HADDAM BOARD OF SELECTMEN

RESOLUTION

DISCONTINUANCE OF ROAD
FROM PINE BROOK ROAD, EASTERLY
TO FOOT OF CHAPMANS HILL

WHEREAS, pursuant to Connecticut General Statutes, §13a-49, the Board of Selectmen of any town may, subject to a majority vote at any regular or special town meeting, discontinue any public or private highway within such town, or any part thereto, or any right of the public therein, and

WHEREAS the Town of Haddam ("Town") Charter Section 3.9 requires the approval of a Town Meeting in order for the Town to abandon roads within the Town; and

WHEREAS, reported in the Minutes of Town Meeting, Town records in Volume 53, Page 145, on May 25, 1931 the Town Meeting "Voted that the Town abandon such parts of road as are in the Town of Haddam, from Bailey's corner down to and including the bridge over Pine Brook, to road to William Chapmans and from the foot of Chapmans Hill over to and including Haddam's part of Leesville Bridge. To be effective as soon as new bridge is completed and in use"; and

WHEREAS, there has for years remained an ambiguity of the language contained in the minutes of the May 25, 1931 Town Meeting, such that it remains unclear to the surrounding property owners and to the public whether the actions taken by Town in 1931 actually discontinued that strip of the roadway lying between what today is known as Pine Brook Road, running easterly, to the foot of Chapman's Hill; and

WHEREAS, in order to resolve such ambiguity, the Board of Selectmen ratifies the actions of the May 25, 1931 Town Meeting abandoning that roadway, and now specifically includes that section of road running easterly from Pine Brook Road to the foot of Chapmans Hill; and

WHEREAS, on March 10, 2020, the Governor of the State of Connecticut ("Governor") declared a public health emergency and civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and

WHEREAS, on May 6, 2020, the Governor issued Executive Order 7JJ suspending for the duration of the public health and civil preparedness emergency the requirement of in-person voting meetings pursuant to any state or municipal law and allowing the Board of Selectmen of the Town to acquire the Easements without conducting a Town Meeting upon making a finding that (1) such actions are necessary to permit the orderly operation of the municipality and (2) that there is a need to act immediately and during the period of the declared public health and civil preparedness emergency, in order to avoid endangering public health and welfare or prevent significant financial loss, or that such action is otherwise necessary for the protection of persons and property within the municipality; and

WHEREAS, the public health and civil preparedness emergencies declared by the Governor on March 10, 2020, have been extended on September 1, 2020, and on January 26, 2021 and pursuant to the Governor's Executive Order 10A dated February 8, 2021 have been extended again to April 19, 2021; and

WHEREAS, the Board of Selectmen makes a finding that the ratification of the May 25, 1931 Town Meeting and formal discontinuance of that roadway, including that section of road running easterly from Pine Brook Road to the foot of Chapmans Hill is necessary to permit the orderly operation of the Town, and

WHEREAS, the Board of Selectmen makes a finding that as a result of the continuation of the public health and civil preparedness emergencies there is a need to act now for the protection of persons in the Town without conducting an in-person Town Meeting and resolve the ambiguity regarding this section of roadway.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SELECTMEN OF THE TOWN OF HADDAM:

1. RESOLVED: The Town of Haddam ratifies the May 25, 1931 actions of the Town Meeting abandoning such parts of road as are in the Town of Haddam, from Bailey's corner down to and including the bridge over Pine Brook, to road to William Chapmans and from the foot of Chapmans Hill over to and including Haddam's part of Leesville Bridge.

2. RESOLVED: The Town of Haddam hereby abandons and discontinues that portion of road from the Pine Brook Road running easterly to the foot of Chapmans Hill.

3. RESOLVED: There is a need to act now for the protection of persons in the Town to abandon and discontinue such roadway.

4. RESOLVED: In order to reduce the spread of Covid-19 the Town discontinues and abandons such section of roadway without conducting an in-person Town Meeting as required by Conn. Gen. Stat.§13a-49 and Charter Section 3.9.

5. RESOLVED: The Board of Selectmen authorizes the First Selectman, or in his absence one of the other Selectmen, to execute any further documents necessary to effectuate the purposes of this resolution and the discontinuance of such roadway.

Approved by the Board of Selectmen this 12th day of April 2021.

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Robert McGarry
First Selectman

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Kate Anderson
Selectman

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Sean Moriarty
Selectman