

CERTIFIED  
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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 Thursday,  
15 February 3, 2022, 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                   MARK QUINLAN

11                   **Council Staff:**

12                   MELANIE BACHMAN, ESQ.

13                   Executive Director and

14                   Staff Attorney

15                   MICHAEL PERRONE

16                   Siting Analyst

17                   LISA FONTAINE

18                   Fiscal Administrative Officer

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

21                   CUDDY & FEDER LLP

22                   445 Hamilton AVenue, 14th Floor

23                   White Plains, New York 10601

24                   BY: CHRISTOPHER B. FISHER, ESQ.

25                   For Party, the City of Middletown:

26                   OFFICE OF THE GENERAL COUNSEL

27                   City of Middletown

28                   245 deKoven Drive

29                   Middletown, Connecticut 06457

30                   BY: CHRISTOPHER J. FORTE, ESQ.

31                   Assistant General Counsel

### A p p e a r a n c e s: (Cont'd)

### For Party, Talias Trail:

# JOSEPH BARBAGALLO

59 Talias Trail

Middletown, Connecticut 06457

# **MICHAEL SITEMAN**

## 29 Talias Trail

Middletown, Connecticut 06457

Also present: Aaron Demarest, Zoom co-host

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

MR. MORISSETTE: This continued remote evidentiary hearing session is called to order this Thursday, February 3, 2022, 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'd ask that everyone please mute their computer audio and their 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. Lynch, Mr. Silvestri, Mr. Nguyen, Ms. Cooley, Mr. Quinlan, Executive Director Melanie Bachman, staff analyst Michael Perrone, and Fiscal Administrative Officer Lisa Fontaine.

This evidentiary session is a continuation of the remote public hearing held on

1       November 30, 2021 and December 21, 2021. It is  
2       held pursuant to the provisions of Title 16 of the  
3       Connecticut General Statutes and of the Uniform  
4       Administrative Procedure Act upon an application  
5       from New Cingular Wireless PCS, LLC, also known as  
6       AT&T, for a Certificate of Environmental  
7       Compatibility and Public Need for the  
8       construction, maintenance, and operation of a  
9       telecommunications facility located at 499 Mile  
10      Lane in Middletown, Connecticut.

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

15           The Council will take a 10 to 15 minute  
16       break at a convenient juncture around 3:30.

17           We'll first start with the appearance  
18       by Talias Trail. In accordance with the Council's  
19       December 22, 2021 continued evidentiary hearing  
20       memo, we will commence with the appearance of the  
21       party, Talias Trail, to swear in its witnesses and  
22       verify its exhibits Marked Roman Numeral IV, Items  
23       B-1 through 6.

24           Attorney Bachman, can you please begin  
25       by swearing the party's witnesses, Mr. Barbagallo,

1           Ms. Pugliares and Mr. Siteman.

2           MS. BACHMAN: Thank you, Mr.  
3           Morissette. If Mr. Siteman and Mr. Barbagallo  
4           could please just turn on their camera. Thank  
5           you.

6           Mr. Siteman, is Ms. Pugliares going to  
7           join us, or is she unable to join us?

8           MR. SITEMAN: She's unable to join  
9           today.

10          MS. BACHMAN: Okay. If you could  
11          please raise your right hand.

12          J O S E P H    B A R B A G A L L O ,

13          M I C H A E L    S I T E M A N ,

14          called as witnesses, being first duly sworn  
15          by Ms. Bachman, were examined and testified  
16          on their oaths as follows:

17          MS. BACHMAN: Thank you.

18          MR. MORISSETTE: Thank you, Attorney  
19          Bachman.

20          Mr. Barbagallo and Mr. Siteman, you  
21          have offered the exhibits listed under the hearing  
22          program as Roman Numeral IV, 1 through 6 for  
23          identification purposes. Is there any objection  
24          to marking the exhibits for identification  
25          purposes only at this time?

1                   THE WITNESS (Siteman): No.

2                   THE WITNESS (Barbagallo): No.

3                   MR. FORTE: No, your Honor.

4                   MR. MORISSETTE: Thank you. Mr.  
5                   Barbagallo and Mr. Siteman, did you prepare or  
6                   assist in the preparation of Exhibits IV-B-1  
7                   through 6 with the exclusion of Ms. Pugliares on 2  
8                   and 5?

9                   THE WITNESS (Siteman): Yes.

10                  MR. MORISSETTE: Mr. Barbagallo?

11                  THE WITNESS (Barbagallo): Yes. Sorry.  
12                  Yes.

13                  MR. MORISSETTE: Thank you. Do you  
14                  have any additions, clarifications, deletions or  
15                  modifications to those documents?

16                  THE WITNESS (Siteman): No.

17                  THE WITNESS (Barbagallo): No.

18                  MR. MORISSETTE: Thank you. Are these  
19                  exhibits true and accurate to the best of your  
20                  knowledge?

21                  THE WITNESS (Siteman): Yes.

22                  THE WITNESS (Barbagallo): Yes.

23                  MR. MORISSETTE: And do you offer these  
24                  exhibits as your testimony here today?

25                  THE WITNESS (Siteman): Yes.

THE WITNESS (Barbagallo): Yes.

MR. MORISSETTE: Thank you. Does any party object to the admission of the Talias Trail exhibits?

Attorney Fisher.

MR. FISHER: No, we have no objection.

MR. MORISSETTE: Thank you, Attorney Fisher.

## Attorney Forte?

MR. FORTE: The city has no objection.

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

(Talias Trail Exhibits IV-B-1, IV-B-3,  
IV-B-4 and IV-B-6: Received in evidence -  
described in index.)

MR. MORISSETTE: We will now begin with cross-examination of Talias Trail by the Council starting with Mr. Perrone followed by Mr. Lynch.

Mr. Perrone.

## **CROSS-EXAMINATION**

MR. PERRONE: Thank you, Mr. Morissette.

Mr. Siteman, could you characterize the view of the existing tower from your property?

THE WITNESS (Siteman): Yes. So from

1 my front door, which is facing the property 499  
2 Mile Lane, you can see the upper half of the tower  
3 from my front step and front yard.

4 MR. PERRONE: And with the AT&T  
5 responses to the Talias Trail interrogatories  
6 there's a photo log sheet which is an aerial of  
7 the neighborhood.

8 THE WITNESS (Siteman): Yes.

9 MR. PERRONE: Could you explain to us  
10 where your home is located on there?

11 THE WITNESS (Siteman): Yes. So I'm  
12 29. Let me get the aerial. Okay. So do you see  
13 on that aerial photograph where there's a yellow  
14 circle 2?

15 MR. PERRONE: Yes.

16 THE WITNESS (Siteman): So if you look  
17 on the left side of the street, I am the second  
18 house up.

19 MR. PERRONE: So the second one headed  
20 to the south?

21 THE WITNESS (Siteman): Correct.

22 MR. PERRONE: Okay, great. Also, in  
23 this set of interrogatories there are two site  
24 locations for a combined tower. My question is,  
25 if there was a shared tower, do you have a design

1 preference such as a monopole, monopine or  
2 lattice?

3 THE WITNESS (Siteman): Yeah, I would  
4 say a monopole certainly over the lattice or the  
5 monopine. Where it's located the monopine doesn't  
6 blend into the surrounding trees.

7 MR. PERRONE: And back to the photo log  
8 sheet. On the Site A and Site B locations, of  
9 those two would you have a preference if there was  
10 a shared tower?

11 THE WITNESS (Siteman): Yeah, I would  
12 say Site A, or even further down than Site A. If  
13 you look at the images, renderings from Talias  
14 Trail that are using Site B, you can see the tower  
15 significantly closer to our street. And  
16 unfortunately Kelly is not able to join us today,  
17 but that house in that picture is actually her  
18 house, and it is towering over her house in the  
19 front of it.

20 MR. PERRONE: Okay. Also on the photo  
21 log could you point out Ms. Pugliares' house on  
22 that photo log as well?

23 THE WITNESS (Siteman): Yes. So she is  
24 actually right where that 2 is, it's right to the  
25 right of that.

1                   MR. PERRONE: Okay. Thank you, Mr.  
2 Siteman. I'm going to move on to Mr. Barbagallo.

3                   THE WITNESS (Barbagallo): Yes.

4                   MR. PERRONE: Mr. Barbagallo, could you  
5 characterize the view of the existing tower from  
6 your property?

7                   THE WITNESS (Barbagallo): It is pretty  
8 much directly in front of my house. The tower  
9 where it sits back is right in front of me  
10 basically.

11                  MR. PERRONE: On the photo log sheet  
12 attached to the AT&T interrogatory responses, do  
13 you have that handy?

14                  THE WITNESS (Barbagallo): I do not. I  
15 apologize.

16                  MR. PERRONE: Okay. I think what I'll  
17 do, back to Mr. Siteman, could you identify for us  
18 on that photo log the location of  
19 Mr. Barbagallo's home?

20                  THE WITNESS (Siteman): Yes. So on the  
21 left side of that street, looking at the -- he is  
22 the furthest down house on the left side. So  
23 right when you get to the cul-de-sac on the left  
24 side, that's his house.

25                  MR. PERRONE: Okay. Thank you. Mr.

1                   Barbagallo, if a shared tower were approved, would  
2                   you have a design preference as far as a monopole,  
3                   monopine or lattice tower?

4                   THE WITNESS (Barbagallo): I would  
5                   probably go with whatever would be the least  
6                   visually impacting which would probably be, in my  
7                   opinion, the monopole.

8                   MR. PERRONE: I know you may not have  
9                   it in front of you. Did you have a chance to look  
10                  at Site A and Site B on the photo log?

11                  THE WITNESS (Barbagallo): I agree with  
12                  Mr. Siteman. I would prefer to see it as far back  
13                  as possible even if there were an alternate site  
14                  other than those two. Whatever foliage could  
15                  conceal it would be better.

16                  MR. PERRONE: Thank you. That's all I  
17                  have for Talias Trail.

18                  MR. MORISSETTE: Thank you, Mr.  
19                  Perrone. We'll now continue with  
20                  cross-examination by Mr. Lynch followed by Mr.  
21                  Silvestri.

22                  Mr. Lynch.

23                  MR. LYNCH: Just a couple  
24                  clarifications, Mr. Morissette.

25                  For both the intervenors, in Mr.

1 Perrone's questioning, is it fair to say that your  
2 choice of a design tower would be the monopole?

3 THE WITNESS (Siteman): If we're being  
4 forced to choose an option, then absolutely, yes,  
5 it's a monopole.

6 MR. LYNCH: And just as another  
7 quick -- you'd like to have it moved back as far  
8 it could be moved; is that correct?

9 THE WITNESS (Siteman): If the tower is  
10 agreed to be put in this location, our preference  
11 would be it's as far back as possible. And if you  
12 look at the continued hearing submissions that  
13 AT&T put together, that ridge is wide and that  
14 entire land is owned by the Town of Middletown, so  
15 it wouldn't require them to work with any other  
16 property owners.

17 MR. LYNCH: Mr. Morissette, that's all  
18 I have.

19 MR. MORISSETTE: Thank you, Mr. Lynch.  
20 We'll now continue with cross-examination by Mr.  
21 Silvestri, followed by Mr. Nguyen.

22 Mr. Silvestri.

23 MR. SILVESTRI: Thank you, Mr.  
24 Morissette. And good afternoon, all.

25 Mr. Barbagallo, let me start with you

1 first, if I can. And I'm going to go to your  
2 profile testimony that was dated December 8th of  
3 2021. The pages are not numbered, but if I count  
4 them, it's on page 5, and it's the text that's  
5 between Figure 6 and Figure 7. Can you follow me  
6 so far?

7 THE WITNESS (Barbagallo): I'm pulling  
8 it open right now. I apologize.

9 MR. SILVESTRI: No problem.

10 THE WITNESS (Barbagallo): Okay.

11 Figure 6 and 7.

12 MR. SILVESTRI: Yeah, between there  
13 there's text that begins with "I understand that  
14 the readings." Do you follow me so far?

15 THE WITNESS (Barbagallo): Yes.

16 MR. SILVESTRI: Okay. Further on in  
17 that paragraph it talks about your field test.  
18 And my question is, could you elaborate on that  
19 field test, what was done, how it was done, area  
20 examined, findings, et cetera?

21 THE WITNESS (Barbagallo): Yes. So  
22 what I did was, just basically using a regular  
23 cell phone, there is an option to do like a signal  
24 test. And what we did was we went from Talias  
25 Trail, worked our way down Mile Lane, looped

1 through down to the elementary school, I believe  
2 it's called Keigwin, down towards the high school,  
3 and then down Newfield. And again, this was for  
4 T-Mobile because that's the service we were using.  
5 For T-Mobile there was 5G coverage in that entire  
6 area which is backed up by the coverage map taken  
7 directly off of their website.

8 MR. SILVESTRI: Now, when you say  
9 there's coverage, is there, forgive the  
10 expression, but a number of bar readings, if you  
11 will, on the phone? Does it tell you how the  
12 signal strength is?

13 THE WITNESS (Barbagallo): It was full  
14 signal strength. The LTE was showing the entire  
15 time.

16 MR. SILVESTRI: Very good. I  
17 understand that. Thank you.

18 Let me have you refer on that page also  
19 to Figure 6. And on Figure 6 you have a number of  
20 gold stars that apparently represent potential  
21 sites for a cell tower. What was your criteria  
22 for identifying those potential sites?

23 THE WITNESS (Barbagallo): These were  
24 just initial sites based off of visual, but this  
25 has since been revised. I've narrowed it down, in

1 my opinion, to one site. It's located almost  
2 directly in front of the road that goes to the  
3 high school. So if you look at the star that's  
4 furthest to the right, it is right on the side of  
5 that building. There's a wooded area. That's  
6 city owned property with access roads and in the  
7 area that they want to cover. So that was the one  
8 place that I narrowed down to be most feasible out  
9 of all these.

10 MR. SILVESTRI: If I could clarify just  
11 so I understand the area you're talking about. If  
12 I look at that Figure 6, it would be the star on  
13 the lowest part to the right-hand side?

14 THE WITNESS (Barbagallo): Correct. If  
15 you look directly to the left, there's a building,  
16 and just beneath that building is a little piece  
17 of wooded area. That piece of wooded area is city  
18 property.

19 MR. SILVESTRI: Copy that. Thank you.  
20 And in your opinion, that site could work because  
21 of what reason?

22 THE WITNESS (Barbagallo): Well, that  
23 area is about 30 feet above ground. The hill is  
24 roughly about 130 feet. So if you look at the  
25 submission from AT&T, basically what they want to

1 see is, quote, located high enough above ground  
2 level to allow transmission of radio frequencies  
3 above trees, buildings and other natural or  
4 man-made structures. A 150 foot monopole in that  
5 location, which obviously we even talked about 180  
6 on this location, so would reach at least above  
7 the hill where 499 Mile Lane is. So it covers all  
8 the area that they want considering that they're  
9 specifically applying for Mile Lane, State Highway  
10 3, which is Newfield directly where that property  
11 is and Ridgewood Road.

12 MR. SILVESTRI: Very good. Thank you  
13 for your response. And I don't know if this is  
14 one for Mr. Siteman or for you, but the other  
15 question I have, am I correct that the Talias  
16 Trail area is slated for more homes in the future?

17 THE WITNESS (Siteman): It is.

18 THE WITNESS (Barbagallo): Yes, three  
19 more homes are supposed to be going at the end of  
20 the cul-de-sac.

21 MR. SILVESTRI: Very good. Thank you.

22 Mr. Morissette, that's all the  
23 questions that I have. Thank you.

24 MR. MORISSETTE: Thank you, Mr.  
25 Silvestri. We'll now continue with

1 cross-examination by Mr. Nguyen, followed by  
2 Ms. Cooley.

3 Mr. Nguyen.

4 MR. NGUYEN: Thank you, Mr. Morissette.

5 I do not have any questions. Thank you.

6 MR. MORISSETTE: Thank you, Mr. Nguyen.  
7 We'll now continue with cross-examination by Ms.  
8 Cooley, followed by Mr. Quinlan.

