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1 STATE OF CONNECTICUT

2 CONNECTICUT SITING COUNCIL

5 Docket No. 506

6 New Cingular Wireless PCS, LLC (AT&T) application  
7 for a Certificate of Environmental Compatibility  
8 and Public Need for the construction, maintenance,  
9 and operation of a telecommunications facility  
10 located at 499 Mile Lane, Middletown, Connecticut

12 VIA ZOOM AND TELECONFERENCE

14 Continued Remote Public Hearing held on Tuesday,  
15 December 21, 2021, beginning at 2 p.m.  
16 via remote access.

19 Held Before:

20 JOHN MORISSETTE, Presiding Officer

25 Reporter: Lisa L. Warner, CSR #061

1           **A p p e a r a n c e s :**

2           **Council Members:**

3            QUAT NGUYEN

4            Designee for Chairman Marissa Paslick

5            Gillett

6            Public Utilities Regulatory Authority

7            ROBERT SILVESTRI

8            DANIEL P. LYNCH, JR.

9            LOUANNE COOLEY

10          EDWARD EDELSON

11          MARK QUINLAN

12          **Council Staff:**

13          MELANIE BACHMAN, ESQ.

14          Executive Director and  
15          Staff Attorney

16          MICHAEL PERRONE

17          Siting Analyst

18          LISA FONTAINE

19          Fiscal Administrative Officer

20          For Applicant, New Cingular Wireless PCS,  
21          LLC:

22          CUDDY & FEDER LLP

23          445 Hamilton AVenue, 14th Floor

24          White Plains, New York 10601

25          BY: CHRISTOPHER B. FISHER, ESQ.

26          For Party, the City of Middletown:

27          OFFICE OF THE GENERAL COUNSEL

28          City of Middletown

29          245 deKoven Drive

30          Middletown, Connecticut 06457

31          BY: CHRISTOPHER J. FORTE, ESQ.

32          Assistant General Counsel

1      **I n d e x: (Cont'd)**

2      **For Party, Talias Trail:**

3            **JOSEPH BARBAGALLO**  
4            **59 Talias Trail**  
5            **Middletown, Connecticut 06457**

6            **KELLY PUGLIARES**  
7            **50 Talias Trail**  
8            **Middletown, Connecticut 06457**

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12            **MICHAEL SITEMAN**  
13            **29 Talias Trail**  
14            **Middletown, Connecticut 06457**

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12      **Also present: Aaron Demarest, Zoom co-host**

14      **\*\*All participants were present via remote access.**

MR. MORISSETTE: Good afternoon, ladies and gentlemen. This continued remote evidentiary hearing session is called to order this Tuesday, December 21, 2021 at 2 p.m. My name is John Morissette, member and presiding officer of the Connecticut Siting Council.

As everyone is aware, there is currently a statewide effort to prevent the spread of the Coronavirus. This is why the Council is holding this remote hearing, and we ask for your patience. If you haven't done so already, I ask that everyone please mute their computer audio and telephones now.

A copy of the prepared agenda is available on the Council's Docket No. 506 webpage, along with the record of this matter, the public hearing notice, instructions for public access to this remote public hearing, and the Council's Citizens Guide to Siting Council Procedures.

Other members of the Council are Mr. Edelson, Mr. Silvestri, Mr. Nguyen, Mr. Lynch, Ms. Cooley, Mr. Quinlan, Executive Director Melanie Bachman, Staff Analyst Michael Perrone, and Fiscal Administrative Officer Lisa Fontaine.

This evidentiary session is a

1 continuation of the remote public hearing held on  
2 November 30, 2021. It is held pursuant to the  
3 provisions of Title 16 of the Connecticut General  
4 Statutes and of the Uniform Administrative  
5 Procedure Act upon an application from New  
6 Cingular Wireless PCS, LLC, also known as AT&T,  
7 for a Certificate of Environmental Compatibility  
8 and Public Need for the construction, maintenance,  
9 and operation of a telecommunications facility  
10 located at 499 Mile Lane, Middletown, Connecticut.

11 A verbatim transcript is made of this  
12 hearing and deposited with the Middletown City  
13 Clerk's Office for the convenience of the public.

14 We will take a 10 to 15 minute break at  
15 a convenient juncture at around 3:30 p.m.

16 We have two motions on the agenda.  
17 Attorney Bachman, Motion Number 1.

18 MS. BACHMAN: Thank you, Mr.  
19 Morissette. On December 15, 2021, the City of  
20 Middletown requested party status, and staff  
21 recommends approval.

22 MR. MORISSETTE: Thank you, Attorney  
23 Bachman.

24 Is there a motion?

25 MR. SILVESTRI: Mr. Morissette,

1 Silvestri here, I'll move to approve the request  
2 for party status.

3 MR. MORISSETTE: Thank you, Mr.  
4 Silvestri.

5 Do we have a second?

6 MR. EDELSON: I'll be glad to second  
7 that. Edelson.

8 MR. MORISSETTE: Thank you, Mr.  
9 Edelson. We have a motion by Mr. Silvestri and a  
10 second by Mr. Edelson.

11 MR. LYNCH: Mr. Morissette.

12 MR. MORISSETTE: Yes, Mr. Lynch.

13 MR. LYNCH: Excuse my cold, please. If  
14 we approve this motion, does the Town of  
15 Middletown -- and we'll get another motion coming  
16 up -- get to introduce evidence and testimony?

17 MR. MORISSETTE: Yes.

18 MR. LYNCH: Thank you.

19 MR. MORISSETTE: Attorney Bachman, do  
20 you wish to comment?

21 MS. BACHMAN: Thank you, Mr.  
22 Morissette. You are correct, we would hold a  
23 continued evidentiary hearing session for the two  
24 additional parties to have enough time to prepare  
25 and participate in another hearing. Thank you.

1                   MR. MORISSETTE: Thank you, Attorney  
2 Bachman. And thank you, Mr. Lynch.

3                   And we have a motion by Mr. Silvestri  
4 and a second by Mr. Edelson to approve party  
5 status for the City of Middletown. Is there any  
6 discussion?

7                   Mr. Edelson.

8                   MR. EDELSON: No discussion. Thank  
9 you.

10                  MR. MORISSETTE: Thank you. Mr.  
11 Silvestri, any discussion?

12                  MR. SILVESTRI: No discussion, Mr.  
13 Morissette. Thank you.

14                  MR. MORISSETTE: Thank you. Mr.  
15 Nguyen, any discussion?

16                  MR. NGUYEN: No discussion. Thank you.

17                  MR. MORISSETTE: Thank you. Mr. Lynch,  
18 any discussion?

19                  MR. LYNCH: If someone could just  
20 refresh my memory as to when this docket was  
21 received by the Council.

22                  MR. MORISSETTE: Let me see, Attorney  
23 Bachman, do you have that information readily  
24 available?

25                  MS. BACHMAN: Yes, Mr. Morissette. The

1 application was received on October 6, 2021.

2 MR. MORISSETTE: Thank you, Attorney  
3 Bachman.

4 Mr. Lynch, anything else?

5 MR. LYNCH: Negative. Thank you.

6 MR. MORISSETTE: Thank you, Mr. Lynch.

7 Ms. Cooley, any discussion?

8 MS. COOLEY: I have no discussion.

9 Thank you.

10 MR. MORISSETTE: Thank you. Mr.  
11 Quinlan, any discussion?

12 MR. QUINLAN: No discussion. Thank  
13 you.

14 MR. MORISSETTE: Thank you. And I have  
15 no discussion as well. We'll now move to the  
16 vote.

17 Mr. Edelson, how do you vote?

18 MR. EDELSON: Vote to approve. Thank  
19 you.

20 MR. MORISSETTE: Thank you. Mr.  
21 Silvestri, how do you vote?

22 MR. SILVESTRI: Vote to approve. Thank  
23 you.

24 MR. MORISSETTE: Thank you. Mr.  
25 Nguyen, how do you vote?

1                   MR. NGUYEN: Approve. Thank you.

2                   MR. MORISSETTE: Thank you, Mr. Nguyen.

3                   Mr. Lynch, how do you vote?

4                   MR. LYNCH: Vote to deny.

5                   MR. MORISSETTE: Vote to deny. Thank  
6 you, Mr. Lynch.

7                   Ms. Cooley, how do you vote?

8                   MS. COOLEY: Vote to approve. Thank  
9 you.

10                  MR. MORISSETTE: Thank you. Mr.  
11 Quinlan, how do you vote?

12                  MR. QUINLAN: Vote to approve. Thank  
13 you.

14                  MR. MORISSETTE: Thank you. And I also  
15 vote to approve. We have six for approval and one  
16 for denial. The motion passes. Thank you.

17                  Moving on to Motion Number 2, Attorney  
18 Bachman.

19                  MS. BACHMAN: Thank you, Mr.  
20 Morissette. Motion Number 2, on December 20, 2021  
21 Talias Trail, consisting of Mr. Joseph Barbagallo,  
22 Ms. Kelly Pugliares and Mr. Michael Siteman,  
23 requested party status, and staff recommends  
24 approval.

25                  MR. MORISSETTE: Thank you, Attorney

1 Bachman. Is there a motion?

2 MR. EDELSON: I'll make a motion to  
3 approve. Ed Edelson.

4 MR. MORISSETTE: Thank you, Mr.  
5 Edelson. Is there a second?

6 MR. SILVESTRI: I'll second, Mr.  
7 Morissette. Thank you.

8 MR. MORISSETTE: Thank you, Mr.  
9 Silvestri. We have a motion by Mr. Edelson and a  
10 second by Mr. Silvestri to approve the grouped  
11 Talias Trail party status. Is there any  
12 discussion?

13 Mr. Edelson?

14 MR. EDELSON: No discussion. Thank  
15 you.

16 MR. MORISSETTE: Thank you. Mr.  
17 Silvestri?

18 MR. SILVESTRI: No discussion. Thank  
19 you.

20 MR. MORISSETTE: Thank you. Mr.  
21 Nguyen?

22 MR. NGUYEN: No discussion. Thank you.

23 MR. MORISSETTE: Thank you. Mr. Lynch?

24 MR. LYNCH: Same concern as last time,  
25 they're two months late to the game.

1                   MR. MORISSETTE: Thank you, Mr. Lynch.

2                   Ms. Cooley, any discussion?

3                   MS. COOLEY: No discussion. Thank you.

4                   MR. MORISSETTE: Thank you. Mr.

5                   Quinlan, any discussion?

6                   MR. QUINLAN: No discussion. Thank  
7                   you.

8                   MR. MORISSETTE: Thank you, Mr.  
9                   Quinlan. And I have no discussion. We'll now  
10                  move to the vote.

11                  Mr. Edelson, how do you vote?

12                  MR. EDELSON: Vote to approve. Thank  
13                  you.

14                  MR. MORISSETTE: Thank you. Mr.  
15                  Silvestri, how do you vote?

16                  MR. SILVESTRI: Vote to approve. Thank  
17                  you.

18                  MR. MORISSETTE: Thank you. Mr.  
19                  Nguyen, how do you vote?

20                  MR. NGUYEN: Approve. Thank you.

21                  MR. MORISSETTE: Thank you. Mr. Lynch,  
22                  how do you vote?

23                  MR. LYNCH: Vote to deny.

24                  MR. MORISSETTE: Thank you, Mr. Lynch.  
25                  Ms. Cooley, how do you vote?

1 MS. COOLEY: Vote to approve. Thank  
2 you.

3 MR. MORISSETTE: Thank you. Mr.  
4 Quinlan, how do you vote?

5 MR. QUINLAN: I vote to approve. Thank  
6 you.

7 MR. MORISSETTE: Thank you. And I also  
8 vote to approve. We have six for approval and one  
9 to deny. The motion passes. Thank you.

10 Now, with no objection from the  
11 applicant, we will commence with the appearance of  
12 the City of Middletown to swear in its witness,  
13 Wayne Bartolotta, and verify its exhibits marked  
14 as Roman Numeral III, Items B-1 through 3.

15 Will the City of Middletown present its  
16 witness for the purpose of taking the oath?  
17 Attorney Forte.

18 MR. FORTE: Yes, the city will appear.  
19 And thank you to the members of the Council. At  
20 this time with me virtually is Director Wayne  
21 Bartolotta who's director of the city's central  
22 communications. The Council will have to forgive  
23 me. Is it appropriate at this time for the  
24 Council to swear in the witness or do we mark the  
25 exhibits as a matter of course first?

1                   MR. MORISSETTE: No, we'll swear in the  
2 witness first. Attorney Bachman.

3                   MS. BACHMAN: Thank you, Mr.  
4 Morissette.

5                   Mr. Bartolotta, could you please raise  
6 your right hand?

7                   W A Y N E    B A R T O L O T T A,

8                   called as a witness, being first duly sworn  
9                   (remotely) by Ms. Bachman, was examined and  
10                   testified on her oath as follows:

11                   MS. BACHMAN: Thank you.

12                   MR. MORISSETTE: Thank you, Attorney  
13 Bachman.

14                   We'll now begin. Please verify the  
15 exhibits by the appropriate sworn witness.

16                   MR. FORTE: Good afternoon, everybody.  
17 Thank you. My name is Attorney Christopher Forte.  
18 I'm the assistant general counsel for the City of  
19 Middletown, and I'm appearing in this matter on  
20 behalf of the City of Middletown. As already  
21 sworn in and stated, with me virtually is Director  
22 Bartolotta.

23                   As listed in the hearing program under  
24 Roman Numeral III, Item B, there are three  
25 exhibits that have been marked for identification

1 purposes. These include first the City of  
2 Middletown's waiver of the municipal consultation  
3 that was received on October 4, 2021. Second was  
4 the prefilled testimony of Wayne Bartolotta,  
5 director of the City of Middletown's Central  
6 Communications, dated December 13, 2021. And  
7 third was the City of Middletown's request for  
8 party status, dated December 15, 2021.

9 First, as a matter of course for the  
10 record, Item Number 1, the City of Middletown's  
11 waiver of municipal consultation, was reviewed and  
12 signed by me, and that document is true and  
13 accurate to the best of my belief. And Item 3,  
14 the City of Middletown's request for party status,  
15 consists of email correspondence between myself  
16 and the Siting Council. And just, again, I would  
17 state that those are in fact my emails and that  
18 they are submitted and are true and accurate to  
19 the best of my belief.

20 DIRECT EXAMINATION

21 MR. FORTE: Now moving forward to Item  
22 Number 2, which is the prefilled testimony of  
23 Director Bartolotta, I would just have a few  
24 questions for you. Director Bartolotta, first,  
25 did you prepare and assist in the preparation of

1 that document?

2 THE WITNESS (Bartolotta): Yes.

3 MR. FORTE: And as submitted, are they  
4 true and accurate to the best of your belief?

5 THE WITNESS (Bartolotta): Yes, they  
6 are.

7 MR. FORTE: And do you so present the  
8 evidence submitted within that exhibit as your  
9 direct testimony here today?

10 THE WITNESS (Bartolotta): I do.

11 MR. FORTE: All right. Thank you,  
12 Director Bartolotta. So to members of the  
13 Council, I would ask that the Council accept these  
14 as full exhibits for evidentiary purposes.

15 MR. MORISSETTE: Thank you, Attorney  
16 Forte. Does any party object to the admission of  
17 the City of Middletown's exhibits?

18 Attorney Fisher.

19 MR. FISHER: No objection. Thank you.

20 MR. MORISSETTE: Thank you, Attorney  
21 Fisher.

22 Talias Trail, Mr. Barbagallo, Ms.  
23 Pugliares and Mr. Siteman, do you object to the  
24 admission of the City of Middletown's exhibits?

25 MR. BARBAGALLO: No objection.

1                   MR. SITEMAN: No objection.

2                   MR. MORISSETTE: Very good. The  
3 exhibits are hereby admitted.

4                   (City of Middletown's Exhibits III-B-1  
5 through III-B-3: Received in evidence - described  
6 in index.)

7                   MR. MORISSETTE: We will now begin with  
8 cross-examination of the city by the Council  
9 starting with Mr. Perrone followed by Mr. Edelson.

10                  Mr. Perrone.

11                  MR. PERRONE: Thank you, Mr.  
12 Morissette.

13                  CROSS-EXAMINATION

14                  MR. PERRONE: Turning to the December  
15, 2021 testimony of Mr. Bartolotta, looking at  
16 Question Number 6, there's two alternative  
17 options. The first one involves a new tower and  
18 removing that and installing a temporary tower and  
19 moving the equipment over. My question is, during  
20 that construction process at what point would the  
21 city experience a loss of emergency services  
22 coverage?

23                  THE WITNESS (Bartolotta): As soon as  
24 they begin the physical move. Are you able to  
25 hear me okay?

