

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL
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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
11

12 VIA ZOOM AND TELECONFERENCE
13

14 Continued Remote Public Hearing held on Thursday,
15 February 3, 2022, beginning at 2 p.m.
16 via remote access.
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19 H e l d B e f o r e :

20 JOHN MORISSETTE, Presiding Officer
21
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23
24

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
 Gillett

 Public Utilities Regulatory Authority

5 **ROBERT SILVESTRI**

6 **DANIEL P. LYNCH, JR.**

7 **LOUANNE COOLEY**

8 **MARK QUINLAN**

9 **Council Staff:**

10 **MELANIE BACHMAN, ESQ.**

11 Executive Director and
 Staff Attorney

12 **MICHAEL PERRONE**

13 Siting Analyst

14 **LISA FONTAINE**

 Fiscal Administrative Officer

15
16 **For Applicant, New Cingular Wireless PCS,
 LLC:**

17 **CUDDY & FEDER LLP**

18 445 Hamilton Avenue, 14th Floor

 White Plains, New York 10601

 BY: **CHRISTOPHER B. FISHER, ESQ.**

19
20 **For Party, the City of Middletown:**

21 **OFFICE OF THE GENERAL COUNSEL**

 City of Middletown

 245 deKoven Drive

22 Middletown, Connecticut 06457

 BY: **CHRISTOPHER J. FORTE, ESQ.**

 Assistant General Counsel

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

2
3 **For Party, Talias Trail:**

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

7
8 **MICHAEL SITEMAN**
9 **29 Talias Trail**
10 **Middletown, Connecticut 06457**

11
12 **Also present: Aaron Demarest, Zoom co-host**

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

1 MR. MORISSETTE: This continued remote
2 evidentiary hearing session is called to order
3 this Thursday, February 3, 2022, at 2 p.m. My
4 name is John Morissette, member and presiding
5 officer of the Connecticut Siting Council.

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

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

19 Other members of the Council are Mr.
20 Lynch, Mr. Silvestri, Mr. Nguyen, Ms. Cooley, Mr.
21 Quinlan, Executive Director Melanie Bachman, staff
22 analyst Michael Perrone, and Fiscal Administrative
23 Officer Lisa Fontaine.

24 This evidentiary session is a
25 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.

1 THE WITNESS (Barbagallo): Yes.

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

5 Attorney Fisher.

6 MR. FISHER: No, we have no objection.

7 MR. MORISSETTE: Thank you, Attorney
8 Fisher.

9 Attorney Forte?

10 MR. FORTE: The city has no objection.

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

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

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

19 Mr. Perrone.

20 CROSS-EXAMINATION

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

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

25 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 prefile 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.

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

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

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

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

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

23 MR. SILVESTRI: Again, if I refer back
24 to the Late-File that AT&T responded to Talias
25 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.

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

8 THE WITNESS (Bartolotta): Definitely.

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

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

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

25 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.

1 MR. FORTE: The city has no objection.
2 Thank you.

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

5 MR. BARBAGALLO: No objections. Thank
6 you.

7 MR. SITEMAN: None.

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

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

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

17 Mr. Perrone.

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

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

1 CROSS-EXAMINATION

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

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

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

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

22 MR. PERRONE: So whether it's a mobile
23 facility or if you built a brand new facility with
24 all new equipment, you'd basically be turning off
25 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 collocation on the 1765
25 line or 1766 line with Eversource?

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

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

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

21 MR. PERRONE: And the next one requires
22 some dimensions, and you could get back to me in a
23 little bit if you have to check this. Regarding
24 the homes of the three members of Talias Trail,
25 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.

1 MR. PERRONE: Also, on the third row we
2 have the cost and the lattice tower replacement
3 versus a replacement monopole. A lattice tower is
4 about double, about a million versus 500,000.
5 Could you explain why is a significant cost
6 difference between a monopole and a lattice
7 structure?

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

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

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

16 MR. PERRONE: Okay.

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

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

25 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 sensed, 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 prefiled 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 monopoles, 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 colocators 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.

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

16 MR. MORISSETTE: Thank you, Mr. Gaudet.

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

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

20 MR. PERRONE: Yes. Thank you.

21 MR. MORISSETTE: Thank you. We're
22 going to take a 12 minute break and we'll
23 reconvene at 3:30 at which time we will continue
24 with cross-examination by Mr. Silvestri and then
25 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?

1 THE WITNESS (Lavin): Basically with a
2 300 or 400 foot tower trying to see over a ridge
3 from the other side to see down and to have line
4 of sight to the west side or the back side of that
5 ridge requires that giant tower. The problem is,
6 any effort to look over that ridge down at the
7 other side will end up creating redundant coverage
8 to the west from the sector that covers in that
9 direction and also in other directions as well
10 basically creating second coverage where there's
11 already coverage, mostly just contributing noise
12 to the system, and making capacity very difficult
13 to manage. A secondary coverage in an area that
14 already has good coverage is actually losing you
15 capacity by generating more noise.

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

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

24 MR. SILVESTRI: Thank you. Okay. Next
25 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?

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

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

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

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

11 Mr. Quinlan.

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

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

22 THE WITNESS (Lavin): In all three of
23 those last scenarios we end up putting the highest
24 collocator at 100 feet. So technically speaking in
25 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?

1 THE WITNESS (Hamm): No.

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

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

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

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

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

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

23 THE WITNESS (Hamm): Correct.

24 MR. MORISSETTE: Thank you for that
25 clarification.

1 Mr. Quinlan, please continue.

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

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

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

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

18 MR. QUINLAN: All right.

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

21 THE WITNESS (Hamm): I could try.

22 MR. MORISSETTE: Okay, let's give it a
23 shot. And if you can't, then we'll have to go the
24 route of opening up the record and having it
25 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.)

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

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

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

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

23 THE WITNESS (Gaudet): Exactly.

24 MR. MORISSETTE: So further north there
25 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?

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

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

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

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

20 THE WITNESS (Gaudet): Yeah, and we
21 actually had looked at those, you know, as we were
22 evaluating, is that something that would be
23 feasible from an RF standpoint. And as those
24 structures currently are, not to say that they
25 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?

1 THE WITNESS (Lavin): Being down that
2 side you lose almost 100 feet, nearly 100 feet of
3 elevation, and the ridge that we're proposing to
4 go on shadows coverage from going west at the top
5 of the ridge. We're getting, the proposed site
6 gets coverage on the west side of the ridge.
7 Anything over in the Newfield Street area doesn't.

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

21 THE WITNESS (Lavin): No, there is a
22 significant amount of coverage added on the west
23 side. The gold star on attachment 1 shows the
24 site location. There is quite a lot of coverage
25 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.

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17
18 

19 -----
20 Lisa L. Warner, CSR 061
21 Court Reporter
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25

I N D E X

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JOSEPH BARBAGALLO (Sworn on page 263)

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WAYNE BARTOLOTTA (Previously sworn)

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2 TALIAs TRAIL EXHIBITS

3 (Received in evidence)

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

13 CITY OF MIDDLETOWN'S EXHIBITS

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

18 APPLICANT'S EXHIBITS

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