval at their next scheduled meeting.