MR. MORISSETTE: Yes, we can hear you fine.

THE WITNESS (Bartolotta): Okay. As soon as they begin the physical move. So you have a tower in place with cables going to the tower to the antennas and cables inside the shelter to go to our equipment. As soon as you begin the physical move and you take off the antennas at the cables to be able to move it to a new tower, you lose that site and you lose it in two parts. Part number one you lose is you lose that site as an RF site, so in other words, it no longer operates as a radio site for our communications in that area. And you lose that site as part of our P25 800 megahertz system that's our master site, you start to lose that as well. And that entails how the other sites all link to each other and how the P25 system operates in itself. So this is what I would probably consider the most critical site in the city because of that.

MR. PERRONE: Are there any other options for the cutover process?

THE WITNESS (Bartolotta): Not that I'm aware of. I'm not an engineer, but not that I'm aware of.

MR. PERRONE: For example, like a mobile facility, sort of like a cell on wheels, would that be an option?

THE WITNESS (Bartolotta): Well, if you have a cell on wheels, it's the same thing is if you built a tower next to the tower, you still have that downtime. You have aligning of microwaves to do. There's two microwave dishes, both of which are critical. One links to the dispatch center, the other one links us to the state network, the CRM network for assets for the state to provide our responders coverage out of our immediate area. So as soon as you take apart any part of that you lose it.

MR. PERRONE: During the prior evidentiary hearing Mr. Silvestri had asked AT&T about the possibility of a new tower with all new equipment installed ahead of time before a cutover. From the perspective of the city would that be an option?

THE WITNESS (Bartolotta): I think it would be difficult. I think it sounds -- you still have some downtime. I think the downtime would be limited a little bit, but I still think you'd undergo downtime. For instance, you could

1 put up a new tower, but now you have to have all  
2 new equipment on that tower ready to go, you'd  
3 have to have microwaves lined up. On paper it  
4 looks easy, but it's not that way in real life.  
5 If this site were just a normal stand-alone site  
6 that we have as one of our other sites, you'd lose  
7 that site for a period of time, and it would only  
8 be that site. This is a site that links all the  
9 other sites together. It's called the master site  
10 for a reason.

11 MR. PERRONE: Under that scenario with  
12 a new tower with new equipment already installed,  
13 would you have any idea what the cost of all new  
14 city equipment on that tower would be?

15 THE WITNESS (Bartolotta): I do not.  
16 And the reason I do not is when we went out for an  
17 RFP and it was awarded to Motorola Solutions, it  
18 was part of a package deal. So I wouldn't have  
19 the experience to be able to tell you that  
20 information.

21 MR. PERRONE: I'm going to move on to  
22 the FirstNet topic. How and to what extent would  
23 AT&T's proposed FirstNet interact or mesh with  
24 your existing emergency services communications?

25 THE WITNESS (Bartolotta): Well,

1 FirstNet is part of a nationwide program. So  
2 while the local impact depends on what's happening  
3 locally, the goal of FirstNet is to be able to  
4 keep a cellular operation up and running  
5 nationwide for first responders. One of the  
6 things that came out of 911 was when that event  
7 occurred there was an overload onto the system,  
8 and critical communications from first responders  
9 couldn't take place because the cellular companies  
10 couldn't segregate which was critical  
11 communications and which was me calling to say I'm  
12 on my way home type of communication.

13 So the impact to Middletown is not  
14 necessarily on the FirstNet part of it, although  
15 it's part of the nationwide and critical at times  
16 because we've certainly had serious incidents  
17 occur in Middletown. The big part of it is in  
18 that area, the northern part of the city, cell  
19 coverage along our Newfield Street corridor, we  
20 call it, is poor for AT&T, and we have experienced  
21 issues with cell coverage there. It's poor inside  
22 our high school, which is very close to where  
23 we're at with this site. There's a noticeable  
24 difference in that area for general cell service,  
25 but FirstNet is just what I would call the cherry

1 on top, per se, just to have that there.

2 MR. PERRONE: So would FirstNet's  
3 network operate completely independently from  
4 yours?

5 THE WITNESS (Bartolotta): Yes, no  
6 connection.

7 MR. PERRONE: Is FirstNet a service  
8 that municipal emergency entities subscribe to?

9 THE WITNESS (Bartolotta): Many do. At  
10 the current time the city does not, but many do.  
11 And AT&T has made a concerted effort nationwide to  
12 try to get FirstNet in the hands of responders,  
13 meaning you may be a member of a local volunteer  
14 fire department, we'll give you so much off on  
15 your phone, we'll move you over to our FirstNet  
16 system to be able to help you do your job as a  
17 volunteer firefighter. So nationwide there's been  
18 a heavy push for this.

19 MR. PERRONE: And overall would the  
20 FirstNet service improve or enhance your existing  
21 emergency services capabilities?

22 THE WITNESS (Bartolotta): The way we  
23 perform it, the way we perform now under normal  
24 circumstances there's not a lot of difference.  
25 Well, in cases where many years ago, for example,

1 we had an explosion in a gas power plant, that was  
2 a very large-scale event, in that type of a  
3 situation most likely it could, but calls came in  
4 from 15, 20 miles away, it was a lot of activity.  
5 And now compared to then with the number of cell  
6 phones that are out, it could have an impact. We  
7 take 25,000 911 calls a year. About 75 percent or  
8 more are by cell phone, so it's significant now.

9 MR. PERRONE: Thank you. That's all I  
10 have for the city.

11 MR. MORISSETTE: Thank you, Mr.  
12 Perrone. We will now move on with  
13 cross-examination of the city by Mr. Edelson  
14 followed by Mr. Silvestri.

15 Mr. Edelson.

16 MR. EDELSON: Thank you, Mr.  
17 Morissette. Mr. Bartolotta, staying with Question  
18 Number 6. Back then in 2017 and the subsequent  
19 engineering report in 2019, was one of the  
20 considerations the space on the tower to fit  
21 AT&T's antennas?

22 THE WITNESS (Bartolotta): No. The  
23 primary consideration was for the City of  
24 Middletown. We knew we had a tower with, we'll  
25 call it for lack of better words, X amount of

1 equipment, meaning we knew how many antennas and  
2 how many microwaves we needed for our equipment.  
3 If a vendor came along, AT&T or otherwise, and  
4 wanted to entertain a discussion with the city on  
5 available space that's on the tower, and we could  
6 go through the engineering studies and would  
7 determine if there were interference and all the  
8 engineering studies that would determine if the  
9 tower could hold that equipment, and we could come  
10 to an agreement, we would. So whether it's AT&T,  
11 Verizon or anybody else, we were willing to do  
12 that. We've done that already on a city tower.

13 MR. EDELSON: Right. But as I read the  
14 answer, it said -- what I read in the answer is it  
15 was really a structural analysis that was the  
16 reason that you couldn't go ahead. People wanted  
17 to do this in 2017, but it was only the structure,  
18 not the spacing. So I think I'm on the same --

19 THE WITNESS (Bartolotta): That's  
20 correct, yes, it's the structure. And my point to  
21 you is anybody wanting to come on the tower would  
22 have to do that type of analysis whether it's AT&T  
23 or --

24 MR. EDELSON: I'm not arguing with the  
25 conclusion. I just want to know if -- because

1 this had come up at the prior hearing about  
2 whether or not there was enough space, and I  
3 believe that was why AT&T included a couple of  
4 photographs of your, more of a closeup of the  
5 existing tower and all of the arrays. But as I  
6 read your answer, it was consistent is this was  
7 the structural capacity or the weight bearing  
8 capacity of the current tower was insufficient to  
9 add cellular equipment for AT&T and other  
10 carriers.

11 THE WITNESS (Bartolotta): Yeah, in the  
12 beginning we actually thought by adding some  
13 height to the tower that that would give them some  
14 additional room, but it had to be done by a  
15 structural analysis first to see if that would be  
16 able to work at all with what we had, and it  
17 didn't.

18 MR. EDELSON: Okay. So maybe it really  
19 wasn't the structural analysis, just based on the  
20 weight and not the spacing was enough to say we  
21 can't go forward.

22 THE WITNESS (Bartolotta): That's  
23 correct.

24 MR. EDELSON: And then could have been  
25 a subsequent issue if it had shown itself to be

1 structurally capable, still might have had an  
2 issue with the amount of equipment and where it  
3 could be spaced so that everybody got the coverage  
4 they're looking for.

5 THE WITNESS (Bartolotta): We also had  
6 issues with the, it was brought up on  
7 reinforcement, but that wasn't able to be done  
8 either.

9 MR. EDELSON: I'm sorry, some of your  
10 words are a little mumbled for me. So it could be  
11 on my end. If you could get closer.

12 THE WITNESS (Bartolotta): So we also  
13 looked at reinforcement, but that could not be  
14 done in this case.

15 MR. EDELSON: Very good. Now, in  
16 answer to Mr. Perrone's questions, you indicated  
17 your concerns in terms of any kind of failure in  
18 the process of switching over between one set of  
19 equipment to another. And my question is, and you  
20 made the valid point that sometimes these things  
21 look good on paper and they go very smoothly on  
22 paper, but in practice sometimes the real world  
23 throws some boomerangs at us from time to time.

24 So my question is, in terms of your  
25 experience with tower replacement, tower transfer,

1 what is your personal experience, either projects  
2 you've worked on or people you've worked with, who  
3 have tried to migrate from one tower to another?

4 THE WITNESS (Bartolotta): I have no  
5 experience with tower migration.

6 MR. EDELSON: And you are aware that at  
7 the prior hearing Mr. Lavin from AT&T noted that  
8 AT&T has done this, I don't remember how many  
9 times, but several times, and it's something  
10 they're comfortable with doing, at least that's  
11 the impression I had from his answer.

12 THE WITNESS (Bartolotta): They may  
13 have done it. And I will tell you this from the  
14 city's point, if we were -- we have eight or nine  
15 sites. If we were at any other site except for  
16 this, our prime site, it wouldn't be an issue.  
17 It's because of this site and what's at that site  
18 that makes it an issue.

19 MR. EDELSON: Okay. I appreciate that  
20 answer.

21 Mr. Morissette, I think that's all my  
22 questions at this point. Thank you.

23 MR. MORISSETTE: Thank you, Mr.  
24 Edelson. And we'll now continue with  
25 cross-examination of the city --

1 MR. QUINLAN: I have a couple --

2 MR. MORISSETTE: -- by Mr. Silvestri  
3 and then by Mr. Nguyen.

4 Mr. Quinlan, you had a quick question?

5 MR. QUINLAN: A couple questions, yes.  
6 First off, could you give us an estimate of how  
7 long it would take, how long the outage would be  
8 going from your pole to the AT&T pole?

9 THE WITNESS (Bartolotta): No, I  
10 couldn't. I wouldn't be doing the work. It  
11 wouldn't be my responsibility. I couldn't.

12 MR. QUINLAN: So maybe that's a better  
13 question for AT&T then. All right. I'm good  
14 then. Thank you.

15 MR. MORISSETTE: Thank you. Mr.  
16 Silvestri.

17 MR. SILVESTRI: Thank you, Mr.  
18 Morissette. And good afternoon, Director  
19 Bartolotta.

20 THE WITNESS (Bartolotta): Good  
21 afternoon.

22 MR. SILVESTRI: I have a couple  
23 questions for you. First off, has the city been  
24 in a situation where that communication system has  
25 failed?

THE WITNESS (Bartolotta): No.

MR. SILVESTRI: No, okay. My second question --

THE WITNESS (Bartolotta): I'm sorry, it went online November 2019.

MR. SILVESTRI: Great. Thank you. The second one I have for you, has the city found it necessary to replace any antennae or supporting equipment since that construction?

THE WITNESS (Bartolotta): No.

MR. SILVESTRI: Thank you also.

Actually, the last question I have, do you have a contingency plan for communication outages?

THE WITNESS (Bartolotta): So what happens, and I'm not going to get too, too technical, but what happens in the 800 P25 trunking system, what happens is the sites go into what they call site trunking, and communications would be able to take place between the field units, other sites would be able to hear them. Let me qualify that. Other sites that are able to hear the radios talking would be able to hear them and they would have communications. You would lose the communications between that site and the dispatch center. The dispatch center would have

1 to go onto a rudimentary form of backup radios to  
2 use to get into the system to be able to talk to  
3 those responders. But what would happen  
4 essentially is in that section of town you would  
5 lose all coverage because that's, in addition to  
6 being the master site, that's a site that covers a  
7 great area in northern Middletown. So no, we've  
8 been lucky not to have it, but if you have it, you  
9 have a problem, it's a fairly serious problem.

10 MR. SILVESTRI: Thank you. And if I  
11 heard correctly, you called that site "trunking";  
12 is that correct?

13 THE WITNESS (Bartolotta): Site  
14 trunking.

15 MR. SILVESTRI: Thank you.

16 THE WITNESS (Bartolotta): We have an  
17 800 megahertz trunk radio system.

18 MR. SILVESTRI: Trunking, okay. And  
19 the dispatch center that you just mentioned,  
20 that's located on Miles Lane?

21 THE WITNESS (Bartolotta): No, the  
22 dispatch center is located on 169 Cross Street,  
23 and it's tied into Mile Lane by a microwave.

24 MR. SILVESTRI: Very good. Thank you.  
25 That's all the questions that I have. Thank you,

1                   **Mr. Morissette.**

2                   **MR. MORISSETTE:** Thank you, Mr.  
3                   **Silvestri.** We will now continue with  
4                   cross-examination of the city by Mr. Nguyen  
5                   followed by Mr. Lynch.

6                   **Mr. Nguyen.**

7                   **MR. NGUYEN:** Thank you, Mr. Morissette.

8                   Good afternoon, Mr. Bartolotta.

9                   **THE WITNESS (Bartolotta):** Good  
10                  afternoon.

11                  **MR. NGUYEN:** Good afternoon. There was  
12                  a question from Mr. Silvestri that there was no  
13                  downtime since the system, the City of  
14                  Middletown's safety network went online in 2019;  
15                  is that right?

16                  **THE WITNESS (Bartolotta):** Yes.

17                  **MR. NGUYEN:** That's wonderful. One of  
18                  the concerns that I gather is that the City of  
19                  Middletown is concerned with the continuity of the  
20                  emergency network, and it's a valid concern. But  
21                  to the extent that no system is infallible, to the  
22                  extent that if the interruption of services or  
23                  continuity of services can be maintained, if you  
24                  will, between parties, obviously we do not want,  
25                  you know, we try to minimize, if not eliminate,

1 any hiccup. So put that aside. Is the city  
2 concerned or does the city have any concern  
3 regarding whether, whichever option at the end of  
4 this proceeding they would end up with, either  
5 having an additional tower or a new tower to  
6 accommodate all safety networks?

7 THE WITNESS (Bartolotta): We do have a  
8 concern and our concern is this: If we're sitting  
9 here today and we have a failure, okay, in our  
10 system and we go to our backup systems for site  
11 trunking because of some type of a computer  
12 element that goes bad, we respond to that, we can  
13 repair that in a set period of time. And that's  
14 an accidental thing, it's something that happens.

15 When you purposely take down the  
16 network and you lose control over part of your  
17 city for radio to move to another site or to do  
18 any of those other things, you've caused that  
19 issue, during that period of time the city is  
20 concerned with what happens -- we're by a high  
21 school. What happens if there's an event at the  
22 high school at the time when this equipment is  
23 down. There will be no communications in the high  
24 school, I guarantee it, because there was poor  
25 communications when we had our past system.

1 That's why we went to this type of system. So  
2 that's our overall concern. And really there's  
3 nobody, nobody on this call, nobody that can call  
4 me that will tell me that we could take the -- put  
5 up a light tower next to it and we can plug this  
6 in, I'll plug this and plug this in it, and you'll  
7 be up and running in an hour. Not going to  
8 happen, just wouldn't work.

9 MR. NGUYEN: Yes, and I just want to  
10 ask you that, were you aware that in the State of  
11 Connecticut there are towers that other  
12 municipalities are sharing their safety network on  
13 the same towers?

14 THE WITNESS (Bartolotta): I don't have  
15 a problem with sharing. The location on that now  
16 is 169 Cross Street. We're sharing our tower,  
17 it's a city owned tower, with Verizon. We don't  
18 have a problem with that. That's not a problem.  
19 And if this tower was big enough to be able to  
20 support the equipment proposed by AT&T or another  
21 vendor, we don't have a problem with that either.  
22 But my whole problem revolves around the downtime  
23 that would occur in the process.

24 MR. NGUYEN: So assuming that the new  
25 tower structurally can support AT&T's facility,

1 City of Middletown's facilities and other  
2 carriers' facilities, would that be a concern for  
3 City of Middletown?

