



BURTON B. COHEN
203.772.7714 DIRECT TELEPHONE
BCOHEN@MURTHALAW.COM

October 23, 2014

VIA ELECTRONIC MAIL AND UPS NEXT DAY AIR

RECEIVED
OCT 24 2014

CONNECTICUT
SITING COUNCIL

Attorney Melanie Bachman
Acting Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: DOCKET NO. 451 – Homeland Towers, LLC and New Cingular Wireless PCS, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a telecommunications facility located at the Cheshire Wastewater Treatment Plant, Cheshire Tax Assessor Map 38, Lot 180, 1325 Cheshire Street, Cheshire, Connecticut – Submissions by Town of Cheshire

Dear Ms. Bachman:

On behalf of the Town of Cheshire (the "Town"), please find enclosed an original and 15 copies of the following documents to be entered into the record in this captioned proceeding:

1. Responses of Town to Intervenor's interrogatories;
2. List of witnesses and subjects of prefiled testimony;
3. Notice of Agenda of Special Town Council Meeting for January 23, 2013;
4. Excerpt of the Minutes of the January 22, 2013 Special Town Council Meeting;
5. Copy of the Section 8-24 Review by Cheshire Planning & Zoning;
6. Color-coded Population Density Map for the Town of Cheshire; and

7. Prefiled Testimony of the following witnesses for the Town:
- a. Michael Milone, Town Manager
 - b. Walter Gancarz, Operating Manager, Town Engineer
 - c. Chief Jack Casner, Cheshire Fire Department
 - d. Chief Neil Dryfe and Deputy Chief Robert Vignola, Cheshire Police Department.

Please direct any questions regarding this filing to the undersigned. Thank you for your consideration.

I certify that a copy hereof and the enclosures have been furnished on this date via first-class mail, postage prepaid, or via email delivery to all parties, intervenors and participants of record as evidenced on the Council's service list as of this date.

Respectfully yours,

TOWN OF CHESHIRE, CONNECTICUT



By: _____

Burton B. Cohen
Its Attorney

Enclosures

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE:

APPLICATION OF HOMELAND TOWERS, LLC	:	DOCKET NO. 451
(HOMELAND) AND NEW CINGULAR WIRELESS	:	
PCS, LLC (AT&T) FOR A CERTIFICATE OF	:	
ENVIRONMENTAL COMPATIBILITY AND	:	
PUBLIC NEED FOR THE CONSTRUCTION,	:	
MAINTENANCE AND OPERATION OF A	:	
TELECOMMUNICATIONS TOWER FACILITY	:	
RIDGEFIELD, CONNECTICUT	:	OCTOBER 23, 2014

TOWN OF CHESHIRE LIST OF WITNESSES AND SUBJECTS OF PREFILED
TESTIMONY IN DOCKET NO. 451

The Town of Cheshire intends to have the following witnesses available at the hearing to provide testimony concerning the proceeding:

1. Michael A. Milone, Town Manager, Town of Cheshire

Mr. Milone is responsible for all administrative matters for the Town of Cheshire and also serves as lead staff for the Cheshire Town Council and its various committees. His testimony concerns the Town's approval of the Option and Ground Lease Agreement between the Town of Cheshire and Homeland Towers LLC, pertinent population density information, and other related issues. Mr. Milone is also sponsoring Town Exhibits 1-4.

2. Walter J. Gancarz, P.E., Operations Manager, Town Engineer, Department of Public Works and Engineering

Mr. Gancarz is responsible for the Department of Public Works and Engineering and also oversees the Cheshire Wastewater Treatment Plant. His testimony concerns support for the use of the Wastewater Treatment Plant property for the tower site, the communications needs of the Department of Public Works and Engineering, and other related issues.

3. Eric Fine, Implementation Engineer/Project Engineer, Northeastern Communications, Inc.

Mr. Fine is the Town's consultant for its emergency services communications system and is responsible for the surveys that are included in Exhibit 2 to the Application now pending before the Council in this docket. His testimony will concern this survey and his conclusions that support the proposed height of the tower.

4. Jack Casner, Fire Chief/Emergency Management Director, Town of Cheshire

Chief Casner is responsible for the Fire Department of the Town of Cheshire and is also the director for the Town's emergency management, which includes the Town's emergency services communications system. Chief Casner's testimony includes his evaluation of the Town's emergency communications needs, identification of issues and limitations with the current emergency services communications system, and his reasons for the need to have this application approved to ensure improved emergency communications for the Town both from the perspective of the Cheshire Fire Department and his direct experience as director of the Town's emergency management systems.

5. Chief Neil Dryfe and Deputy Chief Robert Vignola, Cheshire Police Department

Chief's Dryfe and Vignola are responsible for the Police Department for the Town of Cheshire. Their testimony includes their evaluation of the Town's emergency communications needs, identification of issues and limitations with the current emergency services communications system, and their reasons for

the need to have this application approved to ensure improved emergency communications for the Town from the perspective of the Cheshire Police Department.