9 Ms. Cooley.

10 MS. COOLEY: Thank you. I also have no  
11 further questions. Thanks.

12 MR. MORISSETTE: Thank you, Ms. Cooley.  
13 And now we'll continue with cross-examination by  
14 Mr. Quinlan, followed by myself.

15 Mr. Quinlan. Mr. Quinlan?

16 MR. QUINLAN: I went to mute, sorry. I  
17 was unmuted, now I'm muted. All right. Good  
18 afternoon. I had a couple questions about the  
19 backup generation. And one of the interrogatories  
20 indicated that the backup generator could work for  
21 48 hours, I think, under full operational  
22 conditions. And I'm just wondering if it's  
23 possible to increase that to three to five days  
24 and what that would cost.

25 MR. MORISSETTE: Mr. Quinlan, I think

1 that's a question for the applicant.

2 MR. QUINLAN: Yes.

3 MR. MORISSETTE: We are now  
4 cross-examining Talias Trail.

5 MR. QUINLAN: Oh, just Talias Trail.  
6 Okay. Sorry.

7 MR. MORISSETTE: Yes. No problem.

8 MR. QUINLAN: All right. I have no  
9 questions.

10 MR. MORISSETTE: Thank you, Mr.  
11 Quinlan.

12 I would like to follow up on the  
13 questions that Mr. Perrone presented. His  
14 questions about the site were more along the lines  
15 of a shared use facility. My question for each of  
16 you is, if there was to be dual towers, one for  
17 the town, one for the City of Middletown, and one  
18 for AT&T, two part question, what type of  
19 structure would you prefer and what location would  
20 you prefer for the second structure? I'll start  
21 with Mr. Siteman.

22 THE WITNESS (Siteman): So if there has  
23 to be a second tower at this shared use, I would  
24 say a monopole based on the surrounding area. A  
25 monopine doesn't blend in. And Site A is

1 significantly better compared to Site B, but my  
2 personal opinion is that it can be pushed further  
3 back than even what Site A has called out.

4 MR. MORISSETTE: Very good. Thank you,  
5 Mr. Siteman.

6 Mr. Barbagallo, same questions.

7 THE WITNESS (Barbagallo): I have the  
8 exact same opinion. If I'm forced to choose, it  
9 would be that. I think the key to that is being  
10 pushed into the woods as far as possible.

11 MR. MORISSETTE: Great. Thank you for  
12 your responses. That's the clarification that I  
13 was seeking.

14 We will now continue with  
15 cross-examination of Talias Trail by the  
16 applicant, Attorney Fisher.

17 MR. FISHER: Thank you. Just a few  
18 questions. If you could refer back to the photo  
19 log that we were referencing earlier that were  
20 part of AT&T's responses to your interrogatories.  
21 In looking at the aerial, Talias Trail is to the  
22 west of the city zoned property; is that correct?

23 THE WITNESS (Siteman): Yes.

24 MR. FISHER: And then on the aerial  
25 there's another neighborhood to the east; is that

1 correct?

2 THE WITNESS (Siteman): Yeah, there's  
3 several streets there with homes.

4 MR. FISHER: Do you know if anyone in  
5 that neighborhood has expressed an opinion on this  
6 docket or any of the preferences that the Council  
7 was asking you about with respect to location,  
8 tower design, anything of that nature?

9 THE WITNESS (Siteman): We haven't  
10 spoken directly to the residents of that area.  
11 When the initial letter was sent out and some of  
12 them were notified, we had informally heard that  
13 they were upset about it, but when it came to  
14 reality of trying to move forward, we used the  
15 people that we are closest with and friendliest  
16 with, and it's been our neighbors that have taken  
17 the burden of expressing our opinion for the  
18 neighborhood.

19 MR. FISHER: Thank you. I have no  
20 further questions.

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

23 We'll now continue with  
24 cross-examination of Talias Trail by the city,  
25 Attorney Forte.

1                   MR. FORTE: Thank you. The city has no  
2 questions at this time.

3                   MR. MORISSETTE: Thank you, Attorney  
4 Forte.

5                   Moving on, we'll continue with the  
6 appearance of the City of Middletown. We'll  
7 continue with the appearance of the party, the  
8 City of Middletown, to verify the new exhibit  
9 marked as Roman Numeral III, Item B-4 on the  
10 hearing program.

11                  Attorney Forte, please begin by  
12 identifying the new exhibit you have filed in this  
13 matter and verifying the exhibit by the  
14 appropriate sworn witness.

15                  MR. FORTE: Great. Thank you. The  
16 city offers up for identification City of  
17 Middletown's responses to Talias Trail  
18 interrogatories, dated January 26, 2022. And the  
19 city offers Director Wayne Bartolotta to lay the  
20 foundation for this information.

21                  Does Director Bartolotta need to be  
22 sworn in before I do so?

23                  MR. MORISSETTE: I believe he was sworn  
24 in at the last hearing.

25                  Attorney Bachman, that's correct?

1                   Yes, he's all set. Thank you. I'll  
2 just remind him that he is under oath.

3                   MR. FORTE: Excellent. Thank you.

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

5                   having been previously duly sworn (remotely)  
6                   by Ms. Bachman, continued to testify on his  
7                   oath as follows:

8                   DIRECT EXAMINATION

9                   MR. FORTE: So Director Bartolotta, did  
10                  you prepare or assist in the preparation of that  
11                  document?

12                  THE WITNESS (Bartolotta): I did.

13                  MR. FORTE: And as submitted, are the  
14                  city's responses true and accurate to the best of  
15                  your belief?

16                  THE WITNESS (Bartolotta): Yes, they  
17                  are.

18                  MR. FORTE: And do you present the  
19                  evidence and testimony submitted therein within  
20                  that exhibit as your direct testimony here today?

21                  THE WITNESS (Bartolotta): I do.

22                  MR. FORTE: Great. Thank you. And at  
23                  this time the city will offer that document as a  
24                  full exhibit.

25                  MR. MORISSETTE: Thank you, Attorney

1                   **Forte.**

2                   Does any party object to the admission  
3                   of the city's new exhibit? Attorney Fisher.

4                   MR. FISHER: No objection.

5                   MR. MORISSETTE: Thank you, Attorney  
6                   Fisher.

7                   Talias Trail, Mr. Barbagallo and Mr.  
8                   Siteman, any objection?

9                   MR. SITEMAN: No objection.

10                  MR. BARBAGALLO: No objection.

11                  MR. MORISSETTE: Thank you. The  
12                  exhibits are hereby admitted.

13                  (City of Middletown Exhibit III-B-4:  
14                  Received in evidence - described in index.)

15                  MR. MORISSETTE: We'll continue with  
16                  cross-examination of the city by the Council  
17                  starting with Mr. Perrone, followed by Mr. Lynch.

18                  Mr. Perrone.

19                  CROSS-EXAMINATION

20                  MR. PERRONE: Thank you, Mr.  
21                  Morissette.

22                  Director Bartolotta, on the December  
23                  21st hearing transcript, page 148, I had asked you  
24                  about a temporary mobile facility like a cell on  
25                  wheels to maintain continuity of service, and you

1 had noted that would still result in some  
2 downtime, you'd have to align microwave dishes,  
3 and there would still be a loss of service as  
4 parts of the system are taken off.

5 My question is, in the case of a  
6 temporary facility would you basically have to  
7 shut down a given antenna system on the existing  
8 tower, then turn it on in the temporary, and would  
9 that give you a lag?

10 THE WITNESS (Bartolotta): That would  
11 give a lag. And if you, probably contained in  
12 that document I went into an explanation of this  
13 site being an unusual site for the city as it was  
14 its master site and what that site meant to the  
15 entire system. So yes, there would be several  
16 lags. There would be a lag in our connection to  
17 every one of those pieces that are on the tower,  
18 especially the microwaves.

19 MR. PERRONE: And getting back to my  
20 earlier question a little bit more. In the case  
21 of switching over from a permanent facility to a  
22 temporary facility, would you have to do one  
23 antenna system at a time to prevent any kind of  
24 duplicative service or conflicts?

25 THE WITNESS (Bartolotta): Because

1 there's multiple antennas that do different  
2 things, I'm not sure. I'm not an engineer, but  
3 sounding like you could do one antenna at a time  
4 sounds good, but those antennas all serve  
5 different purposes. There's one of them that's  
6 much less important than the other two, and then  
7 there's the microwaves. So it's not, none of it's  
8 easy to do, and once again, that's the critical  
9 site.

10 MR. PERRONE: And those issues we just  
11 described, would they also apply to a full  
12 replacement tower that already had preinstalled  
13 equipment?

14 THE WITNESS (Bartolotta): It would.  
15 There would be less downtime, a serious cost, less  
16 downtime. But yeah, it would be less,  
17 significantly less than what it would be to move  
18 antenna to antenna and cable to cable.

19 MR. PERRONE: Does the city have any  
20 concerns about sway or deflection of its antennas  
21 such as its dishes such that it could affect the  
22 tower design where maybe a lattice versus a  
23 monopole would be preferable?

24 THE WITNESS (Bartolotta): Yes,  
25 absolutely. For this particular site we put that

1 tower there based on that. Now, we do have a  
2 microwave dish on other locations that we share  
3 with cell carriers, but they are significantly of  
4 less importance system wide than this particular  
5 site. This is a site that links us with our 911  
6 center for our dispatch councils. So it's a  
7 concern, the sway is a concern. It's not uncommon  
8 to see a microwave dish on a pole, a monopole, but  
9 it's an issue that has to be sometimes dealt with,  
10 depending on where you are, what kind of winds you  
11 normally take, the location of it, the location on  
12 the pole itself, how high it is, so there are some  
13 complications to it.

14 MR. PERRONE: Could a monopole or  
15 monopine work for the city's equipment?

16 THE WITNESS (Bartolotta): I wouldn't  
17 prefer it for that particular site. But were it  
18 on another site, we have them on another site, I  
19 don't know if the city would agree to even  
20 continue with the project involving a monopole at  
21 that site, to be honest with you.

22 MR. PERRONE: But in general, would a  
23 lattice tower be preferable in terms of sway?

24 THE WITNESS (Bartolotta): Absolutely.

25 MR. PERRONE: Back to the monopole or

1 monopine scenario, how would you install your  
2 equipment in terms of antenna mounts, in other  
3 words, you'd probably have a different mount  
4 design than from the lattice.

5 THE WITNESS (Bartolotta): Well, you  
6 have a different mount design, then you have to be  
7 concerned with the other equipment that's getting  
8 put on by the cell carrier. So it has to be an  
9 engineered system and it does get complicated.  
10 We've done it before on monopoles with other cell  
11 carriers. We have one in Portland, for example.  
12 And it's not that it's not feasible; it's doable.  
13 And it depends where it is in the system, how it  
14 ranks.

15 MR. PERRONE: Would the city be willing  
16 to consider a new AT&T tower on any available city  
17 owned parcel?

18 THE WITNESS (Bartolotta): I think the  
19 city would entertain listening to AT&T or another  
20 provider for another parcel. It doesn't hurt to  
21 listen. We listened this time. We had the parcel  
22 that was available. Had AT&T been a little bit  
23 faster at the time, we probably could have done  
24 this with one tower, but our radio project was a  
25 very high priority for the city and we couldn't

1 postpone our radio project. And here we are, our  
2 radio project has been up and running two and a  
3 half years, and we still don't have a resolution  
4 to the AT&T question. So we obviously made the  
5 right move continuing with our own tower.

6 MR. PERRONE: Could you tell us about  
7 the process required for the city to enter into a  
8 lease to have a cell tower on city property?

9 THE WITNESS (Bartolotta): Sure. It  
10 would have to go before the City of Middletown's  
11 Common Council. We start out first, the proposed  
12 lease gets reviewed by Attorney Forte's group, our  
13 Office of General Counsel. It would go, all this  
14 with basic approval from the mayor to proceed.  
15 Then it would go to the city's Common Council  
16 which would review the lease and authorize the  
17 mayor to execute or not.

18 MR. PERRONE: At the time the existing  
19 tower was constructed, was it designed to  
20 accommodate additional users?

21 THE WITNESS (Bartolotta): It was  
22 designed to have additional users but not  
23 necessarily cell users. If we wanted to offer our  
24 local, what we -- we're adjacent to the Town of  
25 Cromwell. Hypothetically speaking, if the Town of

1 Cromwell needed a little bit of tower space, as we  
2 borrowed some of their tower space before this  
3 project, we would certainly offer tower space to  
4 the Town of Cromwell and people that would need  
5 it, whether it be the State of Connecticut. We  
6 didn't anticipate cell tower use, and we weren't  
7 aware at the time of the restrictions of the tower  
8 and not being able to handle cell use because of  
9 this weight and the type of equipment they'd be  
10 putting on it.

11 MR. PERRONE: Would you have an  
12 estimated cost to decommission the existing tower  
13 in the event of a full tower replacement?

14 THE WITNESS (Bartolotta): I would have  
15 no idea on that, no idea.

16 MR. PERRONE: Okay. Does the city have  
17 concerns regarding visibility of the proposed  
18 tower or a new tower from any of the school  
19 properties?

20 THE WITNESS (Bartolotta): I think the  
21 nature of that is more concern for residential  
22 than it would be for school. We had the facility  
23 there for a long time. The residents have not had  
24 an issue with the facility. We originally talked  
25 about, at that facility on those grounds the

1 potential of a state fire training academy there,  
2 and the residents didn't have an issue. There was  
3 a hearing on it, and the residents didn't have an  
4 issue with that as well. And it's a limited,  
5 fairly limited use area there for the building.

6 MR. PERRONE: Thank you. That's all I  
7 have for the city.

8 THE WITNESS (Bartolotta): You're  
9 welcome.

10 MR. MORISSETTE: Thank you, Mr.  
11 Perrone. We'll now continue with  
12 cross-examination by Mr. Lynch, followed by Mr.  
13 Silvestri.

14 Mr. Lynch. Mr. Lynch?

15 MR. LYNCH: Am I okay?

16 MR. MORISSETTE: Yes, I can hear you.  
17 Thank you.

18 MR. LYNCH: One follow-up question, Mr.  
19 Bartolotta. With regards to the microwave design  
20 on either the temporary or the permanent tower,  
21 it's my understanding, and correct me if I'm  
22 wrong, that microwaves have to go from point to  
23 point. Would that create a problem in the  
24 location on the tower?

25 THE WITNESS (Bartolotta): They do have

1 to go point to point. And it would have to  
2 probably be within a certain range on the tower to  
3 be able to do that point to point. So not being  
4 an engineer, that's probably the best I can give  
5 you. We've had a lot of experience with the  
6 microwaves in the city. We use them because  
7 they're the most reliable. But yeah, it's a  
8 little bit to it, and that particular one goes,  
9 one of those goes into Rocky Hill to a water tank,  
10 and the other comes in the opposite direction to  
11 the dispatch center.

12 MR. LYNCH: You answered my follow-up  
13 question already.

14 Mr. Morissette, those are my questions.  
15 And I'm sorry, but I have to be leaving in a few  
16 minutes.

17 MR. MORISSETTE: Very good. Thank you,  
18 Mr. Lynch. We'll now continue with  
19 cross-examination by Mr. Silvestri, followed by  
20 Mr. Nguyen.

21 Mr. Silvestri.

22 MR. SILVESTRI: Thank you, Mr.  
23 Morissette. And good afternoon, Mr. Bartolotta.

24 THE WITNESS (Bartolotta): Good  
25 afternoon, Mr. Silvestri.

1                   MR. SILVESTRI: A couple questions for  
2 you. The area that's south of your existing  
3 lattice tower, does the city have any plans for  
4 that cleared area?

5                   THE WITNESS (Bartolotta): Not at the  
6 present time, but I will tell you that it's been  
7 talked about for a location of existing fields for  
8 the high school at one time. So I would say  
9 officially at this point not that I'm aware of,  
10 and they wouldn't have to tell me, but there was  
11 talk sometime ago when the Mile Lane property was  
12 taken over by the city of either tennis courts or  
13 something else going in there, but I can't say for  
14 sure.

15                  MR. SILVESTRI: Okay. Thank you. And  
16 the area right now, because it's cleared, what is  
17 it currently used for?