4 THE WITNESS (Bartolotta): The only  
5 concern would be the time between, the loss  
6 between the old tower and the new tower. A new  
7 tower is not a concern. That's not a problem for  
8 us. It's the convergence of equipment from one  
9 tower to the other and that downtime.

10 MR. NGUYEN: Okay. And one last  
11 question. In terms of the downtime, and you  
12 mentioned that the City of Middletown has not  
13 experienced any downtime since 2019, even now two  
14 years pass by, any weather, you know, inclement  
15 weather or technical issues even for a short  
16 period of time?

17 THE WITNESS (Bartolotta): Not with  
18 this system, and more importantly, not relating to  
19 that site. We could have another site go, lose  
20 connection, if you will, another site in another  
21 part of town lose connection, but it's not as  
22 critical as this overall site. Given the  
23 microwave links that go to the dispatch center,  
24 the microwave links that link us to the state to  
25 give us statewide coverage for our responders,

1 this is the critical site. Any other site we  
2 wouldn't have as much issue with a little bit of  
3 downtime. This is the master site. It's what  
4 runs it all.

5 MR. NGUYEN: Okay. Thank you very  
6 much. That's all I have, Mr. Morissette.

7 MR. MORISSETTE: Thank you, Mr. Nguyen.  
8 We will now continue with cross-examination by Mr.  
9 Lynch followed by Ms. Cooley.

10 Mr. Lynch.

11 MR. LYNCH: Mr. Bartolotta, if I could  
12 just get a clarification on the cutover that we've  
13 been talking about here. It's my understanding  
14 from your testimony that there is no time period  
15 that you feel comfortable with for the cutover to  
16 a new tower; is that correct?

17 THE WITNESS (Bartolotta): I feel very  
18 uncomfortable with any loss of time or signal to  
19 that tower. However, if somebody says I can do it  
20 in an hour, you and I both know that the chances  
21 are that it's going to take longer, a problem will  
22 occur and then it will put us into a longer time  
23 frame that exposes the city. We have responders  
24 out there that we're responsible to be able to  
25 hear their call for help or their ability to help

1 other people that call us for help. And, you  
2 know, it's a critical site. It's a critical site  
3 not only for the system, but it's a critical site  
4 RF wise, radio wise to be able to hear our  
5 responders from. That's what we're concerned  
6 about.

7 MR. LYNCH: Understood. You mentioned  
8 the FirstNet system. We've encountered them on a  
9 lot of different towers and there's never been a  
10 problem with interference. Why is it a problem  
11 here?

12 THE WITNESS (Bartolotta): I don't have  
13 a problem with FirstNet.

14 MR. LYNCH: Then I misunderstood you.  
15 Sorry.

16 THE WITNESS (Bartolotta): What  
17 generally happens is there's a study done, an  
18 engineered study that says, whether it's a  
19 FirstNet issue or whether it's other RF sites, you  
20 do a test to make sure that there's no  
21 interference. We use cell sites as part of our  
22 radio system, and we've provided the owners of the  
23 towers with studies that show we won't interfere  
24 with your stuff. So no, I'm not concerned with  
25 interference.

1                   MR. LYNCH: Is there a set distance  
2 between the radio equipment on the towers and the  
3 antennae on the tower to prevent interference with  
4 frequency?

5                   THE WITNESS (Bartolotta): The distance  
6 between the tower and the physical shelter,  
7 they're right next to each other. They're right  
8 there. The tower is probably 20 feet away from,  
9 or less, away from the shelter, if that's what  
10 you're asking.

11                  MR. LYNCH: Sorry, I'm having a hard  
12 time hearing. Could you repeat that, Mr.  
13 Bartolotta? I'm sorry.

14                  THE WITNESS (Bartolotta): No problem.  
15 The tower is in a compound right next to the radio  
16 shelter. So the cables from the antennas come  
17 down under, and there's a short tray that brings  
18 the antenna cables into the shelter. They're  
19 right next to each other.

20                  MR. LYNCH: All right. Thank you.  
21 Those are my questions, Mr. Morissette.

22                  MR. MORISSETTE: Thank you, Mr. Lynch.  
23 We will now continue with cross-examination by Ms.  
24 Cooley followed by Mr. Quinlan.

25                  Ms. Cooley.

1 MS. COOLEY: Good afternoon, Director  
2 Bartolotta. Most of my questions have been  
3 answered, but I just had a couple questions that  
4 are maybe more for curiosity sake in trying to  
5 understand how the timeline has worked here. In  
6 number 6 you start by saying in 2017 AT&T  
7 expressed interest in the facility for its  
8 FirstNet program. The tower wasn't constructed at  
9 that time; is that correct?

10 THE WITNESS (Bartolotta): No,  
11 everything was underway.

12 MS. COOLEY: Underway. So at that  
13 point in the process was it too difficult or too  
14 late to look at the proposed tower to see whether  
15 or not at that time it would be appropriate for --  
16 I'm just talking about the FirstNet equipment at  
17 that time. Could it have been redesigned to  
18 accommodate that?

19 THE WITNESS (Bartolotta): So the one  
20 thing I do have experience with is this: We've  
21 had, we've leased towers from AT&T for this  
22 project. We've leased towers from American Tower,  
23 SBA. They don't move for anything. They'll come,  
24 they'll give you interest in something. Two years  
25 later maybe they'll call you back, maybe they

1       won't. So this was a project, and especially this  
2       site we couldn't wait for them to say, oh, let's  
3       do this. I mean, this has been going on and on  
4       for quite some time. And if I would have waited  
5       for them, we never would have had a radio system.  
6       We just kept proceeding. Either they were going  
7       to be onboard or they weren't. And really, as  
8       time went on, they weren't, and then they circled  
9       back. You know, it must be like a gigantic list  
10       of things to do, they'll get to it when they get  
11       to it.

12           MS. COOLEY: Sure. So after that  
13       initial expression of interest, there was no  
14       further communications during the process?

15           THE WITNESS (Bartolotta): No.

16           MS. COOLEY: All right. I think that  
17       really is the only other question that I had.  
18       Thank you very much.

19           THE WITNESS (Bartolotta): You're  
20       welcome.

21           MR. MORISSETTE: Thank you, Ms. Cooley.  
22       We'll now continue with cross-examination by Mr.  
23       Quinlan followed by myself.

24           Mr. Quinlan.

25           MR. QUINLAN: I have no further

1           questions at this time.

2           MR. MORISSETTE: Thank you, Mr.  
3           Quinlan.

4           I have a few follow-up questions, Mr.  
5           Bartolotta. And good afternoon, by the way.

6           THE WITNESS (Bartolotta): Good  
7           afternoon.

8           MR. MORISSETTE: Now, looking at the  
9           structural analysis that was provided as part of  
10          the application, they provided an inventory of the  
11          equipment that you have on the existing tower.  
12          And I see that you have three whip antennas and  
13          two microwaves; is that correct?

14           THE WITNESS (Bartolotta): That's  
15          correct.

16           MR. MORISSETTE: And then you have a  
17          lightning rod that goes up to 182 feet.

18           THE WITNESS (Bartolotta): That's  
19          correct.

20           MR. MORISSETTE: Now, your current  
21          structure is approximately 180 feet; is that  
22          right?

23           THE WITNESS (Bartolotta): Yes.

24           MR. MORISSETTE: And your highest whip  
25          antenna, I believe, starts at 150 and goes as high

1 as 157. Am I --

2 THE WITNESS (Bartolotta): I wouldn't  
3 disagree with you. Off the top of my head, I  
4 don't know.

5 MR. MORISSETTE: Okay. That seems to  
6 be what they're indicating. What I'm trying to  
7 get to is you offered two potential alternatives  
8 that you looked at, one was reinforce and one was  
9 to construct a new self-supporting lattice  
10 structure, but what's not discussed is the  
11 possibility of a monopole. And I'm curious as to,  
12 if we had a monopole as proposed here at 150, why  
13 your equipment couldn't go onto a 150 foot high  
14 monopole given that the highest piece of equipment  
15 is installed at around 150 so your whip would go  
16 above it. Have you given any thought to that and  
17 can provide some feedback as to why a monopole  
18 wasn't looked at and why it doesn't work?

19 THE WITNESS (Bartolotta): The monopole  
20 was looked at, and it was looked at for the  
21 purpose of the second tower at the facility. And  
22 with us, whether our equipment went from the  
23 current tower to a monopole, you still have the  
24 same transfer problem and continuity issue.

25 The second thing is, with our tower we

1 don't have a limitation to if we want to add  
2 additional equipment. For example, that site  
3 there is where our emergency operations center is.  
4 Our people in the emergency operations center have  
5 talked about for the past year or so of adding  
6 amateur radio, very high frequency radios, and  
7 using an antenna on that tower. If we have that  
8 tower, we have space on that tower, we could do  
9 other city functions with that tower with the  
10 space we have. If we're on a monopole, we have  
11 limited space that would be available for the  
12 city. We own that tower. We wouldn't own the  
13 monopole. It's a bunch of things, but mainly it's  
14 still you have to move the equipment from one  
15 tower to the other that creates the problem for  
16 us.

17 MR. MORISSETTE: Understood. So is it  
18 possible to operate, for example, if you built a  
19 new tower, whether it be a self-supporting or a  
20 monopole, and you installed equipment on the new  
21 structure, is it possible to run both systems in  
22 parallel and when the new system is up and running  
23 and fully functional then retire the second unit?

24 THE WITNESS (Bartolotta): I'm not an  
25 engineer, but I wouldn't think so. I'm just

1 talking, thinking from my perspective with  
2 microwaves and stuff like that, there's an  
3 alignment, and I don't know how that works. I  
4 think, once again, it's something that looks real  
5 good on a piece of paper, but I think in  
6 practicality it's very difficult to undo. If  
7 worse came to worse and it was ordered that there  
8 was only going to be one tower, I would say the  
9 best thing that the city would ask for then is the  
10 regular lattice tower that is similar to what we  
11 have now but fully sized. Because then we know,  
12 as the city grows and we need more space on the  
13 tower, we have this because of the size of the  
14 physical tower itself where a monopole you're kind  
15 of limited.

16 MR. MORISSETTE: Yes, yes, you are  
17 limited, especially if other carriers go onto the  
18 monopole.

19 THE WITNESS (Bartolotta): And there's  
20 also people that have concerns, and believe me,  
21 and they're on plenty of monopoles, depending on  
22 where the microwave is located on the monopole,  
23 there could be some drift because of the type of  
24 pole, some movement is what I'm told, but I see  
25 plenty of microwaves on monopoles, and that would

1 be concerning for us too.

2 MR. MORISSETTE: Certainly. But as far  
3 as your equipment that you have now concerning the  
4 three whips and the two microwaves, it's not out  
5 of the realm of possibility to install that onto a  
6 monopole with cell equipment?

7 THE WITNESS (Bartolotta): Not out of  
8 the realm of the possibility, I would be lying if  
9 I said yes, but however, it puts the City of  
10 Middletown into a large bind. The bind is now  
11 we're handicapped as being able, if we want to add  
12 more antennas for our emergency operations center,  
13 it's difficult; and second, once again, we lose  
14 the continuity of operations. So if we had to  
15 have a replacement antenna, it was so ordered to  
16 be a replacement antenna, a monopole would not --  
17 the city wouldn't be happy with the monopole. We  
18 want a full-fledged lattice tower that would give  
19 us sufficient room for expansion.

20 MR. MORISSETTE: So you would want a  
21 self-supporting lattice structure at 180 feet?

22 THE WITNESS (Bartolotta): Yes.

23 MR. MORISSETTE: Is that correct?

24 THE WITNESS (Bartolotta): Yes.

25 MR. MORISSETTE: Thank you for that

1 clarification. Okay.

2 THE WITNESS (Bartolotta): But still  
3 not in favor of it.

4 MR. MORISSETTE: Yes, understood.  
5 Thank you. All right. That's all the questions  
6 that I have. Thank you so much.

7 We'll now continue with  
8 cross-examination of the city by the Applicant,  
9 Attorney Fisher.

10 MR. FISHER: Yes. Thank you, Chairman,  
11 I do have some questions.

12 Thank you, Director Bartolotta, for  
13 being here today and for your work on this  
14 project. You mentioned that you had a little bit  
15 over 40 years of experience with the City of  
16 Middletown in various capacities. Could you talk  
17 a little bit about what the US Military's use of  
18 the property at 499 Mile Lane had been up until  
19 its ownership ceased in 2012?

20 THE WITNESS (Bartolotta): Sure. In  
21 the fifties, in the mid fifties it was a Nike  
22 missile site, and it housed three silos there for  
23 missiles, and this was during the cold war era.  
24 These missiles were designed to go up in the air  
25 and explode to take down any bombers before they

1 were able to let their payloads go. And it was  
2 controlled from a different location but the silos  
3 were there.

4 In the seventies it got turned over to  
5 the army, and the army reserves took it over. And  
6 by 1987 they had built a new building there and it  
7 was used for a reserve base. And at one point in  
8 the 2000s the BRAC Commission determined that this  
9 is one facility they wanted to get rid of, and the  
10 City of Middletown actively pursued it for some  
11 time for its public safety operations, and we were  
12 finally able to do that in I believe it was 2010.

13 MR. FISHER: Thank you. And what  
14 activities occur at the site now since the city  
15 acquired ownership of it?

16 THE WITNESS (Bartolotta): So we have  
17 our emergency operations center, and that facility  
18 is where the mayor, the department heads go in  
19 times of emergency and coordinate emergency  
20 activities that are going on for the city, floods,  
21 storms, all that type of information, all that  
22 flows into there to assist our responders out into  
23 the field. And that would be run 24/7 until the  
24 disaster would be over. It's also used for public  
25 safety training. We have classrooms set up there,

1 and we do training for police and fire and both  
2 inside and outside. The fire department has done  
3 some trench rescue in that area. And lastly,  
4 since COVID we've used that as a vaccination and  
5 testing site for municipal people.

6 MR. FISHER: And since the city  
7 acquired it for that purpose, have you had to  
8 invoke it for emergency preparedness purposes for  
9 a natural disaster or any other threat?

10 THE WITNESS (Bartolotta): I think  
11 there was once or twice. It wasn't anything  
12 serious. But before we were kind of limited, we  
13 were in city hall and the space was a small space  
14 and we had limited abilities in that space, and we  
15 were able to move out there and be able to do that  
16 with plenty of space and remotely.

17 MR. FISHER: Thank you. And are you  
18 aware of any -- or are there any city plans beyond  
19 what you just described for the property or is  
20 that just simply future flexibility for the city  
21 in terms of what happens there?

22 THE WITNESS (Bartolotta): Well, the  
23 city has always talked about, or at least I always  
24 talked about to the city, a relocation of the  
25 city's 911 center there. There's plenty of

1 property. That's one of the things that we're  
2 looking at. Originally the state was looking at  
3 putting a state fire school there. That didn't  
4 come through because of funding. But there have  
5 been several potential projects on the burner over  
6 the years.

7 MR. FISHER: You talked about it a  
8 little bit earlier in some of your responses to  
9 prior questions. Could you just talk a little bit  
10 more about why this site itself is important for  
11 purposes of the coverage it provides for city  
12 first responder communications? I'm thinking  
13 about, for example, the high school and some of  
14 the other areas you talked about geographically in  
15 the city.

16 THE WITNESS (Bartolotta): Okay. So we  
17 went to this new radio system because we had a  
18 problem overall with city-wide coverage for our  
19 responders. And one of the things we did in our  
20 RFP is we said to vendors was we needed to have 95  
21 percent in-building coverage for our responders.  
22 In order to do that you have to have certain  
23 things, certain equipment in certain places. Now,  
24 we had equipment in certain places in the city in  
25 our old system, and many years ago when the FCC

1 did its narrowbanding we lost a lot of coverage.

2 So when we had this RFP proposed, an  
3 engineering study was done to determine where best  
4 we can locate our equipment to be able to provide  
5 and get that 95 percent in-building coverage, and  
6 that particular site was the best one in that  
7 area. And that covers the northern part of our  
8 city as well as into Cromwell and beyond for our  
9 first responders.

10 MR. FISHER: And can you just  
11 generally, we don't need specifics, but can you  
12 just talk generally about the volume of call  
13 responses that first responders rely on that tower  
14 for and what the agencies involved are, what their  
15 missions are?

