

1 STATE OF CONNECTICUT
2 CONNECTICUT SITING COUNCIL

3
4 Docket No. 445

5 Application From Homeland Towers, LLC, and
6 New Cingular Wireless PCS, LLC, for a
7 Certificate of Environmental Compatibility
8 and Public Need for the Construction,
9 Maintenance, and Operation of a
10 Telecommunications Facility Located Southwest
11 of the Intersection of Old Stagecoach Road
12 and Aspen Ledges Road, Ridgefield,
13 Connecticut

14
15 Council Meeting held at the Ridgefield
16 Town Hall, Large Conference Room, 400 Main
17 Street, Ridgefield, Connecticut, Thursday,
18 April 24, 2014, beginning at 3:00 p.m.

19
20 H e l d B e f o r e:

21 ROBERT STEIN, Chairperson

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

2 Siting Council Members:

3 JAMES J. MURPHY, JR.

4 Vice Chairperson

5 PHILIP T. ASHTON

6 DR. BARBARA C. BELL

7 ROBERT HANNON, DEEP Designee

8 LARRY LEVESQUE, ESQ., PURA Designee

9 DR. MICHAEL W. KLEMENS

10 DANIEL P. LYNCH, JR.

11

12 Council Staff:

13 MELANIE BACHMAN, ESQ.,

14 Acting Executive Director, Staff

15 Attorney

16 DAVID MARTIN

17 Siting Analyst

18

19 For Homeland Towers and New Cingular

20 Wireless, PCS, LLC:

21 CUDDY & FEDER, LLP

22 445 Hamilton Avenue, 14th floor

23 White Plains, New York 10601

24 By: CHRISTOPHER B. FISHER, ESQ.

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

For the Intervenor Ridgefielders
Against the Cell Tower:

EVANS, FELDMAN & AINSWORTH, LLC
261 Bradley Street
New Haven, Connecticut 06507

By: KEITH R. AINSWORTH, ESQ.

1 THE CHAIRPERSON: Good
2 afternoon, ladies and gentlemen. I'd like to
3 call to order this hearing of the Connecticut
4 Siting Council on Docket 445, today, Thursday
5 April 24, 2014, at approximately 3:05. My
6 name is Robin Stein. I'm Chairman of the
7 Connecticut Siting Council.

8 Other members of the Council
9 present are Senator Murphy, our Vice
10 Chairman; Mr. Hannon, our designee from the
11 Department of Energy and Environmental
12 Protection; Mr. Levesque, designee from the
13 Public Utilities Regulatory Authority;
14 Mr. Ashton, Dr. Klemens, Mr. Lynch, and
15 Dr. Bell. And members of the staff are
16 Attorney Bachman, our executive director; and
17 David Martin, our siting analyst.

18 This hearing is held pursuant
19 to the provisions of Title 16 of the
20 Connecticut General Statutes and of the
21 Uniform Administrative Procedure Act, upon
22 application from Homeland Towers, LLC, and
23 New Cingular Wireless PCS, LLC, for a
24 Certificate of Environmental Compatibility
25 and Public Need for the Construction

1 Maintenance and Operation of a
2 Telecommunication Facility Located Southwest
3 of the Intersection of Old Stagecoach Road
4 and Aspen Ledge Road in Ridgefield,
5 Connecticut. The application was received by
6 the Council on February 21 of 2014.

7 As a reminder to all
8 off-the-record communication with a member of
9 the Council or a member of the council staff
10 upon the merits of the application is
11 prohibited by law.

12 The parties and intervenors to
13 the proceedings are the Applicant, Homeland
14 Towers and New Cingular wireless. Attorney
15 Fisher is their representative.

16 And the intervener
17 Ridgefielders against the Cell Tower.
18 Attorney Ainsworth is their representative.

19 We will proceed in accordance
20 with the prepared agenda, copies of which are
21 available on the table outside. Also
22 available are copies of the Council's
23 Citizens Guide to Siting Council Procedures.

24 At the end of the afternoon
25 session we will recess and resume again at 7

1 p.m. The 7 p.m. hearing will be reserved for
2 the public to make brief oral comments into
3 the record. I wish to note that parties and
4 intervenors, including their representatives
5 and witnesses are not allowed to participate
6 in the public comment session.

7 I also wish to note for those
8 who are here and for the benefits of your
9 friends and neighbors who are unable to join
10 in for the public comment session, that you
11 or they may send written statements to the
12 Council within 30 days of the date hereof and
13 such written statements will be made part of
14 the record. If necessary, party and
15 intervener presentations may continue after
16 the public comment session if time remains.

17 A verbatim transcript will be
18 made of this hearing and deposited with the
19 town clerk's office in Ridgefield for the
20 convenience of the public.

21 We will start with comments by
22 public officials. I understand the Chief of
23 the Ridgefield Police Department is here.
24 Would you like to make a statement, sir?

25 POLICE CHIEF JOHN ROCHE: If I

1 may? I have a copy. My name is Chief John
2 Roche, chief of the Ridgefield Police
3 Department. I have copies of a letter that I
4 had sent to the First Selectman and the board
5 of selectmen regarding the cell tower.
6 There's 15 copies there.

7 On October 25, 2013, a letter
8 sent from me to Rudy Marconi, first
9 selectman, and to the Board of Selectmen,
10 Town of Ridgefield.

11 "Dear First Selectman Marconi
12 and Board of Selectmen: I'm writing this
13 letter in support of the proposed
14 instillation of a cell tower off of Ledges
15 Road. The installation of a cell tower at
16 this location would greatly enhance the
17 Ridgefield Police Department's mobile
18 technological abilities by increasing the
19 signal strength of our mobile environment.

20 "More importantly, the cell
21 tower will give the community of Ridgefield
22 an improved cellular performance in an area
23 of Ridgefield which requires this need. The
24 experiences of three super storms which
25 struck Ridgefield solidified the need of this

1 tower for police/citizen communication in an
2 emergency. And additionally, the proposed
3 Homeland tower would augment the Ridgefield
4 Police Department's existing radio system in
5 planning for future communications of the
6 Ridgefield Police Department.

7 "Thank you."

8 THE CHAIRPERSON: Thank you
9 very much.

10 Is also -- is Chief Tappe here
11 who would like to -- yes, sir?

12 ACTING FIRE CHIEF KEVIN TAPPE:
13 Yes, sir.

14 First of all, ladies and
15 gentlemen, thank you for allowing me to speak
16 this afternoon briefly in support of the
17 proposed cell tower. I've already submitted
18 written documentation for the record, but I
19 would like to emphasize that, if I may?

20 I'd like to echo Chief Roche
21 to a point that we -- that a large area of
22 northern Ridgefield in the area around the
23 proposed tower that has no cell service at
24 all. I think as most people know, cell
25 telephones have become almost a necessity in

1 today's world -- and a very large area where
2 residents have no way of contacting 911 for
3 emergencies if they are not in their home and
4 do not have a regular telephone available.

5 That area includes a high
6 school, a middle school and three elementary
7 schools with limited cell service. It is
8 actually to the point where during athletic
9 activities on the ballfields at the high
10 school the coaches cannot reach us in an
11 emergency if a player is injured. And we
12 have had to provide them with portable radios
13 so that they can call us in the event of an
14 emergency, which has happened numerous times
15 as you can imagine.

16 The other way that the absence
17 or limited cell service affects us is we
18 operate advanced life support paramedic level
19 ambulances. And we need to call the medical
20 director at the Danbury Hospital by cellphone
21 quite often. We also need to transmit
22 electrocardiograms, EKGs through the cell
23 service. And the hospital does not want us
24 to wait any longer. They'd like to get those
25 EKGs transmitted to them within the first few

1 minutes of taking them.

2 Obviously, we cannot transmit
3 those EKGs or contact medical control at the
4 hospital if there's no cell service
5 available, which may delay treatment to some
6 patients. And so, therefore, I'd like to go
7 on the record that the Ridgefield Fire
8 Department supports the proposal for the cell
9 tower on Ledges Road, in the Ledges Road
10 area.

11 Thank you.

12 THE CHAIRPERSON: Thank you.

13 Are there any other public
14 officials that wish to speak at this time?

15 (No response.)

16 THE CHAIRPERSON: I wish to
17 call your attention to the items shown on
18 hearing program marked as Roman numeral I,
19 "D," items one through 56.

20 Does the Applicant or the
21 Intervener have any objection to the items
22 that the Council has administratively
23 noticed?

24 MR. FISHER: No objection.

25 MR. AINSWORTH: No objection.

1 THE CHAIRPERSON: Accordingly,
2 the Council hereby administratively notices
3 these existing documents, statements and
4 comments.

5 Please be advised that after
6 the Applicant verifies the exhibits we will
7 proceed with cross-examination of the
8 Applicant's witness, Mr. Richard Aarons by
9 Attorney Ainsworth, followed by
10 cross-examination of Mr. Aarons by the
11 Council. Mr. Aarons is here only between 3
12 and 5 p.m., which is why we're doing this.

13 once we complete the
14 cross-examination of Mr. Aarons we will then
15 proceed with the regular cross-examination of
16 the remaining witnesses on the Applicant's
17 panel.

18 Attorney Fisher, will you
19 present your witness panel for the purposes
20 of taking the oath?

21 MR. FISHER: Good afternoon,
22 Chairman, members of the Council. Attorney
23 Christopher Fisher on behalf of the
24 Applicants, Homeland Towers and New Cingular
25 Wireless.

1 The witnesses are listed in
2 the hearing program under Item C. We have
3 ten witnesses this afternoon. They're here
4 and if they would stand now and identify
5 themselves the record, and then obviously we
6 can start.