The Town of Cheshire reserves the right to modify this list or to offer additional testimony and exhibits necessary and appropriate to address specific topics that may arise, or upon the request of the Siting Council.

Respectfully submitted,

THE TOWN OF CHESHIRE



By

Burton B. Cohen

Murtha Cullina LLP
265 Church Street, 9th Floor
New Haven, Connecticut 06510
Telephone: (203) 772-7714
Its Attorneys

DOCKET NO. 451

TOWN EXHIBIT 1

**NOTICE OF AGENDA OF SPECIAL
TOWN COUNCIL MEETING FOR
JANUARY 23, 2013**

000251

TOWN OF CHESHIRE

Cheshire Town Council
84 South Main Street • Cheshire, Connecticut 06410-3193
203-271-6660 • Fax 203-271-6639



SPECIAL TOWN COUNCIL MEETING
7:30 P.M., TUESDAY, JANUARY 22, 2013
COUNCIL CHAMBERS, TOWN HALL
84 SOUTH MAIN STREET, CHESHIRE CT 06410

AGENDA:

1. Roll Call.
2. Pledge of Allegiance.
3. Geographic Information System project status report.
4. Revaluation update.
5. Discussion of pension actuarial issues.
6. Cell tower agreement.
7. Acceptance of FY 11-12 Comprehensive Annual Financial Report.
8. Adjournment.

Received for Record 1-17-13 at 11h40m AM

Carolyn Z. Soltis
Town Clerk of Cheshire

CERTIFIED COPY

Date Recorded 1-17-13

Carolyn Z. Soltis
Town Clerk Cheshire, CT

Date 10-8-14

DOCKET NO. 451

TOWN EXHIBIT 2

**EXCERPT OF THE MINUTES OF THE
JANUARY 22, 2013 SPECIAL TOWN
COUNCIL MEETING**

State of Connecticut:

ss: Cheshire

County of New Haven:

I, Carolyn Z. Soltis, Town Clerk of Cheshire, duly elected and qualified according to law, and having custody of the seal of said Town of Cheshire, hereby certify that the annexed is a true copy of an excerpt of minutes of Town Council Special held on January 22, 2013 on file in the Town Clerk's Office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Town of Cheshire, this 2nd day of October, 2014..

Carolyn Z. Soltis

Town Clerk

According to Ms. Sielman we are talking decades, 25 to 30 years before the Town sees a significant difference.

Chairman Slocum noted that the Town expected to receive information about increased contribution costs.

Ms. Sielman informed the Council that there will be a packet of the plans in about 8 weeks for review. There will be different approaches and recommendations for changes in a package with numbers the Town can live with.

Chairman Slocum expressed appreciation to Ms. Sielman for the informative presentation.

6. CELL TOWER AGREEMENT

MOTION by Mr. Sima; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #012213-1

RESOLUTION #012213-1

BE IT RESOLVED, that the Town Council hereby authorizes the execution of an Option and Ground Lease Agreement by and between the Town of Cheshire and Homeland Towers LLC, and

BE IT FURTHER RESOLVED, that the Town Manager is authorized and directed to execute on behalf of the Town said Agreement in the form and upon the terms and conditions as presented at this meeting, pursuant to the approval by the Town Attorney as to legal sufficiency.

Discussion

Mr. Sima reported that a few years ago, AT&T came to the Planning Committee as they wanted to put a cell tower where the water treatment plant is located. Much work was done by AT&T, putting up a crane, testing the air for strength of signal, and then AT&T went into a merger and all tower work stopped. Last year there was renewed interest in the tower with presentations made to the Planning Committee. The numbers were looked at, and they were not even close to what had brought forward earlier. The committee went back through the Town Attorney to come closer to the original numbers presented. The lease agreement is not exactly what AT&T's original numbers, but is fairly close. There is \$20,000 in annual payments and 20% of the rate for each additional co-antenna on the tower and 3% adjustment for each year of the agreement.

One of the main points the Town pushed for was for Cheshire to get a communication spot on the tower. Mr. Sima noted that Cheshire has a very weak area for the Police

and Fire Departments for communication. The Town Attorney worked hard on this issue, and AT&T will give the Town space on the tower and a building on the ground to house our equipment. This will supplement our communications, and get rid of the dead spots in the north end of Town.

Mr. Sima said this is a win-win for the Town, and this approval is just the first step. Once there is an agreement the process goes through all the Town boards and commissions, then to the Siting Council for full review and public hearing in Cheshire for residents to voice opinions on the tower.

Mr. Talbot asked about property taxes on the tower.

This site is on Town property and Mr. Milone does not believe there is no real estate tax involved, and estimated property taxes are about \$1500 to \$3000 annually. There is \$7500 for a closing payment.

Town Attorney Smith said the primary approving agency is the Siting Council, a State agency that supersedes local land use authority.

Ms. Flynn-Harris stated that the Siting Council prefers the Town have a review and regulations to cover this because they are taken into consideration. This Council is the final word. The company could have already filed a plan with the Siting Council before coming to Cheshire.

Mr. Talbot asked about the typical rental for space on a cell tower, and where the Town's space would be.