16 THE WITNESS (Bartolotta): Sure. So we  
17 dispatch for police, fire and medical people as  
18 well as emergency management, and we take about  
19 25,000 911 calls a year. We do about 40,000  
20 police calls. We also cover the Town of Portland  
21 through an interlocal agreement, which we've been  
22 doing since the late nineties, and we've been  
23 doing it very successfully. And we have equipment  
24 in Portland at two different locations, one at  
25 their high school and one at a private cell

1 carrier, and we're able to maintain coverage  
2 throughout as well on our system. So the system  
3 works, it works well, it works the way it was  
4 designed to do, and we're pleased with it.

5 MR. FISHER: So some of the design work  
6 that went into it for the city, I guess it didn't  
7 surprise you when AT&T was talking about this  
8 location for themselves then.

9 THE WITNESS (Bartolotta): No. No, we  
10 knew about the general cell phone coverage in the  
11 area not being that great, so no it didn't  
12 surprise us at all.

13 MR. FISHER: And would that include  
14 some of the in-building situations at the high  
15 school and other areas in that part of the city as  
16 well?

17 THE WITNESS (Bartolotta): The Board of  
18 Education staff complained for a long time about  
19 coverage in the building for cell phones in  
20 general.

21 MR. FISHER: I want to fast forward a  
22 little bit to some of the conversations you had  
23 with AT&T previously. So after the structural  
24 analysis was done in 2019 and shared with the  
25 city, I understand that you and some AT&T

1 representatives kind of regrouped to look at some  
2 options; is that right?

3 THE WITNESS (Bartolotta): Yes.

4 MR. FISHER: And my understanding, at  
5 least, is you looked at three options, the  
6 existing tower and foundation, whether or not  
7 there could be a reinforcement plan, what the  
8 industry would call a drop and swap for this much  
9 bigger lattice tower we're talking about, and then  
10 the third option being the addition of this second  
11 monopole tower at the site. Are those the three  
12 basic options that were discussed?

13 THE WITNESS (Bartolotta): Yes, that's  
14 correct.

15 MR. FISHER: And at that time the city  
16 and AT&T didn't talk about other properties the  
17 city might own like the high school or others for  
18 siting of a new tower?

19 THE WITNESS (Bartolotta): No.

20 MR. FISHER: And that was in, was that  
21 in about the spring of 2019?

22 THE WITNESS (Bartolotta): Yes.

23 MR. FISHER: Okay. And the first  
24 option, I take it from your testimony, was pretty  
25 much the parties agreed it was pretty unlikely

1 from a structural point of view, so that was  
2 really not on the table, and reinforcement; is  
3 that fair to say?

4 THE WITNESS (Bartolotta): Yeah, I  
5 believe it was the structure of the tower and the  
6 structure of the foundation.

7 MR. FISHER: And the second option from  
8 your testimony earlier obviously presents concerns  
9 from you, I take it, on the cutover and the  
10 outages that might occur for the city's purposes?

11 THE WITNESS (Bartolotta): Yes.

12 MR. FISHER: All right. The third  
13 option, can you just talk about why that was  
14 chosen and why that, at least for your purposes,  
15 balanced the city's interest in this project?

16 THE WITNESS (Bartolotta): Well, I  
17 think the third option was twofold. One, it  
18 didn't interfere or create a downtime for the  
19 city. The second, aesthetically, once the package  
20 was provided to the city, because we originally  
21 wanted to have -- I guess I originally wanted to  
22 have one of those, a monopine that looks like a  
23 tree, solid antenna type of deal, to cut down the  
24 aesthetic, the displeasing aesthetic for the  
25 neighbors in the area.

1                   And you in your package included  
2 renderings of the two differences between a  
3 regular monopole and the monopine. And the  
4 monopine stuck out like a sore thumb, and the  
5 monopole to me was less intrusive. Although it's  
6 a pole, you know, it would have antennas on it, it  
7 kind of blended with our current tower, and I  
8 thought that the look was a better look versus the  
9 monopine. And once again, there was no cutover  
10 issues.

11                   MR. FISHER: I'd like to talk just a  
12 little bit about this, what we would call a drop  
13 and swap, but building a new lattice tower for  
14 reference. Location where the existing tower is,  
15 what concerns would you have with that size tower  
16 given the building, the access roads, do you think  
17 you could really build something right where the  
18 existing tower is or would it have to move, if  
19 that was the project?

20                   THE WITNESS (Bartolotta): Well, I'm  
21 not an engineer. I think it would be difficult.  
22 There's some questions in the area, and we have to  
23 do the site borings, we have to do all that kind  
24 of testing that is done prior to that. I would  
25 think that that would be my first concern whether

1 that could be done at all. Once again, I think it  
2 would be difficult but, you know, I wouldn't say  
3 it would be impossible.

4                   However, I would definitely say that,  
5 and my concern, again, is for the general  
6 neighborhood, that if the tower is sufficient for  
7 the city to continue to provide services the way  
8 we provide services beyond the next 10 or 15 years  
9 and you put up the bigger tower, the lattice  
10 tower, the bigger lattice tower, which is what we  
11 would need, I think the aesthetics is much more  
12 displeasing than the second monopole. So I think  
13 the monopole is the way to go.

14                   MR. FISHER: Thank you for your  
15 testimony today.

16                   I have no further questions, Chair.

17                   MR. MORISSETTE: Thank you, Attorney  
18 Fisher. We'll now continue with cross-examination  
19 of --

20                   MR. LYNCH: Mr. Morissette.

21                   MR. MORISSETTE: Yes, Mr. Lynch, go  
22 ahead.

23                   MR. LYNCH: You know my situation.  
24 This may be a good time for me to leave and not  
25 interrupt anybody in their testimony.

MR. MORISSETTE: Very good. Thank you,  
Mr. Lynch.

MR. LYNCH: So if you'll excuse me, I'll depart.

MR. MORISSETTE: Thank you. Have a nice holiday.

(Whereupon, Mr. Lynch left the hearing.)

MR. MORISSETTE: We'll now continue with cross-examination of the city by Talias Trail, Mr. Barbagallo, Ms. Pugliares and Mr. Siteman.

Mr. Barbagallo, please commence your cross-examination.

MR. BARBAGALLO: Thank you. Director Bartolotta, you had mentioned that there was talks in the past or there's been considerations of using the site for different projects. Is the city currently considering or talking with any of these organizations of using that site for one reason or another?

THE WITNESS (Bartolotta): One organization is the city itself. I will say there's nothing active that I'm aware of, but I'm just the director of communications. I wouldn't

1 know. I mean, our planning people might know  
2 something. I don't see anything in the immediate  
3 future, but the idea about that whole site, one of  
4 the things that the city liked about it was the  
5 amount of room that they had available. When that  
6 was going to be a training center for the state  
7 fire school, there was going to be an active fire  
8 station there and there was going to be training  
9 props and the classrooms inside, and that was the  
10 last plan. And then that failed because of state  
11 bonding. So I can say right now that there's  
12 nothing I'm aware of active in the hopper. But  
13 I'm not a Common Council member, I'm not the  
14 mayor, so I wouldn't be the best to ask.

15 MR. BARBAGALLO: Okay. Thank you. And  
16 like you mentioned in the past, there's been  
17 training done there by firefighters as recently as  
18 this summer. Would that continue if the tower was  
19 put in place?

20 THE WITNESS (Bartolotta): Yes.

21 MR. BARBAGALLO: Okay. So with the  
22 tower being approved and built and in place, how  
23 would that affect either the training or  
24 considerations for other projects using the land?

25 THE WITNESS (Bartolotta): Depending on

1 where the physical tower is put, I don't think  
2 that that's an issue. I think where to put the  
3 physical tower is the biggest issue in relation to  
4 where the city's equipment is now at the shelter  
5 there.

6 MR. BARBAGALLO: Okay. So would it be  
7 a fair statement that the tower's position greatly  
8 affects the use of the facility and the rest of  
9 the available land?

10 THE WITNESS (Bartolotta): It could.  
11 Hypothetically, if the only place to put the tower  
12 would be north of the physical shelter, it's right  
13 in the middle of an access road, it goes to the  
14 back to the police impound lot, you know, so  
15 there's different areas it could impact. It  
16 depends on where the property is best to be able  
17 to put that tower. And since I'm not an engineer,  
18 I just don't know.

19 MR. BARBAGALLO: Okay. And I'm sure  
20 you reviewed the plans from AT&T with the site  
21 plans showing their proposed location. As  
22 proposed, do you think that that would have an  
23 effect?

24 THE WITNESS (Bartolotta): As proposed,  
25 looking closer to the Talias Trail side of the

1 current tower, if I'm not mistaken, is that  
2 correct?

3 MR. BARBAGALLO: Well, I think there  
4 was an adjustment due to the wetlands, but I  
5 obviously can't speak directly to that, but based  
6 on the plans in the application.

7 THE WITNESS (Bartolotta): No, site  
8 wise, and I'm not as much as concerned in that  
9 general area of the current tower or back, it  
10 doesn't concern me as much as the downtime and all  
11 the necessary things you need to do because of the  
12 downtime. I'm worried about the downtime, I'm  
13 worried about the distance from the tower to the  
14 shelter. They have things that calculate like  
15 cable loss and stuff like that. Once again, I'm  
16 not an engineer, but the general overall  
17 operations of the current site the way it is, is  
18 my main concern.

19 MR. BARBAGALLO: What is the concern of  
20 the distance, aside from, you know, the fall  
21 radius, what is the concern from the tower being  
22 too close to the shelter?

23 THE WITNESS (Bartolotta): I'm not  
24 concerned with it being too close. I'm concerned  
25 with it being too far.

MR. BARBAGALLO: All right. Thank you.

I have no further questions.

MR. MORISSETTE: Thank you, Mr. Barbagallo. We'll now turn to Ms. Pugliares.

MS. PUGLIARES: I have no further questions at this time.

MR. MORISSETTE: Thank you. And  
Mr. Siteman?

MR. SITEMAN: Thank you. Director Bartolotta, the first question is, I believe you sort of answered it already earlier but I just want to clarify, back in 2019 when you began discussions with AT&T or you were talking to AT&T and you determined the existing tower wasn't sufficient to put AT&T's equipment up there, were any alternative sites on Middletown property offered?

THE WITNESS (Bartolotta): We looked at a couple sites, a couple alternative sites, one by Lawrence School, that's it, Lawrence School, and because of the location and because of the elevation, that didn't work out for them. I think there was a look closer to the high school, but I'm not a hundred percent sure. I would check with AT&T. But I know Lawrence School was one of

1 the places we looked.

2 MR. SITEMAN: And you said the reason  
3 is because of location and elevation. Could you  
4 elaborate on that?

5 THE WITNESS (Bartolotta): You're best  
6 asking AT&T about that because it was their people  
7 that did the study. There's a big picture on how  
8 coverage gets done. There's a mapping program.  
9 They look at the topographical maps and the  
10 elevations between point A and point B. Mile Lane  
11 is significantly higher or is higher than where  
12 the school is and how tall of a tower could you  
13 put there at the school, there's a lot of things  
14 that they looked at and it was more beneficial to  
15 have it at Mile Lane.

16 MR. SITEMAN: Okay. And are you aware  
17 of any city-owned properties nearby Mile Lane that  
18 you feel could be potentially considered?

19 THE WITNESS (Bartolotta): No, I'm  
20 really not even in the tower business to be honest  
21 with you. They approached me, I did my due  
22 diligence on behalf of the city. And I'll be  
23 honest with you, we're just trying to do the best  
24 for the city and the taxpayers.

25 MR. SITEMAN: Okay. And if you had to

1 compare these two options, one being building a  
2 new tower and there's downtime in your emergency  
3 system compared to AT&T selecting an alternative  
4 site, what's the stance of the Town of Middletown?

5 THE WITNESS (Bartolotta): It's pretty  
6 simple. We don't want any downtime. We don't  
7 want any downtime.

8 MR. SITEMAN: Okay. That's all I have.  
9 I appreciate your time. Thank you.

10 MR. MORISSETTE: Very good. Thank you,  
11 Mr. Siteman.

12 We will now continue with the  
13 appearance of the applicant, New Cingular Wireless  
14 PCS, LLC, also known as AT&T, to swear in their  
15 witness, Kelly Wade Bettuchi, and to verify the  
16 new exhibits marked as Roman Numeral II, Items B-6  
17 and 7 on the hearing program. And Attorney  
18 Bachman will administer the oath.

19 K E L L Y   W A D E   B E T T U C H I ,  
20 called as a witness, being first duly sworn  
21 (remotely) by Ms. Bachman, was examined and  
22 testified on her oath as follows:

23 MS. BACHMAN: Thank you.

24 S C O T T   P I K E ,  
25 M A R T I N   L A V I N ,

1           B R I A N    G A U D E T ,

2           D A N I E L    H A M M ,

3           called as witnesses, being previously duly  
4           sworn (remotely) by Ms. Bachman, continued to  
5           testify on their oaths as follows:

6           MR. MORISSETTE:   Thank you, Attorney  
7           Bachman.

8           Attorney Fisher, please begin by  
9           identifying the new exhibits you have filed in  
10          this matter and verifying the exhibits with the  
11          appropriate sworn witness.

12           DIRECT EXAMINATION

13           MR. FISHER:   Good afternoon.   Thank  
14          you.   In the hearing program listed under Roman  
15          Numeral II-B, 6 and 7 there are two documents  
16          identified.   One includes the applicant's  
17          supplemental filings and response to the Council's  
18          request for late exhibits and information, dated  
19          December 13, 2021.   And then Item Number 7 is the  
20          prefile testimony of Ms. Bettuchi who was just  
21          sworn.

22           I would ask, we have a full panel of  
23          witnesses, they're all here and present virtually  
24          in different locations, I would ask each of the  
25          witnesses the following questions related to Item

1       Number 6. Other than the memorandum that was  
2       provided by our office to the Council, did you  
3       prepare and assist in the preparation of the  
4       documents so identified?

5                   THE WITNESS (Lavin): Martin Lavin.

6       Yes.

7                   THE WITNESS (Bettuchi): Kelly  
8       Bettuchi. Yes.

9                   THE WITNESS (Hamm): Dan Hamm. Yes.

10                  THE WITNESS (Gaudet): Brian Gaudet  
11       Yes.

12                  THE WITNESS (Pike): Scott Pike. Yes.

13                  MR. FISHER: And in preparing for your  
14       continued testimony here today, have you reviewed  
15       the document, and is there any correction or  
16       modification that you wish to make at this time?

17                  THE WITNESS (Lavin): Martin Lavin.

18       No.

19                  THE WITNESS (Bettuchi): Kelly  
20       Bettuchi. No.

21                  THE WITNESS (Hamm): Dan Hamm. No.

22                  THE WITNESS (Gaudet): Brian Gaudet.  
23       No.

24                  THE WITNESS (Pike): Scott Pike. No.

25                  MR. FISHER: And on review of the

1 documents, is it true and accurate to the best of  
2 your belief?

3 THE WITNESS (Lavin): Martin Lavin.

4 Yes.

5 THE WITNESS (Bettuchi): Kelly  
6 Bettuchi. Yes.

7 THE WITNESS (Hamm): Daniel Hamm. Yes.

8 THE WITNESS (Gaudet): Brian Gaudet.

9 Yes.

10 THE WITNESS (Pike): Scott Pike. Yes.

11 MR. FISHER: And do you adopt it here  
12 as your testimony this afternoon?

13 THE WITNESS (Lavin): Martin Lavin.

14 Yes.

15 THE WITNESS (Bettuchi): Kelly  
16 Bettuchi. Yes.

17 THE WITNESS (Hamm): Daniel Hamm. Yes.

18 THE WITNESS (Gaudet): Brian Gaudet.

19 Yes.

20 THE WITNESS (Pike): Scott Pike. Yes.

21 MR. FISHER: And then, Ms. Bettuchi,  
22 with respect to Item Number 7, did you prepare the  
23 document, are there any corrections, is it true  
24 and accurate, and do adopt it here today as your  
25 testimony?

1                   THE WITNESS (Bettuchi): I do.

2                   MR. FISHER: Thank you. Chairman, I  
3 would ask that the Council accept all of the  
4 documents as exhibits in the proceeding.

5                   MR. MORISSETTE: Thank you, Attorney  
6 Fisher. Does any party object to the admission of  
7 the applicant's exhibits?

8                   Attorney Forte?

9                   MR. FORTE: The city has no objections.

10                  MR. MORISSETTE: Thank you. Talias  
11 Trail, Mr. Barbagallo?

12                  MR. BARBAGALLO: No objection.

13                  MR. MORISSETTE: Thank you. Ms.  
14 Pugliares?

15                  MS. PUGLIARES: No objection.

16                  MR. MORISSETTE: Thank you. And  
17 Mr. Siteman?

18                  MR. SITEMAN: No objection.

19                  MR. MORISSETTE: Thank you. The  
20 exhibits are hereby admitted.

21                  (Applicant's Exhibits II-B-6 and  
22 II-B-7: Received in evidence - described in  
23 index.)