18                  THE WITNESS (Bartolotta): You're  
19 talking to the south.

20                  MR. SILVESTRI: Yeah, if you reference  
21 the applicant's drawing that they had a Late-File  
22 submittal, they have Site B which was the  
23 currently proposed site and then Site A. This is  
24 a little bit to the south of what they call Site  
25 A.

THE WITNESS (Bartolotta): Okay. I don't have that in front of me. Is it completely cleared out land?

MR. SILVESTRI: It looks that way by the aerial. There look to be some trailers or cars that might be parked in a row.

THE WITNESS (Bartolotta): Okay, I'm familiar with where you're talking about now. That's actually where the Nike missiles were stored in that area there. Do they have a plan for that? Not that I'm aware of. It was once thought of an area for expansion for the dispatch center to create a building in there for a dispatch center, but nothing has been formalized at this point.

MR. SILVESTRI: Okay. Thank you. And the last question I have for you, right now where they have Site A proposed, are there any objections from the city to potentially using that Site A for a cell tower?

THE WITNESS (Bartolotta): Can you tell me where Site A is again?

MR. SILVESTRI: Again, if I refer back to the Late-File that AT&T responded to Talias Trail, again, where that row of vehicles or cars

1 or whatever it is, just slightly south of that the  
2 applicant has proposed a yellow square that's  
3 marked as Site A.

4 THE WITNESS (Bartolotta): Okay, I  
5 think I'm familiar with what you're talking about.  
6 Yeah, that would not be horrible for the city.  
7 The city is very concerned with its expansion  
8 areas up there, so that open lot is of concern.  
9 We wouldn't want to put anything certainly in the  
10 middle of that lot. But to move something where  
11 you're talking about in that area, a separate  
12 tower to handle something separately instead of  
13 making it a single tower, that's probably more  
14 doable than -- that's probably a way around this.

15 MR. SILVESTRI: Okay. Very good.  
16 Thank you. And sorry for any confusion I might  
17 have caused you in trying to get that area clear.

18 THE WITNESS (Bartolotta): No, you're  
19 fine.

20 MR. SILVESTRI: Very good. Mr.  
21 Morissette, that's all the questions I have.  
22 Thank you.

23 MR. MORISSETTE: Thank you, Mr.  
24 Silvestri. We'll now continue with  
25 cross-examination by Mr. Nguyen, followed by Ms.

1 Cooley.

2 Mr. Nguyen.

3 MR. NGUYEN: Thank you, Mr. Morissette.

4 Mr. Bartolotta, just one quick  
5 clarification question. Does the city network  
6 currently have or -- does the city network  
7 currently have the redundancy network?

8 THE WITNESS (Bartolotta): Yeah, we do.

9 MR. NGUYEN: It doesn't?

10 THE WITNESS (Bartolotta): We do.

11 MR. NGUYEN: Okay. That's all I have,  
12 Mr. Morissette. Thank you.

13 MR. MORISSETTE: Thank you, Mr. Nguyen.  
14 Now we'll continue with cross-examination by Ms.  
15 Cooley, followed by Mr. Quinlan.

16 Ms. Cooley.

17 MS. COOLEY: Thank you. Thank you, Mr.  
18 Bartolotta. My question actually follows from Mr.  
19 Silvestri's. At that Site A, which seems to be  
20 beyond your current facility which AT&T on their  
21 response to Talias Trail has proposed as an  
22 alternate site, did you indicate that the city  
23 wanted to try to keep that area clear for  
24 potential expansion of your facility?

25 THE WITNESS (Bartolotta): That clear

1 area, the preference of the city is to keep that  
2 area clear. If it was a site that was adjacent to  
3 our current antenna site, close to that site,  
4 further back a little bit, as the residents have  
5 talked about or not, that's fine, but we don't  
6 want to box -- the city doesn't want to box  
7 themselves into having some prime land there for  
8 expansion in the future for city projects by  
9 putting -- in other words, we wouldn't want to put  
10 the site in the middle of that open area and box  
11 the city out of that open space that we can use in  
12 the future.

13 MS. COOLEY: Sure. But the city might  
14 be open to having a site on the edge of that?

15 THE WITNESS (Bartolotta): Could be,  
16 yeah, could be.

17 MS. COOLEY: Okay. Thank you. I  
18 appreciate that. That's all I have.

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

22 Mr. Quinlan.

23 MR. QUINLAN: I have no further  
24 questions. Thank you.

25 MR. MORISSETTE: Thank you, Mr.

1 Quinlan.

2 Good afternoon, Mr. Bartolotta.

3 THE WITNESS (Bartolotta): Good  
4 afternoon.

5 MR. MORISSETTE: I have a few follow-up  
6 questions. And I believe at the last hearing you  
7 talked about the existing lattice structure  
8 possibly being utilized for future expansion.  
9 Would it be possible for you to elaborate on what  
10 you meant by that as far as expansion plans for  
11 that tower beyond what is currently installed?

12 THE WITNESS (Bartolotta): Sure. So  
13 right now on that tower we have two microwave  
14 antennas, we have two 800 megahertz antennas and  
15 we 150 megahertz VHF antenna. The microwaves and  
16 the 800s all have to do with our new P25 system.  
17 And we have a secondary VHS system we use for  
18 incoming responders who don't have this type of  
19 equipment to talk to us with.

20 In the future, if we needed to add  
21 additional radios to be able to talk to additional  
22 communities beyond Middletown, we have the  
23 ability. We have the tower space and we have the  
24 shelter space to be able to do that, and that's  
25 why this was designed in this particular way.

1                   Where I'm located, I'm located in the  
2 fire station at 169 Cross Street. At our  
3 particular tower and our shelter they are  
4 completely full, we're at maximum. So we would  
5 not be able to do anything radio wise efficiently  
6 in the city at this particular location. But if  
7 we needed to do that or we needed to offer space  
8 to an adjacent neighbor to put an antenna and a  
9 receiver or a transmitter on, we certainly can do  
10 that at the Mile Lane site.

11                   MR. MORISSETTE: Thank you. So would  
12 the potential installations be whip antennas, that  
13 type of equipment?

14                   THE WITNESS (Bartolotta): Yes.

15                   MR. MORISSETTE: And so if you were to  
16 add whip antennas, are we talking two, three,  
17 five?

18                   THE WITNESS (Bartolotta): I would say  
19 we could certainly probably accumulate three, four  
20 antennas. Now, it depends on a couple of things,  
21 the height and where they have to go, the type of  
22 antenna it is. Some of these antennas go 20 feet  
23 or better and have some weight to them, and some  
24 of them are only 6, 8 feet. So it depends on the  
25 application. And you have the weight of the

1       cables as well that goes along in those  
2       calculations, the wind and twist and sway for all  
3       that. But we could accommodate certainly more of  
4       our own or assist others as we've been assisted by  
5       the Town of Cromwell.

6                    MR. MORISSETTE: Thank you. But as it  
7        currently stands right now, there's no concrete  
8        plans to add additional equipment?

9                    THE WITNESS (Bartolotta): No.

10                  MR. MORISSETTE: Okay. Thank you.  
11        Okay. I would like to follow up on the Site A  
12        location that's been talked about by Mr. Silvestri  
13        and Ms. Cooley. Now, the location is currently a  
14        little bit south of the parked cars but it's on  
15        the north side of the cleared parcel. Now, is the  
16        property further north -- I'm sorry, further  
17        south, almost to the edge of the cleared property,  
18        is that also a viable location for a tower?

19                  THE WITNESS (Bartolotta): Okay. What  
20        we're talking about here, and we're talking about,  
21        I just want to see if there's a better picture of  
22        it, we're talking about Site A is a yellow block  
23        and Site B is an orange block?

24                  MR. MORISSETTE: Yes. So if Site A was  
25        to be moved further south all the way to the edge

1 of the clearing, and I believe that -- and I'll  
2 confirm this with AT&T whether that's still on the  
3 ridge or not -- whether that property location,  
4 that area which is further away, however, it  
5 wouldn't interfere with the city's desire to  
6 possibly expand that property in the future, is  
7 that something that would be viable and is the  
8 property in that area, you know, in the wetlands  
9 or whatever? I know you're not qualified to  
10 answer that, but in your opinion.

11 THE WITNESS (Bartolotta): Right, I am  
12 not qualified to answer that, and I would have to  
13 do some further checking on that with our planning  
14 and zoning department. But what you're talking  
15 about now, the distance between, say, if you moved  
16 it exactly in line to where the tree lines are  
17 there, you're not talking a great distance from  
18 where the original was proposed in the first  
19 place. So I don't know -- I don't see you're  
20 getting any bang for your buck by moving it there.

21 MR. MORISSETTE: I'm talking about  
22 moving it further south, further into the cleared  
23 area, away from Site B.

24 THE WITNESS (Bartolotta): Okay. So  
25 you're not talking about moving it directly across

1 from east to west going to the west, you're  
2 talking about deep down south?

3 MR. MORISSETTE: Yes.

4 THE WITNESS (Bartolotta): I couldn't  
5 make that call. I would have check with our  
6 planning people and our mayor.

7 MR. MORISSETTE: Okay. Thank you. Mr.  
8 Perrone talked about across the switchover from a,  
9 if the scenario of a single lattice or monopole  
10 was to be installed, the switchover of equipment.  
11 Now, to do that you would have to have redundant  
12 equipment on both the existing tower and the new  
13 tower, and you would turn the new tower on and  
14 then switch over from the old tower. Is it  
15 possible to operate the equipment in parallel and  
16 having both operate and then drop one?

17 THE WITNESS (Bartolotta): No, I don't  
18 think it is, and I would say the one number I'd be  
19 comfortable with is a rough rule of thumb, there's  
20 probably a million dollars worth of equipment that  
21 we're looking at from the shelter area, the  
22 contents of the shelter, the cables, the  
23 microwaves. That's a significant amount. I could  
24 tell you this much: If there was a recommendation  
25 having to do with anything involving a removal of

1 that equipment or switching or whatever, I would  
2 ask the mayor not to execute the lease. We can't  
3 move stuff. We just can't risk it. This is too  
4 critical.

5 We want to accommodate everybody.  
6 Certainly, our taxpayers we want to make sure that  
7 they're comfortable. We want to make sure that  
8 the taxpayers traveling on Newfield Street have  
9 the coverage to be able to report incidents for  
10 911. We want to try to make everybody happy, but  
11 nobody is going to be happy if we lose this site  
12 for a period of time or if it creates any issues.  
13 So if you want to put an extra additional, pick a  
14 type of tower somewhere and pick an area there,  
15 I'm sure the city will list it, we'll try to  
16 assist the best we can, but to remove this stuff  
17 and do a swapover and a temporary and a relocate  
18 back, I don't think the city is interested in  
19 leasing that to do that.

20 MR. MORISSETTE: So it's more of an  
21 issue about the equipment and the controls than it  
22 is the antennas themselves?

23 THE WITNESS (Bartolotta): Yes.

24 MR. MORISSETTE: Okay. Thank you for  
25 that. And the cost of a microwave and a whip

1 antenna, would you happen to know what that would  
2 be?

3 THE WITNESS (Bartolotta): A whip  
4 antenna less the cable is probably 1,000, \$1,500.  
5 Cable is probably about \$2, \$3 a feet. A  
6 microwave system you could probably do depending  
7 on what type, but don't forget, our microwave  
8 systems are more than a microwave system. There's  
9 a microwave system and then there's a backup  
10 microwave to it. That's how critical this stuff  
11 is. So you're probably talking about a link. A  
12 microwave link would probably cost point to point  
13 \$60,000, rough numbers. There's two of them  
14 there, yeah.

15 MR. MORISSETTE: Okay. Great. Thank  
16 you. That was helpful. Okay. That's all the  
17 questions I have. That concludes my questioning.  
18 We'll now continue with cross-examination of the  
19 city by the applicant, Attorney Fisher.

20 MR. QUINLAN: Excuse me.

21 MR. MORISSETTE: Yes.

22 MR. QUINLAN: I did have a question or  
23 two for the city.

24 MR. MORISSETTE: Sure. Go ahead.

25 MR. QUINLAN: I was wondering, what

1 does the city currently have for backup power at  
2 the site?

3 THE WITNESS (Bartolotta): We have a  
4 generator. It's propane powered. It's -- okay,  
5 we use two different sizes. I'm pretty sure this  
6 is a 50 kW. But since we get our power from our  
7 own building, that building has a 60 kW generator.  
8 So if the power theoretically goes out, the power  
9 to the building goes out, it gets put on that, not  
10 the site generator but the building generator. If  
11 the building generator fails, we have a site  
12 generator that's the 50 kW on top of that. And on  
13 top of that we have a UPS inside the shelter  
14 itself to be able to keep that stuff up and  
15 running for a couple hours. That's how critical  
16 that site is.

17 MR. QUINLAN: Right. I saw somewhere  
18 that a gas line is 700 feet away; is that correct?

19 THE WITNESS (Bartolotta): My gas line  
20 for the shelter is probably 40 feet away. There's  
21 another series of gas lines that run the  
22 equipment, the building heating.

23 MR. QUINLAN: Are you talking about --

24 THE WITNESS (Bartolotta): If you see  
25 the tanks in the picture, you see a series of

1 tanks -- you're talking natural gas?

2 MR. QUINLAN: Yeah, I was talking  
3 natural gas.

4 THE WITNESS (Bartolotta): I'm not  
5 familiar with that. I wouldn't be able to say.

6 MR. QUINLAN: You're not sure if  
7 there's anything up in that area?

8 THE WITNESS (Bartolotta): I don't  
9 know. I use propane. There was existing propane  
10 there for their own heating, and the station gen  
11 -- the generator for the building is diesel.

12 MR. QUINLAN: Okay. All right. Is  
13 there any way that the applicant could use propane  
14 or storage from that facility to increase its --

15 THE WITNESS (Bartolotta): No. No,  
16 they could put it there. They're welcome, you  
17 know, let's say you get down the road with this,  
18 they're welcome to put their own propane or their  
19 own particular supply for their own generator  
20 there, but we can't share anything. We have that  
21 calculated out to be X amount of days in case of a  
22 power failure.

23 MR. QUINLAN: Okay. All right. Thank  
24 you.

25 THE WITNESS (Bartolotta): You're

1 welcome, sir.

2 MR. MORISSETTE: All set, Mr. Quinlan?

3 MR. QUINLAN: Yes.

4 MR. MORISSETTE: Thank you. We'll  
5 continue cross-examination of the city by Attorney  
6 Fisher.

7 Attorney Fisher.

8 MR. FISHER: Thank you. Just a couple  
9 of quick questions. And I do want to thank  
10 Director Bartolotta for your testimony and your  
11 work with AT&T for the past couple of years.

12 Just going back to the city's interest  
13 when you were building out your own emergency  
14 network here, how big a project was that? I'm  
15 assuming it's a multi-million-dollar project that  
16 was pretty quick in that phase that you were  
17 working on with vendors.

18 THE WITNESS (Bartolotta): It was  
19 authorized for \$12 million.

20 MR. FISHER: And this site you've  
21 testified obviously is a unique component of that.  
22 I'm assuming it was the city's intent, no matter  
23 what happened with other interests, the city was  
24 going to own the tower here for its own purposes?

25 THE WITNESS (Bartolotta): Yes.

MR. FISHER: So at the time when you were talking to AT&T and you referenced earlier today about timing, if it was going to be a colocatable tower, it would be something like this much larger lattice tower we've been talking about and you'd be looking to AT&T or whoever it was to put in the capital to build that?

THE WITNESS (Bartolotta): Definitely.

MR. FISHER: So the structure of a transaction essentially would be the city is only going to pay for what it needs, and it's going to own the tower, if anybody wants to do something bigger to allow colocation, all that excess money for the steel and whatever it takes is going to come from them, and there's going to be a lease, and you're going to say that's private sector costs?

THE WITNESS (Bartolotta): That's correct, and we've done that already.

MR. FISHER: But in this case, obviously given the substantial costs, there wasn't a meeting of the minds, the city had to move forward, and that's why we're here today essentially?

THE WITNESS (Bartolotta): That's

1 correct.