In response, Attorney Smith said he is not sure of the average cost, but he will find out and advise the Council.

Mr. Sima said he was not sure about this rental cost, but coming down the tower there is a lesser rate, with the higher tenants paying the most. This would be the primary tenant. Cheshire has the very top of the tower.

On the rent, Mr. Milone said he could give a ball park number of about \$2000 per month per rental. The Town will receive \$24,000 for the first co-locator; the assumption is 4 more co-locators at \$2000, and 20% would be \$19,200 from 4 aggregate co-locators. However, this is all an assumption, and could be too high. It is estimated the total would be \$43,000 annually or a little less. He will get more realistic estimates and get this information to the Council, along with the estimated tax revenue.

Mr. Sima told the Council that the tower location is at the Wastewater Treatment Plant, to the right of the digesters, in an area where the original tower was to be installed.

Mr. Milone said the tower must be inside the gate for security reasons.

The Council was informed that the tower company cannot make a lease agreement without a commitment from the Town of Cheshire.

Mr. Ruocco stated that this tower is in his district, and many people are concerned about the tower near their property for safety issues and the height of the tower. He will not support the cell tower proposal, and he encouraged people to participate in the Siting Council public hearing.

VOTE The motion passed 8-0-1; Ruocco opposed.

7. ACCEPTANCE OF FY 11-12 COMPREHENSIVE ANNUAL FINACIAL REPORT

MOTION by Mr. Ecke; seconded by Ms. Falvey.

BE IT RESOLVED, that the Town Council approves Resolution #012213-2

RESOLUTION #012213-2

BE IT RESOLVED, that the Town Council accepts the FY 11-12 Comprehensive Annual Financial Report (CAFR).

Discussion

Mr. Ecke reported that the report from McGladrey was reviewed and approved by the Audit Committee. Scott Bassett from McGladrey commended Mr. Jaskot and Ms. DeFilio and the Finance Department staff for their integrity, work ethic and great performance of their duties on this report.

The Council was informed by Mr. Jaskot that the audit went very smoothly. He also commended Ms. DeFilio and the department staff and all Town departments for their work on the audit. Mr. Jaskot briefly commented on the overview of the audit report, stating that the rating agencies use this document. Cheshire has received the award from the Government Finance Officers Association of the United States for its excellent reporting standards. This award helps with the rating agencies.

Mr. Jaskot pointed out areas of the report including the Transmittal Letter, Summary of Local Economy, Major Initiatives, Long Term Financial Planning, Refunding of bond issues, and continued tax collection rate of 99.6%.

Chairman Slocum commented on Cheshire going through a clean audit, being so well managed compared to other towns, and thanked everyone involved in the audit report process.

It was noted by Mr. Jaskot that Cheshire management looks at trends, watches numbers very carefully, and auditors spend a great deal of time looking at the control structure of each Town department. Everything is looked at internally and externally.

DOCKET NO. 451

TOWN EXHIBIT 3

**COPY OF THE SECTION 8-24 REVIEW
BY CHESHIRE PLANNING & ZONING**

TOWN OF CHESHIRE

Planning & Zoning Commission
84 South Main Street
Cheshire, Connecticut 06410
203-271-6670 • Fax 203-271-6688



May 23, 2014

Michael A. Milone
Town Manager
Town of Cheshire
84 South Main Street
Cheshire, CT 06410

Dear Mr. Milone:

At the special meeting of the Planning and Zoning Commission held on May 12, 2014, the following motion was approved:

MOVED that the Planning and Zoning Commission finds that the construction of a radio transmission tower by Homeland Towers on the town-owned property at 1325 Cheshire Street, the site of the Town's Wastewater Treatment Plant, is not in conflict with the 2002 Cheshire Plan of Conservation and Development, and hereby makes a favorable referral in accordance with Section 8-24 of the Connecticut General Statutes.

Moved by Ms. Marinaro; seconded by Mr. Kardaras. VOTE the motion passed unanimously by those present.

Respectfully,

Lelah Campo, Secretary
CHESHIRE PLANNING AND ZONING COMMISSION

LC:jp



MOVED that the Planning and Zoning Commission hereby extends the existing Earth Removal, Filling and Regardng Permit application of Cheshire Route 10 LLC granted in conjunction with the approval of the Interchange Special Development Project known as the Outlets at Cheshire for a period of one year from the date of public notice of approval to July 25, 2015.

VOTE The motion passed unanimously by those present.

2. Letter from Michael A. Milone, Town Manager, dated 5/8/14 RE: 8-24 Review – Referral, Lease of Parcel at Waste Water Treatment Plant.

MOTION by Ms. Marinaro; seconded by Mr. Kardaras.

MOVED that the Planning and Zoning Commission finds that the construction of a radio transmission tower by Homeland Towers on the town-owned property at 1325 Cheshire Street, the site of the Town's Wastewater Treatment Plant, is not in conflict with the 2002 Cheshire Plan of Conservation and Development, and hereby makes a favorable referral in accordance with Section 8-24 of the Connecticut General Statutes.

