



Sperry Park Committee  
July 28, 2020, 5:00 pm  
Held via Zoom Teleconference

Recording available:  
<https://bit.ly/SperryParkMtg07-28-20>

## Meeting Minutes

Committee members in attendance: John Adamovich, A.J. Cappiello, Sheila McCreven, Chris Burr-Bahner (joined the meeting at 5:07pm). Committee members absent: Jane Shernow, Mike Walter.

Chairman John Adamovich called the meeting to order at 5:00 pm.

The committee discussed its purpose and role, as they pertain to potential needs of the Park. John provided an update on recent activity at the Park and the committee discussed the rules of the Park as described in the 1982 CUPOP Survey of Publicly Owned Property (attached pages).

John also shared information about the recent action by the Town to close the Park until September 2020 to ensure the safety of the public in light of the current COVID-19 pandemic requirements for social distancing.

The committee discussed the need for additional, permanent signage. Sheila will check with the Town Attorney regarding updated wording for signs and gather information to help inform discussion about this at the next meeting of the committee.

The committee also discussed oversight and whether it might be beneficial to require a permit for use of the Park by non-Woodbridge residents. It also discussed a potential future request for increased police patrolling at the Park to ensure the rules are being properly enforced to the fullest extent possible. A.J. will gather information to help inform discussion about this at the next meeting of the committee.

The committee discussed the availability of funding and it was noted that according to the CUPOP summary, the Rollin C. Newton Memorial Fund was established in 1958, the income from which is intended for the maintenance of Sperry Park. Sheila will check about the availability of these funds.

The committee discussed next steps and consensus emerged that the committee should select a meeting date in August 2020 so decisions about the Park can be made before September. Potential dates will be circulated by email and the chosen meeting date will be noticed on the Town website, to take place by Zoom teleconference.

At that meeting the committee will take up the question referred to it by the Board of Selectmen at its November 2019 meeting regarding the Regional Water Authority request that the Sperry Road gates be closed year-round due to illegal dumping of garbage on the road and in the parking lot of the Park.

On a motion by Sheila, seconded by A.J., the committee voted unanimously to adjourn its meeting at 5:17 pm.

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Acquisition

The properties for the two adjacent parks were acquired for park purposes in two separate deeds. The first for "four acres, more or less," was for "that portion of the 'Sperry Farm' known as the 'Home Lot'" in a quit claim deed from "Nehemiah D. Sperry, E. Knight Sperry, and Harriet S. Miller, all of New Haven, Connecticut, and Andrew J. Ramsdell, L. Atlanta Ramsdell, and G. Louise McIntosh of the Burrough of Brooklyn in the City of Greater New York"; the deed was dated September 28, 1907 and recorded on the same date in volume 27, pages 121-122. The second was for one acre, more or less, to be known as the "Henry C. Hickox Memorial Park" in a quit claim deed from "Elbert C. Ford, Executor of the Will of Charles H. Ford, late of Woodbridge, now deceased, whose estate is now in probate in the Probate Court for the District of New Haven and Nellie R. Canfield Ford, both of the Town of Woodbridge"; the date of the deed was February 12, 1955, and it was recorded on July 5, 1955 in volume 57, pages 47-48. According to a Probate record of October 2, 1907, recorded on October 14, 1907 in volume 28, page 138, Charles N. Ford and Nellie R. Canfield Ford had previously inherited eighty acres from Henry C. Hickox. A third quit claim deed for the same Hickox property "from Elbert C. Ford, Anna F. Pease and Elsie H. Ford, all of the Town of Woodbridge, being all of the children of Charles H. Ford, late of Woodbridge, now deceased," was dated February 12, 1955 and recorded on July 5, 1955 in volume 57, pages 52-53.

The Town's title to the land south and west of the Sargent River has long been disputed by the New Haven Water Company. The Water Company has a warranty deed to three pieces of land from Elizur B. Doolittle, dated May 23, 1902 and recorded on August 11, 1902 in volume 25, page 265. The second of the pieces was for seven acres "known as Wintergreen Hill and bounded ... East by land of the said Water Company and Sargents River, North on Sargents River, and the Road running up to a Bridge, West on the Highway." Mr. Doolittle had previously in 1891 acquired two pieces of land from "Nehemiah D. Sperry, E. Knight Sperry, Eugene S. Miller and Harriet A. Miller, all of the City of New Haven ... and Andrew J. Ramsdell, L. Atlanta Ramsdell and G. Louise Ramsdell of the City of Brooklyn in the State of New York" in a quit claim deed, dated April 6, 1891 and recorded on April 24, 1891 in volume 24, page 376. The second of these pieces was "bounded North and East by Sergents River and land formerly of Uriah Clinton". Three affidavits by town citizens of that time have seriously questioned the accuracy of the Doolittle deed to the New Haven Water Company claiming that the 'Home Lot' of the 'Sperry Farm' was always considered to be on both sides of the River, and was not included nor intended to be

