

Legislative History for Connecticut Act

HB 7429	S.A. 110	1969
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JOINT
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COMMITTEE
HEARINGS

PUBLIC
UTILITIES

1969

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Senators present: Senator Stanley, Senator Buckley, Senator Finney and Senator Ives.

Representatives present: Rep. Allen, Rep. Connors, Rep. Crockett, Rep. Donnelly, Rep. Dzialo, Rep. Foley, Rep. Reynolds.

Sen. Stanley: My name is Sen. Stanley and Gerry Allen is the House Chairman, I'm Senate Chairman and we are awfully glad that you could make it. Somebody said that in view of the clamor about spending in the state we should have charged admission and relieved the deficit in some respect. Perhaps the admission will be just concise statements of what you are here to speak on and we will hear everyone that has something to say. It is unusual that we have two bills that are as popular as the two that we have today and there are 3 or 4 bills very much related, HB6118, HB 6971, HB 7429 and HB 8239. For all those bills there are about 25 people who want to speak. Remainder of the hearing will be dedicated to the saving of the island and the testimony on both sides.

In the first half hour we will hear from Legislators on any of the bills that are currently before this committee. We have two microphones that you can speak from. Microphone 100 is three rows up on the aisle, microphone '99 is four rows up. The point of the matter today is that you want to be on record, you want your position known, so not only will you speak but we would encourage you to register. On both sides of the hall we have forms that you can sign in favor or opposition which document will become part of the record. I am going to ask anyone who speaks who has a prepared statement would be good enough to give it to our clerk so that it can be recorded for the record. It is possible in speaking before this committee if you have several pages of dialogue that you just hit the high lights and then present that dialogue to our secretary and every word will be put in the record.

With that, let me open the hearing to Legislators on any bill before the committee. Incidentally there are seats in the balcony if any of you people want to hear what is going on but don't want to speak, there are seats upstairs.

Rep. Green: I represent District 144 in the House here. As you all know legislative bills are proposed as solutions to problems. The problem to be solved by HB 5505 is whether one of the best recreational areas of the state should become a nuclear power plant site. Simple as that.

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Cities this authority to insure that any future development of utilities would be compatible to the planning of that municipality, therefore, putting the responsibility on the utility company to convince our Towns that their proposals were in the best interest fo the people.

In considering these bills, I think it would be well to review the history of the action on Cockenoe Island in the 1967 Legislative Session. Because of the concern on the ultimate development of Cockenoe Island, many of the legislators from the southern coastal section of Connecticut sponsored a bill to purchase Cockenoe and turn it into a State Part. During the deliberations, the U. I. had promised that they would set up a committee to consul with their planners to see if some compatible development of the island could be developed. They pledged that this committee would be set up within a month or so of the close of the session. Because of this the State Development Committee dropped consideration of the condemnation bill. To date, to my knowledge, this committee has not been setup and the negative public relations that is practiced by this company continues. From a recent news release it would almost appear that the United Illuminating is trying to "pressure" the legislators to withdraw the bills were considering today. Is it any wonder why the people are concerned over this situation.

It is not impossible that some compatible program, taking into consideration recreational, conservation and esthetics, could be developed, but not in the vaccum we now have. The passage of HB 5617 could terminate this vaccum and insure that the "best interest" of the public is served. Thank you.

Sen. Stanley: Thank you Senator. I wonder if I could have a show of hands of represenatives and senators who wish to speak. We have five minutes, how many people want to speak? That gives you each less than a minute, if you can keep this in mind.

Rep. S. B. McKinney: Mr. Chairman, I wish to speak on bill 7429. This bill is being submitted by the firm that is presently developing Heritage Village in Southbury. They have shown others throughout the state the type of development that they do and the type of origanization that they are. This firm has received many National Awards for excellency as well as for recognition for other parts of the world, especially for their treatment and concern for natural beauty and resources.

As and Southbury, a community which will house 4000 to 5000 people, it was necessary to establish a water company which they have done. I believe it to be the interest of this community that this bill be favored, their there, their capable and they are most concerned for the immediate area. Thank you.

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Rep. S. McKinney of the 141st Dist.: I will throw my prepared remarks out in interest of brevity.

Sen. Stanley: I will admit them to the committee.