Discussion

Mr. Voelker informed the Commission that the cell tower will be erected at the site of the treatment plant under a lease option, with no improvements by the Town. The Town Attorney has advised that the Commission should do an 8-24 approval. This is a 170 foot tower with space for Town emergency equipment. Mr. Voelker explained that The Connecticut Siting Council makes the ultimate decision on the cell tower, and the Commission has no authority on the tower's location or any other issues related to the tower.

A question was raised by Ms. Visconti about looking at the Plan of Conservation and Development (Plan) regarding this cell tower.

Mr. Voelker advised that there is no mention of cell towers in the Plan, and the subject referral is an 8-24 review. He also noted that the Plan is not a regulatory document and cannot, legally, regulate placement of towers, as this is a decision of the Siting Council.

A letter was read into the record by Mr. Voelker with regard to the cell tower. He stated that the Siting Council will hold a public hearing on the cell tower location to receive public input. Mr. Voelker explained that wireless companies have broad rights under federal regulations.

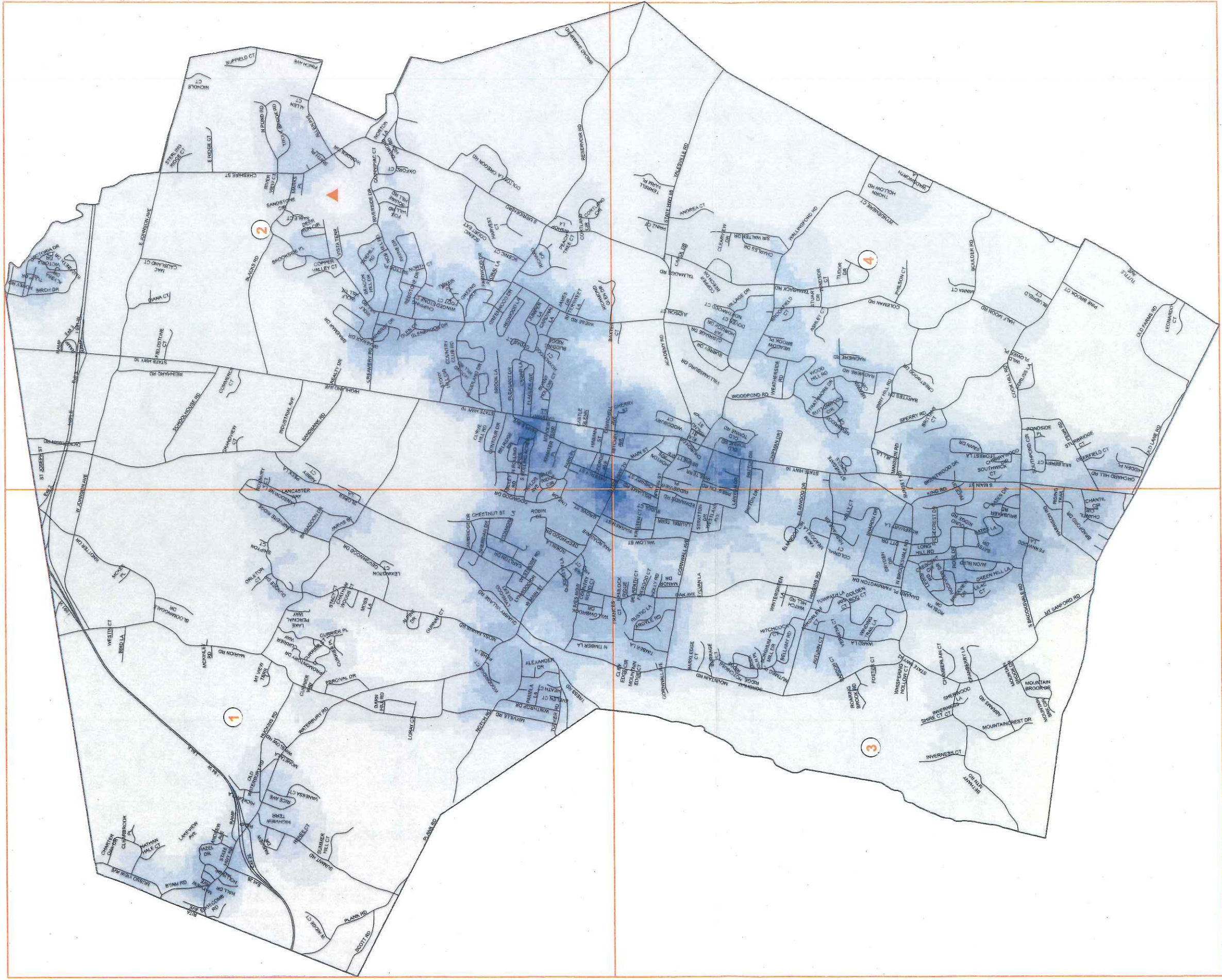
VOTE The motion passed unanimously by those present.