7 SCOTT CHASSE: Scott Chasse,
8 Principal, All-Points Technology Corporation.

9 MICHAEL LIBERTINE: Mike
10 Libertine, vice president, All-Points
11 Technology.

12 JOHN R. WHITCOMB: John
13 Whitcomb, chief engineer, All-Points
14 Technology.

15 DEAN GUSTAFSON: Dean
16 Gustafson, senior wetland scientist,
17 All-Points Technology.

18 HARRY CAREY: Harry Carey,
19 Director, external affairs, AT&T.

20 MANUEL VICENTE: Manny
21 Vicente, president of Homeland Towers.

22 RAYMOND VERGATI: Raymond
23 Vergati, site develop manager with Homeland
24 Towers.

25 DAVID VIVIAN: David Vivian,

1 site acquisitioning.

2 MR. FISHER: And Mr. Aarons is
3 right behind me.

4 RICHARD N. ARRONS: Dick
5 Aarons, acting emergency manager, the Town of
6 Ridgefield.

7 MICHAEL LAWTON: Michael
8 Lawton, RF manager, SAI Communications.

9 H A R R Y C A R E Y,
10 S C O T T C H A S S E,
11 D E A N G U S T A F S O N,
12 M I C H A E L L I B E R T I N E,
13 M I C H A E L L A W T O N,
14 R A Y M O N D V E R G A T I,
15 M A N U E L V I C E N T E,
16 D A V I D V I V I A N,
17 J O H N R. W H I T C O M B,
18 R I C H A R D N. A A R O N S,

19 called as witnesses, being first duly
20 sworn by the Acting Executive Director
21 were examined and testified on their
22 oaths as follows:

23 MR. FISHER: Chairman, listed
24 in the hearing program under the Applicant's
25 information we have one item for administrate

1 notice. It's a copy of select portions of
2 the Ridgefield Board of Selectmen's meeting
3 minutes, and if there's no objection to the
4 Council taking notice of that.

5 THE CHAIRPERSON: Is there
6 objection?

7 MR. AINSWORTH: There actually
8 is, but it's also related to Mr. Aarons'
9 testimony as well.

10 MR. FISHER: Well, maybe we
11 can defer on the administrative notice. What
12 I would like to do then just procedurally to
13 help, if we could get all of the Applicant's
14 information this morning into evidence, then
15 I'll take Mr. Aarons -- when I present his
16 item for verification and the administrative
17 notice we can handle the objection at that
18 time?

19 MR. AINSWORTH: That sounds
20 simple.

21 MR. FISHER: Okay.

22 THE CHAIRPERSON: Okay. We'll
23 continue that way.

24 MR. FISHER: Okay. So for
25 purposes of identification on the hearing

1 program there are items listed under the
2 Applicant's Roman numeral II, "B," 1 through
3 11, and for the moment, excluding Item 8,
4 which is the prefiled testimony of
5 Mr. Aarons. I would ask the Applicant's
6 panel of witnesses, other than Mr. Aarons,
7 did you prepare and assist in the preparation
8 of the documents that have listed in the
9 hearing program?

10 THE WITNESS (Chasse): Scott
11 Chasse, yes.

12 THE WITNESS (Libertine): Mike
13 Libertine, yes.

14 THE WITNESS (Gustafson): Dean
15 Gustafson, yes.

16 THE WITNESS (Lawton): Mike
17 Lawton, yes.

18 THE WITNESS (Whitcomb): John
19 Whitcomb, yes.

20 THE WITNESS (Carey): Harry
21 Carey, yes.

22 THE WITNESS (Vincente):
23 Manuel Vicente, yes.

24 THE WITNESS (Vergati):
25 Raymond Vergati, yes.

1 THE WITNESS (Vivian): David
2 Vivian, yes.

3 MR. FISHER: And in
4 preparation for today's hearing, have you
5 gone back through the documents, and are
6 there any corrections or modifications that
7 you've identified?

8 THE WITNESS (Chasse): Scott
9 Chasse, no, not at this time.

10 THE WITNESS (Libertine): Mike
11 Libertine, no.

12 THE WITNESS (Gustafson): Dean
13 Gustafson, no.

14 THE WITNESS (Lawton): Mike
15 Lawton, yes, I have one. On answer nine in
16 the first set of interrogatories there's a
17 table placed there. And it does refer to 150
18 feet as the centerline. It's actually -- it
19 should be 147 feet.

20 THE WITNESS (Whitcomb): John
21 Whitcomb, no.

22 THE WITNESS (Carey): Harry
23 Carey, no.

24 THE WITNESS (Vincente):
25 Manuel Vicente, no.

1 THE WITNESS (Vergati):

2 Raymond Vergati, no.

3 THE WITNESS (Vivian): David

4 Vivian, no.

5 MR. FISHER: And with those

6 corrections, are they true and accurate to

7 the best of your belief?

8 THE WITNESS (Chasse): Scott

9 Chasse, yes.

10 THE WITNESS (Libertine): Mike

11 Libertine, yes.

12 THE WITNESS (Gustafson): Dean

13 Gustafson, yes.

14 THE WITNESS (Lawton): Mike

15 Lawton -- oh.

16 THE WITNESS (Whitcomb): John

17 Whitcomb, yes.

18 THE WITNESS (Lawton): Mike

19 Lawton, yes.

20 THE WITNESS (Carey): Harry

21 Carey, yes.

22 THE WITNESS (Vincente):

23 Manuel Vicente, yes.

24 THE WITNESS (Vergati):

25 Raymond Vergati, yes.

1 THE WITNESS (Vivian): David
2 Vivian, yes.

3 MR. FISHER: And do you adopt
4 it as your testimony here today?

5 THE WITNESS (Chasse): Scott
6 Chasse, yes.

7 THE WITNESS (Libertine): Mike
8 Libertine, yes.

9 THE WITNESS (Gustafson): Dean
10 Gustafson, yes.

11 THE WITNESS (Whitcomb): John
12 Whitcomb, yes.

13 THE WITNESS (Lawton): Mike
14 Lawton, yes.

15 THE WITNESS (Carey): Harry
16 Carey, yes.

17 THE WITNESS (Vincente):
18 Manuel Vicente, yes.

19 THE WITNESS (Vergati):
20 Raymond Vergati, yes.

21 THE WITNESS (Vivian): David
22 Vivian, yes.

23 MR. FISHER: Chairman, we
24 would ask that these documents be accepted
25 into evidence by the Council.

1 THE CHAIRPERSON: Does the
2 Intervener have any objection?

3 MR. AINSWORTH: To
4 supplemental submissions, I'm a little bit
5 confused. It says, prefiled statement of
6 facts in lieu of direct testimony, dated
7 April 17. This is the first time I've seen
8 something like that. And my understanding of
9 what a statement in lieu of testimony, is
10 that they were filing a statement in lieu of
11 their testimony. And that's inconsistent
12 with what was just stated here today.
13 Typically one identifies witnesses and then
14 says we're going to have them prefile their
15 testimony. That statement seems inconsistent
16 with it.

17 In addition, the statement has
18 no attribution to an individual. So it's
19 difficult for a party to cross-examine a
20 document that you don't know who created it.
21 I mean, all ten of them have adopted all of
22 these items as their testimony, but that,
23 that particular item 10A is just a statement
24 hanging out there.

25 THE CHAIRPERSON: Attorney

1 Fisher, do you want to respond?

2 MR. FISHER: Certainly. As
3 the Council knows, the application materials
4 and the process we get to the point of an
5 application in a hearing are quite
6 voluminous. In order to go through
7 verification we try to make this simple to
8 get the documents into evidence.

9 Individuals prepare various
10 parts of it. The statement that was
11 referenced, it's essentially an amalgamation
12 and the position of the Applicants of what's
13 going to be proffered as part of their
14 evidence in their testimony. It's not in
15 lieu of an individual's direct testimony, and
16 certainly not in lieu of reports, but for
17 purposes of the Applicant it's really
18 information to aid the Council.

19 We really don't have an
20 objection per se. If the Council wants to
21 exclude it as direct testimony, it's offered
22 for assistance in terms of the Applicant's
23 position.

24 SENATOR MURPHY: It's offered
25 for light reading?

1 MR. FISHER: Yes.

2 THE CHAIRPERSON: The Chair
3 would tend to accept that for what it's
4 worth. And if there are specific questions
5 regarding that particular document or
6 statement, whichever witness can best answer
7 that question feel free to do that.

8 So with that, are there any
9 other objections?

10 MR. AINSWORTH: To those, no.

11 THE CHAIRPERSON: Okay.

12 Therefore, the exhibits are admitted.

13 (Exhibits II-B-1 through
14 II-B-11: Admitted into evidence - described
15 in index.)

16 THE CHAIRPERSON: And as I
17 stated earlier, we'll begin with the
18 cross-examination of Mr. Aarons by Attorney
19 Ainsworth. And then we'll have
20 cross-examination by the Council.

21 Thank you.

22 MR. LYNCH: Mr. Ainsworth?

23 MR. AINSWORTH: Yes.

24 MR. LYNCH: Could you speak up
25 a little bit more. Your voice isn't carrying

1 down this end.

2 MR. AINSWORTH: I apologize.
3 I tend to speak low. But -- and I know
4 that's been a problem before.

5 MR. FISHER: We still need to
6 verify Mr. Aaron's direct testimony.

7 THE CHAIRPERSON: Yes, please.

8 MR. FISHER: So Mr. Aarons,
9 some of the questions I've just asked the
10 witness panel I'm just going to ask you with
11 respect to a document that the Council has.
12 It's listed as a hearing item under
13 Applicant's 8. And it's a submission dated
14 April 17th. And I believe it's the
15 memorandum that you provided to Mr. Harry
16 Carey of AT&T.

17 Did you prepare that document
18 that's been so identified which has seven
19 questions? And are those your answers to
20 those questions?

21 THE WITNESS (Aarons): I did
22 prepare the document and they are my answers.
23 Yes, sir.

24 MR. FISHER: And having
25 reviewed that in preparation for your

1 testimony today are there any corrections or
2 modifications?