24                  MR. MORISSETTE: We'll now continue  
25 with cross-examination of the applicant by the

1       Council starting with Mr. Perrone and then  
2       followed by Mr. Edelson.

3                   Mr. Perrone.

4                   CROSS-EXAMINATION

5                   MR. PERRONE: Thank you, Mr.  
6       Morissette. Regarding the alternative of a new  
7       tower for both the city and AT&T, what options  
8       exist to cut over equipment to such a new tower?

9                   THE WITNESS (Lavin): This is Martin  
10      Lavin. In order to meet the city's requirement  
11      for no disruption, we would basically have to  
12      completely recreate their Mile Lane communication  
13      system on the new facility once it's built,  
14      antennas, transmission lines, radios. I'm not an  
15      expert on P25 or project 25, so I don't know  
16      exactly how much there is there, but it sounds  
17      like all of that would have to be duplicated and  
18      run in parallel to be ready to do what we call a  
19      hot cutover once everything is tested and shown to  
20      be running on the new system, switch over to it in  
21      the middle of the night, and if anything goes  
22      wrong, have the original system available to  
23      switch back to.

24                   THE WITNESS (Gaudet): Sorry. To add  
25      to that, Mr. Perrone, they would also need to,

1 with the microwave links, new microwave shots  
2 would need to be set up and verified both at the  
3 other locations, the dispatch, and one additional  
4 location prior to that cutover.

5 MR. PERRONE: Generally how has AT&T  
6 handled such cutovers at other sites in the past?

7 THE WITNESS (Lavin): It's hard -- this  
8 is Martin Lavin again. It's hard to make an  
9 analogy here. Previously I didn't realize the  
10 extent to which this is the hub of the Middletown  
11 system. I don't know if I have an analogy to it,  
12 but this is certainly more complicated given that  
13 it's pretty much the core of their whole emergency  
14 communication system.

15 MR. PERRONE: Moving on to the FirstNet  
16 topic, does AT&T and FirstNet work together to  
17 determine which sites are prioritized?

18 THE WITNESS (Lavin): Yes, they do.  
19 This is Martin Lavin.

20 MR. PERRONE: Is FirstNet a subscriber  
21 service for local emergency entities?

22 THE WITNESS (Lavin): Yes, it is.

23 MR. PERRONE: And would FirstNet, the  
24 FirstNet equipment operate completely  
25 independently from the town's emergency

1                   communications?

2                   THE WITNESS (Lavin): This is Martin  
3                   Lavin again. Yes, it would.

4                   MR. PERRONE: Moving on to Late-File  
5                   Exhibit A, which is the number of small cell  
6                   facilities, and there's an estimate of 42 to 48 at  
7                   a minimum. My question is, do you have an  
8                   estimate of the cost to have such small cell  
9                   configuration?

10                  THE WITNESS (Lavin): This is Martin  
11                  Lavin. I don't have the cost figures on that, no.

12                  MR. PERRONE: Moving on to Late-File  
13                  Exhibit F, the last sentence of the response,  
14                  "Voice and data sessions for surrounding sites and  
15                  sectors in the direction of the proposed site are  
16                  performing below AT&T's standards and network  
17                  planning goals." My question is, could you tell  
18                  us more specifically about which areas are  
19                  underperforming?

20                  THE WITNESS (Lavin): Yes. Since the  
21                  last hearing we got AT&T to provide some more  
22                  detailed data. The four sites around it are all  
23                  underperforming. There's not, in the realm of  
24                  data it's not as it was in phone, phone calls are  
25                  all the same, they're either proceeding or not

1 proceeding at all, and a 1 or 2 percent blocking  
2 rate was the bar, originally 2 percent, then 1  
3 percent, and it kept going down.

4 Right now for data there is no specific  
5 goal for AT&T's engineers. The overarching  
6 objective is not to block or drop at the RF layer.  
7 To that end, the data they've given us for the  
8 four or five sites, I think actually it's five, on  
9 a daily basis are having, with one exception at  
10 least, 100 blocks or drops and in some cases over  
11 1,000, which certainly does not fit the objective  
12 of not blocking and dropping at the RF layer.

13 MR. PERRONE: Moving on to the backup  
14 generator topic, I understand a diesel generator  
15 is currently proposed. A question came up last  
16 time about the availability of natural gas at the  
17 site, and I believe the answer was that AT&T had  
18 not looked into that. Does AT&T know at this time  
19 if natural gas is available?

20 THE WITNESS (Pike): This is Scott Pike  
21 from Smartlink. At this time we looked at a  
22 diesel generator as well as propane, and from what  
23 we got as far as numbers is that there's an issue  
24 from a ground space perspective. So for a typical  
25 diesel generator you're looking at around 200

1 square feet within the compound which has a  
2 containment for the actual diesel itself. And  
3 then with propane you're looking at more, 715  
4 square feet, so it's a much more, larger  
5 footprint. And with being so tight, you know,  
6 obviously with the wetlands in this area it would  
7 take up more ground space from that perspective.  
8 So those are the numbers that we've kind of given  
9 as far as the size of the actual site with the  
10 actual backup generators. As far as natural gas  
11 goes, we don't have -- we didn't have anything on  
12 that.

13 MR. PERRONE: And getting to your  
14 comment about the area, is the diesel generator  
15 more compact because the generator and fuel tank  
16 is one unit?

17 THE WITNESS (Pike): Yes, correct. In  
18 the propane you have an additional, obviously a  
19 tank. And as I said, you go from 200 square foot  
20 to 750 square foot which is much larger.

21 MR. PERRONE: Okay. Lastly, I'd like  
22 to move to the wildlife topic. On tab 11 of the  
23 supplemental information there's a letter from the  
24 U.S. Fish and Wildlife Service regarding the  
25 northern long-eared bat, and there's also mention

1 at the bottom of the page about how the  
2 determination does not apply to the monarch  
3 butterfly, an ESA protected species. My question  
4 is, on the federal level I understand it's ESA  
5 protected, but does it have any special  
6 designation, be it threatened or endangered, or is  
7 it just a general ESA species?

8 THE WITNESS (Gaudet): Are you asking  
9 for the monarch butterfly itself?

10 MR. PERRONE: Yes.

11 THE WITNESS (Gaudet): It's a species  
12 that's in consideration. So it's not technically  
13 classified as threatened or endangered yet, but  
14 it's certainly a species of special concern.

15 MR. PERRONE: How would the proposed  
16 project impact the monarch butterfly?

17 THE WITNESS (Gaudet): There would be  
18 no impact, no adverse impact, as currently  
19 proposed.

20 MR. PERRONE: Thank you. That's all I  
21 have for AT&T.

22 MR. MORISSETTE: Thank you, Mr.  
23 Perrone. We'll now move on with cross-examination  
24 by Mr. Edelson followed by Mr. Silvestri.

25 Mr. Edelson.

MR. EDELSON: I switched my setup here.

Can you hear me okay?

MR. MORISSETTE: Yes, I can hear you fine. Thank you.

MR. EDELSON: All right. I was having trouble hearing, so I tried this different unit which I don't often use.

Mr. Morissette, I was wondering if this was not a good time for a break. Maybe it's just my own personal preference but --

MR. MORISSETTE: We can do that. Why don't we move to a break and we'll reconvene at 3:30.

**MR. EDELSON:** Thank you.

MR. MORISSETTE: Thank you, all.

(Whereupon, a recess was taken from 3:23 p.m. until 3:30 p.m.)

MR. MORISSETTE: Mr. Edelson, please continue with your cross-examination.

MR. EDELSON: Thank you, Mr. Morissette. Thank you for that little break.

I think my first question is for Mr. Pike. And this is in regard to how AT&T got to this position. If I understand correctly, AT&T in a sense wanted to work with an existing tower

1 and put all of its equipment or necessary  
2 equipment on that existing tower in Middletown to  
3 meet a need, and that's why you really didn't do,  
4 from what I can understand, a complete site search  
5 that then came to this tower, you wanted to use an  
6 existing tower. Is that part and parcel of how we  
7 got here?

8 THE WITNESS (Pike): Right.

9 MR. EDELSON: Maybe a little louder.

10 That was --

11 THE WITNESS (Pike): That is correct.

12 MR. EDELSON: So when you evaluated  
13 that tower, it was at least on the surface clear  
14 to you that you could fit what you needed on that  
15 tower?

16 THE WITNESS (Pike): Not necessarily  
17 from how we looked at it. We wanted to go on the  
18 tower, but then after, you know, we talked about  
19 it and the structural was ran, we determined that  
20 we wouldn't be able to with, you know, it would be  
21 one and done if we -- if AT&T went on that with  
22 the city, the tower would no longer be able to  
23 house any other carriers as well. But from that  
24 standpoint, you know, we wanted to be on a higher  
25 elevation at that location, but, you know, just

1 from a structural standpoint it just wasn't  
2 possible.

3 MR. EDELSON: But once that was  
4 determined, I mean, AT&T is a private company  
5 interested in the best solution for AT&T, so if  
6 you could fit on that tower, that was your  
7 objective -- I'm going back to 2017 -- correct?

8 THE WITNESS (Pike): Uh-huh.

9 MR. EDELSON: Correct?

10 THE WITNESS (Pike): Correct.

11 MR. EDELSON: I don't think you were  
12 looking at it to say what's best for Verizon or  
13 what's best for T-Mobile, you were saying what's  
14 best for AT&T, and that tower would have served  
15 your purposes. Unfortunately, what you found out  
16 was structurally it wasn't going to be able to do  
17 it. But from what I can see, and maybe I've  
18 missed something, at that point you said, well,  
19 then we really would like to stay at this site in  
20 this particular location and did not do a site  
21 search to say what else is available around the  
22 area to meet what I think multiple parties have  
23 said was quite a deficiency in AT&T's coverage.

24 THE WITNESS (Pike): We did from the  
25 original, we did look at the Lawrence School, but

1 as stated before from Wayne, you know, it was much  
2 different elevation wise from where, you know, the  
3 tower is set at now. So for us it was more, you  
4 know, we wanted to be at a higher elevation. That  
5 ridge is really where we wanted to be from an RF  
6 standpoint, so that was really kind of why we went  
7 to that option.

8 MR. EDELSON: Okay. But again, maybe I  
9 missed it, and sometimes the application, the  
10 dockets get a little mixed up in my mind, but I  
11 don't remember discussing a site search ring in  
12 our prior hearing. I don't remember, you know,  
13 evaluating a number of other sites and comparing  
14 them and saying whether or not we get landowner  
15 approval or what would be reasons for saying they  
16 were an inferior site to this one.

17 THE WITNESS (Pike): No, we didn't.

18 MR. EDELSON: So you really --

19 THE WITNESS (Bettuchi): I'm sorry.

20 MR. EDELSON: No, please go ahead to  
21 clarify.

22 THE WITNESS (Bettuchi): No. I think  
23 really what it comes down to is, you know, and I  
24 think that Director Bartolotta mentioned this  
25 earlier, you know, when they had even done their

1 initial, you know, identification of the ideal  
2 location to place their tower, that location was  
3 determined to be the best site because it  
4 essentially provided 95 percent coverage. And  
5 that was their own analysis. And really what we  
6 saw was something that not only still met that  
7 need that we had as a company but that was  
8 consistent with the intent of the statute that  
9 really drives very much what we do. So we look  
10 for locations where we could potentially be on the  
11 same site that will allow for collocation and that  
12 will, you know, at the end of the game find a  
13 technical, environmental and public safety  
14 solution that really meets everyone's needs.

15 And so there were some additional  
16 sites, and I think Scott mentioned that, you know,  
17 the Lawrence site and some others, but at the end  
18 of the day we came to the same conclusion that the  
19 city did which was that this was ideally the best  
20 site that balanced the most needs with respect to  
21 our coverage objectives as well as the city's  
22 concerns and limiting environmental and aesthetic  
23 impact. I hope that helps.

24 MR. EDELSON: Well, I think what I'm  
25 seeing and hearing is there's a lot of agreement

1 about how we got to this and that the issue really  
2 is about, in my mind, one tower versus two towers.  
3 And when I look at the visuals of two towers at  
4 the particular site versus one tower, to me it  
5 raises the aesthetic question. And I think that's  
6 what's really the driver here. As a council we're  
7 asked to look to make sure that if tower sharing  
8 is a possibility to do that.

9 Now, when I think about tower sharing,  
10 it's not about just sharing an existing tower.  
11 It's at the end of the day are we on one tower or  
12 two towers. And if I was a resident in the area  
13 and I had to look at a site with one tower with  
14 the existing condition versus what was in the  
15 application with two towers, I'd much prefer one  
16 tower. And I would say that the subsequent visual  
17 renderings that were done, I guess, in the  
18 December 13th document that even for some reason,  
19 and maybe this is a question for Mr. Gaudet, makes  
20 the one tower look much better aesthetically. And  
21 I'm not sure exactly what the reason for that is,  
22 but it seems in the pictures to me to be less  
23 intrusive, and this being the one tower that would  
24 be a new tower that would, as I understand the  
25 description, handle the city and the carriers'

1 communication needs or meet their needs.

2 Mr. Gaudet, can you comment about the  
3 visibility of those in existing pictures in the  
4 new or the December 13th filing?

5 THE WITNESS (Gaudet): Yeah, I think  
6 one thing to point out is that you'll notice in  
7 our renderings with the singular upgraded  
8 self-support structure there's no appurtenances on  
9 there, there's no antennas, microwave dishes,  
10 AT&T's equipment is not on there. So it will --  
11 this is, you're looking strictly at a lattice  
12 structure. With all the equipment then added on,  
13 it will increase that visual aesthetic impact.  
14 But the reason that we sort of stopped short of  
15 portraying all of that information is the  
16 excessive costs and coordination with the city in  
17 order to do a singular self-support structure.

18 This location was chosen, as Director  
19 Bartolotta had spoken to, that parking area, that  
20 access drive, there's really no place to put this  
21 side of the self-support structure, so we have to  
22 move farther back into the property. In order to  
23 do that, we want to get outside of that wetland  
24 buffer. So we would be trenching or running  
25 overhead lines much farther. We would have to not

1 only put all of AT&T's equipment, but we'd have an  
2 entirely new compound, and we would have to  
3 replace in new all of the city's equipment, not  
4 just at this site, but as I mentioned before, the  
5 microwave links at other sites as well. So you're  
6 looking at costs in the million dollar range to do  
7 that.

8 MR. EDELSON: I'm sorry, could you  
9 repeat that? In the what?

10 THE WITNESS (Gaudet): The cost is in  
11 the range of a million dollars.

12 MR. EDELSON: Is that additional cost  
13 or that's total versus the current project?

14 THE WITNESS (Gaudet): That would be  
15 total. So if we were looking at the monopoly, I  
16 believe the numbers were 150,000, \$200,000 range.  
17 Mr. Pike or Mr. Hamm could speak to that. I don't  
18 recall those figures offhand. But this would be a  
19 million dollars versus 200,000, let's say.

20 MR. EDELSON: Well, I think that's kind  
21 of important to me. So Mr. Pike, can you or  
22 someone else reflect on those numbers?

23 THE WITNESS (Pike): Yeah, I'll run  
24 through the numbers I wrote down for three  
25 scenarios just so you guys have that. So for a

1 new monopole, and these are rough estimates that  
2 we got from our civil team, construction team, so  
3 for a new monopole you're looking at 300,000.  
4 That's 150,000 for the antennas and the equipment,  
5 150,000 for the tower and steel. This also  
6 involves the ground work, foundation work and  
7 finishing work.

8 For the reinforcement of the old tower  
9 you're looking at a total between 350,000 and  
10 450,000. This includes the modifications. This  
11 will depend obviously on steel prices due to  
12 shortages. This could change. The foundation is  
13 also another variable in this pricing. So a full  
14 cost breakdown is somewhat difficult to determine  
15 due to the cost, shortages, materials currently,  
16 so this is just kind of a rough estimate for the  
17 reinforcement.

18 And then as far as the drop and swap,  
19 like Brian was just talking about, you're looking  
20 at anywhere from 950,000 to 1.1 million, and this  
21 is the full cost of steel pricing, this is moving  
22 the ground space and equipment. Yeah, that's  
23 basically the cost of the three scenarios is what  
24 we're looking at right now.

25 THE WITNESS (Bettuchi): I was going to

1 say, Scott, correct me if I'm wrong, that does not  
2 include the fact that we would need to purchase  
3 the city's equipment and replicate that on the new  
4 site.