VII. UNFINISHED BUSINESS

DOCKET NO. 451

TOWN EXHIBIT 4

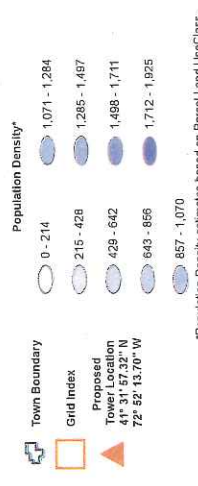
**COLOR-CODED POPULATION DENSITY
MAP FOR THE TOWN OF CHESHIRE**



**Population Density Map
Prepared for
Town of Cheshire, CT**

Estimated Population by Quadrant

Quadrant 1	2504	(24.9%)
Quadrant 2	2699	(26.8%)
Quadrant 3	2541	(25.2%)
Quadrant 4	2324	(23.1%)



Disclaimer: This map is for informational purposes only. All information is subject to verification by any user. This information is the property of New England Geosystems, Inc. and its liability for the information contained herein.

*Population Density estimates based on Parcel Land Use Class. Vacant, Commercial, Forest, and Industrial Land Classes rated 0. Residential and Farm Land Classes rated as 25.

PREFILED TESTIMONY OF MICHAEL A. MILONE

Q. Please state your name, title, and business address.

A. Michael A. Milone
Town Manager
Town of Cheshire
84 South Main Street
Cheshire, CT 06410

Q. Please describe your current responsibilities and professional experience.

A. I have served as the Town Manager for Cheshire, Connecticut since May 2000. Prior to that position, I served as Finance Director/Treasurer for the Town for nearly 10 ½ years. I received a Bachelor's Degree in Public Administration from Georgetown University and a Master's Degree in Public Administration from New York University. Following graduation, I worked in various positions for the City of New Haven for 13 years, including my last 6 years as Controller.

I was an adjunct professor at the University of New Haven for fourteen years (1986 through 2000), teaching a course in Local Government Finance. I am a Credentialed Manager for the International City/County's Manager's Association and Chairperson of the Committee on Taxes and Finance for the Connecticut Conference of Municipalities. Through my over 37 years of service in municipal government, I have held many other positions in professional associations.

Q. What has been your involvement in this project?

A. In my capacity as Town Manager, I am lead staff to the various Council Committees and as such participated in the meetings with the Cheshire Town Council Planning Committee in which Homeland Towers, one of the co-applicants, summarized their proposal, answered questions from the Committee and our legal counsel. Homeland Towers ultimately negotiated a lease agreement with terms that were satisfactory to the Planning Committee.

Following those meetings, the Planning Committee then referred this agreement to the Town Council. The Town Council then noticed a Special Town Council Meeting for January 22, 2013 to be held in Council Chambers in Cheshire Town Hall. A copy of the Notice of Agenda is attached to my testimony as Town Attachment No. 1.

Q. Please describe what transpired at the January 22, 2013 Special Town Council meeting.

A. The Cheshire Town Council had the full proposed agreement with Homeland Towers on the agenda for that meeting for consideration. Council member James Sima, who chairs the Council's Planning Committee, explained the Committee's discussions with Homeland Towers and the Committee's deliberations on the tower proposal. He emphasized the importance for the Town to be granted the right to attach its emergency services communications facilities at the top of the tower to eliminate "weak areas" that were hindering the Town from having reliable emergency communications in the northeastern portion of Cheshire. The tower site was also discussed, and it was my recollection that the Cheshire Wastewater Treatment Facility was considered a good location, given the nature of the industrial use of the property where the tower would be sited. The Council voted to authorize me as Town Manager to execute the agreement on behalf of the Town, and it was approved by a vote of 8-1. An excerpt of the minutes of the January 22, 2013 Special Town Council meeting is attached as Town Attachment No. 2.

Q. For the record, was the January 22, 2013 Special Town Council meeting an open meeting.

A. Yes. Consistent with the Connecticut Freedom of Information Act, this meeting was publicly noticed and open to the public, and members of the public did attend the meeting. Also, the public notice for the consideration for this lease agreement was consistent with the notice of other lease agreements and in accordance with the Town Charter.

Q. Is the lease agreement between the Town and Homeland Towers that you were directed by the Town Council to execute in the record of this proceeding.

A. While it was not part of the initial application, I believe, the applicants submitted the lease agreement as part of an exhibit in their responses to the Connecticut Siting Council's interrogatories and designated it as Attachment 2.

Q. Were there any other municipal reviews conducted in connection with the proposed tower?

A. Yes, the Town's Planning and Zoning Commission conducted a review of this proposal as required by Section 8-24 of the Connecticut General Statutes. This section of the Statutes relates to municipal improvements. A copy of the Section 8-24 review is attached to my testimony as Town Attachment No. 3.

Q. One final point: you heard statements made about the population density of the area where the Wastewater Treatment Plant is located and, of course, where the tower is proposed to be located. Would you provide the Connecticut Siting Council some perspective on this issue?

