

HB 5247

PA 750

1971

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House 5066

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**JOINT
STANDING
COMMITTEE
HEARINGS**

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the Highway Department to include this particular area to, which is the highest noise level on the turnpike in their schedule planning and I have to say we regret that up until this point I have had no success in getting the cooperation of the Highway Department in this regard. So I would appreciate and the residents of Byram, would very much appreciate your help. Thank you very much.

Rep. Locke: Mr. Chairman, Rep. Locke from the 49th District. I'd like to speak in favor of two bills 5247 and 5147 concerning the payment of volunteer Fire Departments on State Highways and Turnpikes. They'll be further testimony given by two gentlemen from the fire service at this time. Mr. Chairman I won't take any more time, but just to say that I am in favor of both of these bills. Thank you.

Rep. O'Dea: Are there any other legislatures that want to speak on any other bills? If not can you give us the bills as they are listed in the bulletin? Is Mr. Burkholder here that wanted to speak on the bill that came up yesterday?

Mr. Burkholder: Mr. Chairman, thank you for this opportunity to speak, there was some confusion yesterday about the scheduling. Burkholder, I'm CDAP Coordinator and Assistant City Planner in the City of Norwich. I would like to speak in support on behalf of the City of Norwich of Sen. Murphys bill 375 concerning relocation of Route 2 through the City of Norwich. This bill would essentially just give needed flexibility to the Bureau of Highways in planning the relocation of this road, if you recall in the 1969 session there was money authorized for official studies on Route 2, but the language of the section of the bill was so specific that only, perhaps, could be considered by the Bureau of Highways, they have analyzed these two routes, they have very cooperative with the City of Norwich. The City of Norwich has rejected these routes, and I think the Bureaus of Highways is agrees with the cities, and the cities reasons for the rejections. In one case the Highway Coordinator suggested plans which were virtually demanded by the language of the legislation, would have cut our 64 acre redevelopment area into 2 - 17 acre sites and one 6 acre site taking out approximately 25 of the 64 acres. Though the new bill will give the Bureau of Highways, flexibility it needs to plan the relocation of the road through the city without having to consider specific routes as where suggested by the '69 legislation. The city council has gone on record in support of this concept. The Commissioner on the city plan is in the process of developing for the city, and it feels that the flexibility for the Bureau of Highways is needed and that this legislation would provide it. Thank you very much.

Rep. O'Dea: Thank you Sir. Now we will hear S.B. 254 AN ACT CONCERNING OPERATING OVERWEIGHT COMMERCIAL VEHICLES. HIGHWAY WEIGHING REQUIRED. PENALTY. Anyone in favor of this bill?

Lt. Griffin: Mr. Chairman, members of the Committee, I'm Lt. Griffin of the State Police Traffic Division. The State Police Department is in favor of S.B. 254 concerning operation overweight commercial vehicles. It seems it does provide for a simple method of computing fines for overweight violations. It also provides for a separate and simple method of computing overweight violations as they apply to axles. The bill further provides that the responsibility for any material removed from an overweight commercial motor vehicle to render its weight legal will remain with the owner or operator. However, we would like to propose

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existing residences have been adequately and properly landscaped except where precluded by terrain conditions. The State of Connecticut should not be directed to accomplish screen plantings adjacent to parcels scheduled for future development as subdivisions, until such time as development takes place. Ineffective and possibly needless installations would probably result from such action. It is recognized that supplemental landscape planting installations will be required from time to time throughout our highway system to satisfy conditions arising from changes in abutting land use. We are cognizant of these requirements and do accomplish such planting within the limit of available funds. There is no assurance that the installation of screen plantings will materially effect a reduction in the decibels of sound encountered at residences existing in near proximity to the highway. Perhaps the greatest benefit of all is derived from placing the source of discomfort out of view. Many believe the effectiveness of screen planting installations depend upon the sensitivity of the individuals concerned and is, to a great extent, psychological. The Department of Transportation opposes Bill No. 5135 on the basis that it imposes a rather inflexible requirement and also on the basis that we can and do accomplish such planting where meaningful results can be attained.

