

**Regular Meeting Minutes  
Town of Litchfield  
Borough/HDC Consolidation Study Committee  
January 11, 2024, 6:00 PM  
Litchfield Firehouse, 258 West St., Litchfield**

**Call to Order – Committee Chairman:** Chairman Jonathan Tarrant called the meeting to order at 6:03 p.m. Other members present were Leslie Caron, Pat Iannuzzi, Cleve Fuessenich, Dan Parsons, Bruce Schnitzer, and Ron Leal. No alternates were present to be seated as regular members. Chairman Tarrant welcomed D. Parsons back after his knee issues.

**Absent:** Chuck Conn, Michael Castelli, Leo Paul

**Approval of 11/9/2023 Regular Meeting Minutes: Motion:** B. Schnitzer moved and C. Fuessenich seconded a motion to approve the 11/9/23 meeting minutes. All voted aye and the motion carried.

**Approval of 9/14/2023 Regular Meeting Minutes (tabled from 11/9/23):** Approval of these minutes was tabled until there is a quorum of those present at that meeting to vote.

**Public Comment:** Dirk Patterson spoke about the “modest proposal” that had yet to be presented by Bruce Schnitzer and passed out his written response (attached). He said it was radical and explained why No. 1 could not be done. J. Tarrant asked where he obtained the proposal before it was even presented to the committee and said he would rather have had Mr. Schnitzer, the author of the proposal, present it first. B. Schnitzer said it could be adjusted to fit the law, and Mr. Patterson’s statements could be worked into a substantive proposal.

**Committee Members’ Requests**

**Discuss Bruce Schnitzer’s “Modest Proposal”:** J. Tarrant asked B. Schnitzer to explain his modest proposal (attached) to the committee and noted he thought this would be a way to rebuild an interlocal agreement between the Town and the Borough in an attempt to relieve the Borough of some of the things they don’t do well and keep the Borough for the things it does do well. B. Schnitzer said the Borough needs to maintain authority over and administer all the things over which it has authority. Disbanding the Borough would be wrought with legal problems we do not need and would not be feasible. He did feel that overlapping functions of the Borough and the Town could be better handled by the Town with services provided more cost effectively. He understands that Town residents feel they have little say in what happens on the Green, but the Borough is not going to give up control of the Green. This plan is not perfect, but there is a chance that something along these lines would have a good chance of being accepted by the voters of the Borough and the Town. He saw no point in continuing if they cannot make a recommendation to the Board of Selectmen. He was open to alterations and amendments to the plan. J. Tarrant added that his proposal does list a number of venues in Town for public activities. He also felt it was a good start to a half-way approach to come up with something that would be acceptable to both the Townspeople and the Borough residents.

**Leslie Caron’s Proposal for Consolidation:** L. Caron read her compromise for a proposal for consolidation (attached). In summary, she said the Historic District should be retained under the Borough but governed as part of the Town to continue its work. As this new HDC will be working with the Town, there will be no need for the Board of Burgesses. The cost of Borough utilities will be shared by all townspeople, as they

use these services. A Town commission would have oversight on the use and administration of the Green, with the Park & Recreation and Human Services Dept. supporting activities.

B. Schniter said the list of venues gives other areas of Town as options for all residents. It also takes the pressure off the Green for activities, as it is the branding point of the Town and should be handled delicately and correctly. J. Tarrant felt the Green is not being maintained well. They are also not interested in a gazebo there. B. Schnitzer said there is a plan for the Green with proper maintenance that is on hold while the Traffic Safety Community Action Group is doing its study. D. Parsons said there are people who should not be on the Borough Board, and a change in leadership would make a big difference. B. Schnitzer said D. Patterson's comments were good advice on how to frame the mechanics of the proposal. He also said L. Caron's proposal will not be approved by the Borough voters. At this point, we should either come up with a proposal we think would be acceptable to both sides or tell the Board of Selectmen we cannot come to a consensus and this committee has run its course.

There was a discussion about Borough officials' terms and re-election. D. Parsons said It is not easy for Borough residents to attend meetings, as they are not able to speak without being shut down. L. Caron felt it was a good idea to do a petition to send out to the Town and the Borough. B. Schnitzer said that to sponsor a petition simply confirms suspicions all along that the purpose of the study committee is to dissolve the Borough. P. Iannuzzi suggested a partial consolidation. B. Schnitzer then offered a two-part petition proposal: 1) shall the Borough continue under its current leadership as elected and the HDC continue under its current leadership as appointed, with the Town contracting with the Borough for a services agreement; and 2) shall Town be responsible for administration of the Green. J. Tarrant asked that Community Field be included with the Green.