Rep. McKinney: Mankind has done every thing possible to make Long Island Sound one of the dirtiest and most polluted bodies of tidal water in the United States. Somewhere sooner or later, someone has to have the courage to stand up and say enough. I think Cockenoe Island the Norwalk Island, which is one we are really talking about are perfect examples of whether we are going to save the future for our children and this country or whether we are going to throw the future away.

We have spoiled mile after mile after mile to abandoned railroad tracts, to abandoned factories, to dumps, to garbage to Long Island Sound shores in the State of Connecticut. There is plenty of room for a power plant in this already despoiled land, lets leave these Islands so that some year, fifty years or a hundred years from now, people will know what it was to have one decent property that doesn't have something built on it. Thank you.

Rep. McKinney prepared speech:

A bill designed to retain Cockenoe Island as one of the last undeveloped islands in Long Island Sound was strongly supported today by State Rep. Stewart B. McKinney, R-Fairfield.

"We cannot permit this last remaining vestige of the sound's natural beauty to be developed for any commercial purpose. We have permitted the destruction of too much of Connecticut's share of this vast and irreplaceable resource, the House Minority Leader declared at a Public Hearing on the legislation at the State Capitol.

"The state needs new sources of electric power. And, of course, nuclear power is the cleanest way to produce this necessity. Nonetheless, Cockenoe Island is far, far more important to the future.

"Power plants can be built at numerous locations. This island, and the Norwalk Island chain, cannot be relocated, replaced or reclaimed once it has been developed," McKinney said.

"Connecticut has already permitted mile after mile of shoreline to go down the drain in difference to commercial development. Many useful areas, much natural beauty, and the real value of the sound as a natural resource for the future has been abandoned to the grey and dirty afterlife of commercial operations which no longer exist. Reclamation of those areas will be tremendously expensive if they can be reclaimed at all," McKinney said.

"The legislature must give Westport the chance to acquire Cockenoe Island for retention as an unspoiled recreation area for many future generations," he concluded.

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Rep. E. Green of the 93rd Dist.: Sen. Stanley, members of the committee, I would like to speak briefly on these bills that all have the common background, and that is Pomperaug Valley River Basin. They are numbers 6118, 6971, 7429, 8239.

An explosive growth in Southbury and likely industrial development in our town seems eminent due to the contributing factors of interstate highway 84 bisecting our town with three exits in Southbury; the Uniroyal complex in Middlebury and the Oxford airport.

Southbury, at the present time, with a population of approximately 5,000 and an area of 40.6 square miles, has no need for a water works system. We realized however, with the anticipated growth in our town that we should look to the future and filed with the Secretary of State as required by section 2-14 of the statutes the intent of HB 6971, An Act Concerning the Establishment Of A Water Works System In The Town of Southbury".

This act is patterned after Special Act 261 of the 1963 session of the General Assembly for the town of Middlebury. It has worked very well for Middlebury and I would urge the committee's favorable consideration of H.B. 6971.

Uniroyal's need for water with no adequate supply available in Middlebury and survey reports which indicated adequate water supply in the Pomperaug river basin, were the two underlying reasons for the filing of H.B. 7429, An Act Incorporating The Heritage Village Water Co. and H.B. 8239, An Act To Create A Pomperaug Valley Water District Commission.

Middlebury had guaranteed to supply Uniroyal the water they needed. The results of Middlebury's Water Commission investigation produced offers to supply the water from The Seymour Water Co. and the Heritage Village Water Co. Both offers were intending to use basically the same water, the Pomperaug river basin.

The Seymour Water Co., a subsidiary of the Bridgeport Hydraulic Co., filed H.B. 6118, An Act Including The Towns Of Oxford, Southbury, Woodbury, Beacon Falls and Middlebury In The Franchise Area Of The Seymour Water Co., to facilitate their operation if they got the contract to supply Uniroyal. The Heritage Village Water Co. then filed their bill which would give them the franchise in Middlebury and Southbury only, to protect and preserve the water in the Pomperaug basin not only for the needed supply for their own village, which will have 4000 inhabitants on completion, but for the future needs of Middlebury and Southbury.

Middlebury awarded the contract to supply water to Uniroyal to the Heritage Village Water Co.. It is obvious that a franchise granted to two different companies intending to use the same basic water supply does not make sense.

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The Heritage Village bill provides that Southbury, their Water Commission or any district water commission they may be a member of, has first chance to buy their water company if and when they sell. I believe the Heritage Village water bill would serve to protect the water in this area and supply the immediate needs of the town of Southbury for fire protection and the needs of Uniroyal until such a time as Southbury, under their own water commission bill or in cooperation with other area towns can organize to handle their own water problems.

