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Borough of Litchfield
Board of Warden & Burgesses
Regular Meeting Minutes
Tuesday, October 10, 2023

Present: Gayle Carr, Warden; Roberta Witty, Burgess; Lara Hillman, Burgess; Stephan Krucker, Burgess; Cassandra Simoncelli; Borough Clerk

Also Present: Nancy Southard, Treasurer, Dirk Patterson, Jodi-Ann Tenney, Ed Fabbri, Patricia Pfeiffer, Anne Dranginis.

I. Call to order: The meeting was called to order at 6:01 p.m. by G. Carr.

II. Approval of Minutes:

- a. Motion to approve the Minutes from September 11, 2023 made by R. Witty with noted changes. Seconded by L. Hillman. All in favor. 1 abstention.

III. Communications

None

Motion made to move Public Comment to the end of the meeting made by L. Hillman and seconded by R, Witty. All in favor.

Motion to move Applicants with New Business A&B made by L. Hillman and seconded by R. Witty. All in favor.

IV. Public Participation:

- a. Applicants
 - i. Veteran's Day- Usage of Green from 11am to 12pm. Set up at 10am clean up at 12:30pm. Two Litchfield residents will be honored during ceremony. Approximately 30 to 40 people attending. Motion made to approve the application made by L. Hillman and seconded by R. Witty. All in favor.
 - ii. New England Civil War Museum and Research Center requesting a Civil War March Fundraiser- approximately 50 people set up at 9am event begins at 10. Ends at 4pm with clean up over by 5. The March will begin at Green and will end at Camp Dutton Hill. Motion to approve the application made by L. Hillman and R. Witty. Upon discussion Motion made to deny without prejudice. All in favor.
 - iii. Request for Peddler's License- nothing to report.
- b. Public Comment

V. New Business:

- a. ARPA-
- b. Patricia Pfeiffer- Traffic Committee: Jodi-Ann Tenney, Ed Fabbri and Patricia Pfeiffer provided updates on the traffic study that is taking place throughout the center of town. Committee has been awarded multiple grants to help with funding this project. Traffic Committee is looking to compose a document that consists of the considerations and recommendations for this project to entail. Once the plan has been drafted public will be able to provide their input regarding the issues with traffic. Road safety audit that was conducted provided some suggestions on improvements such as removing the crosswalk by the Meadow St. extension. The next Traffic Committee meeting will be on October 23, 2023. Plan has been divided up into three

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(3) sections know as West, Mid- (Meadow St. extension) and East. E. Fabbri provided an update on the Meadow St Extension (Mid) plan. Suggestion to have a meeting with Heritage, Borough, and P&Z before discussion with DOT happens. DOT will present their own proposed design to the town and submit their feedback. Concept plan for Meadow St. Extension is to eliminate the extension and involves extending the green towards Espresso 57 in hopes that it will eliminate the number of accidents that occur at the intersection. Another suggestion was to implement progressive traffic lights to help with the flow of traffic. Addition of pedestrian walk closer to Town Hall and remove the cross walk near Meadow St. This change will also align the Town within the compliances necessary for ADA compliance. The proposed change will allow for easier circulation of traffic that are looking for a parking spot within the area. E. Fabbri also spoke with the local merchants for their input regarding the current flow of traffic and input on areas of improvement. Many in favor of the proposed ideas/plan and voiced providing additional support if needed in the form of letters. Question asked who would have ownership over the new proposed extension to the green. P. Pfeiffer presented a presentation on behalf of the Traffic Safety Community Action Group. Town website is posting national campaigns regarding traffic safety with taglines and graphics to be posted to websites to help endorse safety throughout the town. Data that was provided was compiled by the Connecticut Crash Repository, the State Police and the Road Safety Audit. Provided data showing that traffic is a 3 pronged approach- Engineering, Enforcement and Education and provided an overview of what the numbers are telling us regarding the average number of crashes that have happened in Litchfield. Crashes are beginning to be detected on auxiliary roads due to people creating their own cut thru to avoid the major roads.

c. Sidewalk Dining- Hold Harmless Agreements: G. Carr reached out to S. Byrne for a Hold Harmless Agreement for restaurants to sign requiring any establishment that is going to put tables out on the sidewalk they will not hold the Borough responsible for any claims etc. that happen. Motion made to allow the Borough a condition that requires the signage of an Indemnification and Hold Harmless Agreement be signed by each restaurant and property owner for any institution to provide outdoor seating made by S. Krucker and seconded by L. Hillman. All in favor.

d. Hydrology Study- Estimate Review and Possible Action: G. Carr received the estimate from Down to Earth Consulting LLC in the amount of \$7,000.00 to conduct a study and remediation of the water on the Green. Motion made to approve the proposal from Down to Earth Consulting made by L. Hillman and seconded by R. Witty. All in favor.