3 THE WITNESS (Aarons): Only
4 spelling corrections, and I'll submit a
5 corrected copy that makes those corrections.

6 MR. FISHER: And is the
7 document true and accurate, and do you adopt
8 it as your testimony here today?

9 THE WITNESS (Aarons): It is,
10 and I do.

11 MR. FISHER: Chairman, I would
12 ask that Mr. Aarons' memorandum be accepted
13 as his direct testimony.

14 THE CHAIRPERSON: Is there
15 objection?

16 MR. AINSWORTH: There is, and
17 I object to Mr. Aarons' testimony. Okay.
18 Here we go. As you know we prefile our
19 testimony for the purpose of giving everyone
20 notice, including the Council, of what the
21 testimony will be so that one can prepare
22 cross-examination, but it also gives us an
23 idea to, or an opportunity to look at the
24 testimony.

25 In this case, as prefiled and

1 as disclosed by the prefiling deadline, Mr.
2 Aaron's testimony was solely addressed to the
3 placement of nonpublic utility,
4 non-telecommunications equipment. His
5 testimony provides no basis upon which this
6 Council could make a finding in favor or
7 against the current application. Therefore
8 this counsel has no subject matter
9 jurisdiction over this testimony as filed.

10 In there you will find no
11 reference to cellular communications as
12 disclosed. It's only solely about wireless
13 radio communications over which this Council
14 has no jurisdiction. And therefore if the
15 only purpose for which this could be
16 submitted is to bias or prejudice the Council
17 in favor of the testimony for
18 non-jurisdictional reasons, therefore, we
19 object to it.

20 THE CHAIRPERSON: Attorney
21 Fisher, would you care to respond?

22 MR. FISHER: Certainly.

23 This particular project and
24 its history is one where the Applicants have
25 collaborated with the Town. The Town has

1 indicated its interest in sharing
2 infrastructure. That's certainly within the
3 Council's jurisdiction in the publication and
4 the use of infrastructure.

5 And the Council jurisdiction
6 extends over towers, not actually over
7 services. There is a distinction, as the
8 Council knows, that if this was purely a
9 municipal tower facility it would be subject
10 to local controls as opposed to the Council
11 and the cellular components that are really
12 the principal purpose here.

13 But ultimately, as far as the
14 objection is concerned, the testimony of
15 Mr. Aarons relates to the plans that were
16 originally part of the application and
17 actually showed town communications equipment
18 on the tower and in the compound. His
19 testimony goes directly to the Town's need
20 for that infrastructure, and I believe it's
21 really within the Council's jurisdiction, and
22 historically had always accepted that kind of
23 testimony, to understand the public need for
24 the tower.

25 THE CHAIRPERSON: Thank you.

1 With that, the Chair will
2 allow the Witness to testify and overrule the
3 objection.

4 MR. FISHER: And Chairman,
5 there was an objection to the administrative
6 notice. I'm not sure if Counsel wants to
7 continue the objection on the notice.

8 MR. AINSWORTH: It's the same
9 basis, because the item addresses a town
10 meeting at which an emergency planning task
11 force was formulated that was to deal with
12 radio communications, not the cell
13 communities, and therefore, it's outside of
14 the Council's jurisdiction under 1650(g),
15 which states that the purpose of this, the
16 Siting Council is to provide for the
17 balancing of the need for adequate, not
18 optimal, but adequate reliable public utility
19 services.

20 And since their wireless
21 communications, radio communications are not
22 public utility therefore it's inappropriate
23 to consider that, both the testimony and the
24 item.

25 THE CHAIRPERSON: You want to

1 respond any further?

2 (No response.)

3 THE CHAIRPERSON: If not, I'm
4 inclined to allow that for what it's worth
5 and I'd like to continue, and with the
6 cross-examination, and some of these issues
7 may be made more clear through the
8 cross-examination.

9 MR. AINSWORTH: Understood.
10 Thank you, sir.

11 CROSS-EXAMINATION

12 MR. AINSWORTH: All right.
13 Mr. Aarons, you are currently retired, are
14 you not?

15 THE WITNESS (Aarons): I am
16 currently retired as an employee from the
17 McGraw-Hill Publications, however I
18 Ridgefield's acting emergency manager.

19 MR. AINSWORTH: All right. Is
20 that a paid position?

21 THE WITNESS (Aarons): No,
22 it's not.

23 MR. AINSWORTH: And in your --
24 what is your education?

25 THE WITNESS (Aarons): My

1 education? I've got a bachelor's, BS in fire
2 and aircraft accident investigation, a
3 special program through Charter Oak. I've
4 attended postgrad look at Embry-Riddle
5 Aeronautical University. And I've taken many
6 courses in the fire service and emergency
7 management in Coast Guard communications and
8 related fields.

9 MR. AINSWORTH: And for many
10 years, I think for 35 years you were an
11 aviation safety writer and air safety
12 investigator?

13 THE WITNESS (Aarons): And
14 still am. Yes, I still write a monthly
15 column on aircraft accident investigation for
16 an Aviation publication.

17 MR. AINSWORTH: And you hold
18 an amateur radio license?

19 THE WITNESS (Aarons): I do,
20 yes, sir.

21 MR. AINSWORTH: What class?

22 THE WITNESS (Aarons): The
23 highest class.

24 MR. AINSWORTH: Expert?

25 THE WITNESS (Aarons): Expert,

1 yes.

2 MR. AINSWORTH: And when did
3 you take that, that exam for that?

4 THE WITNESS (Aarons): About
5 four years ago, I believe.

6 MR. AINSWORTH: Now are you
7 holding yourself out today as a
8 communications engineer?

9 THE WITNESS (Aarons): No.

10 MR. AINSWORTH: And therefore,
11 is it safe to say that you're not an expert
12 in radiofrequency system design?

13 THE WITNESS (Aarons): That is
14 true.

15 MR. AINSWORTH: Now, and
16 currently you are also a certified instructor
17 in police photography?

18 THE WITNESS (Aarons): I am.

19 MR. AINSWORTH: And now
20 there's an EM, emergency services task force
21 that was formed and are you chair of that?

22 THE WITNESS (Aarons): I am.

23 MR. AINSWORTH: And who is on
24 that task force?

25 THE WITNESS (Aarons): The

1 task force comprises the department heads of
2 our town agencies that use radios, either
3 directly in public safety applications or
4 indirectly. For example, the police and fire
5 and emergency management and fire/police
6 services use radios, radiofrequency
7 communications directly every day in their
8 regular operations. Our parks and rec and
9 highway department use radios, not only for
10 snow clearing, but during emergencies for
11 highway clearing. They get out in front of
12 our emergency response vehicles and clear for
13 us.

14 Also on that board are
15 representatives of the school board. And as
16 you might imagine, in the last year or two,
17 there's been tremendous interest in
18 increasing security and communications with
19 public safety agencies and the schools, and
20 so they've been a part of this discussion as
21 well.

22 MR. AINSWORTH: And that task
23 force has hired a communications consultant?

24 THE WITNESS (Aarons): No,
25 sir. That's not correct.

1 MR. AINSWORTH: I believe
2 there was a -- and in your prefiled testimony
3 you mentioned that there was a group called,
4 I think it's, Utility Communications you've
5 worked with?

6 THE WITNESS (Aarons): Yes,
7 Utility Communications is the company that
8 maintains, repairs and installs our public
9 safety radio equipment here in Ridgefield,
10 and has for many years.

11 MR. AINSWORTH: And are they
12 related to Motorola, or is not a separate
13 organization with regard to --

14 THE WITNESS (Aarons): They're
15 a separate organization. Utility
16 Communications installs many product lines,
17 or at least that's my understanding. And one
18 of them is Motorola.

19 MR. AINSWORTH: Okay. And the
20 task force brought Motorola and Utility
21 Communications on because they needed their
22 expertise to provide them with information
23 about radio coverage?

24 THE WITNESS (Aarons): That's
25 correct.

1 MR. AINSWORTH: And the task
2 force had not brought the radio consultants
3 here to testify regarding their
4 investigations or findings. Have they not?

5 THE WITNESS (Aarons): That's
6 correct.

7 MR. AINSWORTH: And the reason
8 why the task force brought those companies on
9 is because you needed their expertise to
10 assist your work?

11 THE WITNESS (Aarons): That's
12 correct.

13 MR. AINSWORTH: So your
14 testimony here is based, at least in part, on
15 your understanding of what the consultants
16 told you. Is that also true?

17 THE WITNESS (Aarons): My
18 testimony here today is based on my
19 understanding of the Town's communication
20 needs and what the consultant told us would
21 be the most appropriate way to meet those
22 needs based on our current communications
23 infrastructure and our anticipated future
24 needs. That's correct.

25 MR. AINSWORTH: Right. And so

1 you yourself haven't performed any --
2 independently performed any radiofrequency
3 studies to determine what Ridgefield's EMS
4 needs are or how they could be met?

5 THE WITNESS (Aarons): I have
6 accompanied the engineers to the various
7 sites that we've looked at, both those that
8 are part of the report and those that were
9 discarded as potential sites, and provided
10 them some information that they use in their
11 computer-based propagation studies.

12 MR. AINSWORTH: So the answer
13 would be, no, you actually did not conduct
14 those studies?

15 THE WITNESS (Aarons): I did
16 not conduct the computer-based propagation
17 studies, that's correct.

18 MR. AINSWORTH: And I suppose
19 you're not qualified to do so. Correct?

20 THE WITNESS (Aarons): Say
21 that again, please? I'm not hearing you.

22 MR. AINSWORTH: And that is
23 because you are not qualified to conduct such
24 studies?

25 THE WITNESS (Aarons): That's

1 correct, yes.

2 MR. AINSWORTH: Now the task
3 force has received reports and coverage plots
4 from either Utility Communications or
5 Motorola. Is that true?

6 THE WITNESS (Aarons): It has.

7 MR. AINSWORTH: And those
8 coverage plots are not available for
9 cross-examination. Are they?

10 THE WITNESS (Aarons): I don't
11 understand the question. You have not
12 requested that I'd make them available. I'm
13 sure that if you requested through proper
14 channels, that they can be made available.
15 Yes, sir.

16 MR. AINSWORTH: Perhaps I
17 should rephrase that question. You didn't
18 file them with your prefiled testimony. Did
19 you?