**Discuss Town Attorney's Legal Opinion from September, 2023:** J. Tarrant had emailed the 9/23/2023 Town Attorney's legal opinion regarding consolidation of the Borough into the Town to the Committee prior to the meeting for review. There was agreement that pursuing a consolidation through use of the petition process to create a referendum vote by both Borough and Town voters would, if successful, result in a lengthy and expensive legal battle which would negatively affect the taxpayers of both government entities.

**Discuss Next Step(s) in the Consolidation Study Process:** J. Tarrant asked everyone to think about all this and decide in February if this is a good course of action or if there should be adjustments made.

**Open Discussion:** None

**Adjournment: Motion:** C. Fuessenich moved and D. Parsons seconded a motion to adjourn at 6:58 p.m. All voted in favor and the motion carried.

Jonathan Tarrant, Chairman

## Response – Study Committee’s Revised Relation Ship Proposal - Taking Points

- Your # 1a. Under what authority under State Statute and/or the Borough’s Charter would this happen?  
Do you propose to invalidate the last election of Burgesses? Under what authority? Under State Statutes? I don’t think that there is any authority to do so and that both the CT Secretary of State and the CT Attorney General’s Office would say “see you in court!” I think such an election would NOT be valid. Also, the appointment of HDC Commissioners cannot just be cancelled, I know of no provision under State Statutes to do so.  
And where does the authority to combine HDC and the Borough Board’s come from? I don’t think you will find it in State Statues.  
Place to start researching is CT State Statues section on the establishment of Historic District Commissions!  
Your Committee seems to ignore State Statues! The Borough is a CT Municipality and must comply with State Statutes regarding municipalities!
- Also, I think that both the Burgesses and the HDC Commissioners (who are all volunteers) feel they have enough work without taking on the responsibilities of the other Board. I don’t think the #1a proposal will ever happen for I do not think it is allowed by CT State Statues.
- Your #2. The authority, powers, and the responsibilities of the Borough Board are defined by State Statues for municipalities and by the Borough Charter. They are not defined by the Town or one of its’ committees, nor are they subject to negotiation.
- Your #3 Why? Allegedly to save Borough taxpayer money. I doubt your estimate is even in the ball park. Would you have the Borough eliminate its’ Tax Collector and Treasurer’s position and let the Town handle it? I don’t think that is allowed by the Borough’s Charter, but more importantly do you think that the Borough Board should abandon its’ fiduciary responsibilities? They approve of every single bill to be paid and the accompanying outgoing check, overseeing the appropriate expenditures of Borough taxpayer’s money. For them to turn that over to the Town could be considered irresponsible and maybe even criminally negligent of their responsibilities.  
Item #3 appears to be an attempt to make the Borough Board mostly irrelevant, outside of HDC responsibilities (which is not going to happen).
- Your #4d. I doubt that will ever successfully happen.

Dirk - home 860-567-9686



Ann Combs &lt;acombs@townoflitchfield.org&gt;

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**FW: Town-Borough - A Modest Proposal**

1 message

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**Jon Tarrant** <jontarrant@optonline.net>  
To: Ann Combs <ACombs@townoflitchfield.org>

Fri, Jan 12, 2024 at 9:52 AM

Almost forgot!

**From:** Bruce Schnitzer <bschnitzer@wandpartners.com>  
**Sent:** Wednesday, June 14, 2023 5:06 PM  
**To:** jontarrant@optonline.net; Leslie Caron <caron005@optonline.net>; Pat Iannuzzi <patiannuzzi@aol.com>  
**Subject:** Town-Borough - A Modest Proposal

Dear Jon/Leslie/Pat,

At some point soon, it would seem that we need to turn our attention to the specifics of a proposal that might be acceptable to the voters of both the town and the borough.

To stimulate discussion on Friday and beyond, below you will find an outline of a refreshed relationship between the Borough and the Town. It certainly would fall well short of the hopes/expectations of many...not really fully satisfying anyone...which could make it a formulation that would be marginally acceptable to a majority of the voters of both the Town and the Borough.

But, first...The actual process of presenting any proposal, approving it and then implementing it must be clarified.

