

**BOARD OF ALDERMEN  
COMMUNITY RELATIONS SUBCOMMITTEE MEETING**

**TUESDAY, MAY 12, 2015 – 6:30 P.M.**

**JOAN WILLIAMSON ALDERMANIC CHAMBERS**

**MINUTES**

Chairman Arthur T. Gerckens called the meeting to order at 6:30 p.m. All rose and pledged allegiance to the flag.

**Roll Call**

Present: Arthur T. Gerckens, Ronald Sill, Peter Olenoski, Carmen DiCenso

Also Present: Keith A. McLiverty, City Treasurer  
Anthony DeFala, Street Commissioner  
Michael J. Kelleher, Fire Commissioner  
Thomas Welch, Corporation Counsel

**ADDITIONS, DELETIONS, CORRECTIONS TO AGENDA**

Mr. Gerckens said he would like to:

- Delete #7 – Recommend waiver of Picnic Grove Fee for Cub Scout Pack 3 on June 6, 2015 – This was acted on at last month's meeting.
- Delete #9 – Recommend waiver of Picnic Grove Fee for St. Mary – St. Michael School on June 10, 2015 – This was acted on at last month's meeting.
- Delete #11 – Proposed water tank location. Recommendation to the full board to allow the Regional Water Authority on the property to conduct bore testing. This is also on as Item #14 on tonight's agenda
- Add a new #7 – Request from Treasure Time to host an outdoor movie night fundraiser on Saturday July 25, 2015 from 7:00 p.m. – 11:00 p.m. on the large field between the Little League Major and Minor fields.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Sill to accept the deletions and addition to the agenda. **Motion carried.**

**PUBLIC PORTION**

Mr. Gerckens asked if anyone wished to speak during public portion.

**Sharlene McEvoy, 200 Emmett Avenue, Derby, CT 06418**

I'm here this evening to speak to a matter on the agenda regarding the proposal to build a tank on a portion of land that is known as Coon Hollow Park. I'm going to pass

out to each member copies of a study done by a scientist and also other information relating to this issue. And I understand that there's going to be a recommendation made from this board tonight – is that not true to the full Board of Aldermen to let the Water Company go on the property to at least do borings with the intent to purchasing that property for placing the water tank on that premises is that not true?

Mr. Gerckens – Well it's going to come to a vote but that vote is going to happen tonight, yes.

Ms. McEvoy – Ok well the reason I'm here this evening is because not only should you not sell that property you can't sell that property. It is illegal for this board to consider selling that property. The reason is because the restrictions of the deed that was recorded on April 26, 1935 by the City of Derby and also resolutions passed by the Board of Aldermen and the electors on November 12, 1934, which restricts the use of that land for public park purposes. And to let you know how this all unfolded in 1933 John I. Downes died – he was a noted artist – he died in New Haven and was born in Derby and then Mayor Riordan contacted the heirs and they agreed to sell the fifty-two acres for \$5,000 and it was to be put for a public use – namely a park – and a special meeting was held on Monday, November 12 1934 – not the Board of Aldermen but electors for the City of Derby and 300 people showed up and the purpose of that meeting was to propose that the City purchase that property as a recreational center and the Evening Sentinel reported on Tuesday, November 13 that 300 citizens voted almost unanimously in favor of purchasing the land for that purpose. I will read the resolution: Resolved that the City of Derby purchase the property of the Downes estate located in the vicinity of Hawthorne Avenue, Chatfield Street and Division Street in the City of Derby for a public park and for a general civic educational school and municipal purposes at a cost not to exceed \$5,000. The rest of the resolution goes on to discuss how that land is going to be purchased – the issuance of promissory notes, etc... So not only did Mayor Riordan, who was on his way out of office, facilitate in favor of this purchase the subsequent Mayor George P. Sullivan also supported it and saw to the bonds being sold to purchase the land. And the short answer is this land cannot legally be sold by the board. Because for fifty years, and it's over fifty years since this deed was recorded, that land has been used for civic, recreational, educational purposes. Just look at that land – so for eighty years that land has been used for public purposes. I don't understand why at this juncture we are considering selling a portion of this land, which is virtually the only wooded portion left, to a private company for their private use. And as you know Ladies and Gentlemen once that land leaves the City's hands and goes and is sold to the Water Company they or subsequent companies that take over from there can do with that land what they want. So that's the only land available that's really untouched at this time. I don't see why we're even considering selling it off. So not only is it a bad idea it's all illegal for you to do so. I also call your attention to the scientist report Dr. Stephen Danzer did an analysis of land – he has four point listed on his report. I don't believe I gave you one Mr. Olenoski. Anyway he not only discusses the legal issues involved he goes on to discuss the ecological issues in connection with this land. The fact that selling this land would run contrary to the Plan of Conservation & Development and also because this land is valuable in providing pocket parks, where there are very few in Derby. In fact the Plan of Conservation and