A. Yes, the Town was pleased that Homeland Towers was willing to consider siting the proposed tower on Town land on what is essentially an industrial site, where the Town is in the process of upgrading its Wastewater Treatment Plant. The area is mostly screened by trees and other natural vegetation and will have the security of being within the Wastewater Treatment Plant's footprint. Additionally, by constructing this tower on Town land we will be afforded the opportunity of maximizing our emergency services communications capabilities by locating at the top of the tower.

When reviewing the Town's geographical quadrants, we bisect the Town by Route 10 (north/south) and Route 70 (east/west). While density is a relative term, based on our identification of quadrants and my review of this data, the northeastern quadrant and especially the area of the proposed ceil tower location is not the most densely populated section of Town. Attached as Town Attachment No. 4 is a color-coded population density map which demonstrates that the wastewater treatment plant, where the tower will be sited, is in one of the less densely populated areas of town.

Q. Does this conclude your testimony?

A. Yes.

PREFILED TESTIMONY OF WALTER GANCARZ

Q. Please state your name, title, and business address.

A. Walter J. Gancarz, P.E.
Operations Manager, Town Engineer
Department of Public Works and Engineering
Room 213
Cheshire Town Hall
84 South Main Street
Cheshire, CT 06410

Q. Please describe your current responsibilities and professional experience.

A. I am currently Town Engineer and Operations manager, and in that capacity am in charge of many of the Town's infrastructure projects that relate to wastewater conveyance and treatment, bridges, energy, storm water and drainage projects. I have been a licensed Professional Engineer for 37 years, and am currently licensed in Connecticut. For most of my career, more than 30 years, I was in Consulting Engineering, the last 20 as an Owner of HRP Associates Inc., a CT based civil and environmental engineering firm. In that capacity I was Director of Civil Engineering, and was in charge of a multitude of civil projects including bridges, buildings, wastewater, dams and drainage structures

Q. Have you ever appeared as a witness before any regulatory agency?

A. Yes I have. I have appeared before CTDEP (CTDEEP's predecessor) testifying with respect to closure of an illegal landfill. I have testified in CT Courts on drainage and construction related matters. I currently testify on a regular basis before the Town's Inland Wetlands and Planning and Zoning Commissions on town projects. In my former position I regularly testified before similar commissions on civil projects designed by HRP Associates. .

Q. What has been your involvement in this project?

A. In my capacity as Operations Manager/Town Engineer, I have overall responsibility for the Cheshire Wastewater Treatment Plant, which includes the area where the tower is proposed to be sited. Accordingly, I have kept apprised of plans for the tower siting and, if the application is approved by the Connecticut Siting Council, will continue to coordinate all construction and maintenance activities for the tower site itself on behalf of the Town. I have also been

responsible for the Town's responses to the Council's Pre-Hearing Interrogatories for the Town of Cheshire.

Q. Regarding the responses to the Council's interrogatories numbers 1-4 to the Town, did you prepare those responses?

A. Yes I did.

Q. Do you have any corrections, modifications or additions to those responses that you wish to bring to the Council's attention?

A. No, I do not.

Q. And do you adopt the Town's responses to those interrogatories numbered 1-4 as your sworn testimony in this proceeding?

A. Yes, I do.

Q. When the Siting Council conducted its field visit to the proposed tower site, it was evident that the Wastewater Treatment Plant was undergoing a major renovations project. Would you please give us some idea of the level of construction on the site?

A. The current construction project at the Cheshire Water Pollution Control Plant is a \$32M, two year construction project. Basically every structure (buildings and tanks) is being modified and upgraded, and 3 new buildings are being constructed on site. Some of the major items being addressed include: construction of a new administration building, phosphorous removal and ultraviolet disinfection building, and new emergency generator/motor control center; all of the major tankage is being gutted and new mechanical systems installed; the two on site digesters have been emptied, covers removed and new mechanicals installed and large diameter covers re-installed; new roofs at virtually all buildings; extensive painting; removal and installation of new boilers; removal of existing chlorination/dechlorination systems; and a host of mechanical, electrical, and chemical piping systems are being installed.

The construction is currently 44% complete, and is expected to be finished by the end of 2015. On any given day there are approximately 50 workers on site, and numerous trades/subcontractors present due to the nature of the work .All of this work needs to be performed while still keeping the plant fully operational, and in full compliance with its NPDES permit. This is extremely challenging for the plant Superintendent, Dennis Dievert, and his staff, as equipment is continually taken

off line and modifications need to be made to insure full treatment of the wastewaters.

Q. That sounds like an extensive project. Are you aware of any complaints from the residents in the area about the ongoing construction?

A. No, I am not aware of any complaints from the residents in the surrounding area or from any Town residents for that matter.

Q. For the record, when was the Cheshire Wastewater Treatment Plant originally constructed and activated?

A. The current plant was initially made operational in 1971, with major modifications completed in 1992, and the nitrification/denitrification building during the last decade.

Q. Did the initial Cheshire Wastewater Treatment Plant predate the construction of many of the homes in the surrounding area?