In conclusion, I should like to state for the record that I oppose HB 6118, the Seymour Water Co. Bill. I would hope for a favorable report from the committee for H.B. 6971, The Southbury Water Commission Bill, H.B. 7429, the Heritage Village Water Bill and H.B. 8239, The Pomperaug Valley Water District Commission Bill.

And Mr. Chairman, you have with you a substitute bill for the Heritage Village Bill.

Sen. Stanley: My only question is, Does the substitute bill embrace both sides of the argument that you just presented? As you would like to see it affected.

Rep. Green: The substitute bill removes some objections the town of Southbury had. It bills in further Protection for the town of Southbury in the Heritage Water Bill but you will hear remarks further from other speakers on that subject. Thank you.

Rep. R. Sarasin, 95th Dist: Mr. Chairman and Members of the Committee, the 95th Assembly District consists of the towns of Seymour, Beacon Falls and Bethany, and I am here to speak in support of House Bill 6118, which was introduced by me on behalf of the Seymour Water Co.

I do not, Mr. Chairman, intend to go into the basic merits of the bill. This will be brought out in the public testimony by representatives of the Seymour Water Co., who can better answer questions directly put to them by the members of the committee. I would however like to make two quick observations. The first is that my bill and the bills filed by Rep. Green, or the 93 Dist are not mutually exclusive bills and in other words you do not have before you an either or situation. These bills are perfectly compatible with each other. I think that this point will be better made by the representatives of the Seymour Water Co.. The second is in regard to the clarification of the charter of the Seymour Water Co., this point will also be made again. But very quickly, the Seymour Water Co., is entitled to operate in the Seymour and its vicinity. Now the vicinity is, where it has been operating in, includes the towns of Beacon Falls and Oxford. It has been operating there for many years, so that part of the bill would merely clarify its charter. As the rep. of the town of Beacon Falls, I know of no objection to that portion of the bill. So again Mr. Speaker, I would ask that the committee in listening to the pros and cons of the Seymour Bill 6118 and the bills filed by Rep. Green, remember that they are compatible bills, they are not mutually exclusive. Thank you.

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Rep. G. Stevens, 122nd Dist: Mr. Chairman I will turn my two page letter into the clerk, but I would just like to say for the record, that I am in favor of H.B. 5617, which would give municipalities the right to excise the power of eminent domain over property now owned by public utility companies in the State of Connecticut. Since they both have the rights to eminent domain at the present time under our law, I believe there is a valid question as to whether or not a municipality could condemn against a public utility company. However, I do think that it is time that the general assembly said, that the elected officials of the various towns in our state, do have somewhat higher rights than the board of directors of the public utility companies in deciding whether or not property may be taken for public use. Now, I will turn my statement in. Thank you Mr. Chairman.

Statement of State Representative Gerald F. Stevens, 122nd Assembly District to committee on Public Utilities. Re: HB 5617-An Act Concerning The Superiority of The Power of Eminent Domain of Towns Over That Delegated to Public Utility Companies

I favor H.B. 5617 which, simply stated, would make property owned by a public utility subject to the right of eminent domain by the municipality in which the public utility property was situated. This would put the property of the public utility on an equal level with all other property owners in the state in regard to municipal rights.

The need for this bill arises out of the legislative delegation of the right to condemn in Connecticut. The General Assembly has delegated the power of eminent domain to the various municipalities in Connecticut. It has also granted this power of public utility companies. Thus, the question arises, can one body with the right of eminent domain exercise this right against a second body with similar rights. This bill will resolve the question in favor of municipal rights. I believe this is proper and that an examination of the historical meaning of eminent domain substantiates this position.

Eminent domain is generally defined as the power of the nation or a sovereign state to take, or to authorize the taking of, private property for a public use without the owners consent, conditioned upon the payment of just compensation. It is a fundamental right of the sovereign. The State of Connecticut has extended its inherent right to the municipalities. It has also delegated this right to public service corporations.

The General Assembly should draw a distinction between the rights of the municipality and those of the public service corporations. Eminent domain, as I have stated, is an inherent right of the sovereign state. The rights of the sovereign in our Republic are derived from the people. Thus, the extension of the inherent right of eminent domain to the municipalities whose governing bodies also derive their rights from the people should be superior to the power delegated to public utility companies.