2 MR. FISHER: Thank you. I have no  
3 further questions.

4 MR. MORISSETTE: Thank you, Attorney  
5 Fisher. We'll now continue with cross-examination  
6 of the city by Talias Trail starting with Mr.  
7 Barbagallo and then by Mr. Siteman.

8 Mr. Barbagallo.

9 MR. BARBAGALLO: I have no questions.  
10 Thank you.

11 MR. MORISSETTE: Thank you. Mr.  
12 Siteman.

13 MR. SITEMAN: The only question I have  
14 is from your side on the city has there been any  
15 conversations from AT&T requesting information  
16 about Site A or relocating the proposal to that  
17 area?

18 THE WITNESS (Bartolotta): No.

19 MR. SITEMAN: Okay. And if that were  
20 to occur, would that go through you? Could you  
21 explain the process?

22 THE WITNESS (Bartolotta): If it were  
23 to occur, Mr. Fisher would call Mr. Forte. They  
24 would speak at their level.

25 MR. SITEMAN: Okay. That's all I have.

1       **Thank you.**

2                    MR. MORISSETTE: Thank you, Mr.  
3       Siteman. We'll now continue with the appearance  
4       of the applicant, New Cingular Wireless PCS, LLC,  
5       also known as AT&T, to verify the new exhibits  
6       marked as Roman Numeral II, Items B-8 and 9 on the  
7       hearing program.

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

12                  MR. FISHER: Thank you very much, and  
13      good afternoon. Listed in the hearing program  
14      under Items B-8 and 9 for the applicant are  
15      applicant's responses to Talias Trail  
16      interrogatories. Those are dated January 25,  
17      2022. Also item 9, the applicant's Late-Filed  
18      exhibits and supplemental submission, dated  
19      January 26, 2022. I'd ask that they just be  
20      accepted for verification, and note that all of  
21      our witnesses have previously been sworn.

22                  MR. MORISSETTE: Thank you, Attorney  
23      Fisher. Does any party object to the admission of  
24      the applicant's exhibits?

25                  **Attorney Forte.**

MR. FORTE: The city has no objection.

Thank you.

MR. MORISSETTE: Thank you. Talias Trail, Mr. Barbagallo and Mr. Siteman?

MR. BARBAGALLO: No objections. Thank you.

**MR. SITEMAN:** None.

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

(Applicant's Exhibits II-B-8 and II-B-9: Received in evidence - described in index.)

MR. MORISSETTE: We will continue with cross-examination of the applicant by the Council, starting with Mr. Perrone followed by Mr. Silvestri.

**Mr. Perrone.**

S C O T T      P I K E,  
M A R T I N      L A V I N,  
B R I A N      G A U D E T,  
D A N I E L      H A M M,  
K E L L Y      W A D E      B

having been previously duly sworn (remotely) by Ms. Bachman, continued to testify on their oaths as follows:

## **CROSS-EXAMINATION**

MR. PERRONE: Thank you,

Mr. Morissette. I'd like to follow up with AT&T on a couple questions we had for Director Bartolotta as far as cutover from a temporary facility to a permanent one. For example, if you have a mobile facility, would you basically have to shut down one antenna system off the existing tower and then turn on one in the mobile, or as Mr. Morissette asked about, could you keep two of them going on and keep two running in parallel?

THE WITNESS (Lavin): This is Martin Lavin. As far as I know, there would be downtime in between the two.

MR. PERRONE: So in general, you couldn't keep two antenna systems running in parallel, you'd have some type of conflict?

THE WITNESS (Lavin): Yeah, certainly on the transmit side. To have two transmitters on the same frequency at the same time would potentially cause problems.

MR. PERRONE: So whether it's a mobile facility or if you built a brand new facility with all new equipment, you'd basically be turning off one antenna system and starting up a new one, one

1 at a time?

2 THE WITNESS (Lavin): Yes, and with a  
3 cell on wheels or cell on light truck type  
4 facility, if we could get one high enough to  
5 accommodate all the city's needs, we'd end up  
6 having two cutovers, one onto that facility and  
7 then one back off to the permanent replacement.

8 MR. PERRONE: The next few questions  
9 are about structural. Regarding the supplemental  
10 submission dated December 13th, there's a  
11 structural analysis report dated December 9th.  
12 And in that report under foundation summary, it  
13 mentions that the amount of welding required to  
14 achieve these modifications concerns the  
15 engineering firm with the potential damage it  
16 could cause to the legs. Could you elaborate on  
17 that, any potential damage to the tower legs  
18 associated with, say, welding for reinforcement  
19 purposes?

20 THE WITNESS (Hamm): Yeah, I think the  
21 biggest concern we have is that the amount of  
22 reinforcements that it would take by welding on  
23 the legs and the existing lines that are running  
24 up and down becomes more of a fire hazard and  
25 also, if it's not done very well, we can lose

1 structural integrity.

2 MR. PERRONE: So what you're saying is  
3 there's a potential where the welding actually  
4 could weaken certain areas if it didn't come out  
5 properly?

6 THE WITNESS (Hamm): Correct.

7 MR. PERRONE: Okay. I also asked  
8 Director Bartolotta about sway. My question is,  
9 to AT&T's knowledge, are there any concerns about  
10 sway or deflection of the city's communication  
11 antennas such that a lattice tower might be  
12 preferable to a monopole or vice versa?

13 THE WITNESS (Hamm): Monopoles always  
14 sway more. It's very hard to design them so they  
15 don't move at the top because it's one rigid  
16 structure where a lattice tower has multiple legs  
17 so you can build more of a geometrical strength to  
18 it.

19 MR. PERRONE: I'm going to move on to  
20 tower alternatives. In AT&T's administrative  
21 Notice Item 37, which is Sub-Petition 1293-BMM-01,  
22 in there we have transmission line 1765 line, and  
23 I believe there's a 1766 line. My question to  
24 AT&T. Has AT&T discussed colocation on the 1765  
25 line or 1766 line with Eversource?

THE WITNESS (Pike): This is Scott Pike here. We did reach out to them. We haven't heard back. I think the issue that we found that might be an issue with it is just with the wooden poles, having to collocate on that with the equipment going out there, there would need to be some type of reinforcement, if not a completely revamp of the actual poles themselves, the stanchions. So that was one of the issues we were looking at. But we have not heard back yet from Eversource when we reached out to them.

MR. PERRONE: Turning to AT&T's responses to the Talias Trail interrogatories. Underneath the photo log there are photo sims, and under the ones labeled proposed they're showing three colocated carriers. What heights are those carriers located at?

THE WITNESS (Gaudet): This is Brian Gaudet with All Points. Those are at 100 feet, 90 feet and 80 feet above ground level.

MR. PERRONE: And the next one requires some dimensions, and you could get back to me in a little bit if you have to check this. Regarding the homes of the three members of Talias Trail, could you give us the distance from the proposed

1 tower location, the proposed monopole, to those  
2 three homes?

3 THE WITNESS (Gaudet): Yeah, I can get  
4 that for you in between the break, if that's okay.

5 MR. PERRONE: Turning to the Late-File  
6 exhibit, January 26, 2022, and it's going to be  
7 Late-File Exhibit D, and at the last paragraph of  
8 that the Kelly Wade slash Scott Pike paragraph at  
9 the very end. AT&T notes that there's a  
10 legislative preference to avoid tower siting  
11 within 250 feet of school buildings. My question  
12 is, what is the purpose of that statutory  
13 provision?

14 THE WITNESS (Bettuchi): That was  
15 legislation that had been proposed several years  
16 ago. I think it was in response to communities  
17 just providing feedback around concerns for siting  
18 near schools. There's been legislation over the  
19 last several years that have really asked carriers  
20 to do some thoughtful consideration as they go  
21 through this process. You know, certainly  
22 ensuring that we are consulting with the  
23 municipality and getting their feedback and also  
24 just being conscious and considerate of the  
25 communities where the proposal is taking place.

1 So we do everything within our power to try to  
2 avoid, you know, siting near those sites to be in  
3 compliance with state statute.

4 MR. PERRONE: Also on the January 26,  
5 2022 Late-File, turning to the chart which is on  
6 page 2, I have a number a questions on the chart.  
7 Regarding the public safety feasibility, does that  
8 include FirstNet?

9 THE WITNESS (Bettuchi): Martin, I  
10 think that might be one that you can speak to.

11 THE WITNESS (Lavin): Yes, I was just  
12 -- you were talking about the second column?

13 THE WITNESS (Bettuchi): It's page 2,  
14 yeah, the public safety feasibility. It's  
15 technically the third row.

16 THE WITNESS (Lavin): There we are,  
17 yes. FirstNet could operate from -- if the tower  
18 could be successfully reinforced, FirstNet could  
19 operate from there, yes, but that doesn't apply so  
20 much to FirstNet.

21 THE WITNESS (Gaudet): Mr. Perrone,  
22 to -- (AUDIO INTERRUPTION)

23 MR. MORISSETTE: Sorry, Mr. Gaudet,  
24 you're breaking up.

25 THE WITNESS (Bettuchi): And I might be

1 able to -- I think I'm also --

2 THE WITNESS (Gaudet): To answer to  
3 question, looking at the yes in the -- sorry, I  
4 had a lag. Could you guys hear me?

5 MR. MORISSETTE: We can hear you now.

6 THE WITNESS (Gaudet): Okay, great. So  
7 the yes in that first column allows the public  
8 safety operations of the city to function without  
9 interruption. The lack of feasibility from a  
10 public safety aspect in the three other  
11 alternatives there is due to that downtime with  
12 the city.

13 MR. PERRONE: So it's not so much  
14 FirstNet itself, it's really referring to the  
15 city's emergency communications?

16 THE WITNESS (Gaudet): Correct.

17 MR. PERRONE: Okay. That's fine. And  
18 Mr. Lavin, I know you had responded before. Of  
19 these four options, so the four columns, do all of  
20 them work for AT&T in terms of meeting coverage  
21 objectives?

22 THE WITNESS (Lavin): Achieve our  
23 height in roughly the same spot, yes. The nature  
24 of the tower gets to all the other disciplines  
25 that figure into this.

MR. PERRONE: Also, on the third row we have the cost and the lattice tower replacement versus a replacement monopole. A lattice tower is about double, about a million versus 500,000.

Could you explain why is a significant cost difference between a monopole and a lattice structure?

THE WITNESS (Hamm): What was that question again? Sorry.

MR. PERRONE: Could you comment on the difference in cost between a monopole and a lattice structure, why the lattice structure is more expensive?

THE WITNESS (Hamm): It's more steel and more labor.

MR. PERRONE: Okay.

THE WITNESS (Gaudet): I think the increased cost, Mr. Perrone, is also when you're looking at providing an entirely new compound as compared to the monopole which is simply in a small compound expansion.

MR. PERRONE: And at what heights would additional carriers install their equipment on the monopole and lattice structures?

THE WITNESS (Hamm): Any available

1 height that they can get anywhere they don't  
2 affect other carriers or the town's information or  
3 antennas.

4 THE WITNESS (Gaudet): If we're looking  
5 at the monopole option, you know, you would assume  
6 AT&T at the top height of 150 and 10 foot or  
7 roughly 10 foot increments down below for the  
8 additional carriers. I'll refer back to the photo  
9 simulations with the full new self-support  
10 structure. Due to the city's equipment, it really  
11 does push the additional carriers down to that 100  
12 foot and below range.

13 MR. PERRONE: Also back to the cost  
14 topic, what's the estimated cost to decommission  
15 the existing lattice tower in the event you went  
16 with a full tower replacement?

17 THE WITNESS (Gaudet): That would be  
18 somewhere in the range of \$200,000. I think we  
19 spoke about this at the past hearing as well.  
20 That could increase depending on what level of  
21 reestablishment you would need to do for the  
22 existing compound. So if it was simply taking  
23 down the steel structure, removing the shelter,  
24 200,000, \$250,000. If you're looking to remove  
25 the foundation entirely, reseed, you would

1 increase the cost there as well.

2 MR. PERRONE: And my remaining  
3 questions are mostly environmental beginning with  
4 visibility. Did the City of Middletown express  
5 concerns about the visibility of the proposed  
6 tower from the high school or the Keigwin Middle  
7 School?

8 THE WITNESS (Gaudet): I don't have any  
9 direct knowledge of complaints of visibility from  
10 the city's standpoint. I'm not sure if Mr. Pike  
11 or Ms. Bettuchi had any conversations.

12 THE WITNESS (Pike): No, I did not have  
13 any conversations about that.

14 THE WITNESS (Bettuchi): Nor did I.

15 MR. PERRONE: Okay. Did the State  
16 Historic Preservation Office identify any historic  
17 resources or scenic roads that might be impacted  
18 by the tower?

19 THE WITNESS (Gaudet): I think for All  
20 Points we have not done any consultation with the  
21 SHPO. I'm not sure if that process has been  
22 started by AT&T directly.

23 MR. PERRONE: Okay. In the prefiled by  
24 Talias Trail member, Mr. Barbagallo, there were  
25 some concerns about lighting. My question is,

1 would there be any lighting associated with the  
2 proposed tower, maybe in the equipment compound or  
3 anything like that?

4 THE WITNESS (Gaudet): I don't believe  
5 that there would be any lighting as it relates to  
6 FAA requirements, so no strobes, no solid red  
7 lights on top of the tower. I do know that AT&T's  
8 walk-in cabinet does have some lighting on the  
9 outside, which is motion sensored, really only  
10 used at times when a tech has to be on site  
11 because of an emergency shutdown at night, loss of  
12 power, something like that.

13 MR. PERRONE: So it would typically be  
14 off until the tech approaches it?

15 THE WITNESS (Gaudet): Yes, and they  
16 are set on automatic shutoffs as well. I don't  
17 know what time period it is, 15, 20 minutes,  
18 something like that.

19 MR. PERRONE: Also, in Mr. Barbagallo's  
20 profiled there were concerns about construction  
21 dust. My question is, would construction dust  
22 affect nearby residences; and if so, how would you  
23 control construction dust?

24 THE WITNESS (Hamm): I wouldn't expect  
25 it to affect anybody, and usually it's controlled

1 with water and constant watering tanks --  
2 spraying, sorry.

3 MR. PERRONE: And how would AT&T manage  
4 stormwater impacts temporarily during  
5 construction?

6 THE WITNESS (Hamm): Silt fence and hay  
7 bales is our typical standard operating procedure.

8 MR. PERRONE: And lastly, this one is  
9 for Mr. Lavin, would any of the city owned parcels  
10 identified in the city's response to Talias Trail  
11 interrogatories, would any of those parcels meet  
12 AT&T's coverage objectives?

13 THE WITNESS (Lavin): I believe there  
14 are some right along the top of the ridge from  
15 AT&T's coverage standpoint that would serve the  
16 purposes from anywhere from there back to the  
17 original site search area center. Moving off the  
18 ridge though would not really -- I had a little  
19 trouble telling exactly where it was that  
20 Mr. Barbagallo was referring to in his picture  
21 about town owned land near the high school, which  
22 star it was, but it sounded like he was saying it  
23 was 90 to 100 feet lower. That certainly wouldn't  
24 be viable for us.

25 MR. PERRONE: And I know there's a

1 number of sites here. Do you have a general  
2 location by street where they would work?

3 THE WITNESS (Lavin): Essentially it  
4 goes in concert with the revised search area we  
5 had shown. I think there were -- I don't know  
6 exactly which submission. It was Exhibit 3 to the  
7 January 26th submission really that indicates the  
8 area that would be acceptable to AT&T.

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

11 THE WITNESS (Lavin): Also, I was going  
12 to say with respect to the monopolies, it was kind  
13 of breaking up a bit for me here when we were  
14 discussing those scenarios, the two monopole  
15 scenarios in terms of where the coloctors would  
16 go. And the proposed scenario, they would go  
17 right below AT&T's, presumably 140, 130, 120. If  
18 we're talking about the monopole replacement for  
19 the current tower, that would lay out the same way  
20 as it's depicted for the lattice tower in the  
21 photo sims, which is to say they'd be 100, 90 and  
22 80.

23 MR. PERRONE: Thank you.

24 MR. FISHER: Mr. Morissette, if I  
25 might, I just had two items. One -- both

1 procedural for Mr. Perrone.