VII. Old Business:

- a. ARPA- nothing to report at this time.
- b. Heritage Plan/Green Trust- D. Patterson provided an update. Discussed providing an updated version of the plan which cannot be provided until next year. D. Patterson spoke with Ken Hrica who surveyed the entire Green and noted that a new survey would need to be done.
- c. Codebook Review and Possible Action Section 7.6-9: nothing to report at this time pertaining to Peddler's License.
- d. Fines: West Street Grill- Discussion was tabled at last meeting to allow for more Broad members to be present for decision. Notice was sent from Council to Mr. O'Shea notifying him to remove the outdoor tables that were not approved which he has not done to date. Per an email from Council the compliance period ended 8/31/2023. Suggestion made to send a letter to P&Z about working with them on

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changing their application process so that it would indicate that if approval is needed from P&Z and it is within the Borough the application will need to go through the Borough Board before approval can be given by P&Z. Discussion regarding how to move forward regarding the extension of the outdoor seating area. Anne Dranginis spoke on behalf of Mr. O'Shea. Fairness should be given to all proprietors who reside within the Borough. And is in disagreement with the suggestion to fine West Street Grill. The issue is that West Street Grill has created excess dining in front of businesses in which it is not connected to. Mr. O'Shea has since remedied the issue by making the tables and umbrellas smaller than they previously were. Motion made by S. Krucker to enforce the fines the Borough has set forth at a flat fee of \$100 for the two tables. Seconded by L. Hillman. 2- ayes and 1- nay. Motion passed.

VIII. Committee Updates

- a. Budget- nothing to report at this time
- b. Sidewalks and Monument: G. Carr received an estimate of \$59,000.00 from Martin Lavearro for labor and removal of pavers. S. Krucker will reach out to other companies to request other bids.
 - a. Monument-
 - b. Sidewalks-
- c. Trees- G. Carr provided an update. Mulch rings and fertilizing will be happening soon. Trimming has been done. Ginko tree rehabilitation will be done for free of charge. Motion to change the previous decision of removing the Ginko tree made by S. Krucker to give the tree 2 years for rehabilitation seconded by L. Hillman. All in favor. Motion carried.
- d. Beautification- nothing to report at this time
- e. Website- tax bills are online but payment cannot be done online yet. Compilation of emails is complete and will be compiled into a file.
- f. Use of Green/Business Survey-. Nothing to report at this time.

Public Comment:

Susan Levine- Thanked Roberta for her comment and vote pertaining to the sidewalks and tables and the continued service of the Borough during a time where the dismantling of the Borough is under deliberation. Voiced her disagreement of the vote pertaining to West Street Grille. Disagreed with the decision to move the public comment to the end of the meeting and not allowing people to partake in the meeting.

Patricia Pfeiffer- concurred with the sentiments of S. Levine and provided her own comments.

Ed Fabbri- Spoke regarding the standing water on the Green and the history of the area.

David Pfeiffer- Comment made the traffic and the speeding within Litchfield. As the proposals come before the board to give consideration to the historic buildings within the town.

VIII. Wardens Report & Requests (parking, joint selectman meeting, public restrooms)

Letter from the Torrington Area Health District- liaison needed for a member to sit on the Health District Board.

8:55pm Roberta Witty recused from the meeting.

Individual who fell on West Street has brought a lawsuit against the Borough.

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G. Carr received a call from the owner of Petrotira regarding the usage of their restrooms in their restaurant from nonpaying customers. Requested signage pointing out where the public restroom is.

Email from Raz and will be meeting with him to walk Old South to discuss the trees to be trimmed by EverSource. Raz also submitted a request from the Courthouse regarding two tree areas in the back parking lot regarding the varieance of the construction zone being expanded further.

Consider another combined meeting with the Board of Selectman.

IX. Tax Collector's refund requests/recommendation: if any

Motion to refund to Lauren De Lamonica the amount of \$15.00 due to the overpayment of property taxes made by L. Hillman and seconded by S. Krucker. Motion carried.

X. Treasurer's Report

- a. Monthly Financial Statements, Payments of Bills, and Treasurer's request, if any.

Motion to approve the monthly bills in the amount of \$124,597.66 made by L. Hillman seconded by S. Krucker. All in favor. Motion carried.

Motion to pay Cardinal Engineering in the amount of \$9,710.00 made by S. Krucker and seconded by L. Hillman. All in favor. Motion carried.

XI. Adjournment.

Motion to adjourn made by S. Krucker at 9:25pm and seconded by L. Hillman. All in favor, motion approved.

Cassandra Simoncelli, Clerk