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This bill would give municipalities powers greater than those enjoyed by public utilities. As we approach the 1970's, the municipal needs in the areas of open space and recreation are increasing at a fast pace. I believe, that it is improper to continue to say that the elected officials of the various municipalities are on an equal basis with the Boards of Directors of public utility companies in exercising the rights of eminent domain. The passage of this bill will guarantee that the elected representatives of the people of Connecticut have the right to exercise the inherent right of eminent domain over all persons and corporations, including public utilities within their jurisdiction.

Sen. Stanley: Thank you Sir. Are there any other representatives that desire to speak?

Rep. E. Rimer of the 162nd Dist.: Representing the towns Wilson and Weston. In view of the time, I want to be very brief, I want to state that we are firmly in favor of H.B. 5505, let's save Cokenoe now. Thank you very much.

Sen. Stanley: Thank you sir. Let me comment now, I think that you are a very enthusiastic audience. The committee is going to be kept awake all afternoon, I'm sure. Now, I would ask that we might proceed in this way, I know the presentation of 5505 and 5617 is going to be a lengthy one and we do want to hear all the arguments but in view of that, we are going to yield and hear H.B. 6118, 6971, 7429 and 8239. Now 7429 is a substitute bill. I am going to ask those members of the public who will speak in favor and in opposition, will be as brief as possible because there are a great many people who have a long way to travel and when you end here, you still have a long 2 hours ahead of you. I would recognize preferable elected representatives, mayors, selectman, etc., I think that this would be proper protocol. I think if everyone would identify themselves, for the record, and then proceed.

Atty James Kenny: I appear here in behalf of the Seymour Water Company and its parent corporation Bridgeport Hydraulic Co., in support of bill 6118. This is a bill, as Rep. Sarasin indicated, amends and expands the charter of Seymour Water Company. I have arranged to have a representative, the vice-president, general manager of the company, comment upon the bill in detail. My remarks are very brief. The bill would expand the present rights of the Seymour Water Co. to the towns of Southbury, Woodbury and Middlebury. This company has been for over 75 years rendering good water service to satisfy the public, for many years the towns of Seymour, Beacon Falls and Oxford. This bill would give it the right to extend this service to the foresaid towns as the need arises. It seems to me, that this is a natural progression, since these towns are now experiencing and will continue to experience substantial expansion as the suburbs move outward. Now, we understand, that another company is also seeks a charter in two of these towns. We don't feel that our charter in these towns is necessarily in opposition to the other charter. As a matter of fact, it seems to me that competition might very well be a good thing for the communities involved. Now, it strikes me that awarding an exclusive charter to

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Sen. Stanley: Thank you sir, and may I have a copy of the prepared statement? And I am going to ask, as I did when the program started, if anyone has a long statement you can summarize the statement and give the entire statement to the committee. The committee will read them and use the statements in our deliberation. Someone else to speak in favor?

William J. Larkin: I am a citizen in the town of Middlebury. Being a sometime moderator in the town, I have been selected to speak for the town officials, including the selectmen who are here and the water commissioner who is here.

In 1963 the legislator by special act authorized the town of Middlebury to select a water commissioner to determine how the town could obtain water since the town has no sources of their own. The sources are from either Waterbury or the Pomperaug Valley. Sometimes, about a year or so ago, as probable you are all well aware, Uniroyal decided to locate a large industrial commercial complex in the town of Middlebury adjacent to the Oxford airport. This complex required a lot of water, up to a million gallons a day, so the water commission tried to find out where they could get it. They discussed it with Bridgeport, Seymour Water Company; with Waterbury, they discussed it with the Connecticut Water Co., and with the Heritage Village Water Co.. After all these discussions they entered into a contract with the Heritage Village Water Co., because this was the best contract that the town could get, as far as the town was concerned. The guarantees were the best, the price was the best. This contract was approved by town meetings last week. Therefore on behalf of the selectmen that are here and who will register at the proper place, the water commission which is bipartisan, and various citizens who I hope will register, this is to notify you, sir, that the town of Middlebury goes on favor, wholeheartily, in favor, of H.B. 7429 and is opposed to the inclusion to the town of Middlebury in H.B. 6118. In other words we only want one utility in the town. We figure that is enough because not only is it the town's problem to expand water along with other things that we have to expand, we don't want competition because it doesn't work to the towns benefit.

Sen. Stanley: Thank you. Is there anyone else who would speak in favor?

