

**Minutes  
General Counsel Commission  
February 11, 2014**

**LOCATION:** Municipal Building Room 208

**COMMISSIONERS PRESENT:** Councilman Gerald Daley  
Councilman Carl Chisem  
Councilman Sebastian Giuliano  
Councilwoman Deborah Kleckowski

**COMMISSIONER ABSENT:** Councilwoman Mary Bartolotta

**STAFF PRESENT:** Kathleen Morey, Director of Human Resources  
Brig Smith, General Counsel

**PUBLIC PRESENT:** None

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14 APR -4 PM 3:46  
TOWN CLERK  
MIDDLEBURY TOWN

**A. Meeting Called to Order by Councilman Daley**

The regular monthly meeting was called to order by Councilman Daley at 7:03 p.m.

**B. Public Comment** - No members from the public were in attendance.

**C. Approval of Minutes**

The minutes of the regular meeting of January 14, 2014 were approved, as submitted, with a motion made by Councilman Giuliano and seconded by Councilwoman Kleckowski.

**D. New Business**

1. Job Description – Assistant General Counsel:  
After a brief discussion, a motion was made by Councilman Chisem to approve the job description, with the recommended changes, as discussed. The motion to approve passed by unanimous vote.
2. Ordinances:
  - a. Ordinance: Chapter 272, Taxation, Section 272-22 (Senior Citizen Tax Relief)  
Councilwoman Kleckowski made the motion to approve and move forward to Council, the motion was seconded by Councilman Giuliano and passed by unanimous vote.
  - b. Chapter 253, Solid Waste, Sections 253-23 to 253-26: After a brief discussion, Councilman Chisem made a motion to approve. The motion was seconded by Councilwoman Kleckowski and passed by unanimous vote.

**E. Other**

**Vacancy Report** – Report dated February 11, 2014 was received and reviewed. No action required.

**F. Adjournment**

The meeting was adjourned on a motion by Councilman Daley at 7:55 p.m.

ORDINANCE NO.

ORDINANCE

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:**

That Section 262-19 of the Middletown Code of Ordinances, including its title, be replaced in its entirety with the below language:

§ 262-19. Removal of Snow on Sidewalks and Fine.

- (A) The owner, agent of the owner, or occupant of premises bordering on any street or public place within the town where there is an established sidewalk shall cause to be removed therefrom any and all snow, ice, sleet, debris or any other obstruction within 24 hours after the weather-related event has ended. Any formation of ice upon a sidewalk shall be removed immediately, except that, when weather conditions are such as to make the removal of ice from a sidewalk impracticable, the sidewalk shall be made safe and convenient for travel by covering the ice with sand, salt, or other suitable substance that will provide adequate traction.
- (B) Whenever any owner, agent of the owner, or occupant of premises, as herein defined, whose duty it is to remove snow and ice or to otherwise make sidewalks safe for public travel, shall fail, refuse, or neglect to comply with the same or shall otherwise fail to comply with the requirements of subsection (A), said person or entity shall be issued a citation and fined \$75 for the first violation.
- (C) The fine will increase by \$25 for each storm thereafter during the same fiscal year if sidewalks are not properly treated as described above. Said fine shall never exceed \$250.
- (D) Any fines not promptly paid will be referred to the City's Collection firm.

Submitted by: Councilwoman Mary Bartolotta

Approved by: General Counsel Commission at its meeting held on April 8, 2014

**Status:**  
**by Common Council, City of Middletown**  
**at its meeting held on:**

current ordinance.  
Proposing to replace this language with  
new ordinance language.

City of Middletown, CT  
Friday, April 4, 2014

## Chapter 262. STREETS, SIDEWALKS AND PARKING AREAS

### Article I. General Provisions

#### § 262-19. Clearing of sidewalks by Public Works Department; recovery of costs.

**[Added 4-5-1982; amended 11-7-1994]**

Providing snow plowing operations have been completed, if snow or ice shall remain on any public sidewalk, and if the sidewalk shall not be covered or treated with sand or some other suitable substance to protect the public from personal injury and property damage from such snow or ice for more than 24 hours after the owner or person in possession or control of the property abutting such sidewalk and legally liable to clear the same has been notified in person by the City to clear the same, and for more than 24 hours if notice is left at the person's residence, the Public Works Department shall cause the same to be cleared or properly covered or treated and may collect the expense from such owner or person. Failure of the Public Works Department to clear or cover the sidewalk shall not make the City responsible for any resulting injury or damage. Any person who fails to comply with an order to remove snow or ice shall be fined \$50 by the City of Middletown, and in no event shall a property owner be both fined and assessed by the City for snow removal.