20 THE WITNESS (Aarons): No,
21 sir. I did not.

22 MR. AINSWORTH: Now, does the
23 EMS communications task force in Ridgefield
24 have a written plan for meeting its
25 communication needs?

1 THE WITNESS (Aarons): I'm
2 sorry. Would you repeat the question?

3 MR. AINSWORTH: Does your task
4 force have a written plan for meeting the
5 written radiofrequency communications needs?

6 THE WITNESS (Aarons): Yes, it
7 does.

8 MR. AINSWORTH: And when was
9 that written?

10 THE WITNESS (Aarons): That
11 was completed, I believe, in October of this
12 year -- I'm sorry, October of last year.

13 MR. AINSWORTH: Of 2013?

14 THE WITNESS (Aarons): Of
15 2013.

16 MR. AINSWORTH: And did that
17 report need to be approved by the board of
18 selectmen?

19 THE WITNESS (Aarons): Yes it
20 does.

21 MR. AINSWORTH: And so has it
22 been approved by it?

23 THE WITNESS (Aarons): No,
24 sir.

25 MR. AINSWORTH: Excuse me.

1 Yes or no?

2 THE WITNESS (Aarons): No,
3 sir.

4 MR. AINSWORTH: Does that plan
5 include a budget for communications
6 equipment?

7 THE WITNESS (Aarons): Yes, it
8 does.

9 MR. AINSWORTH: And that
10 budget would be need to be voted on and
11 approved by the Town of Ridgefield's Board of
12 Selectmen and Board of Finance. Would it
13 not?

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

16 MR. AINSWORTH: And have
17 either of those votes taken place?

18 THE WITNESS (Aarons): I'm
19 sorry?

20 MR. AINSWORTH: And have
21 either of those votes taken place?

22 THE WITNESS (Aarons): No,
23 sir.

24 MR. AINSWORTH: And the number
25 that's in that budget is somewhere around

1 \$4 million. Is that correct?

2 THE WITNESS (Aarons): That's
3 correct.

4 MR. AINSWORTH: That would
5 also need to be voted on by a town meeting at
6 some point. Correct?

7 THE WITNESS (Aarons): It
8 would.

9 MR. AINSWORTH: And that vote
10 has also not taken place?

11 THE WITNESS (Aarons): That's
12 correct.

13 MR. AINSWORTH: Now will the
14 proposed site that's the subject of this
15 proceeding meet all the town's EMS coverage
16 needs from that one facility?

17 THE WITNESS (Aarons): When we
18 talk about EMS, I'd like to make sure that
19 for the record that we understand what we're
20 talking about. EMS typically refers to
21 emergency medical services. What the
22 committees mean is the public safety
23 communications task force.

24 And if your question is, will
25 that tower, is that tower a key part of the

1 plan to provide upgraded public safety
2 communications? The answer to that question
3 is, absolutely. Yes, sir.

4 MR. AINSWORTH: Okay. And
5 when I say --

6 THE WITNESS (Aarons): EMS
7 only refers to the emergency medical services
8 branch, which is why I brought that up.

9 MR. AINSWORTH: Actually, and
10 probably we had a miscommunication there. I
11 understand EMS to be emergency management
12 services, but anyway. So I'll try to use the
13 public safety communications.

14 THE WITNESS (Aarons): Good.

15 MR. AINSWORTH: So just to
16 clarify, because I'm not sure the answer
17 really addressed the particular question I
18 asked, which is, will the site complete the
19 locational needs for public safety
20 communications for Ridgefield? Or will your
21 task force need to locate on other locations?

22 THE WITNESS (Aarons): May I
23 explore that with you for a moment?

24 MR. AINSWORTH: Well --

25 THE WITNESS (Aarons): I don't

1 think I can answer yes or no to that
2 question.

3 MR. AINSWORTH: Okay. Let me
4 see if I can maybe break it down then. If
5 the public safety communications antennas
6 that are proposed for this location, I think
7 there's two whips. Am I right?

8 THE WITNESS (Aarons): There
9 are two whips and one dish. Yes, sir.

10 MR. AINSWORTH: Okay. If
11 those items of equipment are installed on
12 this particular pole, should it be built, do
13 you anticipate having to locate additional
14 antennas or equipment at other locations that
15 are not currently invested to meet your task
16 force's communications plan?

17 THE WITNESS (Aarons): I can't
18 answer the question the way you phrased it.
19 I'd like to respond to it, though, if I may?

20 MR. AINSWORTH: Well, I'll
21 continue on then.

22 THE WITNESS (Aarons): And try
23 to keep it responsive.

24 MR. AINSWORTH: We'll perhaps
25 get there.

1 THE WITNESS (Aarons): Okay.

2 MR. AINSWORTH: Let me ask it
3 this way. If this tower that's the subject
4 of this proceeding is not built are there
5 other locations where the emergency -- excuse
6 me, where the public safety communications
7 plan has identified for alternatives to
8 locate public safety communications
9 facilities?

10 THE WITNESS (Aarons): Not as
11 the plan exists. No, sir.

12 MR. AINSWORTH: And you said,
13 not as the plan exists. Does that mean that
14 the plan could be modified to take that into
15 account should the Council deny the tower?

16 THE WITNESS (Aarons): If the
17 Council denies the tower we would have to put
18 up two sets to replace the one set.

19 MR. AINSWORTH: Yes, and I
20 noticed actually that in the answer to
21 question seven, how does the height of the
22 tower and relative terrain in the area relate
23 to the Town's proposed communications
24 coverage? And you said, if we cannot use
25 that site we will have to build two antenna

1 sites in the area?

2 THE WITNESS (Aarons): That's
3 correct.

4 MR. AINSWORTH: And I noticed
5 you capitalize the word, "two." You put
6 t-w-o all in capitals?

7 THE WITNESS (Aarons): I did,
8 yes.

9 MR. AINSWORTH: And what was
10 the reason for that?

11 THE WITNESS (Aarons): The
12 reason for that was because of the expense
13 side. One of the things we were trying to
14 do, because as you pointed out earlier, this
15 is a 4.1-million-dollar project right now and
16 for a town our size that's an awful lot of
17 money.

18 So we're trying to economize
19 where we can by using existing sites to put
20 our antenna array. It takes an array of
21 antennas to make this system work for
22 technical reasons that I can discuss if you
23 wish.

24 MR. AINSWORTH: Are any of the
25 existing communications facilities that you

1 utilize in town 161 feet tall?

2 THE WITNESS (Aarons): I can't
3 answer that. I don't know. You're talking
4 about above ground level?

5 MR. AINSWORTH: Above ground
6 level as opposed to above sea level?

7 THE WITNESS (Aarons): Yeah.
8 I don't believe so, but I can't answer that.

9 MR. AINSWORTH: Do you have
10 any expert opinion with regard to whether or
11 not this particular tower will meet the
12 public need for wireless telephone services?

13 THE WITNESS (Aarons): No
14 expert opinion. No, sir.

15 MR. AINSWORTH: The Town of
16 Ridgefield, if the tower is built will it be
17 locating a generator to accompany its
18 equipment?

19 THE WITNESS (Aarons): Yes, it
20 will.

21 MR. AINSWORTH: And what would
22 be the power source for that generator?

23 THE WITNESS (Aarons): Propane.

24 MR. AINSWORTH: And what
25 amount of propane would be available to run

1 the generator?

2 THE WITNESS (Aarons): I want
3 say it's 300 gallons. Do I have permission
4 check my notes?

5 MR. AINSWORTH: If -- yes, if
6 you have notes, that's fine.

7 THE WITNESS (Aarons): I may
8 have the answer for you.

9 MR. AINSWORTH: Certainly.

10 THE WITNESS (Aarons): No. I
11 do not have -- I don't have the capacity. I
12 can get it for the record if you want it.

13 MR. AINSWORTH: Okay. Well,
14 perhaps do you know how long, whatever the
15 capacity is, do you know how long that
16 generator is designed to run on that?

17 THE WITNESS (Aarons):
18 Seventy-two hours on the fill,
19 yes, sir.

20 72, minimum.

21 MR. AINSWORTH: Do you recall
22 writing to the selectmen in the Town of
23 Ridgefield in the summer of 2012 stating that
24 the three reasons for the upgrade to the
25 communications systems were, one, an aging

1 Ridgefield two-way radio infrastructure with
2 outdated technologies?

3 THE WITNESS (Aarons): I did
4 say that. Yes, sir.

5 MR. AINSWORTH: And the second
6 one that you mentioned was lack of tactical
7 interoperability among public safety and
8 response agencies?

9 THE WITNESS (Aarons): Yes,
10 sir.

11 MR. AINSWORTH: And that
12 another reason you gave was that industry is
13 moving away from the VHF low band?

14 THE WITNESS (Aarons): Yes,
15 sir. I did.

16 MR. AINSWORTH: And you also
17 mentioned that there was an FCC reallocation
18 of segments of the RF spectrum?

19 THE WITNESS (Aarons): Yes,
20 sir. There is -- have been.

21 MR. AINSWORTH: And I believe
22 in your prefiled testimony that's in that tab
23 2, you mentioned that -- that I believe you
24 mentioned that the Town is somewhat late in
25 the -- that I think you said, Ridgefield is

1 late in updating it's public safety
2 communications?

3 THE WITNESS (Aarons): Yes,
4 sir. I did say that.

5 MR. AINSWORTH: And would it
6 be fair to say that the communications crisis
7 or need and the technology constraints are
8 the result of a lack of timing/planning by
9 the public safety officials, or those
10 responsible for public safety in the Town of
11 Ridgefield?

12 THE WITNESS (Aarons): No,
13 sir. I -- I would not say that.

14 MR. AINSWORTH: How old is
15 some of the technology that your public
16 safety communications uses?

17 THE WITNESS (Aarons):
18 Twenty-five years at least.

19 MR. AINSWORTH: And in the
20 last 25 years have you made attempts to
21 upgrade that communications equipment so that
22 it meets the needs of the public safety?