Development, which was last revised in 2002 said there's very little vacant land owned by the City zoned "P" that people can use and this was one of the four parcels. So for the life of me I don't understand how this is even being considered by the City especially when the Water Company has repeatedly said they have 100 sites they looked into. In fact they had a consulting firm from Shelton look into 100 sites. So far 100% of the sites they want to build this thing on are in Derby. Now this other land west of the Naugatuck River, correct in Ansonia and Seymour, why don't they put it up there where there's lots more land. One of their spokespeople said in the New Haven Register that there are no neighbors near this property. She mentioned Osbornedale Park and the dog park – virtually no one is around. Well there's a two family house across the street owned by my cousins. There's VARCA across the street and there's a nursing home. So this is not exactly a land out in the wilderness. This is a pretty centrally located area. So I respectfully urge this subcommittee to decline to recommend to the board that they sell the property and I'm sure there will be legal consequences if the City goes forward with this proposal. Thank you very much.

**Betty Lally, 172 Emmett Avenue, Derby, CT 06418**

I just want to say that from the very onset I have followed the progress of these tanks that are like shifting sand. This is the third perfect site. But I also want to recommend that you really look at all the material that has been presented to you. This represents a tremendous amount of research. And I happen to have a degree in research and I can appreciate all the digging and investigation that went into finding all these facts about Derby – the preservation of land in Derby. I know Griffin Hospital has been very concerned about an interruption in water service. They can get a tank on their roof, which would carry them over in an emergency or interruption in service until it was repaired. So that takes care of Griffin Hospital. The Water Company has 90 other sites that they can look at. Why are they fascinated – obsessed – with Coon Hollow. I just leave that an open question. Think about it. Brennan Construction Company was involved initially. I don't know if they're still interested in doing business with these people. But just keep in mind there are three major players and yet they keep coming back to Derby. Why? And I leave it there.

Mr. Gerckens asked three more times if anyone else wished to speak during public portion. Hearing no requests...

**A MOTION** was made by Mr. Gerckens with a second by Mr. Sill to close the Public Portion. **Motion carried.**

**APPROVAL OF COMMUNITY RELATIONS SUBCOMMITTEE MINUTES OF APRIL 14, 2015**

**A MOTION** was made by Mr. Olenoski with a second by Mr. DiCenso to approve the Minutes of the April 14, 2015 minutes as presented.

**RECOMMEND USE OF THE LARGE FIELD BETWEEN THE LITTLE LEAGUE MAJOR AND MINOR FIELDS AND ALSO USE OF THE CONCESSION STAND AND BATHROOM FACILITIES FOR TREASURED TIME TO HOLD A FUNDRAISER (OUTDOOR MOVIE NIGHT) ON SATURDAY JULY 25, 2015 FROM 7:00P.M. TO 11:00 P.M.**

Mr. Gerckens stated this is a late addition that came in after the agenda was posted. Mr. Sill said the group appeared before the Parks & Recreation Commission last night regarding this request and a representative is here this evening.

Ms. Moffat from Treasured Time explained that they are a not for profit organization whose mission is to help grant the wishes of parents with life-threatening illnesses who want to create a lasting memory with their children. It's basically a Make-a-Wish for parents. She said that the Parks & Recreation Commission approved their request. They also contacted the Police Department who informed them that an office would not be necessary for the event. Mr. Sill also indicated that their insurance certificate is attached to the information they provided regarding their organization.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Sill to recommend to the full Board of Aldermen for Treasured Time to use the large field between the Little League major and minor fields, the concession stand and bathrooms on Saturday July 25, 2015 from 7:00 p.m. to 11:00 p.m. to hold an outdoor movie night fundraiser. **Motion carried.**

**RECOMMEND WAIVER OF PICNIC GROVE FEE FOR DERBY HIGH SCHOOL SENIOR CLASS ON JUNE 16, 2015**

**A MOTION** was made by Mr. Olenoski with a second by Mr. Sill to recommend to the full Board of Aldermen waiver of the picnic grove fee for the Derby High School Senior Class on June 16, 2015. **Motion carried.**

**RECOMMEND WAIVER OF PICNIC GROVE FEE FOR NORTH STAR FAMILY PICNIC ON JULY 12, 2015**

**A MOTION** was made by Mr. Olenoski with a second by Mr. Sill to recommend to the full Board of Aldermen waiver of the picnic grove fee for the North Star Family picnic on July 12, 2015. **Motion carried.**

**RECOMMENDATION TO THE FULL BOARD TO EDIT THE NO DOGS ALLOWED SIGN ON THE GREENWAY TO INCLUDE THE WORDS "AT ANY TIME"**

Mr. Gerckens informed the committee that a citizen wrote him stating that dogs are still showing up on the Greenway. Mr. DiCenso said we can start ticketing. Mr. Sill said he feels that it is a little redundant to place "at any time" on the sign – no dogs allowed should take care of it. The committee members all agreed it would be redundant and a waste of money to add to the sign.