- Can the Burgesses unilaterally veto a change in the relationship, or would a majority vote of both the Town and the Borough voters be sufficient to effect change?
- Is the voting process serial or concurrent? Town first...then Borough...or at the same time?

We need to run this "process question" to ground and present it clearly in any proposal we might make.

Here is my "strawman" for debate and improvement:

**The Town – Borough Consolidation Study Committee's Revised Relationship Proposal**

1. The Borough would continue as a separate municipality dedicated to the protection and preservation of the historic nature of Litchfield's Historic District.
  - a. The responsibilities of the Borough and the Historic District Commission ("HDC") would be combined into a single governing body stewarded by a newly elected group of Burgesses, comprised of residents of the Borough elected by the residents of the Borough.
2. The new group of Burgesses would have active, direct responsibility for:
  - a. All aspects (authority, powers and responsibilities) of the current HDC, and
  - b. The oversight and administration of the affairs of the Litchfield Green.
3. To the full extent possible, all other current activities conducted or overseen by the Borough would be provided by the Town under contract to the Borough:
  - a. Pursuant to a formal agreement ("Shared Services Agreement") with an initial five year term (the functions to be provided under contract by the Town and the cost of such services would be enumerated and attached to the Agreement as Exhibit A).
  - b. At the end of this initial five-year term, the Borough would have the right to solicit proposals from the Town and other potential service providers for a subsequent five year term and choose the least expensive proposal from a reputable and qualified provider. This process would continue after each five year term.
4. The Town and the Borough would formally recognize that a large and diverse number of groups of citizens of Litchfield have wide and varied interests in hosting "public events" for the enjoyment of fellow citizens.
  - a. Both recognize that the Green is often sought as the venue for such events and both also recognize that it is neither possible or appropriate to host all or even most of such events on the Green.
  - b. Authorization for the use of the Green for public events will continue to be governed by the Borough.
  - c. The Town will in future govern the use of Community Field for other events.
  - d. The Town will establish a formal process to make available venues appropriate to other gatherings so that all legitimate needs can be accommodated. To fulfill this need, the Town will negotiate with private land owners to offer a range of venues, including:
    - i. The Skating Rink behind Town Hall.
    - ii. Plumb Fields.
    - iii. The Community Center
    - iv. The Church Parking Lots
    - v. The White Memorial South Plains Athletic Fields.
    - vi. The Litchfield Land Trust's Graham Thompson Preserve
    - vii. Other?

The financial implications of this collaboration between the Town and the Borough can be summarized as follows:

1. No increase in Town taxes.
2. Borough taxes reduced by [50%].

## Litchfield – Outdoor Event Venues

Venue	Governance
The Litchfield Green	The Borough
The Church Parking Lots	The Churches
Town Hall Parcel (Skating Rink Area)	The Town
Tapping Reeve Meadow	The Historical Society
Center School Parking Lot	Center School
Community Field	The Town
West Street Yard Pond Site	West Street Yard
Plumb Fields	Plumb Fields
The Field Behind Ditto's	Ditto's
WMF – South Plains Athletic Fields	??
Graham Thompson Reserve	Litchfield Land Trust
Ripley Meadow on Brush Hill @ Rt.202	Ripley
WMF Field Behind the Community Center	WMF
Lords of Litchfield	Montfort Fathers
Bantam Community Field	??
Northfield Community Field	??
Other??	

As some residents are adamant to keep the Borough as is, this is my proposal for a compromise.

As we all agree the Historic District is important for retaining the integrity of the district and it's historical significance, the following are my suggestions.

The Historic District should remain under the name of the Borough of Litchfield, but governed as part of the Town of Litchfield. The new hHistoric District commission should be elected by a slate of borough residents, working with the Town of Litchfield. This allows the new commission to oversee regulations of historic buildings.

As the new HDC will be working with the Town of Litchfield, there will not be a need for the present board of burgesses. As all residents share in the uses of the center of Town, fees such as lights, etc. can also be shared, distributing the costs among Town residents.

The oversight and administration of the Litchfield Town Green would be under a specific commission comprised of Town residents (2-3 from each section of Town).

The use of the Town Green would be overseen by above mentioned commission under the auspices of the Park and Recreation Dept. as most Town Greens are. Park and Rec would keep a list of other outdoor venues (private and public) in Town and connections for options other than the Town Green.