Rep. O'Dea: Thank you Mr. Aryton. Anyone else opposed to 5135? The hearing is closed on this bill. The next one is H.B. 5147 AN ACT CONCERNING PAYMENT TO VOLUNTEER FIRE COMPANIES FOR CALLS ON ROUTE 8. Rep. _____ and Rep. Locke have already spoken of the bill.

Mr. Flannigan: The name is Ira Flannigan. Mr. Chairman, representing the Connecticut State Farms Association talking in behalf of placing the State Farms Association on record as supporting H.B. 5147. I doubt if I should try to be repetitious here because I believe that Rep. Sarsin has given a consise understanding as to the intent of the bill. And it will be very, very helpful in providing that coverage and also some compensation to the company for any specail equipment or materials that they may need and we ask that the committee kindly consider this bill and return a favorable report.

Rep. O'Dea: Thank you Mr. Flannigan. Anyone else in faovr?

Mr. Reynolds: Mr. Chairman, the name is Howard Reynolds representing the Connecticut Association of Fire Chiefs, in support of this bill. If there was ever a section of highway that should be known as limited access its this particular piece, as was previously described by the Representative that introduced the bill. At places its 150 to 200 yards apart where they, almost vertical elevation between the roads and it does represent a hardship and responding comapanies having to go a couple of miles to make the swing over from one lane to the other, and we would like to support this piece of legislation. This is all this bill does, is just include this little section of 8. Thank you.

Rep. ODea: Anyone else in favor? Anyone opposed? The hearing is closed on 5147. Next bill is 5247 AN ACT INCREASING THE PAYMENT TO VOLUNTEER FIRE COMPANIES FOR CALLS ON ROUTE 8. Rep. Locke has spoken in favor of the bill?

Mr. Flannigan: Chairmen, members of the committee, Ira Flannigan, representing the Connecticut State Firemens Association. The bill which you have before you for consideration is in order to keep abreast of the mounting

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of fire protection and the purchasing of supplies and equipment down to specially equipped apparatus in order to meet the, carry proper water supplies, to these limited access highways because of the nonavailability, I would say, to any source of supply. I will consider the request that is made here for an increase from \$75.00 to \$100.00, because even if \$100.00 for the average truck fire on the highway can be very expensive to any volunteer fire department, whether they use dry chemicals or foam. And we ask your consideration for the increase per call which is a matter of \$25.00, in addition to the Mr. Chairman, I have a substitute bill which has the approval of the Gentlemen who introduced this bill and I would ask that the committee would give this substitute bill consideration in combining of what the existing bill of 5247 and getting back to 5147 to bring in the section Beacon Fall as previous described under one bill. Thank you Mr. Chariman.

Rep. O'Dea: Thank you. Next in favor?

Mr. Reynolds: Chairmen, Howard Reynolds representing the Connecticut Association of Fire Chiefs. I wish to go on favor of this bill. Mr. Flannigan said cost wise foam which is usually used on a truck fire today cost about \$30.00 for a five gallon can, which last about a minute and a half. So if you use very much foam on a fire its money out of pocket for the fire department responding, plus the fact that many of these parkway fires are fires involving trailer truck boxes where they are usually from out of state and not paying any taxes directly to the local community that is supporting the local fire department, and it quite frequently means tying up a couple of pieces of equipment and anywhere from 10 to 15 or 20 men for long periods of time, 1, 2, or 3 hours if he has a full load in his trailer which has all got to be overhauled before it can be left. These volunteer departments just cannot stand anymore expensive involved in their operations there hard put to keep operating in the present conditions. As I pointed out to the General Law Committee yesterday, in another bill that were interested in the situation which exists in the Town of Windam, where three volunteer fire departments closed there doors, night before last due to lack of financial support from the town. This is a very serious situation and we strongly would be in favor of this increase from \$75.00 to \$100.00. We know that this is the most economical way that the State of Connecticut can provide fire protection on the parkways and limited access highways throughout the state, and it has worked out very satisfactory very satisfactory for the length of time it has been in force with the detail work being done by the State Fire Marshalls Office.