**No action needed to be taken.**

**APPROVE REQUESTS FROM LIVING SPRINGS CHRISTIAN FELLOWSHIP FOR CALENDAR OF OUTREACH EVENTS TO BE HELD AT THE ANSON STREET POCKET PARK**

Mr. Gerckens said he received the list of dates of the events that they would like to hold. Mr. Sill said the events would take place at the Anson Street Lot, which is named "Rocky's Park" after a volunteer named Rocky who constantly cleaned and looked after the park. Mr. Sill noted that today is Rocky's birthday and he is 74 years young.

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Spring Impact Event (kid's clothing & books give away) on Saturday, May 16, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Summer Kick-Off Family Fun Day (hotdogs, chips, etc...games, prizes) on Saturday, June 20, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. DiCenso with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Kid's Outreach (Similar to Sidewalk Sunday School) on Saturday, July 18, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. DiCenso with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Back-to-School Block Party (music, food, backpack give away, ending with a movie) on Saturday, August 15, 2015 from 4:00 p.m. to 9:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Kid's Outreach (Similar to Sidewalk Sunday School) on Saturday, September 18, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a winter coat give away on Saturday, October 17, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. DiCenso to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a "LIGHT the Night") on Saturday, October 31, 2015 from 5:00 p.m. to 6:30 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Thanksgiving Blessing Bags give away on Saturday, November 20 18, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**A MOTION** was made by Mr. DiCenso with a second by Mr. Olenoski to recommend to the full Board of Aldermen that Living Springs Christian Fellowship & Restoring Hope Ministries Outreach be allowed to hold a Christmas Blessing Bags give away on Saturday, December 19 18, 2015 from 11:00 a.m. to 1:00 p.m. at Rocky's Park on Anson Street. **Motion carried.**

**REVIEW PROPOSED WATER TANK LOCATION AND REQUEST FROM THE REGIONAL WATER AUTHORITY TO ALLOW BORE TESTING ON THE SITE. DISCUSSION/POSSIBLE ACTION**

Ted Norris from the Regional Water Authority appeared before the committee said there is a request to allow bore testing on the site of the proposed water tank. He said he was not aware of the restrictions on that land that were mentioned earlier during the public portion.

Mr. DiCenso said the committee will give the information that Ms. McEvoy presented to Corporation Counsel to review. He said he was concerned about the fire on Mt. Pleasant Street and he had spoken with the Chief who indicated that water pressure is a problem on that hill. Mr. DiCenso said he knows that Griffin Hospital has also relayed their concerns about lose of water. He said he feels a water tank could always been installed on their property. Mr. Gerckens said as far as today there has been no decision made about selling that property. He asked Mr. Norris about the test borings. Mr. Norris said they would like to do approximately seven borings, which would entail drilling down fifty to sixty feet into the ground. Mr. Gerckens asked how long the process would take. Mr. Norris said approximately three days. Mr. Gerckens asked about the other possible sites that were mentioned. Mr. Norris said they did a search of approximately 100 sites. This is the top site that they have selected. Mr. Geckens said he knows there an existing tank on Silver Hill Road. Mr. Norris said that will remain in service. Mr. Gerckens asked about the concern of water pressure on Mt. Pleasant. Mr. Norris said it is supplied by pumps that goes across Route 34 and up the hill. If there is anything that takes away, such as a fire, the pressure drops. Mr. Sill asked Corporation Counsel if we could authorize the access to the site for the Water Company to conduct test borings. Atty. Welch said you can authorize the test borings. He said it should only take a couple of weeks, if that, to conduct a title search of the property. Mr. DiCenso said he doesn't think they would want to invest all that money into conducting the test borings if we find out that the land can't be sold. Mr. Norris said they would be fine waiting for the results of the title search.

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to **TABLE** this item. **Motion carried.**

**ADJOURNMENT**

**A MOTION** was made by Mr. Sill with a second by Mr. Olenoski to adjourn the meeting at 7:00 p.m. ***Motion carried.***

Respectfully submitted,

Patty Finn  
Recording Secretary

**THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOARD OF ALDERMEN COMMUNITY RELATIONS SUBCOMMITTEE AT THEIR NEXT MEETING.**