2 MR. MORISSETTE: Yes.

3 MR. FISHER: Thank you. For the one  
4 question about SHPO, in the application behind tab  
5 7 another consulting firm had done that, and the  
6 SHPO correspondence is in the record regarding  
7 lack of any effect on SHPO or other designated  
8 resources.

9 And then, Mr. Perrone, one of the other  
10 witnesses might be able to answer what Mr. Lavin  
11 was referring to as to the three parcels on that  
12 map, what the adjacent city parcels are. I don't  
13 know if Mr. Gaudet could add to that.

14 MR. MORISSETTE: Thank you, Attorney  
15 Fisher. Actually, if Mr. Gaudet could answer  
16 that, I was curious about it myself.

17 THE WITNESS (Gaudet): Yes. So let me  
18 just make sure I'm referencing the right exhibit  
19 number here.

20 MR. MORISSETTE: If we could use  
21 Exhibit 2, that would be helpful.

22 THE WITNESS (Gaudet): Actually,  
23 labeled parcels within 2,500 feet from the search  
24 area center?

25 MR. MORISSETTE: Yes.

THE WITNESS (Gaudet): Perfect. That's what I'm looking at. So the green parcels here are the city owned properties. This is, again, the center point here is the latitude and longitude that was used for the original search ring. That blue dotted line outlines what would be an appropriate topographic area there and within it that depicts that ridge line. So essentially the 499 Mile Lane property is the green with the hash marks through it, and immediately to the south and southeast is the high school property. And really anywhere along that ridge line within either of those city properties would be technically feasible from a coverage perspective.

MR. MORISSETTE: Thank you, Mr. Gaudet.

THE WITNESS (Gaudet): You're welcome.

MR. MORISSETTE: Mr. Perrone, you all set?

**MR. PERRONE:** Yes. Thank you.

MR. MORISSETTE: Thank you. We're going to take a 12 minute break and we'll reconvene at 3:30 at which time we will continue with cross-examination by Mr. Silvestri and then by Mr. Nguyen. So we'll take a quick break till

1 3:30. Thank you, everyone.

2 (Whereupon, a recess was taken from  
3 3:19 p.m. until 3:30 p.m.)

4 MR. MORISSETTE: Okay. We'll continue  
5 with cross-examination by Mr. Silvestri, followed  
6 by Mr. Nguyen.

7 Mr. Silvestri.

8 MR. SILVESTRI: Thank you, Mr.  
9 Morissette. I need to go back to a couple topics  
10 that we talked about in December just for  
11 clarification in my mind, and I'd like to begin  
12 with the cell tower that's at 90 Industrial Park  
13 Road. I believe it's labeled as CT1044 and is  
14 owned, I believe, by Crown Castle. It's a  
15 monopole. From what I've seen I believe there are  
16 three carriers on that monopole. The question I  
17 have for you, is AT&T on that monopole?

18 THE WITNESS (Lavin): If it has a CT  
19 number on the plots, we are on that monopole.

20 MR. SILVESTRI: So the related question  
21 I have for you, does AT&T on that monopole cover  
22 the west side of the ridge?

23 THE WITNESS (Lavin): This is CT1044?

24 MR. SILVESTRI: 1044, that is correct.

25 THE WITNESS (Lavin): To the extent

1 that it is covered, yes.

2 MR. SILVESTRI: Thank you. I'd like to  
3 go back to my discussion with Mr. Barbagallo  
4 earlier this afternoon with his Figure 6 on the  
5 December 8, 2021 prefile testimony that he  
6 submitted. We talked earlier about the location  
7 off of, I believe it's Newton Road -- Newfield  
8 Road, I'm sorry, Newfield Street, and what he had  
9 mentioned, if you look at that Figure 6, lower  
10 right corner, he had mentioned it's about 30 feet  
11 in elevation, 150 foot monopole would bring it up  
12 to 180 feet. A question I have for you, is there  
13 a hybrid, as I'll call it, that could be developed  
14 whereby you have CT1044 providing coverage on the  
15 west side of the ridge, would a monopole at that  
16 location off Newfield Street provide the coverage  
17 in combination with what you already have?

18 THE WITNESS (Lavin): We're speaking of  
19 the further to the right lowest star?

20 MR. SILVESTRI: Yes, exactly.

21 THE WITNESS (Lavin): Okay. The  
22 elevation there, from what I see, is 16 feet AMSL.  
23 So it's 80, 90 feet lower than the proposed  
24 location. From there you can see there are  
25 existing gaps in coverage on the west side with

1 1044 doing as much as it can. That site wouldn't  
2 contribute anything at all on the west side of the  
3 ridge. It would be blocked entirely. Even if  
4 it's a little taller than the ridge overall, it  
5 still can't see the back side of it. So there  
6 would be no coverage pickup really on the west  
7 side of the ridge from a tower in that location.

8 MR. SILVESTRI: So, in essence, as I  
9 call it, the hybrid wouldn't satisfy the coverage  
10 criteria at this point?

11 THE WITNESS (Lavin): No. On the back  
12 side of the ridge there there would be no  
13 coverage.

14 MR. SILVESTRI: Okay. Thank you for  
15 that response. Turning now to the responses of  
16 New Cingular Wireless to Talias Trail pre-hearing  
17 interrogatories and the response labeled A1, the  
18 last sentence that begins with "A tower of that  
19 height, beyond the visual impacts." Do you follow  
20 me so far?

21 THE WITNESS (Lavin): Yes, sir.

22 MR. SILVESTRI: Okay. Could someone  
23 explain and elaborate on what is meant by quote,  
24 unquote network interference concerns and also  
25 excessive propagation overlap?

THE WITNESS (Lavin): Basically with a 300 or 400 foot tower trying to see over a ridge from the other side to see down and to have line of sight to the west side or the back side of that ridge requires that giant tower. The problem is, any effort to look over that ridge down at the other side will end up creating redundant coverage to the west from the sector that covers in that direction and also in other directions as well basically creating second coverage where there's already coverage, mostly just contributing noise to the system, and making capacity very difficult to manage. A secondary coverage in an area that already has good coverage is actually losing you capacity by generating more noise.

MR. SILVESTRI: For my edification, does the interference, if you will, is it strictly with AT&T's other installations or is it with other carrier installations as well?

THE WITNESS (Lavin): It would strictly be within AT&T's system, one boomer site interfering with the proper functioning of other sites in the area.

MR. SILVESTRI: Thank you. Okay. Next I'd like to walk through the photo log that was

1 provided in response to those interrogatories.  
2 Again, that response is dated January 25th of  
3 2022. And for clarification, when I look at the  
4 photo log legend that was provided, you have Site  
5 B and Site A. And I just want to verify, Site B  
6 is the proposed location in the original  
7 application; is that correct?

8 THE WITNESS (Gaudet): That's correct.

9 MR. SILVESTRI: Thank you. So how was  
10 Site A selected?

11 THE WITNESS (Gaudet): Site A was  
12 selected really fairly generally. We wanted to  
13 push out, you know, if we were looking at an  
14 option away from that existing tower for a  
15 replacement, a full replacement pole, we'd want to  
16 move outside of the wetland buffer. So this was  
17 the closest area to the existing facility that  
18 would allow, again, continued access through the  
19 back side or I should say the south side of that  
20 open area with allowing us to maintain as minimal  
21 environmental impact as possible.

22 MR. SILVESTRI: Okay. Thank you.  
23 Continuing with that, in the area that's cleared  
24 where Site A is depicted, was any consideration  
25 given to constructing a cell tower further south,

1 again, almost to the edge of that forested area?

2 THE WITNESS (Gaudet): I don't believe  
3 so, not to say that it couldn't be done. But it's  
4 already, if we were looking at, let's say, Site A  
5 now, the location as it's depicted on the photo  
6 log, you've got a substantial increase in the cost  
7 just by the extra run for utilities, any telco,  
8 fiber, power, access road improvements. So the  
9 farther down south you go into that cleared area,  
10 it's just compounding the increased cost.

11 MR. SILVESTRI: But the increased cost  
12 would be more for connections with fiber and  
13 power, correct?

14 THE WITNESS (Gaudet): And the access  
15 drive increase as well. You'd have to do  
16 something there to improve it. Yeah, really the  
17 further south, the farther you move away from the  
18 existing facility, the more you're going to have  
19 to run.

20 MR. SILVESTRI: So there would be an  
21 increased cost in going to what you have labeled  
22 as Site A. Any idea what that increased cost  
23 would be and any idea what an increased cost would  
24 be for those runs to the edge of the cleared area?

25 THE WITNESS (Gaudet): That I don't

1 know. Mr. Pike, do you have even an approximate  
2 cost per foot on what those might be?

3 THE WITNESS (Pike): I don't at this  
4 time, unfortunately.

5 THE WITNESS (Gaudet): I think it's one  
6 thing -- you're talking about you've got to set  
7 extra poles, so that would likely have to be done  
8 by the utility company. I'm not sure what their  
9 make-ready costs are at this point for installing  
10 new poles. You'd be running new overhead lines.  
11 That would be the cheapest option as opposed to  
12 trenching through that entire area. It would be  
13 tough to put a number on it without having some  
14 practical numbers from current data.

15 MR. SILVESTRI: Okay. Let me still  
16 continue on that even with the questions that  
17 remain on cost. Do you know what the elevation is  
18 in that southern most area, and is it still within  
19 the ridge area?

20 THE WITNESS (Gaudet): It looks to me  
21 that it would be generally the same elevation. I  
22 believe that whole cleared area is relatively  
23 level. It still falls within the ridgeline as  
24 well. From an elevation standpoint, I don't think  
25 it makes a difference either way.

1                   MR. SILVESTRI: And we're agreed from  
2 testimony before that that's still municipal  
3 property; is that correct?

4                   THE WITNESS (Gaudet): That's correct.

5                   MR. SILVESTRI: Okay. Thank you.

6                   THE WITNESS (Bettuchi): If I could  
7 just add something to that though. I do believe,  
8 and I'm happy to be corrected if I'm wrong, that  
9 the city really was not particularly interested in  
10 developing that site. There was a preference to  
11 keep that available for future use.

12                  MR. SILVESTRI: I did hear that before,  
13 yes. Thank you.

14                  THE WITNESS (Gaudet): Mr. Silvestri,  
15 maybe while we're on the topic of the photo log, I  
16 did get rough numbers to Mr. Perrone's question  
17 about distances from Site B to the three  
18 residences.

19                  MR. SILVESTRI: Uh-huh.

20                  THE WITNESS (Gaudet): So to Mr.  
21 Siteman's, who is the farthest to the northwest,  
22 again, these are approximates, about 670 feet to  
23 the closest point of his home. And these are to  
24 the residences themselves, not the parcel lines.  
25 The next closest would be Mr. Barbagallo,

1 approximately 600 feet, and then Ms. Pugliares is  
2 approximately 415 feet.

3 MR. PERRONE: Thank you.

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

5 MR. SILVESTRI: Thank you, Mr. Gaudet.

6 Before I continue, I just want to make sure Mr.  
7 Perrone is satisfied with what you just mentioned.

8 MR. PERRONE: Yes. Thank you.

9 MR. SILVESTRI: Very good. Okay.

10 Allow me to continue then, Mr. Gaudet. In that  
11 photo log legend that you provided, photo number 3  
12 is taking well to the east of both Site B and Site  
13 A. Do you know what the visibility could be in  
14 the area where Hemlock Place intersects with what  
15 looks like Fir Lane?

16 THE WITNESS (Gaudet): So that  
17 neighborhood is going to -- I'm looking back at  
18 our preliminary viewshed analysis that we had  
19 supplied. I believe it was through the Council's  
20 first set of interrogatories -- throughout that  
21 neighborhood you're going to have a combination of  
22 year-round and seasonal visibility depending where  
23 you are. I think the closer you get to that  
24 intersection there, certainly from the street  
25 level, will likely be year-round visibility.

1 You're not close to, the nearest tree lines aren't  
2 incredibly close to those residential properties,  
3 so there's not much in the way of an obstruction  
4 of the existing facility there.

5 MR. SILVESTRI: And it would all be  
6 looking uphill, if I got that correct too?

7 THE WITNESS (Gaudet): Correct.

8 MR. SILVESTRI: Thank you. Could you  
9 turn then to Photo 1A which is a proposed photo.

10 THE WITNESS (Gaudet): Uh-huh.

11 MR. SILVESTRI: Clarify for me. Are  
12 there actually four carriers on that lattice  
13 structure?

14 THE WITNESS (Gaudet): So from the top  
15 down, the top would be AT&T at the 180 foot mark  
16 there. The big gap in between that large gap  
17 between the next lowest call it commercial carrier  
18 is the current configuration of the city's  
19 equipment as it exists on the existing lattice  
20 structure today. And then the three additional  
21 carriers, so the three commercial carrier  
22 locations would be basically from the mid,  
23 essentially the midpoint of the tower down, so 100  
24 feet, 90 feet and 80 feet.

25 MR. SILVESTRI: Okay. That's where the

1 100, 90 and 80 came from before when you  
2 mentioned. Thank you.

3 THE WITNESS (Gaudet): Yes, sir.

4 MR. SILVESTRI: A related question on  
5 that. With the other three carriers being much  
6 lower on that tower, is it feasible to swap AT&T's  
7 location, say put that at 110 or 120 feet, and  
8 still maintain municipal carriers above that?

9 THE WITNESS (Gaudet): My understanding  
10 is that the heights that the city currently  
11 maintains for their system to work properly and  
12 efficiently would need to be maintained exactly as  
13 is.

14 MR. SILVESTRI: So dropping an AT&T  
15 antenna array lower could interfere with where the  
16 city would have their equipment located?

17 THE WITNESS (Gaudet): Yes. So if you  
18 look at the simulation, it appears probably within  
19 a couple feet at the 110 mark you have at least  
20 one municipal whip antenna there. 10 feet up you  
21 can see a microwave dish, another 10 another whip  
22 and a dish. So there would be substantial  
23 interference from a physical standpoint. I'll let  
24 Mr. Lavin speak to an RF standpoint. But from a  
25 physical constraint on the tower it certainly

1 doesn't make it easy to install sector frames for  
2 a commercial carrier in the midst of municipal  
3 equipment.

4 MR. SILVESTRI: Thank you. I don't  
5 need RFs at this point, but thank you for that  
6 offer. On this simulation though what is the  
7 highest elevation that the city's equipment will  
8 be located at?

9 THE WITNESS (Gaudet): I don't have  
10 that number offhand. I want to say it was  
11 somewhere around 150, 160 was the highest whip  
12 antenna location, and I believe it was close to a  
13 20 foot whip, 15 foot whip.

14 MR. SILVESTRI: So 160 possibly  
15 attached and then the rise with the whip?

16 THE WITNESS (Gaudet): Yeah, I want to  
17 say I think it was 150. There was discussion if  
18 we were to go with a 150 foot monopole that the  
19 municipal whip would need to be mounted at the  
20 top. I believe that was their highest mounting  
21 location, but I believe it goes up to about 170  
22 feet.

23 MR. SILVESTRI: Okay. Thank you. And  
24 I'd like to turn to Photo 3-B, "bravo." This is  
25 looking at the Spruce Street at Hemlock Place

1 location.

2 THE WITNESS (Gaudet): Yes.

3 MR. SILVESTRI: And the height of that  
4 tower is also 180 feet?

5 THE WITNESS (Gaudet): 180 feet. And  
6 so if you're flipping back to, we'll call it,  
7 Photo 3 which is the existing facility which is  
8 also at 180 feet, you have to offset because,  
9 again, this would be constructed, the construction  
10 sequencing wouldn't allow for you to put it  
11 exactly where the existing facility is. So this  
12 was using the location of the proposed monopole  
13 adjacent to the existing facility. So it's offset  
14 a little bit. It's kind of -- I see where you're  
15 getting at with the heights with that powerline  
16 there. It sort of gives you a marker. So if you  
17 were to look at the existing facility and go  
18 straight across, you'll see that it comes in line  
19 with that utility.