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included in the Sperry deed to Mr. Doolittle. If the Park land is "four acres, more or less" (as the Park's specifies), it would seem that it had to include agr the south and west of the River. How the Water Comp given a warranty deed, based on earlier quit claim deeds, is not clear; nor is it easy at this time to recognize landmarks of old fences and trees or mention of neighboring owners referred to in the various deeds.

Three other deeds relating to Water Company lands in the vicinity are: (1) a quit claim deed from Henry C. Hickox to the Fair Haven Water Company dated February 7, 1876 (and recorded on February 13, 1876, in volume 21, page 390) granting "the right to divert..from its present bed or course, also the right to lay one or more pipes across my land near" Sergents River; (2) a warranty deed from Henry C. Hickox to the Fair Haven Water Company for land west of the highway and crossing Sargents River dated April 1, 1876 and recorded on April 3, 1876 in volume 23, page 168; and (3) a quit claim deed from the Fair Haven Water Company to the New Haven Water Company to the rights and land of the above deeds, dated June 26, 1876 and recorded on June 30, 1876 in volume 24, page 7.

Assessed Value - 1974 \$13,230

Assessed Value - 1981 \$32,870

Location and Description

The combined Sperry and Henry C. Hickox Memorial Parks land consists of five acres, more or less, on either side of Sargents River, east of Sperry Road, below the Sperry Road Bridge. They are surrounded by extensive New Haven Water Company lands. As defined in its deed, Sperry Park is "that portion of the 'Sperry Farm' known as 'Home Lot' on which the Dwelling House stood and which contains four (4) acres, more or less, bounded and described as follows, to wit, Easterly by land of New Haven Water Comapny, Southerly by land of said New Haven Water Company, Westerly by land of said Water Company and by highway and Northerly by highway."

The spring (mentioned in the deed) is on Sperry Road. The entrance to the Park is at its northwest corner and leads to a small parking lot. The tree-shaded 'Home Lot' is bordered on the north by an old stone wall. Cellar holes and old lilac bushes are on the crest of its hill to the north of and above the river; its land slopes down in fields and ledges to the River, Sperry Falls and small pools below and then rises sharply in the evergreen and fern covered banks south and west of the River. The old Sperry millstone can be seen and grist mill site can be detected. The wooded Hickox land of one acre, more or less, according to its deed (though an earlier deed refers to 1 and 1/4 acres) is bounded "WEST and NORTHWEST by Sperry Road; EAST by land formerly of the Heirs of Enoch Sperry, et ux; and SOUTH by land formerly of Bevil Smith. The Easterly line can be determined by a series of old stone bounds set in the ground."

Together the two Parks offer a quiet setting for walking along the colonial, and still dirt, Sperry Road; for walking through the fields and woods of the parks or sitting by the ever-flowing Sargents River, Sperry Falls and pools.

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<u>Zone</u>	A	<u>Road Class</u>	C
<u>Map</u>		<u>Assessor's Map</u>	70-1652

None is referred to in either deed. The Sperry Park Committee has a map purportedly made by John Coe from figures given by Helen Newton, entitled "The Sperry Homestead, Woodbridge, Connecticut; Scale: 1"=200'; 1953."

Restrictions, Agreements and Encumbrances

Sperry Park was given to the Town as a rural park on two conditions: "This deed is given upon condition that said plot of land shall be known as 'Sperry Park' and shall be kept in good condition for a rural park. The spring on the lot shall be kept cleaned out at all times and provided with a cup for drinking purposes and that said land shall not be leased, sold or exchanged or be taken by any corporation, public or private, nor shall the timber or wood thereon be sold, removed or destroyed."

Similarly, the Henry C. Hickox Memorial Park was offered by the releasee and accepted by the Town "for public park purposes only, and if accepted ... is to be used as such only and is to be known as the 'Henry C. Hickox Memorial Park'".

Regulations made by the Sperry Park Committee and posted in its parking lot read:

"Sperry Park Regulations

This area is on the watershed of a public water supply and State law prohibits swimming, wading or pollution under penalty of a \$100 fine or six months in jail or both.