A. The plant is bordered, albeit at a considerable distance (generally 550 feet to 900 feet), in each direction by residential properties. The closest street is Worden Circle with the nearest residence approximately 350 feet from the plant. Most of the closest streets were constructed after the plant was fully operational. For example, Worden Circle to the southeast was accepted by the Town in 1989 as was Riverside Drive and Quinnipiac Court to the south, and Marks Place to the north; Smith Place to the east in 1992; and Sandstone Circle and Sable Court to the north/northwest in 1993. Residences on Cheshire Street to the east and south; Blacks Road to the north, and Oak Ridge Drive, Vista Terrace, Nob Hill Road and Deer Run Circle predate 1983, and may or may not have been constructed before the plant was built.

Q. Does this conclude your testimony?

A. Yes.

PREFILED TESTIMONY OF JACK CASNER

Q. Please state your name, title, and business address.

A. Jack Casner
Fire Chief/Emergency Management Director
Town of Cheshire
250 Maple Avenue
Cheshire, CT 06410

Q. Please describe your current responsibilities and professional experience.

A. In my capacity as Fire Chief, I am responsible for the Town of Cheshire's overall fire and related emergency services. I have served as Fire Chief since 1987 and have been employed full time since January 2004 with over 27 years' experience in the fire service. I am a member of the International Association of Fire Chiefs, member and past president of the Waterbury Area Fire Chiefs Association, and a member of the Connecticut Career Fire Chiefs Association, New England Fire Chiefs Association, and New York State Fire Chiefs Association and have served on various committees and boards within these organizations. I am currently on the Board of Directors and the President of the New England Association of Fire Chiefs. I was honored to be recently accredited as a Fire Officer by the Commission on Public Safety Excellence, becoming only the third such accredited Fire Officer in the State of Connecticut.

As Fire Chief, I have also been responsible for the Town of Cheshire's Emergency Services Communications.

Q. Have you ever appeared as a witness before any regulatory agency?

A. Other than offering comment as a public official in this proceeding, I have not appeared before any federal or State regulatory agency as a witness.

Q. What has been your involvement in this project?

A. My principal involvement in this project was working with our Town Manager to ensure that the Town's emergency communications needs were addressed in the lease agreement with Homeland Towers.

Q. Please describe generally the Town of Cheshire's emergency communications system as it currently exists.

A. Right now, our emergency services personnel, which include the fire department, the police department and the Department of Public Works, all utilize portable radio communications devices, which connect to local antennas that transmit the radio signals via landline telephone networks to and from our central dispatch center located at 500 Highland Avenue, Cheshire.

Q. Does this current emergency communications system have limitations?

A. The Town's current emergency communications system has significant limitations. The first limitation which directly relates to the proposed tower is that our radio coverage for emergency services in the northeastern portion of Cheshire does not have the reliability that we need to ensure the safety of our residents and our emergency services personnel. For instance, when our firefighters and police officers are utilizing this equipment on the scene of a fire or any other situation in this part of Town, communications are at best sporadic. Over the years, we have had situations occur in northeastern Cheshire, including on I-691, in which our command staff was unable to reach a public safety dispatcher in the middle of an emergency. The second limitation concerns our emergency communications' reliance on landline telephone networks which, as was demonstrated by Storm Sandy and the "Halloween Winter Storm" in 2012, presents problems when utility poles and wires are downed or damaged during major weather events. This limitation can also exist when motor vehicle strikes and damages a utility pole, which often causes downed lines and potential loss of services.

Q. How will the proposed tower address these limitations?

A. Right now, our emergency services antennas for the northeastern portion of Cheshire are located at the Wastewater Treatment Plant and are 30-40 feet above ground level. This low level for the antennas, in my opinion and based on my years of experience, is inadequate to provide adequate and fully reliable emergency services coverage that enables us to protect the residents of Cheshire and to ensure the safety of our emergency services personnel. By attaching our antennas to the highest point on the proposed tower, once it is constructed, we will have significantly improved coverage for our emergency services communications system that will ensure the public safety for our residents, regardless of where they reside in Town.

Q. But you have only addressed the limitations on coverage in your response. What about the second limitation you mentioned?

A. Thank you for allowing me to elaborate on the importance of eliminating our reliance on landline telephone networks. As I stated previously at the Siting Council's hearing on October 9, the Town is planning to transition our emergency services communications system to a point-to-point, microwave communications network. The most readily recognizable benefit to this change in transmission is that we will no longer be solely reliant on landline telephone networks to transmit emergency communications. This will enable us to have a more reliable emergency communications for the Fire Department, Police Department and Public Works personnel, as we will be less likely to be adversely affected by major weather events or by minor motor vehicle incidents involving damaged or downed utility poles.

And this transition is where the height of the tower is critical. Given that the Town's emergency services communications antenna will be at the highest spot on the tower, it is essential given our experience and the analysis of our consultant, Eric Fine, that the tower be no less than 170 feet above the ground. Given the topography of the Town and the ultimate goal of accomplishing our transition to a point-to-point emergency services communications system, the Fire and Police Departments need the tower to be 170 feet in height. Based on my review of the issues raised in this proceeding and the facts set forth in the sworn testimony, including the application, the approval of the application will ensure the benefits to the public safety of the residents of the Town of Cheshire.

