

MINUTES OF TOWN MEETING
December 9, 2014

First Selectman Steven N. Wawruck, Jr. called the Meeting to order at 7:32 p.m.

Town Clerk William Hamel read the Call of the Meeting.

Upon nomination by Selectman Michael Russo, with a second by Selectman Dennis Gragnolati, Joseph R. Calsetta, 121 Orchard Hill Drive, was unanimously elected Moderator on a voice vote.

The Moderator recognized Mr. Wawruck, who informed the body that, because of some outstanding issues, the first item on the call was withdrawn.

Mr. Wawruck, with a second by Atty. Paul W. Smith, 43 John Street, presented the following resolution and moved its adoption:

BE IT RESOLVED that the Town of Windsor Locks, acting herein by Town Meeting enacts the proposed Ordinance entitled "§313-11 Liability for Snow and Ice Removal from Sidewalks" as outlined in the provisions of C.G.S. §7-163a, and as recommended by the Board of Selectmen.

P. Owen Maleedy, 19 Third Street, first addressed the issue of notification of Town Meetings, and then moved on to the proposed ordinance. He recognized that the proposed ordinance needed to be adopted, but wanted to voice his opinion that it was discriminatory because it applied only to people with sidewalks; that it was a financial burden on the elderly; and that there should be tax relief for people with sidewalks.

Without further discussion, the motion passed on an unanimous voice vote.

Clerk's Note: The Approved Ordinance immediately follows these Minutes and is made a part thereof.

Mr. Wawruck, with a second by Mr. Maleedy, presented the following resolution and moved its adoption:

BE IT RESOLVED that the Town of Windsor Locks, acting herein by Town Meeting authorizes and empowers Steven N. Wawruck, Jr., First Selectman of the Town of Windsor Locks, to execute and take all further and necessary actions to implement a municipal solid waste, recycling, bulky- waste, and other types of refuse pick-up per an agreement between the Town of Windsor Locks, Connecticut and All American Waste LLC, as recommended by the Board of Selectmen.

The motion passed on an unanimous voice vote and without discussion.

There being no further business to come before the Meeting, the Moderator announced adjournment at 7:42 p.m.



W. Hamel
Town Clerk



ORDINANCE

§313-11 SNOW AND ICE ON SIDEWALKS ABUTTING PRIVATE PROPERTY

- A. The provisions of Connecticut General Statutes §7-163a ,are hereby adopted upon the effective date of this ordinance.
- B. Notwithstanding the provisions of Connecticut General Statutes §13a-149 (relating to damages for injuries by reason of defective roads and bridges) or any other general statute or special act, the Town of Windsor Locks shali not be liable to any person injured in person or property caused by the presence of snow or ice on a public sidewalk unless the Town is the owner or person in possession and control of land abutting such sidewalk, other than land used as a highway or street, provided that the Town shall be liable for its affirmative acts with respect to such sidewalk. .
- C. The owner or person in possession and control of land abutting a public sidewalk shall have the same duty of care with respect to the presence of snow or ice on such sidewalk toward the portion of the sidewalk abutting his property as the Town had prior to the effective date of this ordinance, and shall be liable to persons injured in person or property where a breach of said duty is the proximate cause of said injury.
- D. No action to recover damages for injury to the person or to property caused by the presence of snow or ice on a public sidewalk against a person who owns or is in possession and control of land abutting a public sidewalk shall be brought but within two years from the date when the injury is first sustained.

(Adopted and made effective _____ , 2014)