23 THE WITNESS (Aarons): Yes, we
24 have. And, in fact, therein lies our
25 interoperability problem.

1 MR. AINSWORTH: So when you
2 say that Ridgefield is late in the process of
3 upgrading its system, what did you mean by
4 that?

5 THE WITNESS (Aarons): I mean
6 that the general movement in public safety in
7 the State of Connecticut is toward VHF high
8 band equipment.

9 Right now we operate on VHF
10 low band for fire dispatch. For example, and
11 because of frequency availability our
12 fire/police operate on VHF high, and our
13 technical fire ground frequencies are in the
14 UHF band. So we're trying to patch together
15 tactical communications across three bands.

16 As you're familiar with the
17 state tactical interoperability channel
18 system, we not only don't have low band on
19 that system, but the State refuses to allow
20 us even at our own expense to put low band on
21 the stocks boxes. And therefore when we look
22 at challenges of mutual aid, for example, in
23 water supply, or when we look at a simple
24 requirement like responding apparatus, in the
25 dispatch hearing, what's going on, on the

1 fire ground, we can't do that today.

2 Our interoperability has
3 been -- or our -- our use of the multiple
4 bands has been in response, Counselor, to
5 your earlier question, what have we done
6 across the years when a little money became
7 available here or there? The predecessors to
8 Chief Tappe and Chief Roche would do what
9 they can and could within the constraint of
10 the budgets, but unfortunately it led to a --
11 kind of a Rube Goldberg system of
12 communications.

13 MR. AINSWORTH: Right. So the
14 only thing that prevented Ridgefield from
15 making a better coordinated system
16 technologically was an unwillingness to
17 allocate sufficient funds to do so?

18 THE WITNESS (Aarons):
19 Generally I would say that
20 they had other priorities.

21 MR. AINSWORTH: In your
22 prefiled testimony on tab 2, page 2, you said
23 there were three redundant locations from
24 which the entire system could be controlled?

25 THE WITNESS (Aarons): In the

1 plan system, yes, sir.

2 MR. AINSWORTH: Oh, in the --
3 that's not as currently configured?

4 THE WITNESS (Aarons): No,
5 sir, not as configured. And again, that's
6 one of our challenges.

7 MR. AINSWORTH: Okay. How
8 many locations from which the entire system
9 can be controlled currently?

10 THE WITNESS (Aarons): Today?

11 MR. AINSWORTH: Yes, correct.

12 THE WITNESS (Aarons): None.

13 MR. AINSWORTH: Okay. If this
14 particular facility is built how many
15 locations will you have from which the system
16 can be controlled?

17 THE WITNESS (Aarons): Would
18 you please repeat the question?

19 MR. AINSWORTH: I was unclear,
20 and that's fair. If this facilities is
21 built, this tower that's in this proceeding
22 is built, how many locate -- will that
23 location be able to control the entire
24 system?

25 THE WITNESS (Aarons): No,

1 sir. The antennas that we're putting on the
2 tower are an integral part of an antenna
3 array that will be used to link the entire
4 system together. To make the whole system
5 work we -- we actually create consoles at
6 three different locations.

7 MR. AINSWORTH: And those
8 three different locations would be at what --

9 THE WITNESS (Aarons): Fire,
10 police and emergency management, and the EOC.

11 MR. AINSWORTH: At those
12 headquarters?

13 THE WITNESS (Aarons): At
14 those three headquarters. Yes, that's
15 correct.

16 MR. AINSWORTH: Are they in
17 different locations?

18 THE WITNESS (Aarons): Yes,
19 they are.

20 MR. AINSWORTH: Is there
21 currently a standard for public safety
22 communications that the task force is trying
23 to comply with?

24 THE WITNESS (Aarons): Yes,
25 there is a standard.

1 MR. AINSWORTH: Okay. And who
2 publishes that?

3 THE WITNESS (Aarons): The P25
4 standard.

5 MR. AINSWORTH: Okay. That's
6 the lead --

7 THE WITNESS (Aarons): That's
8 the APCO standard, the P25 standard which is
9 a new standard for digital communications
10 moving forward.

11 MR. AINSWORTH: Okay. And who
12 publishes that?

13 THE WITNESS (Aarons): APCO.

14 MR. AINSWORTH: And what does
15 APCO stand for?

16 THE WITNESS (Aarons): APCO,
17 maybe Chief Roche, if he's here, can help me
18 with it. It's the Association of -- or
19 gentlemen, the Association for Public
20 Communications Operators, I believe. It --
21 it's sort of the SAE, if you will, of public
22 safety communications.

23 MR. AINSWORTH: Okay. Is that
24 a public entity or a private entity?

25 THE WITNESS (Aarons): It's an

1 industry quasi-public operation, again much
2 like the Society of Automotive Engineers is.

3 MR. AINSWORTH: So it doesn't
4 have a --

5 THE WITNESS (Aarons): It's a
6 standard-setting group, I think is probably
7 the best way to describe it.

8 MR. AINSWORTH: But it doesn't
9 have the force of law or regulation?

10 THE WITNESS (Aarons): No, it
11 doesn't. It has the agreement of the
12 participants to do technically compliant
13 equipment for purposes of interoperability
14 and system growth -- system growth.

15 MR. AINSWORTH: But the point
16 is that it's voluntary. Is it not?

17 THE WITNESS (Aarons): Kind of
18 difficult to buy radios today for public
19 safety communications that if you're starting
20 with a new system that are not P25 compliant.
21 It would be like buying an airplane that
22 isn't quite FAA compliant to the latest parts
23 specification.

24 MR. AINSWORTH: I might take
25 issue with you there, because the FAA, in

1 your understanding, does -- you're actually
2 an aviation safety person --

3 THE WITNESS (Aarons): I am.

4 MR. AINSWORTH: -- so you
5 might have knowledge of that, but the FAA
6 actually has regulatory control over
7 aircraft?

8 THE WITNESS (Aarons): Yes,
9 they do. But they do have several parts,
10 that is Part 25 for transport category
11 airplanes, Part 23 for airplanes that are
12 less than 12,500 pounds.

13 So if you were starting an
14 airline you would want a part 25 airplane
15 rather than trying to get exemptions to
16 operate with a lower certified airplane. And
17 it was kind of that allusion I was making,
18 perhaps clumsily, but that was the concept.

19 MR. AINSWORTH: No, no, sure.
20 But the FAA actually has regulatory control
21 and they can actually --

22 THE WITNESS (Aarons): It does
23 indeed.

24 MR. AINSWORTH: They can
25 enforce that. But APCO can't actually force

1 you to comply?

2 THE WITNESS (Aarons): No,
3 they can't. No, they can't force us to
4 comply. That's correct.

5 MR. AINSWORTH: Has your task
6 force taken into account environmental or
7 scenic impacts in its plans?

8 THE WITNESS (Aarons): Would
9 you ask that question again, please?

10 MR. AINSWORTH: Certainly.
11 Has your task force for public safety
12 communications taken into account
13 environmental or scenic impacts that may stem
14 from its rollout of its plans?

15 THE WITNESS (Aarons): Yes, we
16 have. Early on in the project we traveled
17 through the community, did some photography.
18 We tried to look at what was available in
19 terms of antennas, but more specifically the
20 impact of our public safety antennas.

21 And frankly, the impact of our
22 public safety antennas is very small. We're
23 talking about monopole antennas that might be
24 12 feet high that look like a whip on an
25 automobile, and on some of the sites a

1 four-point dish, where we don't add to the
2 visual impact, good or bad of the site,
3 really.

4 MR. AINSWORTH: And in fact,
5 the whips that you use are, let's say --

6 THE WITNESS (Aarons): Not
7 even -- even smaller than that. Maybe --

8 MR. AINSWORTH: Smaller than
9 three inches in diameter?

10 THE WITNESS (Aarons): Yes,
11 they are. Yes.

12 MR. AINSWORTH: And so -- and
13 they're less than 15 feet tall?

14 THE WITNESS (Aarons): Oh,
15 yes.

16 MR. AINSWORTH: Okay. So
17 there, probably just doing the simple math of
18 about a third of a foot, if you give it even
19 3 inches and 15 feet, that would be 6 square
20 feet. And if you have two of them on this,
21 on this tower, that's 12 square feet of
22 visual mass. Would that be fair to say?

23 THE WITNESS (Aarons): I
24 suppose so. About 12 fair square feet and 1
25 block is a heck of a lot different than 12

1 square feet than something -- feet that's
2 three inches tall.

3 MR. AINSWORTH: Sure.

4 THE WITNESS (Aarons): I mean,
5 I almost think of looking on top of the
6 building at a -- at a lightning rod. When
7 you -- we're talking about that kind of
8 visual impact on top of a tower.

9 MR. AINSWORTH: Right. And so
10 the public safety communications antennas are
11 much less massive than the sole --

12 THE WITNESS (Aarons):
13 Absolutely, yes.

14 MR. AINSWORTH: But in
15 promoting this particular -- and actually,
16 let me clarify. It is your position that you
17 are in favor of the construction of this
18 particular facility that's the subject of
19 this proceeding?

20 THE WITNESS (Aarons): Yes,
21 sir, it is.

22 MR. AINSWORTH: And so are you
23 aware that there are 12 panel antennas for
24 potentially five carriers?

25 THE WITNESS (Aarons): I am.

1 MR. AINSWORTH: And that's
2 potentially 60 panel antennas that are
3 96 inches high by 12 inches wide, 7 inches
4 deep. So, you know, they're eight feet by
5 one foot?

6 THE WITNESS (Aarons): I'm
7 aware of that, yes, sir.

8 MR. AINSWORTH: And that
9 would -- if you run the numbers out 8 feet, 8
10 square feet times 12 is 96 square feet. And
11 then run the numbers all the way through all
12 five carriers, that's 480 square feet of
13 visual mass on that tower.

14 THE WITNESS (Aarons): Is
15 there a question there, sir?

16 MR. AINSWORTH: Yes. Were you
17 aware of the visual mass that you are
18 promoting in this particular neighborhood by
19 supporting this tower?

