

From: Gould, Peter  
Sent: Tuesday, January 16, 2018 12:56 PM  
To: Rosenson, Valerie; Watkins, David  
Cc: Mahoney, Dennis; McGarry, Marion  
Subject: RE: Parks and Rec Committe meeting January 16

Greetings All.

I can speak to this issue this evening but let me offer a preview.

As Valerie has said, the Rules & Regulations, amendments to which are being considered this evening, are overarching rules for enforcement (enforceable either as Infractions or via the Municipal Citation process). As such they are intentionally cumbersome to adopt and amend, with initial passage via the Parks & Recreation Commission, approval by your Committee, passage by the full Board and publication in a local newspaper. Consequently the Rules will prescribe the fine for (by way of example) violating an established park curfew (see Sec. 175-1-8), but the establishment of the curfew for a specific facility is set outside of the Rules. Likewise the Rules prescribe penalties for failing to obey posted signs and warnings, but do not specify where those signs and warnings will be posted. This preserves your Board's (and the Commission's) ability to set policy based on changing conditions without having to undergo the entire rulemaking process each time, not just with regard to opening and closing gates, but also to such issues as opening and closing times for individual parks, specific locations where permits are required for gatherings (such as the picnic pavilions at Cove, Cummings, Kosciuszko, etc.) and multiple other such issues. As a matter of practice the setting of policy in those areas has been left to a more flexible process. In no way has enforcement in any of those areas been impeded by this approach.

As I understand it, two issues currently affect the Cummings Park gates and exist independently of the Rules. While you may have been apprised of them, let me share what I know to ensure we are working off the same knowledge base:

1. During the late fall through early spring months, when Parks & Recreation is without its seasonal maintenance staff, although Park Police are available to close the gates in the evenings, there is no one to open the gates in the morning on weekends. This resulted in an initial decision made by the Parks & Recreation Administration, when the Resolution for the 9PM gate closure was first passed, to open and close the gates on schedule during the season in which there was seasonal maintenance staff, and outside of that season, to open and close the gates on weekdays but then to close them Friday night and not to open them again until Monday morning. This resulted in objections from residents and the policy was subsequently changed to leaving the gates open off-season from Friday night through Monday, and to open and close them on schedule at other times. This, too, results in objections.

2. With the untimely passing of Park Police Officer Frank Green in April of 2017, and the City Administration's decision that a replacement would only be hired on a seasonal basis (which has resulted in the withdrawal of two pending applications for the position that were submitted when it was believed the position would be permanent part time, as Green's position had been), a gap opened in the Park Police schedule. Officer Green's hours included Mondays, Tuesdays and Wednesdays, and he was the one closing the gates on those nights of the week. Since there has been no replacement, and no other employees work during those hours, there has been no one to close the gates on those evenings since April. Consequently, during the summer months, Park Police closed the gates on Thursday through Sunday evenings, but they were left open Mondays through Wednesdays. Once the seasonal staff left in the Fall of 2017, we add the weekend policy to the gap of Monday - Wednesday, and there is only one night of the week the gates would ever be closed (Thursdays). This is the

present situation. For the record: the Park Police can lock gates on Thursday - Sunday evenings, 52 weeks a year. If a replacement is engaged for Officer Green, that increases to seven nights a week, 52 weeks a year. The issue of opening gates in the morning, however, would have to be addressed by Park Maintenance, as Park Police shifts begin at 6PM on weekdays and 10AM on weekends.

The Cummings gates issue is clearly a matter in need of correction but I can assure all involved that it exists independently of the Park Regulations.

Please let me know if I can answer any questions either in advance or at the meeting. I look forward to seeing you all at 6PM this evening.

Kind regards,

Pete

PS - David, I hope your trip to China is going well!

From: Rosenson, Valerie  
Sent: Tuesday, January 16, 2018 11:08  
To: Watkins, David  
Cc: Gould, Peter; Mahoney, Dennis; McGarry, Marion  
Subject: RE: Parks and Rec Committee meeting January 16  
David –

1. The opening and closing times of Cummings Park, and numerous other parks, have been considered by the Parks and Rec Committee of the Board, not the Transportation Committee.
2. The Board passed a resolution (not a regulation), setting the opening and closing time for the Soundview Avenue Entrance to Cummings Park on 9/3/2013, stating that the entrance would be closed from 9pm to 5 am. Then, on 11/5/14, the Board passed a resolution closing the entire park at 10 pm.
3. Under Charter §C6-120-2, it is up to the Parks & Rec Commission to determine what goes into the regulations. Code §175-1 really only requires approval by the Board of Representatives. Having been through an amendment to the regulations before, my guess is that regulations apply to all of the parks generally, rather than to individual parks. I am not sure if this specific item belongs in the Regulations, given the number of parks and the number of times their opening and closing times change (It is a fairly cumbersome process to amend the regulations, since every change requires publication of the entire set of regulations and a public hearing: it is a little easier to simply publish a resolution).

By copy of this email to Peter Gould, perhaps he will be able to address this tonight.

Thanks,  
Valerie  
From: Watkins, David  
Sent: Tuesday, January 16, 2018 4:20 AM  
To: Rosenson, Valerie  
Subject: Fwd: Parks and Rec Committee meeting January 16

Hi Val

Still in China. Back Friday

I sent the below email (twice) to Dennis Mahoney. No answer. Maybe you can help me from

afar

1- the regulation we passed several years ago calling for Gate closures in Cummings Park — was that passed by Parks and Rec or Transportation Committee?

2- what were the hours of opening and closing?

3- regardless of which Committee passed it, shouldn't it be contained in the Parks Facilities Regulations

Best regards

David

Sent from my iPhone

Begin forwarded message:

From: "Watkins, David" <DWatkins1@StamfordCT.gov>

Date: January 13, 2018 at 12:40:18 PM GMT+8

To: "Mahoney, Dennis" <DMahoney@StamfordCT.gov>

Subject: Parks and Rec Committe meeting January 16

Hi Dennis,

I am trying to review the Agenda on my iPhone which makes pretty difficult reading. Can you help me with something?

I have looked through the proposed facility regulations and I don't see anything that speaks to the hours of opening and closing of the gates on the southern branch of the roadway through Cummings Park. Did I miss it?

This is an ongoing problem as the BOR passed a regulation requiring gate closing at, I think 9:00 pm, and gate opening at I think, 7:00 am, 7 days a week, all year. The Parks Police don't have the staff to perform the opening and closing, and proponents and opponents of closings complain bitterly when the gates are either left open at night or left closed in the morning. We cant have a regulation that is unable to be enforced, It strikes me the regulation should be in these facility regulations and then we should consider how to enforce it.

Briefly -- from China....

Best regards,

David