Rep. DuBaise: Mr. Chairman, I have a question. Is there any possibility of recovering funds of loss, from Insurance Companies on out of state trucks?

Mr. Reynolds: You mean by the fire company recovering, I think this would be a very cumbersome thing to do, there is no law no legal way that it could be done, it would have to be on a voluntary basis and probably would be pretty difficult to do. Incidetally, I might mention in the substitute bill which Mr. Flannigan mentioned, this does call for a limit of \$50.00 on the ambulances responding on the parkways. They have been paid in the past for ambualnce service and its going to mean a little reduction in some of these departments, their responding with ambulances, but we feel that \$50.00 is a reasonable amount. The reason I say that is this, an ambulance goes in with two or three men, he picks up his patient or patients and gets out of there, where a piece of apparatus usually maybe two or three pieces of apparatus involves a lot more manpower and a lot more time.

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Rep. O'Dea: Thank you Mr. Reynolds. Anyone else in favor of this bill? We have a statement from Rep. Martin, saying "this is a good bill and I hope it passes". Anyone opposed to the bill? The hearing is closed on 5247. The next bill is 5338 AN ACT CONCERNING CONSTRUCTION AND MAINTENANCE OF SIDEWALKS ABUTTING STATE PROPERTY. Rep. Williston has spoken in favor of this bill, anyone else in favor? Anyone opposed to the bill?

Mr. Aryton: Mr. Chairman, members of the committee, my name is Donald L. Aryton, speaking for the Department of Transportation in opposition of H.B. 5388. At the present time there are only two situations where the Department of Transportation is obliged and responsible for the maintenance of sidewalks. Section 13a-91 of the General Statutes permits construction or reconstruction of sidewalks on bridges and their approaches where public safety so requires and requires the maintenance of such walks. Additionally, Section 13a-258 requires maintenance of sidewalks abutting property acquired for new highways from the date of property acquisition until project completion. It is the Department's position the Bill No. 5388, if enacted, could place a near impossible burden on the department. Section 2 of this proposal is particularly objectionable due to the requirement to meet a 180 day deadline for construction after notification from the municipality of its need. Our particular concern here is the initial impact whereby hundreds of miles would undoubtedly be requested upon the effective date of the legislation. We have also made some estimates as to what mileages and costs might be required by this legislation. For these estimates we have used a cost range between \$32,000 and \$42,000 per mile of sidewalk. If each town had only one primary or secondary school on a State highway, construction of sidewalks within 2 miles of the school in each direction on each side of the highway would cost between \$45 and 55 million dollars. Annual maintenance would cost approximately 8 million dollars, most of which would be for ice and snow removal. These figures apply to Section 1 of Bill 5388 only. Section 2 of this bill requiring responsibility for construction and maintenance in populated districts might cost between \$60 and \$75 million for construction and an annual maintenance cost of about 11 million dollars. Our estimate of mileage under this section was 1,800 miles. A large initial capitol expenditure for additional equipment to accomplish the ice and snow removal has not been included in the annual maintenance costs. With these facts at hand and at this present time, we believe, our only course of action to to oppose Bill No. 5388.

Rep. O'Dea: Thank you, Anyone else opposed? The hearing is closed on 5388. Now we will hear 5512 AN ACT CONCERNING RESTAURANT FACILITIES ON THE MERRITT PARKWAY. Anyone else in favor? Anyone opposed? The hearing is closed on 5512. H.B. AN ACT CONCERNING MAINTENANCE OF ROADS IN THE STATE SECONDARY HIGHWAY SYSTEM. Any one in favor?

Mr. Aryton: Mr. Chairmen, my name is Donald L. Aryton, speaking for the Department of Transportation. It is not clear to us why Bill No. 5921 has been presented. Section 13a-97 of the General Statute titled "Agreement for town maintenance of state highways" now provides authority for a town and the Connecticut Department of Transportation to enter into such agreement. It further provides for reimbursement to the town in an amount mutually agreeable to the parties. Under our internal procedures for entering into such agreement, the amount is derived from a costing study by the state which reimbursement amount is not

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