Curtis McGann—an officer in the Heritage Village Water Co.: Mr. Chairman, members of the committee, I am speaking on behalf of bill 7429 as amended. I have a prepared statement which I shall file and I think that I shall deviate to some extent from the text if I may.

The primary concern in the submission of this bill, Heritage Village has that of conservation of water resources in the Pomperaug River basin for the local area communities. In furtherance of this interest, there has been included in the amended bill section 5, which states

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that the Board of Directors shall include either the chief executive officer or the chairman of the Water Commission of each of the towns of Southbury and Middlebury. There is also a right of first refusal included in the bill, under section 15, which provides that the town of Southbury or any district or commission of which it is a member, has the right of first refusal to purchase this water system.

Heritage Village is not concerned with the competition from the Seymour Water Co. or Bridgeport Hydraulic. We are concerned, as I think the towns of Middlebury, Southbury should be, with the eminent domain rights to inherit the powers of public service companies in the state. Our concern is to co-ordinate very closely with these towns on anything done with our system for these towns and to utilize local interest of our local company in this fashion. We are in opposition of bill 6118 of the Seymour Water Co. to the intent that it infringes on either of the towns of Southbury or Middlebury. We have worked very carefully and very closely with these town officials in both Southbury and in Middlebury. Our initial concern was to provide water service for the Uniroyal complex. We have entered into a contract with the town of Middlebury for this service and the service under this contract provides for the full present and future needs of the town of Middlebury, so the major capital investment that will be undertaken to serve the initial Uniroyal complex will be compatible with the general and full present and future needs of the town of Middlebury. Additionally, it will also do the same for the town of Southbury. Our concern is rather local in this respect, we are a local company and we hope to have this as a matter of consideration by the committee.

Sen. Stanley: Thank you. Is there anyone else who would speak in favor?

Frank Sheppard, 1st Selectman, Town of Woodbury: Mr. Chairman, I will be speaking at this time for our entire Board of Selectmen. I will speak to bill 8239 and 6118.

The selectmen of Woodbury feel that at this time they are not in favor of bill 8239, which creates a water commission for the Pomperaug Valley. We are vitally concerned with the water of Pomperaug Valley, but we feel that there are so many bills and so much confusion at the moment that this is not the right time to get into bill 8239, therefore our position is in opposition to it.

We wish to go on record as favoring bill 6118, which is the bill that extends the franchise area of the Seymour Water Company. We have given careful consideration to this because we presently have a very old water company in Woodbury which is owned by the General Water Company and presently are getting very poor service.

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We have the situation with the Seymour Water Company, has almost completed negotiations by the working assets of the Woodbury Water Co. and their plans to the Board of Selectmen, as they have been explained, provide for very adequate plans to increase the service and provide the necessary fire protection, etc., that we are not now receiving from the present company. So far we have a few reasons that we would like to put in the record as favoring this. First of all the Seymour Water Co. is an old company, well established, an affirmative firm of the Bridgeport Hydraulic, which I am sure is well known to the public utilities commission of this state, as being a very competent company. The problems of this bill, as we understand them, for the Seymour Water Co. to successfully operate the Woodbury Water Co., must be contiguous to it, therefore this would tie in through the adding of Middlebury through the franchise territory to get them to Woodbury. The Woodbury Water Co. now services 3 or 4 customers within the town of Southbury and we see no reason why they should not continue to do this. The Seymour Water Co. has been, as I have said before, completely through the problems of our system and are ready to face up to the problems to bringing it up to a modern public utility water system. Therefore, we ask you to favorably consider bill 6118. Thank you.

Sen. Stanley: Thank you. Is there anyone else who would speak?

Sam Green , 1st Selectman of Southbury: We have several here that wish to speak. I would wish to speak after some of the other affirmative speakers have spoken.

Sen. Stanley: Would you care to introduce them here?

Mr. Green : Yes, I can do that. Atty Conklin, representing our town council.

Sen. Stanley: You mean that they are going to make the point and you are going to summarize?

Mr. Green : That would generally what I hope to do.

Atty Conklin: Mr. Chairman, I would like to speak in favor of bill 6971 and bill 8239. Both of these acts are enabling legislation, 6971 would create a Southbury water commission and 8239 would create a district water commission involving 5 towns. Neither of these bills, should they be passed, would have any immediate impact in terms of creating anything. It would merely provide the statutory authority for the towns in the area and the citizens of Southbury to create this water commission and if two of the town in the district wanted to create the district commission they could do so under this enabling legislation.