5 THE WITNESS (Pike): Right. That is  
6 correct.

7 THE WITNESS (Bettuchi): So in order to  
8 do that drop and swap, we would essentially need  
9 to buy the city brand new equipment, which they've  
10 already invested in, and have that recreated on a  
11 new site before we could potentially do a hot  
12 cutover.

13 THE WITNESS (Pike): Correct.

14 MR. EDELSON: Any estimate about how  
15 much that is?

16 THE WITNESS (Pike): You're looking at  
17 anywhere probably I think (Inaudible) --

18 THE COURT REPORTER: What was that  
19 again? Would you say that again, please?

20 THE WITNESS (Pike): 200,000.

21 THE COURT REPORTER: Thank you.

22 MR. EDELSON: So if you're really  
23 trying to compare apples to apples, we really  
24 should include that because the other two numbers  
25 you gave us will give us full coverage of city and

1 commercial communications. There's nothing in  
2 terms of the output and what they're able to do at  
3 that site. You're talking anywhere from 300,000  
4 for an additional monopole, 350,000 to 450,000 to  
5 structurally reinforce the existing tower but put  
6 AT&T's equipment on it, and then the drop and  
7 swap, which now sounds like it's more like between  
8 1.1 and 1.3 million, in that range.

9 THE WITNESS (Pike): Correct.

10 THE WITNESS (Bettuchi): Just another  
11 point I'd like to make is that, you know,  
12 reinforcement of the other tower does not allow  
13 for future collocation of any other carriers which  
14 is something that we do try to consider. We are  
15 making the investment in the tower itself, but we  
16 understand the intent of, you know, the Siting  
17 Council and the state with respect to  
18 proliferation of towers. And so, you know, if we  
19 can find a balance and allow for other carriers to  
20 potentially, you know, join that site, that's  
21 another goal that we keep in mind.

22 MR. EDELSON: Just remind me then. Has  
23 any of the other carriers approached AT&T to say  
24 that they want to be on the tower?

25 THE WITNESS (Bettuchi): Not at this

1 point, but I would say that, you know, considering  
2 the feedback from Director Bartolotta with respect  
3 to the impact that this particular location has,  
4 you know, providing 95 percent coverage and the  
5 fact that it actually bleeds into other towns and  
6 provides coverage at the height that we're looking  
7 for, I would expect that there would be interest  
8 going forward. And I think that, you know, at the  
9 end of the day, whenever we look at search rings  
10 and we try to identify the best way to provide the  
11 reinforcement that we need in a particular area,  
12 you are limited by distance. So it's not as  
13 simple as saying, you know, let's go five miles  
14 out and find another location. There are only so  
15 many places that are going to essentially fill  
16 that gap.

17 And it is a highly residential area.  
18 I'm actually originally from Middletown, lived  
19 very close to this location, so I personally am  
20 aware of where we're talking about. And so I  
21 think from our perspective we were looking at  
22 something that said, you know, there's an existing  
23 site here, it would certainly be, you know, an  
24 additional structure, but it would be within the  
25 same general compound and would be smaller than

1 the existing tower, and ideally, you know, that  
2 would be something that would be less of an impact  
3 aesthetically.

4 MR. EDELSON: Well, I just point out  
5 that in AT&T's submission you indicated in your  
6 memo that basically, if the structural analysis  
7 had gone another way, you would have been very  
8 comfortable proceeding with AT&T and AT&T only on  
9 the existing tower. So there doesn't seem to have  
10 been much in the way of the city or the commercial  
11 carriers working to create one tower that would  
12 meet everybody's needs, as Ms. Cooley pointed out,  
13 back in 2017, and that would be designed to meet a  
14 more complete coverage to the area for all  
15 purposes.

16 And that's why the Council is here  
17 today because of frustration that we're having  
18 tower proliferation, and we want to make sure  
19 before we allow that tower proliferation to  
20 happen, which to me has shown very clearly in the  
21 visual renderings that were done in the  
22 application, is an unfortunate situation for the  
23 people living in that area. And that's why we  
24 want to make sure that all stones or everything  
25 has been analyzed to make sure we've got the best

1 solution. And quite honestly at this point I'm  
2 not really that comfortable.

3 But I think that's all my questions,  
4 Mr. Morissette, at this point. So thank you.

5 MR. MORISSETTE: Thank you, Mr.  
6 Edelson.

7 We'll now continue with  
8 cross-examination by Mr. Silvestri followed by Mr.  
9 Nguyen.

10 Mr. Silvestri.

11 MR. SILVESTRI: Thank you, Mr.  
12 Morissette. I do want to continue on this site  
13 search and search ring, but before I get to that,  
14 I want to fill in the blanks on some of the  
15 responses that were received just now. First of  
16 all, Mr. Pike, in your response to Mr. Perrone  
17 about natural gas you mentioned you did not have  
18 anything on that. Does that mean that natural gas  
19 is not available or you don't know if natural gas  
20 is available?

21 THE WITNESS (Pike): I honestly don't  
22 know off the top of my head right now if it's  
23 possible. Usually we can do that. But just what  
24 I was trying to clarify is just from a ground  
25 space perspective for the site between diesel and

1 propane it most likely would be similar with  
2 natural gas, but we can look into that as well.

3 MR. SILVESTRI: I understand the  
4 footprint for both diesel and propane. My opinion  
5 is natural gas takes up less of a footprint in a  
6 compound but you do have to run the line. That's  
7 why I wanted to know if natural gas is available  
8 there, and I guess that's still a question.

9 THE WITNESS (Pike): Yes. We can look  
10 into that.

11 MR. SILVESTRI: All right. Mr. Lavin,  
12 another fill in the blank. You had mentioned two  
13 terms that I'd like you to either define or  
14 differentiate for me. One term was blocking rate  
15 and the other one was dropping rate. Could you  
16 define or differentiate between the two?

17 THE WITNESS (Lavin): Blocking, the  
18 technical term is ineffective attempts either  
19 inbound or outbound to a user where the system  
20 attempts to contact them and can't. Our  
21 statistics only reflect outbound contacts because,  
22 of course, you can't tell how many people try to  
23 make a call and had no coverage. That particular  
24 thing we don't know from the system side. So it's  
25 a measurement of the system attempting to reach

1 the user and not being able to. That is a block.

2 MR. SILVESTRI: Okay. And if I could  
3 put it simplistically, you cannot connect, that's  
4 a blocking rate?

5 THE WITNESS (Lavin): Yes.

6 MR. SILVESTRI: Okay. And the dropping  
7 rate is that you do connect but then you lose your  
8 call?

9 THE WITNESS (Lavin): That is correct.

10 MR. SILVESTRI: Excellent. Thank you.  
11 Okay. Then I had kind of a follow-up question  
12 from what I heard from Director Bartolotta. It  
13 seemed he had maybe some concerns if there was  
14 going to be a new lattice tower and concerns about  
15 the foundations, if I heard correctly. So let me  
16 ask this follow-up question to that: From a  
17 geotechnical standpoint, will the underlying  
18 terrain support the foundation for a monopole?

19 THE WITNESS (Hamm): I would assume,  
20 yes, it's supporting the SST.

21 MR. SILVESTRI: So a follow-up there,  
22 was a geotechnical study performed?

23 THE WITNESS (Hamm): Not at this point,  
24 no.

25 MR. SILVESTRI: So right now we're

1 under the assumption that it could?

2 THE WITNESS (Hamm): Yes.

3 MR. SILVESTRI: Okay. Thank you for  
4 that response. Now I want to go back to the  
5 search ring because to me it's a bit convoluted.  
6 As Mr. Edelson alluded, customarily an applicant  
7 will provide us with a drawing or a schematic or a  
8 plot plan or whatever that depicts the search ring  
9 circle, and I did not see that in the submittals  
10 that we had but instead was provided with  
11 coordinates for the center of the search ring and  
12 the quarter mile radius. And you can refer back  
13 to the first set of interrogatory responses. This  
14 goes back to Question 9, Question 10, in  
15 particular.

16 So if I use the coordinates that were  
17 provided in the response to Question 10, I'm  
18 finding the center of the search ring is located  
19 on the transmission line right-of-way somewhat  
20 west of Middletown High School and near Azalea and  
21 Aspen Drives, am I correct, in that center of the  
22 search ring?

23 (No response.)

24 MR. SILVESTRI: Or with the silence,  
25 who provided the answer to Question Number 10?

1        Maybe that person could answer.

2                    MR. FISHER: All of our witnesses are  
3        in remote locations. I think that question really  
4        goes to Mr. Lavin who may have to look up the  
5        coordinates and search ring and provide an answer  
6        to that question.

7                    MR. SILVESTRI: The rest of my  
8        questions are actually based on whatever answer  
9        that I could get. So if we could find that, I  
10       could continue.

11                  THE WITNESS (Lavin): I am actively  
12       looking and will let you know as soon as I can.

13                  MR. SILVESTRI: Mr. Morissette, from a  
14       time standpoint, do you want me to pause for now  
15       and come back to me, or do we want to wait?

16                  MR. MORISSETTE: Do you have any other  
17       questions on another matter that we could continue  
18       on?

19                  MR. SILVESTRI: No, they're all  
20       connected to this center of the search ring and  
21       followups from there.

22                  MR. MORISSETTE: All right. Why don't  
23       we come back and we'll keep moving and give Mr.  
24       Lavin some time to search for that. So we'll come  
25       back, we'll continue on and we'll come back

1 shortly.

2 MR. SILVESTRI: Very good. Thank you.

3 MR. MORISSETTE: Thank you. We'll  
4 continue with Mr. Nguyen, Mr. Nguyen, followed by  
5 Mr. Lynch -- Mr. Lynch is no longer here today --  
6 followed by Ms. Cooley.

7 So Mr. Nguyen, if you could continue  
8 cross-examination, please.

9 MR. NGUYEN: Thank you. Allow me with  
10 a couple of clarification questions. Mr. Pike,  
11 you mentioned earlier in response to Mr. Edelson  
12 about the costs, and you mentioned you're giving  
13 out two costs for two scenarios. One, the  
14 reinforcement that costs over a million dollars.  
15 The second option is build a monopole that costs  
16 about \$300,000. Is that right?

17 THE WITNESS (Pike): Yeah, there were  
18 three options. It's the new monopole, the  
19 reinforcement of the old tower, and then the drop  
20 and swap. So the drop and swap is the million  
21 plus, the reinforcement was the 350,000 to  
22 450,000, and the new monopole was 300,000.

23 MR. NGUYEN: Okay. And that's all I  
24 have, Mr. Morissette.

25 Thank you, Mr. Pike.

1 MR. MORISSETTE: Thank you, Mr. Nguyen.

2 We'll now continue with cross-examination by  
3 Ms. Cooley.

4 Ms. Cooley.

5 MS. COOLEY: Thank you, Mr. Morissette.  
6 I have a couple of questions. I've heard you talk  
7 about the three scenarios and the money multiple  
8 times, and I just want to make sure that I'm clear  
9 that all of the numbers that you're giving us  
10 include every single thing that you would need to  
11 accomplish that. That means the cost of the  
12 construction, the cost of any new equipment, the  
13 cost of moving that equipment. Does that number  
14 that you're giving us for each of those three  
15 scenarios include all of that?

16 THE WITNESS (Pike): Yes, but it's also  
17 a rough estimate. So when we got this from our  
18 civil team, you know, understand there's obviously  
19 issues with materials, delays, lead times, all  
20 that stuff factors in. But as far as what we got  
21 from our civil team, from our construction team,  
22 these numbers are accurate.

23 MS. COOLEY: Okay, final numbers. And  
24 then my next question is, in the late filings I'm  
25 looking at number 5 where you have an example of a

1 proposed site for a new lattice tower that would  
2 combine everything. And I'm looking at that, and  
3 I'm wondering why you have the access road going  
4 through wetland areas a little bit, like it looks  
5 like you could have adjusted that a little bit to  
6 take away a little bit there. It's not that big  
7 of a deal. It looks like this is in already  
8 disturbed area, is that correct, so why would  
9 that -- did I hear you mention earlier that that  
10 proposed lattice tower replacement would require  
11 tree cutting and other kinds of things, but it  
12 looks like it's in an already disturbed area.

13 THE WITNESS (Gaudet): That's correct,  
14 it's in a previously disturbed area. So the goal  
15 there with moving to that location, call it  
16 southeast on the property, is that cleared section  
17 past the impound lot, the goal would be get us  
18 outside of the wetland buffer area there. There  
19 wouldn't be any access going through the wetlands.  
20 It would be --

21 MS. COOLEY: Okay, around.

22 THE WITNESS (Gaudet): Yeah, you'd have  
23 to upgrade that drive, call it just north and  
24 west -- sorry, north and east of the wetland  
25 itself, but again, still outside of that treeline.

1 MS. COOLEY: Okay.

2 THE WITNESS (Gaudet): So no tree  
3 clearing required.

4 MS. COOLEY: Okay. So no tree clearing  
5 at all would be required. Okay. So putting aside  
6 the city's issues that they have with making sure  
7 that there is no interruption in coverage  
8 whatsoever, has the city looked at that proposed  
9 site and had any comment on it?

10 THE WITNESS (Gaudet): I have not had  
11 any discussions with the city. I'm not sure if  
12 Mr. Pike has.

13 THE WITNESS (Pike): No, not that I  
14 have. I have not had a conversation with them.

15 MS. COOLEY: Okay. So this proposed  
16 location has been submitted to the Council, but it  
17 hasn't actually been discussed with the city in  
18 any way?

19 THE WITNESS (Pike): Excuse me, no, it  
20 has, the new location has. Sorry.

21 MS. COOLEY: Your proposed lattice  
22 location number 5 has been discussed with the  
23 city?

24 THE WITNESS (Pike): Correct.

25 MS. COOLEY: And did they have comment

1 on that?

2 THE WITNESS (Pike): Actually, I'm  
3 sorry, I think that was for the monopole, not for  
4 the lattice. I apologize.

5 MS. COOLEY: Okay. You haven't given  
6 that to the city or proposed it to them in any way  
7 so there's no comment from them?

8 THE WITNESS (Pike): No.

9 MS. COOLEY: Okay. I think that's all  
10 that I have right now. Thank you.

11 MR. MORISSETTE: Thank you, Ms. Cooley.

12 Mr. Lavin, are you prepared to continue  
13 the discussion with Mr. Silvestri?

14 (No response.)

15 MR. MORISSETTE: Hearing none, we'll  
16 continue with Mr. Quinlan.

17 MR. QUINLAN: Thank you. I do have a  
18 few questions.

19 First, if you were to do the original  
20 proposal which is a new monopole, how long would  
21 the switchover take without duplication of  
22 equipment? How long would it take to switch the  
23 equipment to that pole and get it in service?

24 THE WITNESS (Gaudet): You're asking  
25 about moving the city's equipment from the

1 existing tower to the monopole?

2 MR. QUINLAN: Yes.

3 THE WITNESS (Gaudet): Without  
4 providing new equipment.

5 MR. QUINLAN: Right.

6 THE WITNESS (Gaudet): You're talking  
7 probably a couple of weeks at least. You've got  
8 to run all new coax cable.

9 MR. QUINLAN: Okay.

10 THE WITNESS (Gaudet): It's a  
11 substantial amount of time that the city would be  
12 down. I don't see that as being feasible at all.

13 MR. QUINLAN: How about if you do the  
14 drop and swap and you duplicate the equipment, how  
15 much time is it to cutover then?

16 THE WITNESS (Gaudet): It's tough to  
17 tell. I mean, you're essentially creating a new  
18 network, so it's, you know, to Director  
19 Bartolotta's point, is that on paper in a perfect  
20 world you cutover and everything is up and running  
21 and it's fine, but that does rarely happen.

22 MR. QUINLAN: In a matter of hours?

23 THE WITNESS (Gaudet): You're probably  
24 looking at a day's worth of time to make sure that  
25 everything is running appropriately.

1                   MR. QUINLAN: Can you provide a little  
2 more clarification as to what the breakdown of the  
3 cost is for the drop and swap? What is the cost?  
4 You say it's approximately 950,000 to 1.1 just  
5 without the town's equipment. What's the  
6 breakdown of those costs just roughly?

7                   THE WITNESS (Gaudet): Scott, do you  
8 have that breakdown?

9                   THE WITNESS (Pike): Yeah, I do. So  
10 you're looking at 950,000. So that's between the  
11 full cost of steel, moving the ground equipment.  
12 This doesn't include the demolition or the decom  
13 of the tower. So you're looking at around 750,000  
14 just for the cost of steel price, plus the 200,000  
15 to add the decom, and this is without AT&T too as  
16 well. So if you add with their equipment too,  
17 you're looking at 1.1 million.