20 MR. SILVESTRI: Copy that. Thank you.  
21 But also 3-A is also 180 feet?

22 THE WITNESS (Gaudet): Correct.

23 MR. SILVESTRI: Thank you. And I might  
24 have one more. The last question I do have:  
25 Again, in the selection of Site A on that photo

1 log legend, was there any communication with the  
2 municipality to say, you know, we'd like to put it  
3 here, if need be, and is that okay to place it?

4 THE WITNESS (Gaudet): I don't believe  
5 that conversation was had. I'll let Mr. Pike  
6 speak to that.

7 THE WITNESS (Pike): No, we didn't have  
8 any conversation with that. We just moved forward  
9 with the Site B which we were originally looking  
10 for.

11 MR. FISHER: The only thing I can say  
12 procedurally is that Attorney Forte and I  
13 discussed why AT&T was going to present that, but  
14 there's been no discussion I'm aware of with the  
15 city formally on that.

16 MR. SILVESTRI: Okay. Thank you very  
17 much.

18 Mr. Morissette, that's all the  
19 questions that I do have, and I thank you.

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

24 Mr. Nguyen.

25 MR. NGUYEN: Thank you, Mr. Morissette.

1                   I guess my question would direct to Mr.  
2 Lavin. Referencing the supplemental submission by  
3 AT&T dated January 26, and I'm looking at the  
4 matrix on page 2. And I'm looking at the first  
5 row, technical feasibility in correspondence to  
6 the last columns that show two scenarios, to build  
7 a new monopole tower and to build a new large  
8 lattice tower. Do you see that?

9                   THE WITNESS (Lavin): Yes.

10                  MR. NGUYEN: Yes. And I see the  
11 answers are "No." I interpreted that they are not  
12 technically feasible to construct new facilities.  
13 And I'm trying to understand if you could clarify  
14 why that is.

15                  THE WITNESS (Lavin): My belief, as far  
16 as I know, that was due to the objections of the  
17 town. And there may be other reasons for that  
18 over and above the RF. I believe that was the  
19 objections that the city had to disruptions in  
20 their service.

21                  MR. NGUYEN: Okay.

22                  MR. QUINLAN: It's already taken up  
23 though in public safety.

24                  THE WITNESS (Lavin): We would be  
25 somewhat redundant to that in that case. I don't

1 think it's infeasible from an RF standpoint. It's  
2 infeasible from getting from one point to another  
3 in getting to that language I think ties into the  
4 city's objections in not wanting to have their  
5 service disrupted.

6 THE WITNESS (Gaudet): It's a twofold,  
7 you know, hand in hand with the public safety  
8 aspect from the city. The technical side of doing  
9 that cutover does impact the public safety.

10 THE WITNESS (Lavin): I think it also  
11 gets back to the colocation for the second, third  
12 and fourth colocators now that I think of it, to  
13 move them down from the 140, 130, 120 locations on  
14 the proposed tower to be at 100, 90 and 80 has a  
15 significant coverage impact on those operators  
16 from the wireless carrier standpoint.

17 THE WITNESS (Bettuchi): And I also  
18 think that there was some consideration to the  
19 fact, and I believe that Mr. Bartolotta had stated  
20 that there really wasn't an interest in continuing  
21 with a lease for the location if it would include  
22 a swapout, that that public safety impact would  
23 essentially take this off the table for them.

24 MR. NGUYEN: Thank you. Again, looking  
25 at the matrix, and I'm looking at another category

1 concerning the proliferation of towers, and I see  
2 the answer is "Yes" to build a new tower next to  
3 the existing tower. And again, if you could  
4 clarify why it's yes that it would avoid the  
5 unnecessary proliferation of towers?

6 THE WITNESS (Bettuchi): I think that  
7 was essentially based on the fact that this was an  
8 existing cell tower site. So there was an  
9 existing site that we were utilizing as opposed to  
10 a raw land development in an alternate location.

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

13 MR. MORISSETTE: Thank you, Mr. Nguyen.  
14 We'll now continue with  
15 cross-examination by Ms. Cooley, followed by Mr.  
16 Quinlan.

17 Ms. Cooley.

18 MS. COOLEY: Thank you very much. I  
19 just have a clarification. I'm looking at the  
20 responses from New Cingular to Talias Trail and  
21 I'm looking at the photo log, I'm looking at Site  
22 A. And I just want to clarify, you guys picked  
23 Site A, right, you just chose it off the map?

24 THE WITNESS (Bettuchi): Yes.

25 MS. COOLEY: So when we questioned

1 Mr. Bartolotta earlier about that site, he seemed  
2 to indicate that the city would be potentially  
3 amenable to adjusting that site either to the  
4 south a little bit or against an edge perhaps so  
5 that it wouldn't interfere with the potential use  
6 of that site by the city.

7 So I guess what my question is, is  
8 looking at the chart on your supplemental  
9 submission where you have the costs, the economic  
10 feasibility of the costs with the adding a new  
11 monopole being the cheapest option, if you guys  
12 were the ones that kind of chose Site A but you  
13 can't come up with a cost for putting that site,  
14 can you give us any indication of where that would  
15 fall in that spectrum from \$150,000 to a million  
16 dollars with the construction of a brand new large  
17 lattice tower?

18 THE WITNESS (Gaudet): You're asking  
19 if -- I just want to make sure that we're on the  
20 same page. So if the existing facility that the  
21 city currently owns remains --

22 MS. COOLEY: Yes.

23 THE WITNESS (Gaudet): -- so as opposed  
24 to the proposed monopole at 150 feet being  
25 immediately adjacent to that, moving a call it

1 commercial compound into that area?

2 MS. COOLEY: Yes.

3 THE WITNESS (Gaudet): Again, without  
4 having the specifics on that increased cost to run  
5 the lines, run the telco, fiber, power and the  
6 gravel access drive, the monopole there you're  
7 looking a little bit more than that 150,000  
8 because you've got the installation of a new  
9 compound as opposed to the line of compound  
10 expansion as currently proposed, it could be in  
11 that 250,000, \$300,000 range depending on what the  
12 utility make-ready costs end up being.

13 MS. COOLEY: And that's inclusive of  
14 the poles that would need to be put in?

15 THE WITNESS (Gaudet): Yeah, that  
16 monopole, you're saying for the utility poles?

17 MS. COOLEY: The utility poles, yes.

18 THE WITNESS (Gaudet): That's something  
19 that is incorporated in that make-ready. So when  
20 you go to Eversource, UI, any other utility  
21 company, that's incorporated in their cost.

22 MS. COOLEY: So if I'm correct here, if  
23 we're talking about a new compound with a new  
24 monopole roughly in the site of Site A, that would  
25 fall on your chart here in between 150,000 and

1           \$350,000, you think, additional costs?

2           THE WITNESS (Gaudet): Yes.

3           MS. COOLEY: Okay. So slightly more  
4           expensive.

5           THE WITNESS (Gaudet): Yes.

6           MS. COOLEY: But not as expensive as  
7           any of the other options.

8           THE WITNESS (Gaudet): Correct. You  
9           do -- I think if we're looking at costs only, then  
10           yes, it's less costly than the other three  
11           options, reinforcing a new 180 foot monopole --

12           MS. COOLEY: Right.

13           THE WITNESS (Gaudet): -- self-support.  
14           From an environmental standpoint, my concern would  
15           be having two towers now that are at greater  
16           separating distances. So theoretically if we were  
17           to put, let's say, a 180 foot self-support  
18           structure at Site A to replace the existing  
19           structure that's there today, we're going that  
20           route that we're going to remove the existing one,  
21           you shift the visibility, but the visibility  
22           shifts to a way where you now have locations south  
23           due to that clearing from that long strip to  
24           neighborhoods in the south that don't currently  
25           have views of the existing facility, and you shift

1 the, I'll call it, the type of visibility, right,  
2 when we look at things seasonally versus  
3 year-round. The year-round for the original  
4 location, both were roughly, the same number of  
5 residences had seasonal and/or year-round views,  
6 but the year-round visibility increases  
7 significantly with that second location.

8 MS. COOLEY: The second shift.

9 THE WITNESS (Gaudet): So if you were  
10 to add two towers, right, you would add the second  
11 monopole away from the 180 foot, you're now, I  
12 don't know what the numbers would be on that, but  
13 you'd now have two separate entities creating a  
14 visual impact as opposed to a monopole that's more  
15 or less in line with the existing facility there  
16 today.

17 MS. COOLEY: Yes, I understand. Okay.  
18 But if it were built at Site A, it would still  
19 have all of the same parameters as that -- as far  
20 as technical feasibility, environmental  
21 feasibility, other than potential new site lines,  
22 public safety feasibility, economic feasibility,  
23 it would still fit, it would still be a positive  
24 yes, right, in that column for another monopole at  
25 Site A; is that correct?

THE WITNESS (Gaudet): Yes. (AUDIO INTERRUPTION)

THE WITNESS (Bettuchi): I think we lost him. It would have an increased cost.

MS. COOLEY: I think we got to the gist of my questions, and I think that satisfies me. Thank you very much.

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

Mr. Quinlan.

MR. QUINLAN: I'd like to go back to that chart and sort of clarify this a little bit. The technical feasibility, the last two you have nos. That's primarily because of the public safety aspect, correct, it's not -- you can build a pole that will hold the equipment and all that, no problem with that, right?

THE WITNESS (Bettuchi): Right. There was also some concerns about whether or not we'd actually be able to lease that space.

THE WITNESS (Lavin): In all three of those last scenarios we end up putting the highest colocator at 100 feet. So technically speaking in all those cases that certainly brings the

1 feasibility from a technical standpoint for the  
2 other colocators into question.

3 MR. QUINLAN: Okay. Going to the  
4 avoids unnecessary proliferation of towers, the  
5 AT&T proposal has two towers, each of the other  
6 proposals there's only one tower; is that correct?

7 THE WITNESS (Bettuchi): No --

8 THE WITNESS (Lavin): That is correct.

9 THE WITNESS (Bettuchi): I'm sorry,  
10 maybe I misunderstood the question. The  
11 construction of like the new lattice, so the  
12 fourth column, the third column, those would be  
13 two -- we would be with two towers as well.  
14 They'd just be further apart, they wouldn't be on  
15 the same existing site.

16 MR. QUINLAN: Which one, the third one?

17 THE WITNESS (Bettuchi): So the  
18 construction of a new -- the third one,  
19 construction of a new replacement monopole, I'm  
20 sorry, that would be inclusive of moving the  
21 city's equipment which they were not interested  
22 in.

23 MR. QUINLAN: I'm just asking, one  
24 tower or two towers?

25 THE WITNESS (Bettuchi): So those would

1 be one.

2 THE WITNESS (Gaudet): Mr. Quinlan, all  
3 three would be one tower. I think I see where  
4 you're getting with this. Reinforcing the  
5 existing tower would require technically to allow  
6 additional colocators a new tower somewhere else.  
7 The structural integrity and the space on that  
8 tower, reinforcing the existing, does not allow --  
9 (AUDIO INTERRUPTION)

10 MR. QUINLAN: But for your equipment  
11 and town's equipment would be on one tower?

12 THE WITNESS (Gaudet) -- carriers to  
13 access that.

14 MR. QUINLAN: But for your equipment  
15 and the town's equipment.

16 THE WITNESS (Gaudet): I'm sorry, I  
17 have a little lag.

18 MR. QUINLAN: Go ahead. Your equipment  
19 and the town's equipment is one tower?

20 THE WITNESS (Gaudet): Correct.

21 MR. QUINLAN: Okay. Let's move on to  
22 the -- I had a question about, you probably heard  
23 it before, the question about what it would cost  
24 to increase your capacity from three to five days  
25 on the backup generator. What would something

1 like that cost, you'd have to buy a bigger tank  
2 and fuel it?

3 THE WITNESS (Hamm): It would involve a  
4 bigger tank with more fuel.

5 MR. QUINLAN: How much would that cost?

6 THE WITNESS (Hamm): I don't have that  
7 number, but probably triple what the cost for a  
8 regular generator is.

9 MR. QUINLAN: Well, all you're talking  
10 about is a tank. Are you talking about -- the  
11 generator would stay the same size, correct?

12 THE WITNESS (Hamm): Yeah, but the  
13 tanks are more custom money when you start making  
14 them bigger than what they go with for the  
15 existing -- generators come with tanks that are  
16 built to a certain size. So it would be basically  
17 having to develop a new system.

18 MR. QUINLAN: As part of the generator?

19 THE WITNESS (Hamm): Yeah, for diesel,  
20 yes. For propane just buy a bigger tank. The  
21 cost on those are not consequential.

22 MR. QUINLAN: So you must be able to  
23 add onto it somehow though. Can you give me any  
24 type of estimate, is it, you know, \$10,000,  
25 \$50,000, anything?

**THE WITNESS (Hamm): No.**

Unfortunately, I don't have any experience of making bigger tanks for generators. But for the propane typically the propane companies don't charge you for the tanks, they just charge you for the propane, and they maintain ownership of the tanks.

MR. QUINLAN: So did you look into that at all, using propane as a backup fuel?

THE WITNESS (Hamm): That was already discussed previously.

MR. QUINLAN: I don't believe it was. What was said about it? I didn't catch that. You considered propane and you didn't -- why did you decide not to use it?

THE WITNESS (Hamm): AT&T goes with diesel generators typically on their sites.

MR. FISHER: Mr. Morissette, just as a procedural point. I believe the prior testimony was we could use either. I don't think it was specified. It's shown as diesel, but I think the testimony was we could use either.

THE WITNESS (Hamm): Correct.

MR. MORISSETTE: Thank you for that clarification.

Mr. Quinlan, please continue.

MR. QUINLAN: I'm not sure how the procedure works, but I would like to get an estimate somehow, if you can read that in or submit it later as how much it would cost to increase the capacity to move it to three to five days. You can do it in increments three day and five day.

MR. MORISSETTE: Mr. Hamm, is that something that you can have before the end of the hearing which is probably another 30 minutes?

MR. QUINLAN: I don't need to cross-examine on that. If they could submit it even after that, it would be fine.

MR. MORISSETTE: We're trying to stay away from Late-File exhibits and to have to reopen just for getting that into the record.

MR. QUINLAN: All right.

MR. MORISSETTE: Mr. Hamm, what do you think?

THE WITNESS (Hamm): I could try.

MR. MORISSETTE: Okay, let's give it a shot. And if you can't, then we'll have to go the route of opening up the record and having it brought in later. Thank you, Mr. Hamm.

1                   Okay. Mr. Quinlan, anything else?

2                   MR. QUINLAN: How about, do you have  
3 any idea what the cost is to extend the gas line,  
4 did you look into that? Anyone? Any takers?

5                   THE WITNESS (Bettuchi): Dan, I think  
6 that was you that looked at the natural gas  
7 availability, right?

8                   THE WITNESS (Hamm): I think it was  
9 Scott, right?

10                  THE WITNESS (Pike): Yeah, we did look.  
11 We couldn't come up with a number. I did ask  
12 several civil companies for that. There was a lot  
13 of, you know, they would need to open a work order  
14 to kind of go in there. There's different  
15 variables as far as, you know, times of year,  
16 different prices and stuff like that. We couldn't  
17 get a definite number, but we did find that there  
18 is availability for natural gas from the street  
19 that would need to be ran to the site around 700  
20 feet, but we don't have an actual number for that.

21                  MR. QUINLAN: Any rough estimates?

22                  THE WITNESS (Pike): I mean, you're  
23 looking anywhere 10,000 up, to be honest. That's  
24 the only rough estimate I could probably give you.

25                  MR. QUINLAN: What did your backup

1 generator cost?

2 THE WITNESS (Pike): I'm not sure on  
3 that. Dan, do you know how much they usually cost  
4 for the 20 kilowatt?

5 THE WITNESS (Hamm): I've not seen them  
6 broken down. That's something that AT&T keeps to  
7 themselves because they deploy them.

8 THE WITNESS (Pike): I don't have that  
9 number right now.

10 MR. QUINLAN: Okay. That's all my  
11 questions. Thank you.

12 MR. MORISSETTE: Thank you, Mr.  
13 Quinlan. I believe that it was testified that the  
14 increase in cost would be three times as much. Is  
15 that a number, Mr. Hamm, that you would be  
16 comfortable with?