Both of these acts are modeled after acts that are currently in use in the State of Connecticut. The Southbury Water Commission bill 6971, is modeled directly after the Middlebury bill, which is currently law.

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The 8239 district bill is modeled after the Southwestern Connecticut Water Authority bill, excuse me, the Southeastern Connecticut Water Authority bill.

Mr. Chairman, the people of the town and of the district feel very strongly that they should have some sort of voice in the development of this particular region. And these two bills would enable them to make themselves heard if that was the final decision at the various legislative bodies. The bills do not in any way, that is the district bill does not in any way represent a take-over. On an examination of the bill would reveal that all the parts of it involved the district commission taking over either municipal companies or private companies with their consent and also filling the gaps in the district that may have been created by the fact that a municipal company or a private company was not serving the entire area that was embraced within the district.

I would also just like to say very briefly as to bill 7429, The Heritage Village Water bill, that we are in favor of that bill. We feel that the protections that are drafted into the legislation, both of right of first refusal should there be a contemplated sale and the creation of directorships, that have the chairman of the water commission or the first selectman of the various towns, make that particular bill more likely to be responsive to the needs of the particular communities. We feel that the people with the local interest are and the local residence should have a chance to run this operation and we feel that they would be more responsive to our particular needs. Thank you.

Mr. Spencer, resident of Heritage Village: This makes me a resident of Southbury and it makes me a customer of the Heritage Water Co. They have done a satisfactory and very good supplier of water. This is not unique, I am sure that the Seymour Water Co. has many satisfied customers. However, the important thing is that most of us feel that local government and local business are best equipped and much more concerned about local means. We feel that local control means greater concern for natural resources and for the general good of the community. The Heritage Water Co. is represented of such business in the town of Southbury, therefore it is urged that the several bills submitted by Rep. Green to this assembly be passed. We feel that we don't really need an outside company to come in and stick another pipe into our local water supply. The water supply has been distributed in good fashion and we sure that it can be done so in the future. Thank you Senator.

Donald Gates, Assessor, Town of Southbury: Mr. Chairman and committee, I am speaking in favor of the water bills introduced by Rep. Green. I speak as a property owner and also as an assessor for Southbury. Southbury is rapidly changing from a farming community to residential. The farms are being subdivided. In 1968 five new subdivisions were developed consisting of 182 acres. Many more are being planned, one of these by a contractor who plans to build ninety houses, this is in addition to Heritage Village. The interstate I-84 that goes through the town, makes Southbury easily available to New York and cities in Connecticut. Mr. Chairman, Southbury needs the water in the Pomperaug

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Valley and I favor the passage of these bills.

Sen. Stanley: Thank you sir. Now, the 1st selectman was going to summarize, did I hear you say briefly?

Mr. Green: I have Judge Mitchell, former representative from the town of Southbury, who would like to say something first.

Judge Mitchell: Mr. Chairman, there was an engineering survey that should be in the record of this area as shows this gravel deposit down through the Pomperaug Valley. This water in this gravel deposit is sufficient for the towns of Southbury and Middlebury. I favor these bills, 7429, 8239 and 6971. This area developed by the Heritage Village Water Co., can amply supply the towns of Southbury and Middlebury. If you get in other areas you are going to draw more heavily on this water reserve so that there will not be enough to go around. Therefore, I am against bill 6118, that would allow the Seymour Water Co. to come in and draw on this area. They have sufficient water of their own. They have wells down along the Housatonic River that give them water that they could possible need. I can't imagine their having ~~two~~ pipe lines running along the same road way, one to the Seymour Water Co., and one to the Heritage Water Company. This does not seem very practical. I am against 6118 and I can assure you, Mr. Chairman, that the Heritage Village Company has developed a water resources there for Heritage Village for their 2,000 condim^{inuma}nutums and they can do a good job in supplying Middlebury and Uniroyal. Thank you sir.