18                   MR. QUINLAN: Why is the cost still up  
19 from a couple hundred thousand on the monopole to  
20 almost 750,000 for this design?

21                   THE WITNESS (Pike): These were the  
22 numbers that were given to us. You know, you're  
23 looking at anything from, you know, the equipment,  
24 the cost of steel, materials, lead time.

25                   MR. QUINLAN: You have all those costs

1 anyway on the monopole. What's the difference?

2 THE WITNESS (Gaudet): There's a lot  
3 more steel involved, Mr. Quinlan, for a  
4 self-support tower as opposed to a monopole. A  
5 monopole at 150 feet can be stacked in a day. A  
6 self-support structure, you have to build it  
7 really from the ground up in section by section so  
8 that you have no structural deficiencies as it's  
9 being built. There are crossmembers, cross  
10 angles, you've got multiple legs. The foundation  
11 is far more substantial than a standard monopole  
12 foundation. You've got an entirely new compound  
13 now which would be, call it 50 by 50 or 60 by 60  
14 feet. So there's a lot more with the monopole  
15 cost here where we're just doing a compound  
16 expansion, there's a lot more that goes into it to  
17 get the site to be a full facility as opposed to  
18 just a tower.

19 MR. QUINLAN: Thank you. I have a  
20 couple others. How many days fuel supply do you  
21 have in your backup at the site, do you have a  
22 tank with fuel on site?

23 THE WITNESS (Gaudet): Mr. Hamm, do you  
24 have those numbers for the containment on that  
25 diesel generator?

1                   THE WITNESS (Hamm): I do not know that  
2 number, but I know that ours at our building is  
3 seven days so it's a similar type setup.

4                   MR. QUINLAN: Can I can get a Read-In  
5 or something on that?

6                   MR. MORISSETTE: We could accept a  
7 Late-File on the run time of the generator if we  
8 could, Mr. Hamm.

9                   THE WITNESS (Hamm): We can do it, yes.

10                  MR. MORISSETTE: Thank you.

11                  MR. QUINLAN: And then what is your  
12 plan to resupply in case of emergency and use of  
13 the backup generator?

14                  THE WITNESS (Hamm): I'm sorry, what  
15 was that question?

16                  MR. QUINLAN: How do you resupply the  
17 fuel?

18                  THE WITNESS (Hamm): I believe AT&T has  
19 a contract with Fuel Sprague and they just come  
20 fill it when they're requested to.

21                  THE WITNESS (Bettuchi): That is  
22 correct.

23                  MR. QUINLAN: That's all my questions.  
24 Thank you.

25                  MR. MORISSETTE: Thank you, Mr.

1 Quinlan. I'm going to go next and then we'll  
2 circle back to Mr. Silvestri and Mr. Lavin to see  
3 if Mr. Lavin is ready.

4 So I'm going to jump on the three  
5 scenarios and cost discussion that we've been  
6 having this afternoon. I really believe that  
7 there is a fourth option and it has to do with the  
8 monopole. So we have the drop and swap on the  
9 monopole. So the estimates that I'm looking at  
10 are 300K for the monopole, 200K for the city's  
11 equipment, and then I believe what was testified  
12 in the last hearing was approximately 200K for  
13 demolition of the original lattice structure. Is  
14 that 200K still a valid number, Mr. Pike?

15 THE WITNESS (Pike): Yes, that is  
16 correct.

17 MR. MORISSETTE: Okay.

18 THE WITNESS (Gaudet): Mr. Morissette,  
19 that 200,000 is really for the decom of the -- it  
20 would be the decom of the shelter and the  
21 structure itself. So that does not incorporate --  
22 let's put the scenario out there that we're going  
23 to an entirely new compound, anything that would  
24 need to be redone to the existing compound as far  
25 as removing the foundation, regrading, seeding,

1 anything like that.

2 MR. MORISSETTE: You mean the city's  
3 compound?

4 THE WITNESS (Gaudet): Correct.

5 MR. MORISSETTE: Okay. So that would  
6 increase the decommissioning cost for the city to  
7 something north of 200K?

8 THE WITNESS (Gaudet): Probably an  
9 additional 50,000 to 100,000 depending on how  
10 substantial the removal of the existing foundation  
11 would be.

12 MR. MORISSETTE: Okay. So if we  
13 installed a 300 -- 150 foot monopole and installed  
14 the city's equipment on the new monopole, which we  
15 now understand is three whip antennas and two  
16 microwaves, is that something that is achievable  
17 or within the realm of possibility?

18 THE WITNESS (Gaudet): I think from a  
19 construction standpoint it's certainly feasible.  
20 It doesn't sound that for future business purposes  
21 for the city's communications that that would be  
22 an acceptable option for them based on their, you  
23 know, planning for additional buildouts in the  
24 future, additional equipment. I think at 150 feet  
25 you're also limiting, you know, noting that the

1 city's top whip antenna currently is at 150 feet,  
2 you might want to increase that height of the  
3 tower to accommodate that appropriately as opposed  
4 to having a whip antenna top mounted on a 150 foot  
5 monopole.

6 MR. MORISSETTE: Very good.

7 Recognizing that the city does have the desire to  
8 expand, I was curious about that whip antenna. So  
9 it's not recommended to install a whip antenna on  
10 the very top of a tower, of a monopole?

11 THE WITNESS (Gaudet): It can be done,  
12 certainly, but I think at 150 feet if AT&T, if  
13 their goal is 150 foot centerline, you know, AT&T  
14 would have to drop a few feet there. You're  
15 looking at most likely a collar mount on the top  
16 of that tower to be able to support that whip  
17 antenna. So at that point it might be more  
18 beneficial to bump up the tower height, call it 10  
19 feet or so, and have AT&T take that top point on  
20 the monopole and the city can remain at that 150  
21 foot mark.

22 MR. MORISSETTE: Very good. Thank you.  
23 So structurally, given the city's equipment, the  
24 whip antenna, three whip antennas and the two  
25 microwaves, structurally a monopole should be able

1 to handle it with the addition of AT&T and two  
2 other carriers. Am I interpreting that correctly?

3 THE WITNESS (Hamm): Yes, it can be  
4 designed for that.

5 MR. MORISSETTE: Thank you. I just  
6 have a quick question for Mr. Lavin and then we'll  
7 go back to Mr. Silvestri's discussion on the  
8 search ring. Mr. Lavin, are you with us?

9 THE WITNESS (Lavin): Yes, I am.

10 MR. MORISSETTE: Great. Mr. Lavin, you  
11 were having a discussion with Mr. Perrone about  
12 underperforming. I think it was four to five  
13 sites. Could you explain to me what you meant by  
14 that, underperforming?

15 THE WITNESS (Lavin): That the  
16 ineffective attempts and dropped calls were at an  
17 unacceptable level on those four sites surrounding  
18 this area due to the lack of coverage.

19 MR. MORISSETTE: Okay. So it's due to  
20 the lack of coverage in the area where the  
21 proposed installation is going to be?

22 THE WITNESS (Lavin): That's correct.

23 MR. MORISSETTE: Okay. I think I've  
24 got it now. Thank you for that.

25 Okay. We're going to turn it back to

1 Mr. -- first of all, Mr. Lavin, are you ready to  
2 go with Mr. Silvestri's line of questioning?

3 THE WITNESS (Lavin): Yes, I am.

4 MR. MORISSETTE: Great. Thank you so  
5 much.

6 Mr. Silvestri, please continue.

7 MR. SILVESTRI: Thank you, Mr.  
8 Morissette.

9 Mr. Lavin, am I correct on that center  
10 of the search ring?

11 THE WITNESS (Lavin): Yes, you are.

12 MR. SILVESTRI: Thank you. Okay. So  
13 that was established, as we noted from the  
14 response in the interrogatories, back in August  
15 2018 with the quarter mile radius. So also in the  
16 interrogatory responses it was noted that the  
17 location at this Lawrence School on Kaplan Drive  
18 was evaluated and rejected due to elevated --  
19 elevation concerns and wetlands. First question,  
20 what area of the school property was evaluated?

21 THE WITNESS (Lavin): I don't know  
22 exactly what area, but the whole school, as far as  
23 I know, is in a low area. There is nothing close  
24 to the elevation we have. They are between,  
25 around 75 feet lower than we are. As far as I

1 know, there's no high elevation to compare with  
2 ours on the Lawrence School property.

3 MR. SILVESTRI: Okay. So do you know  
4 if a particular tower height was evaluated at that  
5 school?

6 THE WITNESS (Lavin): Certainly I know  
7 150 wouldn't create the coverage we needed from  
8 that location being so low and the addition of any  
9 reasonable amount up to 200 feet where we'd have  
10 to add red and white stripes and a light wouldn't  
11 really solve the problem. It's also somewhat  
12 offset relative to the ridge, so I think there  
13 would be shadowing on the western side of the  
14 ridge that wouldn't really allow a tower of any  
15 practical height at 200 feet and under to give us  
16 the coverage we needed.

17 MR. SILVESTRI: Okay. Thank you for  
18 the response. The followup I have, now that we  
19 established the center of the search ring, I  
20 calculate it's approximately .76 miles from the  
21 center of that search ring to the school property.  
22 So the question I have is, why was this location  
23 evaluated if it's beyond the quarter mile radius  
24 of the August 2018 search ring?

25 THE WITNESS (Lavin): The search ring

1 center is about a quarter mile south of the  
2 current proposed site location. I don't know  
3 about the 2018 submission.

4 MR. SILVESTRI: All right. Let me move  
5 on then. Again, using the center of that radius  
6 that we just decided upon, I actually calculate  
7 .332 miles from the center of that search ring to  
8 the proposed location. Again, it's outside the  
9 .25 mile radius. Why was that site selected if  
10 it's outside the search radius?

11 THE WITNESS (Lavin): The search ring  
12 radius is not a hard and fast rule. It's the RF  
13 engineer sitting at his desk looking at maps and  
14 Google Earth. In this case the search ring center  
15 is very close to the highest point on the ridge.  
16 And particularly in the case of a ridge, a round  
17 radius is probably not a good way to look at it.  
18 A quarter mile will put you down at Middletown  
19 High School or over to the other side where you're  
20 losing at least 100 feet of elevation from the top  
21 of the ridge. It's a starting point for site  
22 acquisition to look and in this case find an  
23 existing tower between a quarter and a third of a  
24 mile away on the same ridge.

25 MR. SILVESTRI: Actually what I'm

1 getting from this is that the search ring could  
2 extend in this case well beyond the quarter mile.  
3 So the follow-up question, in reality, how far  
4 could it go?

5 THE WITNESS (Lavin): In this case  
6 certainly you're talking about getting, when you  
7 get up to Mile Lane, you're back down maybe half a  
8 mile there. It's not been my experience that site  
9 acquisition people stop looking at a quarter mile  
10 or where it is since you specify it is a starting  
11 point and where you should be looking first. It's  
12 my experience that site acquisition always looks  
13 beyond that. In particular, in this case we've  
14 had to do a 4 mile search for existing facilities.

15 MR. SILVESTRI: I want to get to the 4  
16 mile part in a minute. There was a question  
17 earlier about were other potential locations for a  
18 cell tower evaluated in this search ring or beyond  
19 the search ring, and I believe the answer was yes  
20 in addition to what we had for Lawrence School,  
21 but nothing was really submitted to us or  
22 mentioned.

23 Mr. Morissette, seeing that we have one  
24 Late-File coming in, could we also get that as  
25 another Late-File as to what other locations were

1 looked at?

2 MR. MORISSETTE: Yes, Mr. Silvestri, I  
3 think that's appropriate to get that information  
4 into the record.

5 And Mr. Pike, if you could assemble  
6 that information and submit it as a Late-File,  
7 that would be helpful. Thank you.

8 MR. SILVESTRI: Thank you, Mr.  
9 Morissette.

10 Continuing on, there's a sand and  
11 gravel operation that I saw from Google Maps.  
12 It's located on the eastern end of Mile Lane. It  
13 seems to be near Newfield Street. Was that site  
14 evaluated at all for potential use for a cell  
15 tower?

16 THE WITNESS (Lavin): I don't know if  
17 it was specifically evaluated, but that's  
18 significantly lower elevation and also would be  
19 blocked to the west side of the ridge in terms of  
20 coverage. So it really didn't have -- wouldn't  
21 have much potential to substitute for the site on  
22 top of the ridge.

23 MR. SILVESTRI: Thank you for that  
24 response. Now, if I understand correctly also,  
25 the coverage plots that were provided in the

1 application were based on on-air AT&T macro sites.  
2 And this is back in Table 2 of the application,  
3 not the interrogatory. Is that correct that the  
4 coverage plots that were provided were based on  
5 those macro sites?

6 THE WITNESS (Lavin): Existing macro  
7 sites and small cells, if any.

8 MR. SILVESTRI: Yeah, we do have a  
9 rooftop that's there. Okay. Thank you. Then if  
10 you go to attachment 4 of the application, which  
11 is a couple pages down, and I just want to pull it  
12 up on my screen, this is CT 3470 and it has  
13 neighbor sites and radial distances. The question  
14 I have, are all of those sites identified AT&T  
15 macro sites?

16 THE WITNESS (Lavin): Yes, they are.

17 MR. SILVESTRI: Thank you. Now, if we  
18 go to the first set of interrogatory responses and  
19 attachment 4, that has a ring that's there, and it  
20 depicts the locations of existing adjacent towers  
21 within a 4 mile radius of the proposed location.  
22 Does AT&T currently utilize any of those towers at  
23 the present time?

24 THE WITNESS (Lavin): I'm just trying  
25 to get to that. Existing adjacent towers within 4

1 miles?

2 MR. SILVESTRI: Yeah, this is, again,  
3 attachment 4 of the first set of interrogatory  
4 responses. It doesn't have a page number so I  
5 can't give you a page number.

6 THE WITNESS (Lavin): In terms of all  
7 of the towers in that chart, we either use them or  
8 they are directly adjacent to a current site or  
9 they are farther away than the current sites  
10 around it.

11 MR. SILVESTRI: All right. Let me pose  
12 a follow-up question to see if I understand your  
13 answer. For those sites in that drawing that are  
14 not occupied by AT&T, can AT&T tower share to  
15 provide the needed coverage? For example, you  
16 know, for example, I was pointing out 201 Main  
17 Street or 90 Industrial Park Road or 238 Meriden  
18 Road, for example.

19 THE WITNESS (Lavin): I've plotted out  
20 the locations of all those towers. We're either  
21 on them already or they are directly adjacent to  
22 one we're on already, very close, or they are  
23 further away than the adjacent tier of sites and  
24 would not provide coverage that we need in this  
25 area.

MR. SILVESTRI: In the case that they're further away, could a tower share still exist and be supplemented by a small cell somewhere else in the area?

THE WITNESS (Lavin): Not that I'm aware of. Having one site overreach the other into this area is probably not good engineering practice. I haven't studied that particularly. At the distances they'd be, we're looking within 4 miles here. Anything further than that would be serving from so far away as to be generally unreliable.

MR. SILVESTRI: Understood, I believe, Mr. Lavin. Thank you. Any follow-up questions I'll have I guess will be based on the Late-File on the different locations that were examined. So I thank you for your responses.

And thank you, Mr. Morissette.

MR. MORISSETTE: Thank you, Mr. Silvestri. We'll now continue with cross-examination of the applicant by the city, Attorney Forte.

MR. FORTE: The city has no questions.

MR. MORISSETTE: Thank you, Attorney

**Forte.**

We'll continue with cross-examination of the applicant by Talias Trail by Mr. Barbagallo.

MR. BARBAGALLO: Thank you, Mr. Morissette. Just to follow up with Mr. Lavin. In the question you just answered, speaking that it's the 4 mile radius and the towers would be too far away, it was in the documentation that the purpose of this tower is to install low band antennas. For low band 5G what is the actual, I guess let's call it, optimal range?

THE WITNESS (Lavin): Optimally we're usually getting to a situation where there's a site every 1 to 2 miles, sometimes more than that. It's all dependent on terrain and land usage. Every site is its own special case.

MR. BARBAGALLO: Okay. So you had said that the area that was -- I believe you said four sites in the area that you're using as far as your statistics of dropped calls or obviously assuming from outgoing calls. Can you be more specific in where those sites are? I'm basically trying to get an idea of what your target location is.

THE WITNESS (Lavin): They are the four

1       closest sites to this one. If we can pull this  
2       up, CT 5437, 5272, 5271, 5144, 1044, there are  
3       probably six of them now that I look at it, and CT  
4       0044.

5                    MR. BARBAGALLO: Okay. So would that  
6       coincide with Director Bartolotta's Newfield  
7       corridor and high school area?

