



**Testimony  
Betsy Gara  
Executive Director  
Connecticut Council of Small Towns  
Before the  
Judiciary Committee  
March 10, 2014**

**HB-5448-AN ACT CONCERNING THE DISCONTINUANCE OF HIGHWAYS AND PRIVATE WAYS BY MUNICIPALITIES**

The Connecticut Council of Small Towns (COST) *opposes* **HB-5448**, which imposes a confusing and burdensome requirement on municipal officials relative to the discontinuance of a road or highway.

Under the bill, towns will be required to provide mail to each person having an interest in the record, a notice of such “assessment” including “the physical construction of such layout, alteration, extension...” – terms which are not applicable to the discontinuance of a road and which create confusion regarding how to comply. These provisions are applicable to eminent domain proceedings and are confusing in this context.

In situations where the whereabouts or existence of a party is unknown, the bill requires notice to be published in the newspaper, mailed by registered or certified mail and, finally, if, after a search of the land and probate records, the address cannot be found, the municipal official must prepare an affidavit stating such facts and reciting the steps taken to establish the address of any such person and file it with the town clerk.

This imposes additional burdens on towns without adequately addressing the concerns raised by proponents of the legislation.

COST urges lawmakers to reject this measure, as currently drafted.