Mr. Green: Mr. Chairman: I will hand in my prepared statement. I will try to draw some conclusions and I think I can speak for the majority of the citizens of the Town of Southbury. I would want you to know that the Town of Southbury has met with the Town of Oxford, Middlebury, Woodbury and Southbury, with the town councils in attendance and we have prepared the bills and enabling legislation to enable us to do something in the future. We are not sure what is exactly the best for our towns but we want to do it on an area basis and the towns do work very well together. Now I think that this would be possible sometime in the future. I would like to say in respect to the Heritage Village Water bill, that they have sat down with the officials of Southbury and have tried to make this as good a bill, favoring the interests of Southbury and the other towns in the area as they possibly could. We as noted before would be on the Board of Directors, represented on the Board of Directors, and we would have an option to purchase this if the present owners decided they would like to sell. I would like therefore speak in favor of bills 6971, 8239, 7429 and against 6118. Thank you.

Robert Jones: I am a citizen of Woodbury and I oppose 6118, which would extend the franchise to the Seymour Water Co. to include Woodbury. It is a well known fact Bridgeport Hydraulic and or Seymour Water Company have

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looked to our area for, for a water supply for many years, while not serving the area. My question is as it was not for this area where was it going? Prior attempts were turned back and now you are being asked again. In making a recent bid to serve Middlebury, an attempt to obtain water from the area was surrounded with an awe of validity. Negotiations to purchase the Woodbury Water Company were logical as that water company had a water supply and it could be used and its a spring board to Middlebury. Now, Seymour and its parent are not involved in serving Middlebury. It may be necessary to extend Seymour's charter to include Woodbury, if that company is to purchase the Woodbury Water Co. However, this bill does not include a restriction that water obtained from Woodbury will distributed only in Woodbury as does the Woodbury charter and there is no guarantee that eventually it won't go most anyplace. If it is only the desire of Bridgeport Hydraulic to add the Woodbury Water Co. to its list of many subsidiary water companies and not to obtain complete rights to the water in Woodbury for the purpose is, I suggest that the purchase can be made by Bridgeport Hydraulic. This would completely nolyfy any need for the passage of this bill or to include Woodbury in it. This would be evidence of real good faith. Anything that I have said is not to be construed as opposition to a bonafide offer to purchase, keep up and better the service of the Woodbury Water Co.. I am concerned only with the conservation of our water resources. Thank you.

Sen. Stanley: Thank you. We are speaking in favor of the bills now.

Charles A. Hills, Assistant Managing Director of the Connecticut Development Commission. I am here to express the commission's endorsement HB 7429. The commission is also particularly anxious to the recommendations of the Central Naugatuck Valley Regional Planning Agency to give prior consideration to the water needs of this area and to preserve its recreational assets be incorporated in the final bill.

One of the basic needs for economic growth is the provision of water. Projections of the Regional Planning Agency indicate substantial growth for the region. Therefore, the Development Commission is pleased to note that the Heritage Village Water Company is being designated by the Towns of Southbury and Middlebury as their choice to supply the necessary water for present and future growth.

As you know, the location of a major complex for research and engineering is planned which is expected to spark considerable other development in the region. It is necessary that the towns should anticipate such growth with proper provision of water at this time.

Therefore, the Connecticut Development Commission strongly supports HB 7429, which is in accordance with local determination.

Charles Tucker, Assistant Planning Director to the Central Naugatuck Valley Regional Planning Agency: The agency is untaking studies of the ground water capacity of the Pomperaug River Valley and has found that there is sufficient water for the towns of Bethlehem, Woodbury, Southbury which are in the valley, and Middlebury and Oxford to the year 2000 under current population projections.

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CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS
1969

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PART 3

993-1519

Thursday, April 10, 1969

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Eminent Domain by the Metropolitan District.

THE SPEAKER:

Tabled for the Calendar and Printing.

THE CLERK:

Favorable report of the Committee on Public Utilities.
Modified House Bill No. 5685. An Act concerning the Exercise of
Refuse Disposal and Other Functions by the Metropolitan District.

THE SPEAKER:

Tabled for the Calendar and Printing.

THE CLERK:

Favorable report of the Committee on Public Utilities.
Substitute for House Bill No. 7429, An Act concerning Incorporating the Heritage Village Water Company.

THE SPEAKER:

Tabled for the Calendar and Printing.

THE CLERK:

Favorable report of the Committee on Public Welfare and Humane Institutions. Substitute for House Bill No. 6105. An Act concerning Rental Security Deposits Required of Welfare Recipients.

THE SPEAKER:

Tabled for the Calendar and Printing.