17 MR. QUINLAN: Three times what? That's  
18 the question.

19 MR. MORISSETTE: Three times the  
20 original cost of the diesel.

21 MR. QUINLAN: Which we don't know.

22 THE WITNESS (Hamm): AT&T typically  
23 deploys a 20 kVA generator with a built-in belly  
24 tank for the diesel. In order to engineer that  
25 for a larger standalone, it would probably end up

1 being a standalone tank, I would assume it would  
2 probably be two to three times the normal cost of  
3 the fuel portion of a generator.

4 MR. QUINLAN: None of that means  
5 anything unless you give us a number. Two or  
6 three times what? It's two or three times \$1,000  
7 or two or three times \$10,000 or what is it? It  
8 doesn't mean anything.

9 THE WITNESS (Hamm): Okay. I don't  
10 have an accurate number, and I don't want to  
11 testify to a number that I can't back up so --

12 THE WITNESS (Bettuchi): I'll be happy  
13 to try and see if I can get that information for  
14 us internally.

15 MR. MORISSETTE: Very good. If we  
16 could do that in short order, that would be  
17 wonderful. Thank you.

18 THE WITNESS (Bettuchi): Absolutely.

19 MR. MORISSETTE: Okay. Mr. Quinlan,  
20 are you all set or do you have more questions?

21 MR. QUINLAN: That's all my questions.

22 MR. MORISSETTE: Okay. Thank you.

23 Okay. I would like to go back to the  
24 photo sims that were submitted in response to the  
25 Talias Trail prehearing interrogatories dated

1       January 25th, specifically Photo 1A, and my  
2       questions relate to the three carriers on the  
3       lower 100 feet, 90 feet and 80 feet.

4               And I think, Mr. Lavin, this would be  
5       for you. There was some quick discussion about  
6       being at that low level that would be a problem  
7       for other carriers. Can you elaborate on that a  
8       little bit further? Is it impossible or is it  
9       very weak coverage?

10              THE WITNESS (Lavin): I can't speak  
11       directly for them. They're probably on the same  
12       sites we are to a great extent. Especially when  
13       you get down to 80, you are getting very close to  
14       the tree cover and probably going through it on a  
15       much more -- a path to the users, there's probably  
16       a very significant impact, especially with 80 and  
17       to some extent at 100 and 90 as well. Even if the  
18       site is peeking out above the trees, it passes  
19       through a lot more foliage on the way to the user  
20       and that would cause a lot of attenuation of the  
21       signal. Specifically, I don't know exactly how  
22       much they would lose, but AT&T is at 180 and  
23       they're at half that height, they would be  
24       certainly at a substantial disadvantage.

25              MR. MORISSETTE: Yes, it certainly does

1 appear to be rather low. Is there any space to  
2 put one of the carriers at, say, 170 and then two  
3 carriers at 100 and one at 90?

4 THE WITNESS (Lavin): Based on the look  
5 we gave it for the photo sims in determining where  
6 we could put them, there doesn't seem to be a  
7 place. They need to be 10 feet away from the  
8 other, if AT&T is at 180 feet, they need to be  
9 170, and there you'd be looking eye to eye with  
10 the top of the first municipal whip. It would  
11 also potentially limit the city's ability to do  
12 more whips at the same level if they were at -- or  
13 dishes or anything. We can't really anticipate  
14 what the city is going to need in terms of heights  
15 for whips or dishes. So I don't know that they'd  
16 want to encumber that space that way.

17 MR. MORISSETTE: Okay. Thank you for  
18 that response. I would now like to go to AT&T's  
19 supplemental submittal dated January 26th back to  
20 the table. Per the discussion on technical  
21 feasibility, I think labeling it "technical  
22 feasibility," the last two columns, in my opinion  
23 are technically feasible. It depends what you  
24 want to do with it. Now, whether the City of  
25 Middletown has a problem with it, it is still

1       technically feasible. The labeling is a little  
2       bit off here.

3               I would like to ask questions  
4       concerning the cost, the difference in the cost of  
5       the 150K to the 500K. Why would the costs be  
6       increased so much to 500K, is it because of the  
7       cutover in parallel costs or decommissioning or  
8       what's pushing the large increase in costs from  
9       one monopole to another?

10              THE WITNESS (Gaudet): There's, I  
11       think, a combination of factors that play into it.  
12       This would be as opposed to a 150 foot monopole,  
13       it would be 180 feet, so you have an increased  
14       cost there. You would be in, again, a new  
15       compound entirely. This would be the additional  
16       runs for, as we mentioned, utilities, access  
17       drive, and you also have the decommissioning cost  
18       of the existing facility. This does not include  
19       the additional need for new equipment for the city  
20       either to be able to do their cutover, whether  
21       that be a temporary structure and multiple  
22       cutovers, or simply going with new equipment at  
23       this facility as well as the other microwave link  
24       sites that they have.

25              MR. MORISSETTE: Okay. But it does

1 include decommissioning. I didn't realize it was  
2 180 feet. I thought it was, for some reason I  
3 thought it was 150. But thank you for that  
4 clarification.

5 I would like to go to Exhibit 2 in the  
6 same filing. Now, in the testimony up front it  
7 alluded to three City of Middletown's properties.  
8 We discussed that a little bit earlier, but I just  
9 want to make sure I'm clear. So the three are the  
10 property that we are talking about for the  
11 proposed site, and we're talking about the  
12 Middletown High property, and is the third that  
13 parcel that's north of Middletown High School, is  
14 that considered the third property?

15 THE WITNESS (Gaudet): No, the third  
16 property would be that parcel located all the way  
17 to the southern extent of that 2,500 foot radius,  
18 I believe.

19 MR. FISHER: Chairman, if I could just  
20 consult with my witnesses on that question because  
21 I know Mr. Lavin and Mr. Gaudet participated in  
22 these responses, but I want to get you the  
23 accurate answer to that question.

24 MR. MORISSETTE: Thank you.

25 (Pause.)

THE WITNESS (Gaudet): Thank you, Mr. Morissette. Yes, the three parcels referenced in the testimony, there's a separate parcel for the middle school property. I was thinking it was one parcel that housed both facilities. So it would be, the three municipal properties would be 499 Mile Lane, the high school property, and the middle school property all adjacent to each other.

MR. MORISSETTE: So the high school property, okay. The middle school property is north of the high school, is that what you're referring as the --

THE WITNESS (Gaudet): Yes. So if you look at southeastern corner of the 499 Mile Lane, you see that gray line coming across sort of cutting in between the two buildings of the high school and the middle school there, that's the parcel line between those two.

MR. MORISSETTE: Oh, okay. So it's like, if you cut that property in half, that one would be the high school and the other would be the middle school.

THE WITNESS (Gaudet): Exactly.

MR. MORISSETTE: So further north there is a line that goes across the top. Now, is that

1 separating another Middletown property, if you  
2 follow what I'm asking?

3 THE WITNESS (Gaudet): Across, I guess  
4 it would be on the eastern side of Spruce Street,  
5 is that what you're referencing?

6 MR. MORISSETTE: No. So if you go to  
7 the label Middletown High School.

8 THE WITNESS (Gaudet): Yes.

9 MR. MORISSETTE: And you go a little  
10 bit north, there's a line that cuts across from  
11 the proposed property.

12 THE WITNESS (Gaudet): Yes, and then  
13 just down.

14 MR. MORISSETTE: So is that a fourth  
15 property?

16 THE WITNESS (Gaudet): No, that's the  
17 middle school property that I was just  
18 referencing.

19 MR. MORISSETTE: Okay. Now I get it.  
20 Sorry. So that's the middle school. All right.

21 Now, while we're on this discussion  
22 here, so you see where the 212 X is?

23 THE WITNESS (Gaudet): Yes.

24 MR. MORISSETTE: Isn't it feasible that  
25 you could, I mean, that's all along the ridgeline.

1       Is it feasible to go that far south or is there  
2       some, you know, other restrictions like the school  
3       or, you know, environmental restrictions that  
4       would eliminate that from being considered?

5               THE WITNESS (Gaudet): I don't know if  
6       anything would necessarily eliminate it from an  
7       environmental standpoint, but you would have  
8       significant tree clearing through there. You are  
9       on the ridgeline, so grading could prove difficult  
10      or at least increase the amount of clearing that  
11      would be needed depending on if you needed  
12      cutbacks or grading for the access drive. You  
13      know, certainly I'm sure Mr. Lavin can speak to  
14      this, but from an RF perspective the highest point  
15      of that ridge would probably be great. It does  
16      move onto the high school property which AT&T's  
17      stance is to avoid where possible siting on school  
18      properties. I think without doing any on site  
19      field investigation as to environmental, you know,  
20      no telling if there's wetlands or anything else in  
21      there that could come into play.

22               MR. MORISSETTE: It just seems to me  
23      that there's between, I believe, the yellow X is  
24      Site A, if I'm correct, maybe it's Site B. Is  
25      that Site A or Site B depicted there?

THE WITNESS (Gaudet): The X is Site B.

MR. MORISSETTE: B, okay. So between Site B further south there's got to be somewhere in there that could accommodate a structure that's out of the viewshed for the people on Talias Trail and the new development. So that brings up my --

THE WITNESS (Gaudet): Yes. I think there's, depending on where you position it on that ridgeline, I'm sure there's a possibility to eliminate visibility to Talias Trail and potentially some of the residences over along Ridgewood Road, at least reduce it, not necessarily eliminate it. But you do open up now visibility incrementally to much more densely populated developments to the south of that Eversource right-of-way line.

MR. MORISSETTE: Right. But you do have the Eversource transmission facilities that are in front of the viewshed so --

THE WITNESS (Gaudet): Yeah, and we actually had looked at those, you know, as we were evaluating, is that something that would be feasible from an RF standpoint. And as those structures currently are, not to say that they wouldn't be replaced in the future, but they are

1 approximately at the tree line. They don't extend  
2 above wooden structures currently. So there is  
3 the transmission line, but it does appear to be  
4 fairly shielded from those properties, whereas the  
5 tower would be sticking up substantially above the  
6 tree line there.

7 MR. MORISSETTE: Okay. Thank you.

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

9 MR. MORISSETTE: The last question I  
10 have is concerning visibility. So the site --  
11 now, the proposal is to install a monopole  
12 adjacent to the city's structure. And by  
13 installing it close to the structure it's, I  
14 think, and correct me if I'm wrong, it's to kind  
15 of blend in with the other structures so the  
16 visibility impact is less versus, if you move the  
17 site to Site A, further south to Site A, you're  
18 introducing into the visibility a distinct tower  
19 separately from the combined two. Do you have any  
20 comments on that and what your opinion is from a  
21 visibility perspective which would be more  
22 soothing to the eye?

23 THE WITNESS (Gaudet): So, if you look  
24 at the two, Site A, Site B, as individual  
25 standalone call it 180 foot facilities, let's say,

1 when we look at the study area typically in our  
2 viewshed analysis, the 2 mile radius, there's not  
3 a significant change in terms of the overall  
4 percentage of visibility, predicted visibility.  
5 Moving into that open area with a second tower  
6 leaving the existing tower up, you do increase now  
7 both year-round and seasonal views for residences  
8 that may not be afforded those same views today  
9 with a singular tower. The 150 monopole, as  
10 proposed in the adjacent location, you're not  
11 increasing the height, you're going next to a 180  
12 foot structure roughly 70 feet away. I forget the  
13 exact dimension. So you've got relatively the  
14 same viewshed, you've got the same locations that  
15 are going to have either seasonal or year-round.  
16 Where it might differ is you're standing in your  
17 backyard looking towards this tower, there's a  
18 pine tree there, you don't see the existing tower.  
19 The monopole goes up, you see it now, but if you  
20 step 10 feet to the right or to the left, you  
21 would see that facility.

22 So you're keeping two facilities almost  
23 immediately next to each other, whereas adding a  
24 second facility at Site A, a second monopole,  
25 leaving the existing facility, you've now opened

1 up that visibility, I would say, substantially to  
2 a large number of residences that aren't afforded  
3 those similar views as they have today. And it  
4 doesn't eliminate what's there currently, so the  
5 folks on Talias Trail would still have the same  
6 view of the existing tower that they do today, and  
7 they would also have a monopole in the background.

8 MR. MORISSETTE: Very good. Thank you  
9 for your comments.

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

11 MR. MORISSETTE: That concludes my line  
12 of questioning. I'm going to go back to Mr.  
13 Silvestri. I understand he has some followup.

14 Mr. Silvestri.

15 MR. SILVESTRI: Thank you, Mr.  
16 Morissette. I actually wanted to continue your  
17 line that you just had about the visibility aspect  
18 of it, and a couple quick questions I have.  
19 Mr. Gaudet, any idea, if you look at, say, Photo  
20 1B, what the width of the lattice tower is at the  
21 very top?

22 THE WITNESS (Gaudet): I don't have  
23 that number offhand. Mr. Hamm, do you have those  
24 figures from that 180 foot self-support? I want  
25 to say it was in the 8 to 10 foot range, but he

1 might be able to speak to it.

2 THE WITNESS (Hamm): That seems  
3 accurate, around 8 feet.

4 MR. SILVESTRI: Okay. Let's say 8 to  
5 10 just for example purposes. If you had a 150  
6 foot monopole, what's the width up at the top for  
7 a monopole?

8 THE WITNESS (Gaudet): The pole itself  
9 or --

10 MR. SILVESTRI: Yes, yes.

11 THE WITNESS (Gaudet): -- with an  
12 array?

13 MR. SILVESTRI: No, pole itself.

14 THE WITNESS (Gaudet): Couple foot  
15 diameter. It depends on how beefed up it is from  
16 a structural standpoint, but I would say between 2  
17 and 3 feet.

18 Mr. Hamm, does that sound about right?

19 THE WITNESS (Hamm): Yes, I would say  
20 that's accurate, usually around 24 inches.

21 MR. SILVESTRI: Okay. Thank you, both.  
22 And then earlier when we discussed the locations  
23 of the four carriers on that combined lattice  
24 tower, it was mentioned that you couldn't bring  
25 down the one on top, AT&T's at 180 feet, because

1 of the locations that are needed for the municipal  
2 devices. So I'm curious, if you were to take a  
3 monopole not at Site B as was originally proposed  
4 but to put it at Site A or put it further south  
5 from Site A, do you actually need 150 or 180 feet,  
6 in other words, could it be brought down to  
7 perhaps 120 with your other carriers at 110, 100  
8 and 90 and thereby reduce the overall visibility  
9 with a shorter monopole just with cell carriers?

10 THE WITNESS (Gaudet): I'll defer to  
11 Mr. Lavin. Go ahead.

12 THE WITNESS (Lavin): The terrain  
13 elevation in that area is about the same, there's  
14 very little change, so for our purposes we would  
15 want to go with 150 feet.

16 MR. SILVESTRI: Why wouldn't 120 work?

17 THE WITNESS (Lavin): Loss of coverage.  
18 150 gave us our, the coverage we're trying to get  
19 from this area, and then that would leave the  
20 others at 140, 130 and 120, well clear of the  
21 trees. A 120 foot pole would be 120, 110, 100, 90  
22 and the last colocators getting down much closer  
23 to that tree level.

24 MR. SILVESTRI: But yet the other three  
25 carriers, at least in that proposed photo 1B,

1 would be at 100, 90 and 80, but as you mentioned  
2 with Mr. Morissette, there might be some  
3 interference. So, as I say, I was curious if they  
4 went up a little bit and if AT&T came down a  
5 little bit on a single monopole, if that would  
6 help in visibility at all. And I'm hearing  
7 visibility might be okay, but your RF and coverage  
8 might not be, correct?

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

10 THE WITNESS (Gaudet): And I think from  
11 the visibility standpoint, Mr. Silvestri, it kind  
12 of goes to what we were just discussing with Mr.  
13 Morissette that by adding that monopole, even at  
14 120 feet, let's say for our argument's sake,  
15 you're still introducing a second structure that  
16 is going to now afford views to a number of  
17 additional residences in the area that you  
18 wouldn't otherwise have with the more or less  
19 compact monopole existing tower setup as currently  
20 proposed.