20 THE WITNESS (Aarons): Yes, I
21 am. Do you want my personal opinion of that?
22 I'm aware of the mass. I'm also aware that
23 towers have become so ubiquitous in the tops
24 of hills that I don't think we see them much
25 anymore.

1 MR. AINSWORTH: Have you stood
2 at the ledge that oversees this site looking
3 out toward the ridges in the distance?

4 THE WITNESS (Aarons): I have,
5 yes.

6 MR. AINSWORTH: And when you
7 look for about 180 degrees do you see any
8 cell towers on any of those ridges?

9 THE WITNESS (Aarons): No, I
10 don't.

11 MR. AINSWORTH: So this, in
12 fact, would be one of the only structures in
13 that view shed. Correct?

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

16 MR. AINSWORTH: And that's, of
17 course, one of the reasons why it's being
18 promoted, because it's one of the only
19 structures, radio structures in there?

20 THE WITNESS (Aarons): Yes,
21 that's true.

22 MR. AINSWORTH: Forgive me.
23 I'm jumping around. So, bear with me while I
24 just make sure I've covered all my bases
25 here. I may be -- they have a seriously

1 sensitive microphone.

2 I have no further questions.
3 Thank you.

4 THE CHAIRPERSON: Thank you.
5 We'll now proceed with cross-examination.

6 Mr. Martin, please.

7 CROSS-EXAMINATION

8 MR. MARTIN: Thank you,
9 Mr. Chairman.

10 Mr. Aarons, could you explain
11 a little bit more of what the P25 standard
12 is?

13 THE WITNESS (Aarons): Yes.
14 The P25 is a standard that several
15 manufacturers of public safety radio
16 equipment have agreed to in order to assure
17 on the electronic end of the business
18 compatibility to solve some of the
19 interoperability problems that emerged in
20 lessons learned from 911.

21 MR. MARTIN: Is the town
22 system -- does the town system, as it is
23 currently constituted, comply with the P25
24 standard?

25 THE WITNESS (Aarons): No,

1 sir. It doesn't.

2 MR. MARTIN: Okay. But it
3 would once you --

4 THE WITNESS (Aarons):
5 Absolutely. Yes, sir.

6 MR. MARTIN: -- put it up
7 there. Okay.

8 And would your envisioned
9 upgrade allow the, to sort of get over the
10 interoperability problems you're having
11 between the different departments?

12 THE WITNESS (Aarons): Yes, it
13 would.

14 MR. MARTIN: How about with
15 other adjacent towns?

16 THE WITNESS (Aarons): It
17 would help with other adjacent towns.
18 There's still some communities in New York
19 State that are operating low band and we have
20 to deal with them differently. But it would
21 solve some critical problems that we have
22 here locally, absolutely.

23 MR. MARTIN: And in your
24 prefiled testimony you stated that no
25 practical alternative to this proposed site

1 had been identified. Is there someone on the
2 Town's behalf who has been investigating
3 possible tower sites?

4 THE WITNESS (Aarons): I'm
5 sorry. Would you repeat that question,
6 please?

7 MR. MARTIN: Do have a
8 consultant or somebody who was looking for
9 sites who are -- that might be advantageous
10 to situate the Town's upgraded tower radios?

11 THE WITNESS (Aarons): Yes.
12 When Motorola did the propagation studies
13 they -- they ran dozens and dozens based on
14 every high spot in town, and not only looking
15 at existing sites, planned sites, but on,
16 gee, there's a hilltop. Let's see what would
17 happen if somebody built a tower there.

18 And the array that they've
19 come up with is the one that gives us
20 95 percent on-the-hip coverage 10 DB down in
21 buildings throughout the town. Our
22 challenge, as you might imagine in today's
23 frequency congestion, is to keep our signal
24 in town, yet cover 100 percent of the town.

25 And gosh, if we were in Kansas

1 I think we'd probably run up a 1500-foot
2 tower and go home. In Ridgefield, we have to
3 put several antenna locations around, link
4 them with, in some cases, with microwave and
5 simulcast and keep that signal within our
6 borders, but crisp to the border. So that
7 requires the antenna in the complicated
8 propagation study.

9 MR. MARTIN: Did Motorola look
10 at this particular site?

11 THE WITNESS (Aarons): Oh, yes
12 it did. Absolutely.

13 MR. MARTIN: And what was its
14 conclusion about the site?

15 THE WITNESS (Aarons): It's
16 the key to our program, because if you look
17 at it on a map it's right smack in the center
18 of the -- of the town geographically. And if
19 we think of radiofrequency energy like light
20 from the top of that hill we can shine down
21 into the valleys that right now are giving us
22 big propagation problems, Bennetts Road, all
23 the schools in the area, the athletic fields.
24 And it gives us that coverage on either side
25 of the ridge and it's a high point that

1 enables us to get microwave link from one of
2 our other antenna sites.

3 MR. MARTIN: Okay. So it
4 allows you to kind of go across the ridge,
5 essentially across the ridge?

6 THE WITNESS (Aarons): It
7 does. It does. It actually lights up two
8 valleys for us a big chunk of the northwest
9 part of the town.

10 MR. MARTIN: Okay. And would
11 your upgraded radio system be compatible with
12 the FirstNet system?

13 THE WITNESS (Aarons): Yes it
14 would.

15 MR. MARTIN: How about the
16 State's? I understand the State is trying to
17 establish a statewide public safety network.

18 THE WITNESS (Aarons): Yes, it
19 is.

20 MR. MARTIN: And would your
21 radio system be compatible?

22 THE WITNESS (Aarons):
23 Absolutely. It's compatible with all of
24 that.

25 MR. MARTIN: Those are my

1 questions, Mr. Chairman.

2 THE CHAIRPERSON: Thank you.

3 We'll now continue with the
4 Council. Senator Murphy.

5 SENATOR MURPHY: Thank you,
6 Mr. Chairman.

7 You had indicated that the
8 task force working with the engineers from
9 the Utility Communications and Motorola, they
10 provided you with studies on propagation?

11 THE WITNESS (Aarons): They
12 did. Yes, sir.

13 SENATOR MURPHY: And I take it
14 that based upon your background and what have
15 you, you feel capable of understanding those
16 studies and those propagations?

17 THE WITNESS (Aarons): Yes,
18 sir. I do.

19 SENATOR MURPHY: You indicate
20 that if there's a follow-through that there's
21 95 percent of hip coverage?

22 THE WITNESS (Aarons): Yes,
23 sir.

24 SENATOR MURPHY: What's hip
25 coverage?

1 THE WITNESS (Aarons): If you
2 picture a police officer with all the gear he
3 or she is carrying, typically you've got a
4 radio and its antenna hanging on a utility
5 belt and you've got a microphone up here on
6 the collar. And that's even true to some
7 extent on our EMS responders, our medical
8 responders.

9 So if I'm a police officer
10 chasing a bad guy around the back of a house
11 in Ridgebury, or if I'm an EMS paramedic
12 working on somebody who's down on their
13 living room floor in Ridgebury, I want to be
14 able to reach up and push the button and talk
15 to dispatch or talk to my colleagues and say,
16 I need help here, or I need this or that
17 here.

18 So what we need in terms of
19 coverage is a system that guarantees us --
20 and 95 percent is the technical term, but
21 most of the time the probability is we'll be
22 able to make communications to dispatch or to
23 our other tactical partners from a position
24 inside a home anywhere in Ridgefield, or from
25 inside a vehicle anywhere in Ridgefield.

1 That's the challenge and that's what that
2 refers to.

3 SENATOR MURPHY: So basically
4 on-hip that means just about anyplace.

5 THE WITNESS (Aarons): I'm
6 sorry, sir?

7 SENATOR MURPHY: It means just
8 about any place in Ridgefield?

9 THE WITNESS (Aarons): Exactly.

10 SENATOR MURPHY: And if this
11 tower is approved and the Town goes forward
12 with its plan, as this \$4 million plan
13 envisions, do you achieve the 95 percent with
14 just this tower, or will it take more than
15 that?

16 THE WITNESS (Aarons): No,
17 sir. This tower is an integral part of an
18 array of antenna sites, some of which exist,
19 some we have to improve.

20 SENATOR MURPHY: So I take it
21 from your answer it's not 95 percent with
22 this tower, should it ever come online with
23 you --

24 THE WITNESS (Aarons): If this
25 tower doesn't come up we cannot put together

1 the system as it's currently designed.

2 SENATOR MURPHY: Well, the
3 question still is, assuming the tower is
4 approved, you would go on it?

5 THE WITNESS (Aarons): Right.

6 SENATOR MURPHY: Once you're
7 on it, absent anything else, what percentage
8 of your on-hip do you have in Ridgefield, if
9 you know?

10 THE WITNESS (Aarons): I'm not
11 sure I understand your question. If this
12 tower is approved --

13 SENATOR MURPHY: Well,
14 you're -- as I understand it, you're saying
15 to me that if this tower is approved and you
16 go on it with the project, as envisioned by
17 the Town, ultimately you can achieve 95
18 percent, but you have to make other
19 improvements in order to accomplish the
20 95 percent?

21 THE WITNESS (Aarons): Yes,
22 sir.

23 SENATOR MURPHY: I'm asking
24 you, without making those other improvements
25 what percentage do you reach, if you know?

1 THE WITNESS (Aarons): Oh,
2 it's very difficult to say that.

3 SENATOR MURPHY: I imagine it
4 is.

5 THE WITNESS (Aarons): Almost
6 impossible with the propagation studies.
7 There are some places right now where it's
8 0 percent. We know we can't do anything.

9 SENATOR MURPHY: This is where
10 you have to do something someplace else. I
11 understand.

12 THE WITNESS (Aarons):
13 Exactly. There are some places that it's
14 95 percent or better with the new system.
15 With our existing system, in some places
16 we're not communicating at all. If I could
17 give you just one example it might help
18 understand our challenge. Our fire/police
19 officers --

20 SENATOR MURPHY: It's not the
21 challenge I'm looking for. I'm looking to
22 find out how far towards the 95 percent does
23 this tower do it for you?