8                    THE WITNESS (Lavin): They are arrayed  
9       around this area. I would have to look at my  
10      plots to see. Our objectives from here are  
11      probably a subset of what Mr. Bartolotta is able  
12      to cover from this site.

13                  MR. BARBAGALLO: Okay. You had  
14      mentioned about looking at the Lawrence School and  
15      obviously the 200 foot limit, and which is an  
16      understanding that obviously would have to be  
17      marked differently. If the tower is put in  
18      place -- I guess it's a two-part question -- and  
19      we needed to put the city's equipment on that  
20      tower, can it be done to include, as you testified  
21      in the earlier hearing, that four carriers, the  
22      tower -- or, excuse me, the monopole would be for  
23      four carriers, could a 150 foot monopole carry  
24      four carriers and the city's equipment?

25                  THE WITNESS (Lavin): It could

1 physically hold it all up, but I believe the city  
2 testified that they want to be able to utilize a  
3 180 foot tower, so it would be 30 feet short of  
4 what I believe the city has stated is their needs.

5 MR. BARBAGALLO: Okay. So if we, let's  
6 say, move up to a 180 foot monopole and we take  
7 the whip antenna and put it on top of a 180 foot  
8 monopole, would then that exceed the 200 foot  
9 limit?

10 THE WITNESS (Lavin): In the case here,  
11 I mean, we know that 180 feet has been given a  
12 determination of no hazard to air navigation. I  
13 don't know how close it comes to requiring  
14 lighting or marking, so I can't say that putting  
15 another 20 feet on top of the 180 would not put it  
16 over where it would need to have a beacon or  
17 painted marking.

18 MR. BARBAGALLO: Again, if I  
19 misunderstood, please someone correct me. Is the  
20 city whip antenna 30 feet?

21 THE WITNESS (Lavin): I'm not sure  
22 offhand exactly what size it is.

23 MR. BARBAGALLO: Okay. So then I guess  
24 my question is, if it does in fact come close to  
25 that 200 foot mark from ground level, there would

1 have to be additional lighting that would be on  
2 all the time, correct?

3 THE WITNESS (Lavin): It is possible.  
4 I can't speak for what the city's needs are. A 20  
5 foot long whip is very long. I don't know if  
6 that's what they plan for that height, so I can't  
7 really say.

8 MR. BARBAGALLO: Okay. Thank you for  
9 that. My next question is for Attorney Bettuchi.  
10 You had mentioned, and I think it was a quote from  
11 Director Bartolotta, the 95 percent coverage. I  
12 just want to be clear. Are you specifically  
13 talking about the current antenna has 95 percent  
14 coverage or when the monopole gets put up that  
15 will have 95 percent coverage?

16 THE WITNESS (Bettuchi): So first I'm  
17 not an attorney.

18 MR. BARBAGALLO: Sorry --

19 THE WITNESS (Bettuchi): That's okay.  
20 I just didn't want anyone to have any false  
21 impressions of my knowledge. No, so what it was,  
22 was just that when they had done their analysis  
23 when they were trying to identify a site that  
24 would meet their coverage needs, they had  
25 determined that that particular location met 95

1 percent of their needs. Now certainly our needs  
2 are different. Ours is based on our current  
3 network build. But what I think it does speak to  
4 is, you know, that the elevation on this  
5 particular site is arguably more advantageous than  
6 a lot of other areas in that general vicinity, and  
7 so that was really what my intent was with that  
8 statement.

9 MR. BARBAGALLO: Thank you. Thank you  
10 for clarifying that. And actually going back to,  
11 and I apologize, Mr. Lavin, coming back to you,  
12 you had stated that the lower elevation, the west  
13 ridge would actually impede the signal from going  
14 through. But even at the current elevation, the  
15 west ridge is much higher than the 499 Mile Lane.  
16 So I guess what is the balance, how much do you  
17 lose by going down the hundred and something feet  
18 of elevation?

19 THE WITNESS (Lavin): I haven't  
20 quantified it exactly, but you'll lose pretty much  
21 all the coverage if you move down to either side  
22 of the ridge, east or west you would lose  
23 substantially most, if not all, of the coverage,  
24 again, on the opposite side of the ridge.

25 MR. BARBAGALLO: So the -- and again

1 from the application, the four mile radius of  
2 towers, it seems that there are towers on that  
3 side of the ridge, so those do not meet your  
4 needs?

5 THE WITNESS (Lavin): No, all the  
6 towers that are identified in that table are  
7 either ones we're already on, ones that are  
8 immediately adjacent to ones we are on, or ones  
9 that are even further away than the ones we're on.

10 MR. BARBAGALLO: Okay. Thank you for  
11 that. And then I don't know who can answer this  
12 question, but it pertains to the back-up  
13 generator. It was testified in a previous hearing  
14 that the back-up generator would only be on if the  
15 site lost power, but if we're using some type of  
16 fuel like diesel, which obviously has a high rate  
17 of coagulation of fuel, would that have to be run  
18 periodically; and if so, for how long?

19 THE WITNESS (Gaudet): The backup  
20 generators are typically exercised about once a  
21 week, as you would see with a home generator,  
22 standby home generator, during a weekday during  
23 the daytime for about 20 to 30 minutes.

24 MR. BARBAGALLO: Okay. Thank you for  
25 that.

1                   THE WITNESS (Hamm): I'd like to add  
2 that it was basically a 48-hour run time on the  
3 generator when the power goes out.

4                   MR. BARBAGALLO: I believe that's  
5 everything I have. Thank you.

6                   MR. MORISSETTE: Thank you. We'll now  
7 continue with cross-examination by Ms. Pugliares.

8                   Ms. Pugliares. You're on mute.

9                   MS. PUGLIARES: Sorry about that. My  
10 question is really around the site location.  
11 There's been a lot of conversation today about the  
12 elevation that's needed. And there is another  
13 state or city-owned property where Moody School,  
14 another school, another elementary school like  
15 Lawrence that's just down the street. I just  
16 looked it up on my phone which is, you know, I'm  
17 obviously sitting right next to the tower here,  
18 and it's about a mile and a half from here, and it  
19 has a much higher elevation than the 499 Mile  
20 Lane. It's way up the road over here. I was  
21 wondering why that town property wasn't in  
22 consideration.

23                   THE WITNESS (Lavin): This is Martin  
24 Lavin. I haven't studied it specifically, but it  
25 is on the west side of the ridge. I'd have to

1 look more closely. But it seems likely that the  
2 ridge would shadow coverage on the eastern side to  
3 a tower located at Moody School.

4 MS. PUGLIARES: Okay. Thank you.

5 That's the only question that I have.

6 MR. MORISSETTE: Thank you. We'll now  
7 continue with Mr. Siteman.

8 Mr. Siteman.

9 MR. SITEMAN: Thank you. Mr. Silvestri  
10 really pushed the line of questioning that I was  
11 hoping to ask, so we'll wait for that Late-Filing  
12 and then review that and go from there on  
13 alternate site locations. But I would like to  
14 better understand the conversation that occurred  
15 between the city and AT&T from 2019 onwards. Once  
16 it was determined that the current tower wasn't a  
17 feasible option, was there real discussion about  
18 alternative locations or was it driving forward  
19 with the 499 Mile Lane location?

20 MR. FISHER: Kelly and Scott, do you  
21 want to take that question, please?

22 THE WITNESS (Pike): Yeah. So, you  
23 know, unfortunately this kind of predates my  
24 employment, but from what I was told obviously  
25 when we had these conversations was that, you

1 know, we looked at the Lawrence School, but that  
2 was really the only option that we had as an  
3 alternate, and, you know, from the elevation  
4 standpoint, which was the deciding factor as to  
5 stick with the city and to kind of move forward  
6 with that. I wasn't aware -- and Kelly, I don't  
7 know if you have anything else to add too -- about  
8 any other locations at the time, but I think  
9 that's kind of the process of the way we went with  
10 it, just from it being at higher elevation, the  
11 city's interest to kind of move forward with us,  
12 you know, we stuck with it, and that's kind of why  
13 we went that route.

14 THE WITNESS (Bettuchi): I think when  
15 we looked at everything in balance, I think this  
16 goes back to trying to find an existing site that  
17 was already developed. You know, I have to say  
18 that I think for the most part generally we try to  
19 avoid school sitings. It's just not generally  
20 something that we find communities to be amenable  
21 to. And so certainly trying to be considerate of  
22 that is always at the forefront of our approach.  
23 I think, you know, certainly this particular site  
24 had a significant elevation advantage. It was  
25 already a developed location.

1                   And so, you know, we initially  
2 approached the city with this being what we felt  
3 was minimizing the impact to the local community  
4 as best as we could. And then certainly we needed  
5 to vet out, you know, some of the alternatives  
6 that were presented. And so initially we had  
7 talked about whether or not we could potentially  
8 just reinforce the existing site and that, you  
9 know, that didn't ideally work, you know, from a  
10 structural standpoint it wasn't feasible. And so  
11 then, you know, there was the potential of a swap  
12 and drop. But we also really do try to find a  
13 balance between the considerations of the  
14 community that we're interacting with.

15                   So in this particular case it was very  
16 clear to us that this particular site was  
17 significant for the city. It meant a lot to them  
18 with respect to public safety and communication  
19 and how that interacted with other sites and their  
20 ability to serve their community. And so we said,  
21 okay, so what are some of the other options that  
22 we have in place or available to us. And, you  
23 know, we looked at, you know, could you  
24 potentially move it back further on the site. You  
25 know, I think Director Bartolotta had mentioned

1 earlier that the city does have some hope for  
2 potentially developing that general parcel in the  
3 future, and so we take that into consideration.

4 And then we also knew that at the end  
5 of the day the swap and drop in any form was  
6 really going to be a serious concern for them.  
7 And there was also a cost factor. You know, I  
8 mean, for us to take that site and move it back  
9 further into a different parcel, you know,  
10 requires demolition of old towers. It's arguably  
11 a minimum of six times more expensive. You have  
12 more ground space impact, whereas potentially  
13 creating a tower that is in the same view site as  
14 something that is there but lower, we frankly felt  
15 was the best path forward.

16 That being said, you know, I think from  
17 our perspective we are always open to any  
18 suggestion. And so we made the submission  
19 thinking that we've done our due diligence and  
20 that we're coming up with what we think is the  
21 best option that balances the needs of the  
22 community and the needs of the municipality and  
23 our coverage concerns. That being said, you know,  
24 if other options exist, that's never off the table  
25 for us. It really isn't.

1                   And so I think that's why we come to  
2 the Council and we say, you know, this is what we  
3 have, this is what we're looking at, but we defer  
4 to you. If there's another option that's better,  
5 you know, we're happy that the community is a  
6 party and is providing feedback because at the end  
7 of the day we want to ensure that we can provide  
8 quality service. We want to ensure that we have  
9 the ability to provide for the public safety  
10 objectives that we have in front of us, but we  
11 also, you know, we're part of the community, and  
12 so we don't really want to disrupt anything.

13                   So you're right, I think we did go down  
14 this path and we felt that this was the best  
15 balance of all of those concerns, but at no time  
16 are we saying that we're not open to other  
17 suggestions. So we welcome the dialogue.

18                   MR. SITEMAN: I appreciate your  
19 comments there. Can you please confirm though  
20 that this new proposed tower at 150 feet has the  
21 ability for a 30 foot extension and add four  
22 carriers on there which would add significant  
23 equipment and what effect it has on a visual  
24 aspect?

25                   THE WITNESS (Bettuchi): I'd have to

1 defer to the engineers on the call. That would  
2 really be more in their purview.

3 MR. SITEMAN: Can someone from AT&T  
4 who's familiar with the current proposal? Because  
5 our understanding as a neighborhood that the  
6 current proposal is for 150 feet but has the  
7 option for a 30 foot extension plus adding other  
8 carriers to it.

9 THE WITNESS (Gaudet): So towers can be  
10 extended, they can be designed to be extended in  
11 the future. I think one of the misconceptions out  
12 there is that it can be done, you know, overnight  
13 without any approvals. There's still regulatory  
14 processes that have to go through. If the site  
15 were to be extended at any height, it would still  
16 have to come back in front of the Connecticut  
17 Siting Council and be reviewed to make sure that  
18 it is still in line with the Certificate of Public  
19 Need. So, you know, it's not to say that it could  
20 not be, but it's not just, you know, AT&T decides  
21 that we want to throw another 30 feet up there,  
22 let's go do it. There is a process similar to  
23 what we go through for a full tower design as  
24 well.

25 MR. SITEMAN: Understood. I appreciate

1 the clarification there. Last question that I  
2 have is, I'd like some clarification on the  
3 current proposals that we're talking about, the  
4 one in the application that's adjusted for the  
5 wetlands as well as the drop and replace, those  
6 two options, will trees have to be removed for  
7 either of those options?

8 THE WITNESS (Gaudet): No, not for the  
9 drop and swap. Again, as proposed in that  
10 location that AT&T identified, that new compound  
11 location would be wholly outside of the treeline.  
12 There would be no need for tree clearing or  
13 removal to run power lines, access drive. And  
14 certainly the proposal with the compound expansion  
15 is in a cleared area already as well, so there  
16 would be no tree removal there either.

17 MR. SITEMAN: Okay. I appreciate the  
18 answer. Thank you.

19 THE WITNESS (Gaudet): You're welcome.

20 MR. SITEMAN: That's all I have.

21 MR. MORISSETTE: Thank you, Mr.  
22 Siteman.

23 The appearance of Talias Trail will be  
24 presented at the continuation of the public  
25 hearing.

1                   The Council announces that it will  
2 continue the evidentiary session of this public  
3 hearing on Thursday, February 3, 2022 at 2 p.m.  
4 via Zoom remote conferencing. A copy of the  
5 agenda for the continued remote evidentiary  
6 hearing session will be available on the Council's  
7 Docket 506 webpage, along with the record of this  
8 matter, the public hearing notice, instructions  
9 for public access to the remote evidentiary  
10 hearing session, and the Council's Citizens Guide  
11 to Siting Council Procedures.

12                  Please note that anyone who has not  
13 become a party or intervenor but who desires to  
14 make his or her views known to the Council may  
15 file written statements with the Council until the  
16 public comment record is closed. Copies of the  
17 transcripts of this hearing will be filed at the  
18 Middletown City Clerk's Office.

19                  I hereby declare this hearing  
20 adjourned. Thank you, everyone, for your  
21 participation and have a very happy holidays.

22                  (Whereupon, the witnesses were excused  
23 and the hearing adjourned at 4:41 p.m.)

## **CERTIFICATE FOR REMOTE HEARING**

I hereby certify that the foregoing 124 pages are a complete and accurate computer-aided transcription of my original stenotype notes taken before the Connecticut Siting Council of the CONTINUED REMOTE PUBLIC HEARING IN RE: DOCKET NO. 506, NEW CINGULAR WIRELESS PCS, LLC (AT&T) APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TELECOMMUNICATIONS FACILITY LOCATED AT 499 MILE LANE, MIDDLETOWN, CONNECTICUT, which was held before JOHN MORISSETTE, PRESIDING OFFICER, on December 21, 2021.

**Lisa L. Warner, CSR 061  
Court Reporter  
BCT REPORTING, LLC  
55 WHITING STREET, SUITE 1A  
PLAINVILLE, CONNECTICUT 06062**

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WAYNE BARTOLOTTA (sworn on page 143)

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KELLY WADE BETTUCHI (sworn on page 190)  
SCOTT PIKE (previously sworn)  
BRIAN GAUDET (previously sworn)  
DANIEL HAMM (previously sworn)  
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1      **I n d e x: (Cont'd)**

2

3      **CITY OF MIDDLETOWN'S EXHIBITS**  
3      **(Received in evidence)**

4 <b>EXHIBIT</b>	5 <b>DESCRIPTION</b>	6 <b>PAGE</b>
7 <b>III-B-1</b>	8      City of Middletown's waiver of the 8      municipal consultation, received 9      October 4, 2021	146
10 <b>III-B-2</b>	11     Pre-filed testimony of Wayne 11     Bartolotta, Director, City of Middletown 12     Central Communications, dated 12/13/21	146
13 <b>III-B-3</b>	14     City of Middletown request for party 14     status, dated December 15, 2021	146

11      **APPLICANT'S EXHIBITS**  
12      **(Received in evidence)**

13 <b>EXHIBIT</b>	14 <b>DESCRIPTION</b>	15 <b>PAGE</b>
16 <b>II-B-6</b>	17     Applicant's Late-Filed exhibits 17     and supplemental submission, dated 18     December 12, 2021	194
19 <b>II-B-7</b>	20     Applicant's pre-filed testimony 20     of Kelly Wade Bettuchi, AT&T, dated 21     December 13, 2021	194