THE CLERK:

Favorable report of the Committee on Public Welfare and Humane Institutions. Substitute for House Bill No. 6898. An Act concerning Revenues from Liable Relatives of Public Assis-

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CONNECTICUT
GENERAL ASSEMBLY

HOUSE

PROCEEDINGS

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PART 4

1520-2064

Monday, April 14, 1969

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Calendar No. 314, House Bill 5473, File No. 318; Calendar No. 315, House Bill 6640, File No. 314; Calendar No. 316, House Bill 7386. File No. 313; Calendar No. 333, House Bill 7033, File No. 324.

Mr. Speaker, I move the adoption of the Joint Committee's Favorable report and passage of these previously-mentioned bills.

THE SPEAKER:

Will you remark further on the motion. If not, all those in favor indicate by saying AYE. Those opposed. The bills are PASSED.

MR. COLLINS: (165th)

Mr. Speaker, in accordance with Rule 47 of the Joint Rules, I would request that the following items be placed on the Consent Calendar:

On Page 3, Calendar No. 348, House Bill 6601, File No. 358; Calendar No. 361, House Bill 7261, File No. 376; On Page 4, Calendar No. 363, House Bill 7891, File No. 353; Calendar No. 368, House Bill 5917, File No. 352. On Page 5 - Calendar No. 376, Committee Bill 1340, File No. 133; Calendar 377, Senate Bill 1526, File 198; Calendar No. 378, Senate Bill 1527, File No. 199. On Page 6 - Calendar No. 382, House Bill 8184, File No. 379; Calendar No. 385, House Bill 8300, File No. 830. On Page 7 - Calendar No. 389, House Bill 7429, File No. 384; Calendar No. 392, House Bill 8325, File No. 387; Calendar No. 393, (?) House Bill 6415, File No. 389.

roc

Monday, April 14, 1969

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THE SPEAKER:

roc

You have heard the motion. Does anyone object to the placing of any of these items on the Consent Calendar. If not, so ordered.

I think it would be appropriate at this point to congratulate the Majority and Minority Leaders for the spirit of cooperation they have shown not only on these matters but other matters. I think it is relevant again to point out that as of last Thursday we have adopted 195 bills compared to 66 at a comparable time in 1967. So gentlemen, on behalf of the Chair, thank you.

Is there further business.

The gentleman from the 165th.

MR. COLLINS: (165th)

Mr. Speaker, if I may. Point of inquiry on the Consent Calendar. Would the Clerk please check Calendar Nos. 308 on Page 9, File No. 315, House Bill 6603 to see if that particular number was moved for adoption.

THE SPEAKER:

In accordance with corrected notes down here, it has been moved for adoption.

THE CLERK:

Page 11 of the Calendar. MATTER RETURNED FROM THE LEGISLATIVE COMMISSIONER. Calendar 89, House Bill 5250. An Act concerning the Restraint or Disposal of Dogs Creating a

Wednesday, April 16, 1969

47.

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Calendar Bill No. 377, Senate Bill 1526, File No. 198; Calendar No. 378, Senate Bill No. 1527, File No. 199; Calendar No. 382, House Bill 8184, File No. 379; Calendar No. 385, House Bill 8300, File No. 380; Calendar No. 389, Substitute for House Bill 7429, File No. 384; on Page 11, Calendar No. 392, House Bill 8325, File No. 387. Calendar No. 393, House Bill 18614, File No. 388, Calendar No. 394, File No. 389, House Bill No. 6415. Mr. Speaker, I would move adoption of this.

THE SPEAKER:

You have heard the motion all of those in favor indicate by saying aye. Those opposed. The bills are passed.

MR. COLLINS (165th):

I would now move that the following bills be placed on the Consent Calendar: On page 4, Calendar No. 384, Substitute for House Bill 5472, File No. 393; on page five, Calendar No. 395, Substitute for House Bill 8590, File No. 394; also on page five, Calendar No. 403, House Bill 8340, File No. 397; on page six, Calendar No. 408, House Bill 5654, File No. 401; Calendar No. 411, Substitute for House Bill 6430, File No. 402; Calendar No. 412, House Bill 7924, File No. 403. On page 7, Calendar No. 415, House Bill 6425, File No. 404, on page 8, Calendar 423, House Bill 5296, File No. 407, Calendar No. 424, Modified House Bill 5896, File No. 408; Calendar No. 426, House Bill 5266, File No. 410; Calendar No. 427, Substitute for House Bill 6550, File No. 411; Calendar No. 428, Substitute for House Bill 7760, File No. 412;