24 THE WITNESS (Aarons): This
25 tower and the other improvements that were

1 talked --

2 SENATOR MURPHY: Without the
3 other improvements. That's --

4 THE WITNESS (Aarons): Okay.
5 In that case, sir, I'm afraid I can't answer
6 your question.

7 SENATOR MURPHY: Okay. That's
8 fair enough. That's fair. Okay. I have no
9 further questions, Mr. Chairman.

10 THE CHAIRPERSON: Mr. Ashton.

11 MR. ASHTON: Senator Murphy
12 has covered much of the territory I wanted
13 to. I'm going to ask you one or two more.
14 The standard-setting group which is a
15 nongovernmental entity, but private entities.

16 THE WITNESS (Aarons): Yes,
17 sir.

18 MR. ASHTON: Is that similar
19 to things like NEMA, the Underwriters Labs,
20 that type of stuff?

21 THE WITNESS (Aarons): A
22 little different from Underwriters Labs.

23 MR. ASHTON: Covering
24 different areas. I understand.

25 THE WITNESS (Aarons): I think

1 I used the example of SAE.

2 MR. ASHTON: SAE. SAE is the
3 Society of Automotive Engineers.

4 THE WITNESS (Aarons):
5 Exactly.

6 MR. ASHTON: That's a private
7 operation. Isn't it? But nonetheless, it's
8 a standard-setting operation?

9 THE WITNESS (Aarons): It's a
10 standard-setting operation. And as you know,
11 many --

12 MR. ASHTON: If you built a
13 nonstandard system and there was an incident,
14 what would be the likelihood that you would
15 be looked at very critically because it was,
16 A, nonstandard; and B, a nonstandard --

17 THE WITNESS (Aarons): Well, a
18 nonstandard system, it would be almost be
19 malfeasance at this point to build a
20 nonstandard.

21 MR. ASHTON: So you have to --
22 a prudent mind has to follow the standards
23 that are set in a standard-setting
24 environment to be acceptable?

25 THE WITNESS (Aarons):

1 Exactly. Yes, sir. We're talking about life
2 safety.

3 MR. ASHTON: I understand.

4 THE WITNESS (Aarons): So we
5 have to deal with best practices. And P25
6 compliance in public safety radios today is
7 best practice.

8 MR. ASHTON: Is there a
9 federal overview to ensure that there's no
10 antitrust activities that go on?

11 THE WITNESS (Aarons): Oh,
12 sure. Yes, P25 has been adopted all across
13 the country.

14 MR. ASHTON: It's an open
15 process?

16 THE WITNESS (Aarons): It is
17 an open process. Yes, sir.

18 MR. ASHTON: Thank you.
19 Nothing further.

20 THE CHAIRPERSON: Thank you.
21 Dr. Klemens?

22 DR. KLEMENS: Yeah. I just
23 have a very, very brief question. What I'm
24 hearing, this appears to be -- this tower is
25 the keystone piece of your strategy, or

1 coverage.

2 THE WITNESS (Aarons): Yes,
3 sir. It is.

4 DR. KLEMENS: Is that correct?

5 THE WITNESS (Aarons): Yes,
6 sir. It is.

7 DR. KLEMENS: But earlier I
8 heard testimony that that could be achieved
9 by two other towers. Is that correct?

10 THE WITNESS (Aarons): Yes,
11 sir. That is correct. Much in the sense
12 that if, again if we use the analogy of
13 light, if you had enough spotlights you can
14 line up the whole town. The question is, you
15 know, where do you put them and how high can
16 you get them? The most efficient way to do
17 this and the keystone in this project is to
18 put something on the highest hill in the
19 middle of the town. I mean, that -- and so
20 that's why it becomes the keystone of the
21 project.

22 If we had to work around it,
23 is it possible we could build a tower in
24 another neighborhood and a second tower, yet
25 in a third neighborhood? Sure, it's

1 possible. Now whether it's economically
2 feasible, whether it lets us to move on with
3 this program to get our radio situation, that
4 that becomes a different question. That
5 becomes a political/financial question.

6 DR. KLEMENS: So in fact, this
7 tower which is, as you've heard, there's
8 questions about its visual impact. This
9 tower is your best bet to get what you want?

10 THE WITNESS (Aarons): Yes,
11 sir. It is. No question about that in my
12 mind.

13 DR. KLEMENS: No further
14 questions.

15 THE CHAIRPERSON: Dr. Bell?

16 DR. BELL: Thank you,
17 Mr. Chair. My questions have been answered.

18 THE CHAIRPERSON: Okay.

19 Mr. Hannon?

20 MR. HANNON: Thank you

21 Mr. Chair.

22 I have one question. Would
23 the town be opposed to sharing the
24 Applicant's generator?

25 THE WITNESS (Aarons): No.

1 Not at all.

2 MR. HANNON: Okay. Thank you.
3 I have no other questions.

4 THE CHAIRPERSON: Mr. Levesque?

5 MR. LEVESQUE: I don't have
6 any questions for Mr. Aarons.

7 THE CHAIRPERSON: Mr. Lynch?

8 MR. LYNCH: Just a few
9 questions, Mr. Chairman.

10 Having at one time worn that
11 on-hip radio with a nightstick and a .357,
12 the big problem we had was having them
13 charged. We didn't, you know.

14 THE WITNESS (Aarons): Exactly.

15 MR. LYNCH: But my questions
16 go back to, you referenced indirect use of
17 the system, you know, other than -- and I
18 think you said the schools and the so on?

19 THE WITNESS (Aarons): Yes.

20 MR. LYNCH: Do any federal
21 agencies such as the FBI, Homeland or Coast
22 Guard indirectly use your radio service?

23 THE WITNESS (Aarons): No,
24 sir. Not now.

25 MR. LYNCH: Okay. And I'm

1 going to jump over to the EMS part for a
2 second. Is -- it's my understanding that
3 Danbury Hospital is not a level one trauma
4 center?

5 THE WITNESS (Aarons): I can't
6 answer that question.

7 MR. LYNCH: Oh, all right.
8 Then you can't answer the next one either.
9 But is the Town, for -- when the Town needs
10 an emergency, very quick emergency transport,
11 is your radio service connected with any type
12 of helicopter transport?

13 THE WITNESS (Aarons): Yes, we
14 are, to the extent that any town in
15 Connecticut can summon Life Star and then
16 work with them on their frequencies. Yes,
17 sir. We are.

18 MR. LYNCH: And your microwave
19 dish has to have a line of sight to another
20 home base?

21 THE WITNESS (Aarons): It
22 does.

23 MR. LYNCH: Where is that home
24 base?

25 THE WITNESS (Aarons): The

1 home base right now is at the Ridgefield
2 Police Department, which is right behind us,
3 about a half-mile up from here.

4 MR. LYNCH: Okay. And lastly
5 on your emergency generator, you said, it's
6 72-hour propane tank. Is there any idea is
7 that tested on a periodic basis like the cell
8 people test their emergency generator?

9 THE WITNESS (Aarons): Yeah,
10 absolutely. The generator that's specified,
11 I believe it's the 32 kV generator. And the
12 idea it that it has an automatic test system
13 that starts up and runs periodically and
14 shuts down. And it -- it's enclosed in a
15 muffler case in order to prevent noise
16 problems.

17 MR. LYNCH: Okay. And just a
18 follow-up to that, if it's tested on a
19 periodic basis, is there anyone that actually
20 checks how much is still left in that tank on
21 a periodic basis also?

22 THE WITNESS (Aarons):
23 Absolutely, yes. Yes, we do that today with
24 all of our standup generators.

25 MR. LYNCH: All right. Those

1 are my questions, Mr. Chairman.

2 THE CHAIRPERSON: I just have
3 one follow-up question. Again, back to the
4 issue of towers, if I understood correctly,
5 if this particular project does not go
6 forward you said you would then need two
7 towers. Is that correct?

8 THE WITNESS (Aarons): Yeah,
9 we did a quick propagation study that -- that
10 asked the question. What would happen if
11 that tower -- if this petition fails? And
12 what would happen is we'd need to create at
13 least two towers in that area somewhere.

14 I noticed in one of your
15 exhibits that there was discussion of the
16 Ridgefield High School. If you picture a
17 tower at the Ridgefield High School,
18 obviously it's blanketed by the mountain that
19 we're talking about to put this tower on. So
20 to shine our RF frequency light on the other
21 side of that mountain we have to put a second
22 tower in. So that's where we come up with
23 it. It's not a very sophisticated analysis.
24 It's a commonsense analysis.

25 THE CHAIRPERSON: And there

1 is -- am I therefore correct that there is no
2 solution without towers?

3 THE WITNESS (Aarons): There
4 is no solution without towers. That's
5 correct.

6 THE CHAIRPERSON: Thank you.
7 So your testimony is complete.
8 You --

9 THE WITNESS (Aarons): Thank
10 you, Mr. Chairman.

11 MR. ASHTON: Intervenors?

12 THE WITNESS (Aarons): Thank
13 you, folks.

14 THE CHAIRPERSON: He started.
15 The Intervenor started. So --

16 THE WITNESS (Aarons): Are we
17 going to redirect?

18 MR. FISHER: Do you want me
19 to?

20 THE WITNESS (Aarons): No.

21 THE CHAIRPERSON: Okay.
22 Attorney Ainsworth, you do have a couple of
23 additional?

24 MR. AINSWORTH: Yeah, I will
25 not abuse the privilege?

1 THE CHAIRPERSON: Thank you.

2 THE WITNESS (Aarons): We're
3 all set then?

4 MR. ASHTON: No such luck.

5 THE WITNESS (Aarons): See,
6 thank you. I knew there was a redirect.

7 MR. AINSWORTH: We've come
8 across these two towers in the alternative
9 discussion. The kinds of whips that you use,
10 less than 3 inches in diameter and less --
11 and about 12 feet tall, they don't require a
12 2-foot wide steel tower to support them
13 today?