- . Hours are one hour before sunrise to one hour after sunset.
- . Please park cars in designated area.
- . Please do not start fires, litter or use alcoholic beverages.
- . Hunting is prohibited.

Use restricted to Woodbridge residents and their guests only.

Town of Woodbridge"

The Rollin C. Newton Memorial Park Fund was established in 1958 with \$1,250, as dictated by paragraph 8 of the Will of Lena Z. Newton. A letter informing the Town of the bequest was sent to then Town Cler, Newton H. Street, on September 8, 1958 by C. G. Hummel, Administrator for the Estate of Lena Z. Newton; it was received and the money

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deposited on September 12, 1958. In it, paragraph 8 is quoted as stipulating: "I give to the Town of Woodbridge \$1,250.00 to constitute a Rollin C. Newton Memorial Fund, the income from which (only) is for use of or maintenance of the Sperry Park in Woodbridge. In the event that Sperry Park should ever permanently cease to be available to the people of the Town of Woodbridge, this Rollin C. Newton Memorial Fund is to be transferred to the Amity and Woodbridge Historical Society, the income to be used for its best interests, hopefully for maintenance of a local Historical Museum."

Utilization

Both parks are used for rural park purposes and are restricted to use by Woodbridge residents and their guests. They are periodically checked on and patrolled by the Woodbridge Police Department and/or its auxiliaries.

Agency in Control

The Sperry Park Committee. In a Special Town Meeting, held in Woodbridge on October 13, 1952 and as recorded in the Town Journal, Volume 5, pages 358-59, it was moved by Newton H. Street, seconded by Kenneth Wynne and voted by acclamation that:

1. Establishment and Membership

"The Selectmen of the Town shall appoint a Committee consisting of six members composed by six resident electors of the Town, and the First Selectman shall be an ex-officio member, said committee to be known as the 'Sperry Park Committee.' Two members of this committee shall be appointed to serve until November 1st, 1956. Two members of this committee shall be appointed to serve until November 1st, 1958, and beginning in 1954 in the month of October in each even numbered year, two members of this committee shall be appointed to serve for a term of six years from the first day of November succeeding his appointment.

2. Meetings

They shall elect a Chairman and a Secretary from their number and shall be sworn to a faithful performance of their duties. Meetings shall be called by the Chairman or by a majority of the members of the committee. A majority shall constitute a quorum. In the event of a tie vote, the First Selectman shall be called to vote thereon, and the tie shall thereby be dissolved.

3. Vacancies

All vacancies occurring in said committee shall be filled by the Board of Selectmen.

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- 4. Expenses paid  
No member shall receive compensation for his services as such, but the necessary expenses of the committee shall be paid by the Town upon approval by the Board of Selectmen.
- 5. Duties and Powers  
Said committee shall have the general management and control of the parcel of land known as 'Sperry Park' and any buildings, apparatus or equipment owned by the Town of Woodbridge and located in, or used in connection with said Sperry Park and shall provide for the maintenance of the same, shall annually prepare a budget for consideration by the Board of Finance and shall make such rules and regulations as are necessary or desirable governing the use of Sperry Park by the public;" and second, it was voted "To authorize and empower the Sperry Park Committee and the Board of Selectmen to negotiate and to act in the name of the Town regarding boundary disputes and any other matters concerning Sperry Park."

In a vote by a Special Town, Special Budget, and Annual Budget Meeting, held on May 16, 1955 and as recorded in the Town Journal in Volume 5, page 374, "It was unanimously VOTED: The Sperry Park Committee be and is hereby authorized and empowered to accept, with the approval of the Board of Selectmen, any and all devises, legacies or gifts of property, either real or personal, of any kind or class, that may be given or left to it by will or devise, or within its budget, to purchase land desirable for the maintenance or enlargement of Sperry Park; and the Sperry Park Committee is hereby given full power and authority, as trustees or otherwise, to invest, reinvest and to have complete direction and management over all such property of any class or kind, already given, or which may hereafter be given, either to the Sperry Park Committee or to the Town of Woodbridge for the use of said Committee or for the benefit of said Sperry Park."

The establishment and charges of the Sperry Park Committee were later incorporated into the Town Code, Chapter 55, Sections 1 - Establishment & Membership; 2. Meetings; 3. Vacancies; 4. Expenses Paid; and 5. Duties & Powers.

Recommendations

It is recommended that supervision of the Henry C. Hickox Memorial Park be given to the Sperry Park Committee.