Q. Does this conclude your testimony?

A. Yes.

**JOINT PREFILED TESTIMONY OF NEIL DRYFE AND ROBERT VIGNOLA,
CHESHIRE POLICE DEPARTMENT**

Q. Please state your name, title, and business address.

A. Neil Dryfe
Chief of Police
500 Highland Avenue
Cheshire, CT 06410

Robert Vignola
Deputy Chief of Police
500 Highland Avenue
Cheshire, CT 06410

Q. Please describe your current responsibilities and professional experience.

A. Both of our positions involve the supervision, management and tactical direction of the law enforcement officers in the Town of Cheshire.

Mr. Dryfe was appointed Chief of the Cheshire Police Department in January 2011. Prior to joining the Cheshire Police Department, he served twenty-one years with the Hartford Police Department, rising through the ranks from police officer to Assistant Chief. Mr. Dryfe holds a Bachelor's degree from the University of Connecticut and a Master's Degree in Criminal Justice Administration from Western New England University. He is a member of the Connecticut Police Chiefs Association, the International Association of Chiefs of Police, and the Police Executive Research Forum.

Mr. Vignola was appointed Deputy Chief of Police of the Cheshire Police Department in September 2013. He has been employed with the Cheshire Police Department for the past 28 years. Mr. Vignola started his career as a dispatcher and has served in every role of the Cheshire Police Department to his current position. Mr. Vignola attended Mattatuck Community College with a major in Criminal Justice. He is a lifelong Cheshire resident and is a member of Police Association of Connecticut, FBI LEEDEA, South Central Chiefs of Police and the Western Area Police Chiefs Association.

Q. What has been your involvement in this project?

A. Our involvement in this project has been limited to ensuring that the present and future communications needs of the Town of Cheshire are being met by the

design and approvals required to the installation of the proposed tower at the Wastewater Treatment Plant.

Q. Could you be more specific about the interest of the Cheshire Police Department in the proposed tower?

A. The Cheshire Police Department relies heavily on the emergency services communications system that is currently in place in our Town. It is through that system that our central dispatch unit located at 500 Highland Avenue is able to communicate with our police officers and detectives working through the community. Without that emergency services communications system, we would be unable to dispatch police officers to trouble locations or emergency situations and, correspondingly, they would be unable to contact us for other information or to request back-up when needed. The Cheshire Police Department is keenly aware that there are current limitations on the emergency services communications system as it is presently configured. Our coverage in the northeastern portion of Town is quite limited and, as reflected in the testimony of Mr. Fine and Mr. Casner, the proposed tower, once constructed, will greatly enhance our capability to complete emergency services call through our network.

Q. Why is the height of the tower critical to the needs of the Cheshire Police Department?

A. We both are aware of instances where the current low elevation of the emergency services communications facilities on the Cheshire Wastewater Treatment Plant have caused delay in providing essential police services due to problems in RF coverage. We fully support the installation of the tower at the proposed height of 170 feet for two reasons. First, in the near term, the installation of RF antennas at the 170 foot position will enable the police department to ensure a much wider range of radio coverage between our dispatch center and our officers in the field. The current system is, frankly, untenable as it does not adequately protect the public safety our Town's residents and businesses, as well as it places our police officers in situations where they are unable, in certain locations, to call for emergency back-up or other assistance.

Second, in the longer term, the 170 foot tower will enable the Town to transition its emergency services communications system to a point-to-point communications network. As both Mr. Fine and Mr. Casner stated in their testimony, this will enable the Cheshire Police Department, as well as other emergency services personnel, to ensure uninterrupted communications in extreme emergency situations where landline telephone networks are unable to ensure that the critical communications remain uninterrupted by weather conditions or downed utility poles or lines. If we are not located at the 170 foot

level at the tower, it is our understanding based on the Town's communications consultants; we will not be able to make the transition to a point-to-point system.

Q. How would you respond to those who question the need to go to a point-to-point system?

A. Point-to-point is a necessary move for the Town's emergency services communications system. The Police and Fire Department's current radio consoles are aging, and our service provider, Motorola, has advised us that we only have 4 years left of official support for them. The Town will need to replace both of these existing consoles before the official support period ends. The Town is currently in the early planning stages of a Capital Budget Project, which will provide for the replacement, design and implementation of this new Radio System. These radio consoles are mission critical communications equipment that allows us to provide public safety services to the residents of the Town of Cheshire.

Q. What is the recommendation of the Cheshire Police Department to the Connecticut Siting Council?

A. In our respective capacities as Police Chief and Deputy Police Chief, we respectfully urge the Siting Council to approve the tower on the proposed site at the proposed level. While we understand that some residents in the area of the Wastewater Treatment Plant have expressed concerns about the tower aesthetics, the primary concerns we have relate to the emergency services communications needs of the entire Town of Cheshire.

Q. Does this conclude your testimony?

A. Yes it does, thank you.