21 MR. SILVESTRI: I appreciate that, Mr.  
22 Gaudet. My simplistic mind had, looking at that  
23 photo log legend, again moving Site A south maybe  
24 a little bit to the west at a shorter tower, I  
25 just wondered if that would be less visible to

1 everybody in the area, not that I necessarily  
2 agree with the proliferation of towers, excess  
3 proliferation, I'm just looking at it from a  
4 visual standpoint, but I thank you for your  
5 comments.

6 THE WITNESS (Gaudet): I think, you  
7 know, the fact would be that, yes, a standalone  
8 120 foot tower would have a, I think it's okay to  
9 say that it would have a generally smaller visual  
10 impact than 150 foot.

11 MR. SILVESTRI: Thank you for your  
12 comments, both of you.

13 And thank you, Mr. Morissette. I'm all  
14 set.

15 MR. MORISSETTE: Thank you, Mr.  
16 Silvestri. I'll go back on the list and see if  
17 anybody else have any followup.

18 Mr. Perrone?

19 MR. PERRONE: I'm all set. Thank you.

20 MR. MORISSETTE: Very good. Thank you.  
21 Mr. Nguyen, any followup? Mr. Nguyen?

22 MR. NGUYEN: (No response.)

23 MR. MORISSETTE: Very good.  
24 Ms. Cooley, any followup questions?

25 MS. COOLEY: Thank you. I'm all set.

1                   MR. MORISSETTE: Very good. Mr.  
2 Quinlan, any followup?

3                   MR. QUINLAN: No followup. Thank you.

4                   MR. MORISSETTE: Okay. And I'm all  
5 set.

6                   MR. NGUYEN: I have no followup. Sorry  
7 about that.

8                   MR. MORISSETTE: Thank you, Mr. Nguyen.  
9 And I have no followup.

10                  We have still an outstanding question  
11 relating to the cost of the backup generator.

12                  Ms. Bettuchi, have you been successful  
13 for us?

14                  THE WITNESS (Bettuchi): I have. So I  
15 was able to get an approximate cost. And based on  
16 a diesel installation, we're looking at about  
17 50,000 to \$60,000. That would include the  
18 generator itself as well as the associated labor  
19 associated with that, you know, the pouring of  
20 pads and things of that nature.

21                  Propane could be somewhat similar,  
22 although it was indicated to me that there does  
23 apparently seem to be a little bit more of a  
24 challenge with the availability to get those  
25 materials. And so, you know, as a practice we are

1 trying to stick with a standardized process of a  
2 diesel. That being said, you know, we're always  
3 happy to entertain suggestions so --

4 MR. MORISSETTE: Thank you, Ms.  
5 Bettuchi. So to increase the run hours are we  
6 still at three times the 50K?

7 THE WITNESS (Hamm): I was actually  
8 able to look into that a little further, and the  
9 diesel generator that they spec right now does not  
10 have the ability to take on extra fuel or outside  
11 fuel, so it's still at a two to three day run time  
12 right now. To get to the five days it would have  
13 to probably be switched to propane. A 500 gallon  
14 propane tank can do almost five days.

15 MR. MORISSETTE: Okay. Mr. Quinlan,  
16 are you satisfied with the responses, any  
17 followup?

18 MR. QUINLAN: I think I'm all set.  
19 Thank you.

20 MR. MORISSETTE: Very good. We'll now  
21 continue with cross-examination of the applicant  
22 by the city, Attorney Forte.

23 MR. FORTE: Thank you. The city has no  
24 questions at this time.

25 MR. MORISSETTE: Thank you. We'll

1 continue with cross-examination of the applicant  
2 by Talias Trail, starting with Mr. Barbagallo,  
3 followed by Mr. Siteman.

4 Mr. Barbagallo.

5 MR. BARBAGALLO: I appreciate that.  
6 The first question I have, I don't know exactly  
7 who to ask. Maybe, Mr. Gaudet, you can answer  
8 this. During the last hearing we talked about the  
9 center of the search ring that it was in the  
10 general area of LaRosa and Newfield. I would like  
11 to know why was that specific area chosen as the  
12 center.

13 THE WITNESS (Gaudet): I'll refer to  
14 Mr. Lavin on that.

15 THE WITNESS (Lavin): Just because it's  
16 near the highest point on top of the ridge there.

17 MR. BARBAGALLO: I don't think we're  
18 talking about the same point. If you follow  
19 Newfield towards the high school, it's the  
20 intersection for the road to the high school and  
21 Newfield. That's actually very flat.

22 THE WITNESS (Lavin): If we look at  
23 Exhibit 3 from our submission of January 26th, it  
24 shows the search ring and the center is indicated,  
25 the crosshairs there, and it sits just slightly

1 off the top of the ridge near the Eversource  
2 powerlines.

3 MR. BARBAGALLO: I apologize. Let me  
4 be a little bit more specific. The original  
5 submission to the application for this tower, the  
6 search ring was in that area. I guess originally  
7 why was that the center?

8 THE WITNESS (Lavin): Because that's  
9 the highest point on the ridge.

10 MR. BARBAGALLO: We're still talking  
11 about that same flat area. I think you had  
12 specified that area was about 15 to 30 feet.

13 THE WITNESS (Lavin): No, our search  
14 ring is on top of the ridge almost 212 feet above  
15 mean sea level. Again, it's --

16 MR. BARBAGALLO: From the original  
17 submission for the first application?

18 THE WITNESS (Lavin): Yes.

19 MR. BARBAGALLO: Okay. We're looking  
20 at two different things then. I'll just move on.

21 So the property that was spoken about  
22 right on Newfield that again was near the high  
23 school, why would that not provide the proper  
24 service along northern Middletown, Mile Lane,  
25 State Highway 3 and Ridgewood?

THE WITNESS (Lavin): Being down that side you lose almost 100 feet, nearly 100 feet of elevation, and the ridge that we're proposing to go on shadows coverage from going west at the top of the ridge. We're getting, the proposed site gets coverage on the west side of the ridge.

Anything over in the Newfield Street area doesn't.

MR. BARBAGALLO: So attachments 1 and 2 of your RF report which shows coverage before and after the cell tower, at 499 Mile Lane with 150 or then might have been 180, there was no change whatsoever to the western ridge as far as coverage, and then anything west of Ridgewood was extremely minimal or no change, again, with the area Westfield Street again no change. So it seemed like the only benefit coverage wise was east of the proposed location. So if that holds true, if the RF report is true, then wouldn't a tower on Newfield cover that same area since it is fairly flat?

THE WITNESS (Lavin): No, there is a significant amount of coverage added on the west side. The gold star on attachment 1 shows the site location. There is quite a lot of coverage that goes from white to uncovered to covered and

1 even goes from orange to green. There's a very  
2 significant amount of coverage there and coverage  
3 to the north of the site that the ridge would also  
4 block to some extent from a site on Newfield.

5 MR. BARBAGALLO: From the attachment 3  
6 it looks like the ridge is basically just above  
7 Ridgewood, and then if you go to attachment 2 and  
8 compare it to attachment 1, there's very little  
9 change, if any. So, I guess --

10 THE WITNESS (Lavin): I would differ  
11 completely about that with you, yes.

12 MR. BARBAGALLO: Okay. So I guess we  
13 will just agree to disagree on that one.

14 With the suggestion that the city --  
15 and this isn't solely for you -- but with the  
16 suggestion that the city would want to put tennis  
17 courts in the area of the ridge with a cell tower  
18 in the area, period, regardless of A, B or  
19 wherever we put it, how do the two affect each  
20 other, would that proposed tennis court now be in  
21 the fall range? This can be for anyone.

22 MR. FISHER: Mr. Gaudet, would you try  
23 to answer that question? It deals with future  
24 planning, but could you try --

25 THE WITNESS (Gaudet): Yeah, I'm trying

1 to think of how to address it. You know, without  
2 any real idea what the plans are that the city may  
3 or may not have or had in the past, it's really  
4 difficult to understand where they may be looking.  
5 If the tennis courts were proposed on that cleared  
6 area on 499 Mile Lane, it would depend on where  
7 the tower was placed. If Site A were selected,  
8 looking at the photo log, certainly that would be  
9 closer if there were hypothetical tennis courts  
10 built on the southern portion of that open area.  
11 It's really difficult to give you an answer on  
12 fall zone, fall radius of a tower based on  
13 something that we just don't have any factual data  
14 on.

15 MR. BARBAGALLO: So I guess let me  
16 rephrase the question. Regardless of where the  
17 tower is, where does the radius around the tower  
18 that another facility, building, court, whatever  
19 can be placed?

20 THE WITNESS (Gaudet): I don't know if  
21 I can answer that. It sounds more maybe a legal  
22 question in terms of jurisdictional approach to  
23 fall zones. I'm not sure how to answer that one.

24 MR. FISHER: Mr. Morissette, I can't  
25 answer it, but I can only say that it really does

1 refer to a legal -- and I'm not aware of a  
2 distance is the best I could say.

3 MR. MORISSETTE: Thank you, Attorney  
4 Fisher.

5 MR. BARBAGALLO: All right. Thank you  
6 for that. And then my final question. Just to  
7 clarify, Mr. Gaudet, you had stated previously  
8 that you don't pave roads when you set these  
9 towers up. So if we were to put this tower  
10 further into the tree line, really the access road  
11 that you had mentioned would just be gravel,  
12 correct?

13 THE WITNESS (Gaudet): I would say the  
14 majority of the time they are gravel based access  
15 drives, but it does depend, again, you know, to  
16 use the example that Mr. Morissette and I were  
17 discussing before about potentially moving up onto  
18 that ridgeline, let's say, when you come into  
19 areas of steeper grade, occasionally you do need  
20 to pave roads. But yes, I would say the majority  
21 of the time it's a gravel based access drive, so  
22 there's some --

23 MR. BARBAGALLO: Specifically in the  
24 area of 499 Mile Lane moving it to the back of the  
25 lot which you had stated was fairly flat, that

1 would just be gravel?

2 THE WITNESS (Gaudet): That's a good  
3 assumption, yes.

4 MR. BARBAGALLO: Okay. Thank you.

5 That's all I have, Mr. Morissette. I appreciate  
6 the time.

7 MR. MORISSETTE: Thank you, Mr.  
8 Barbagallo. We'll now continue with Mr. Siteman.

9 Mr. Siteman.

10 THE WITNESS (Siteman): Thank you.  
11 Attorney Fisher, you previously mentioned that you  
12 and Attorney Forte from the city had discussed why  
13 you had offered Site A on the submission based on  
14 our questions. Could you describe that  
15 conversation and why you guys offered Site A?

16 MR. MORISSETTE: I'm sorry, Mr.  
17 Siteman, Attorney Fisher is not to be  
18 cross-examined. He's not part of the panel.

19 MR. SITEMAN: Okay.

20 MR. MORISSETTE: And Attorney Forte is  
21 not either. But if anybody on the panel can  
22 respond to your question, that would be  
23 appropriate.

24 THE WITNESS (Siteman): I'll rephrase  
25 the question. I apologize about that. Has anyone

1 from AT&T or the team that's working with AT&T  
2 been involved in discussions with the town related  
3 to the Site A proposal?

4 THE WITNESS (Pike): I personally have  
5 not. I think we wanted to give another option to  
6 show that obviously, you know, if we want to have  
7 a different location and just show that we're  
8 willing to work with both sides. I believe that  
9 was one of the main reasons why we wanted to have  
10 an alternate site.

11 THE WITNESS (Siteman): And for that  
12 Site A, in your mind, is that only an option as a  
13 single tower solution or as an alternative as a  
14 second tower location?

15 THE WITNESS (Pike): For a single  
16 tower.

17 THE WITNESS (Siteman): Okay. All  
18 right. I don't have any other questions. Thank  
19 you for the time.

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

22 Okay. That concludes our hearing for  
23 today. Before closing the evidentiary record of  
24 this matter, the Connecticut Siting Council  
25 announces that briefs and proposed findings of

1 fact may be filed with the Council by any party or  
2 intervenor no later than March 5, 2022. The  
3 submission of briefs or proposed findings of fact  
4 are not required by this Council, rather, we leave  
5 it to the choice of the parties and intervenors.

6 Anyone who has not become a party or  
7 intervenor but who desires to make his or her  
8 views known to the Council, may file written  
9 statements with the Council within 30 days of the  
10 date hereof.

11 The Council will issue draft findings  
12 of fact, and thereafter parties and intervenors  
13 may identify errors or inconsistencies between the  
14 Council's draft findings of fact and the record;  
15 however, no new information, no new evidence, no  
16 argument, and no reply briefs, without our  
17 permission, will be considered by the Council.

18 Copies of the transcript of this  
19 hearing will be filed with the Middletown City  
20 Clerk's Office. I hereby declare this hearing  
21 adjourned. And I thank everyone for your  
22 participation, and stay safe with the upcoming  
23 storm, and have a great weekend.

24 (Whereupon, the witnesses were excused  
25 and the hearing concluded at 4:47 p.m.)

1 CERTIFICATE FOR REMOTE HEARING

2

3 I hereby certify that the foregoing 122 pages

4 are a complete and accurate computer-aided

5 transcription of my original stenotype notes taken

6 before the Connecticut Siting Council of the

7 CONTINUED REMOTE PUBLIC HEARING IN RE: DOCKET NO.

8 506, NEW CINGULAR WIRELESS PCS, LLC (AT&T)

9 APPLICATION FOR A CERTIFICATE OF ENVIRONMENTAL

10 COMPATIBILITY AND PUBLIC NEED FOR THE

11 CONSTRUCTION, MAINTENANCE, AND OPERATION OF A

12 TELECOMMUNICATIONS FACILITY LOCATED AT 499 MILE

13 LANE, MIDDLETOWN, CONNECTICUT, which was held

14 before JOHN MORISSETTE, PRESIDING OFFICER, on

15 February 3, 2022.

16

17

18 

19 -----

20 Lisa L. Warner, CSR 061

21 Court Reporter

22 A PLUS REPORTING SERVICE

23 55 WHITING STREET, SUITE 1A

24 PLAINVILLE, CONNECTICUT 06062

25

1                   **I N D E X**

2                   **TALIAS TRAIL WITNESSES:**

3                   MICHAEL SITEMAN (Sworn on page 263)  
4                   JOSEPH BARBAGALLO (Sworn on page 263)

5                   **EXAMINERS:**

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Mr. Silvestri	270
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6                   **CITY OF MIDDLETOWN WITNESS:**

7                   WAYNE BARTOLOTTA (Previously sworn)

8                   **EXAMINERS:**

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Mr. Nguyen	293
Ms. Cooley	293
Mr. Morissette	295
Mr. Quinlan	301
Mr. Fisher	304
Mr. Siteman	306

9                   **AT&T WITNESSES:**

10                  KELLY WADE BETTUCHI (previously sworn)  
11                  SCOTT PIKE (previously sworn)  
12                  BRIAN GAUDET (previously sworn)  
13                  DANIEL HAMM (previously sworn)  
14                  MARTIN LAVIN (previously sworn)

15                  **EXAMINERS:**

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Mr. Quinlan	345
Mr. Morissette	353
Mr. Barbagallo	371
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### **I n d e x: (Cont'd)**

## **TALIAS TRAIL EXHIBITS**

(Received in evidence)

EXHIBIT	DESCRIPTION	PAGE
IV-B-1	Prefiled testimony of Michael Siteman, dated October 1, 2021	265
IV-B-3	Prefiled testimony of Joseph Barbagallo, dated November 30, 2021	265
IV-B-4	Additional prefiled testimony of Joseph Barbagallo, dated December 8, 2021	265
IV-B-6	Talias Trail (Joseph Barbagallo, Kelly Pugliares and Michael Siteman) request for party status, dated December 20, 2021	265

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

EXHIBIT	DESCRIPTION	PAGE
III-B-4	City of Middletown's responses to Talias Trail interrogatories, dated January 26, 2022	281

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

EXHIBIT	DESCRIPTION	PAGE
II-B-8	Applicant's response to Talias Trail interrogatories, dated January 25, 2022	308
II-B-9	Applicant's Late-Filed Exhibits and supplemental submission, dated January 26, 2022	308