14 THE WITNESS (Aarons): It
15 depends on how high you've got to go. In
16 other words, if we're down in the valley
17 somewhere the -- the high school is a good
18 example -- in order to make that work it
19 would not be a 12-foot whip. You would do a
20 truss structure that would be about two feet
21 at the bottom and it might go up 50 feet,
22 plus the antenna would be on top of it.

23 In other words, we need
24 elevation and as you go to elevation, of
25 course because of windage, you -- you need

1 structure. At least that's -- that's what
2 the engineers explained to me.

3 MR. AINSWORTH: Right and then
4 those structures would be no different than,
5 let's say, an amateur radio antenna with a
6 little lattice work tower, 50 feet with a
7 whip antenna near the high school, or perhaps
8 on one of the light poles that exist on the
9 athletic fields. Correct?

10 THE WITNESS (Aarons): Well,
11 conceivably. Except in existing -- in
12 addition to the tower we also need an
13 enclosure and pads for the other equipment on
14 the site.

15 When you look at the site
16 we're talking about the other part of our --
17 our project at the tower site is a 10 by
18 12-foot enclosure which sits on a pad. It's
19 about 8 feet tall, 12 tall, and also a pad
20 may be 4 feet square for the generator. Then
21 we've got to run power into it and meters,
22 the whole deal.

23 So when we talk about it's
24 just not a matter of slapping an antenna up
25 or even an amateur-type truss. You'll end up

1 with the support equipment that creates a
2 place. And then particularly if you're in
3 the high school area, now you've got to
4 protect it. You need to do fencing and
5 warning areas and it becomes a lot more
6 complex than -- than simply running a pole
7 up.

8 MR. AINSWORTH: Sure, but a 10
9 by 12 structure is the size of a shed and the
10 pad for the generator is a pad. And there's
11 already power for the light poles that are
12 there. I mean, those are all things that can
13 be run. There's existing power at the high
14 school.

15 THE WITNESS (Aarons): I wish
16 you were on my team. Now unfortunately it's
17 not that easy, but the answer to your basic
18 question is, could we do some other
19 collection of towers in Ridgebury to make
20 this happen? The answer is yes.

21 MR. AINSWORTH: But you would
22 agree that those towers would not be of the
23 scale of the current proposed tower in terms
24 of the size of this structure, it's diameter
25 and the other associated equipment?

1 THE WITNESS (Aarons): It
2 would only be my guess.

3 MR. AINSWORTH: But there are
4 50-foot wooden poles. Are there not?

5 THE WITNESS (Aarons): I would
6 think so, but -- but again, I'm not an expert
7 on towers.

8 MR. AINSWORTH: Did you
9 discuss with your communications people what
10 size tower you would need to support your
11 whip antennas?

12 THE WITNESS (Aarons): No,
13 sir.

14 MR. AINSWORTH: Fair enough.
15 Do you know how many decibels the 32-kV
16 generator generates?

17 THE WITNESS (Aarons): No. It
18 depends on the enclosure that it's in.

19 MR. AINSWORTH: Okay. And
20 nothing else.

21 MR. MARTIN: Mr. Chairman.

22 THE CHAIRPERSON: Almost, but
23 not.

24 Yes, Mr. Martin.

25 MR. MARTIN: The discussion

1 about the truss towers kind of prompted a
2 question. If you were to put up a truss
3 tower with a small lattice-like structure,
4 would that type of structure need guy wires
5 to keep it stabilized?

6 THE WITNESS (Aarons): Yes.

7 Yes, it would.

8 MR. MARTIN: Okay. Thank you.

9 THE CHAIRPERSON: I think it's
10 time to -- you have another question?

11 MR. AINSWORTH: Didn't you
12 just say that you were not an expert in
13 towers for supporting antennas?

14 THE WITNESS (Aarons): I did.

15 MR. AINSWORTH: So how do you
16 know that a lattice tower that supports one
17 of these whips would need guy wires at the
18 height that it would need to be?

19 THE WITNESS (Aarons): Just
20 from observation of towers that are generally
21 from 35 to 70 feet tall in that 50-foot
22 range. Most of them seem to be guyed in --
23 those that I've seen.

24 MR. AINSWORTH: You're not an
25 expert in that?

1 THE WITNESS (Aarons): But I'm
2 not an expert, no.

3 MR. AINSWORTH: And you've
4 seen amateur radio antennas that --

5 THE WITNESS (Aarons): And
6 I've seen amateur radio --

7 MR. AINSWORTH: -- a hundred
8 feet tall that don't have guy wires?

9 THE WITNESS (Aarons):
10 Exactly, I have. Yes, sir.

11 MR. AINSWORTH: And some of
12 those have large YAGI antennas on top with
13 masts?

14 THE WITNESS (Aarons): They
15 do. And most of them went down in the last
16 storm, by the way.

17 THE CHAIRPERSON: Be careful
18 what you add. You may be here all night.

19 Okay. With that, if the
20 teacher can say you're dismissed, you're
21 dismissed. And we'll go -- yes, you can
22 either stay or leave.

23 THE WITNESS (Aarons): Thank
24 you very much, folks. I enjoyed being with
25 you.

1 THE CHAIRPERSON: Thank you.
2 It's a rare witness who says that, but thank
3 you.

4 THE WITNESS (Aarons): You've
5 been very gentle.

6 (Witness Aarons excused.)

7 THE CHAIRPERSON: Okay. We're
8 going to go then right into the
9 cross-examination of the panel by -- first
10 starting with Mr. Martin and then with the
11 Council. Then I suspect we'll be at
12 dinnertime.

13 CROSS-EXAMINATION

14 MR. MARTIN: All right. How
15 many antennas will AT&T install in this
16 tower?

17 THE CHAIRPERSON: And just
18 make sure whoever answers just identify
19 yourself. That would be helpful, assuming we
20 have someone to answer.

21 THE WITNESS (Lawton): Sorry
22 about the delay.

23 Mike Lawton, 12.

24 MR. MARTIN: Okay. And what
25 is the feasibility of other carriers being

1 able to locate on the proposed tower at
2 heights below AT&T's?

3 THE WITNESS (Lawton): In
4 terms of propagation?

5 MR. MARTIN: Yes.

6 THE WITNESS (Lawton): Or in
7 terms of physical feasibility?

8 MR. MARTIN: Propagation.

9 THE WITNESS (Lawton): I would
10 believe that it would be interesting to them,
11 but I have no way of knowing what other
12 carriers would wish to do.

13 MR. MARTIN: All right. Okay.
14 And could you explain why DAS and other
15 similar alternative wireless technologies may
16 or may not be feasible to provide the service
17 that would be possible from the proposed
18 tower?

19 THE WITNESS (Lawton): I think
20 we're talking about a really large, you know,
21 a significantly large area. DAS, our
22 typically intended DAS, outdoor DAS which we
23 use as well as small -- small-cell
24 technologies are typically intended to
25 provide service to a very defined coverage

1 area of high density of usage, which is not
2 at all what we have here.

3 We have a larger area, a very
4 large area with lesser density of usage than
5 someplace, an outdoor DAS installation that
6 would be something that would make sense
7 would be something like Yankee Stadium, or
8 something where you'd have hundreds of
9 thousands of people in a very confined area
10 with a very specific footprint that you could
11 bring a lot of capacity to bear in a -- in a
12 small area.

13 Where what we're trying to do
14 here is more of a -- is a very large area
15 that's currently unserved, or underserved.
16 And capacity is not as much of a concern as
17 coverage.

18 MR. MARTIN: Thank you. And
19 has Homeland Towers received the SHPO
20 comments yet?

21 THE WITNESS (Libertine): No.
22 We have not received a letter. I have been
23 in touch with the office. I expect to have a
24 letter sometime next week.

25 MR. MARTIN: Okay. Thank you.

1 And did Homeland fly a balloon at the site
2 today? If so, what were the hours of the
3 flight? What were the weather conditions and
4 were they conducive to good visibility in the
5 surrounding area?

6 THE WITNESS (Libertine): We
7 have attempted to keep a balloon afloat at
8 the site. We were there and had a balloon
9 tethered at -- in this case we had the line
10 tethered to 152 feet with a
11 four-plus-or-minus-foot balloon.
12 Unfortunately we've had winds anywhere from
13 12 miles an hour to exceeding 20 miles an
14 hour or more pretty consistently.

15 We did have a balloon up
16 initially at 7:40 this morning. That was up
17 for about 30 minutes or so. It came down at
18 about ten or quarter after eight o'clock. We
19 tethered another balloon at 8:30. That was
20 down about an hour later. And then we
21 subsequently put one up at eleven o'clock.
22 That came down another hour later.

23 We tried right after that,
24 lost it immediately. And then we were
25 successful at about 20 minutes to 1 to keep

1 at least the balloon from popping through the
2 site walk. It's just not been feasible to
3 keep it anywhere near it's maximum or
4 intended height today. So other than that,
5 it's too bad. We had good conditions
6 otherwise in terms of clear skies and
7 visibility, but certainly not a day that we
8 want to really do a full valuation.

9 MR. MARTIN: Now from your
10 experience with the balloon flight that was
11 done when there were favorable weather
12 conditions, could you characterize what the
13 tower's visibility, or visible impact would
14 be on the nearest residential neighbors, kind
15 of where Aspen Ledges Road and Old Stagecoach
16 Road meet.

17 THE WITNESS (Libertine):
18 Sure. I'll first say that we did the balloon
19 float for the visibility report that's behind
20 tab 5 in the application. That was done
21 during what we consider to be leaf-on
22 conditions. So it was not comparable to
23 today's conditions.

24 What we saw there was the
25 immediate neighborhood that surrounds our

1 subject property. When the leaves were on
2 the trees -- really cannot penetrate from a
3 visibility standpoint into that area. The --
4 obviously the views start to open up this
5 time of year and I think the two properties
6 that immediately abut our site, certainly
7 somewhere on their property through the
8 trees, it's certainly going to have some
9 visibility.

10 And I think as you start to
11 move away, going both northerly up Old
12 Stagecoach Road and then again, easterly
13 along the -- the other road there are a few
14 homes that again, because the trees, they're
15 fairly dense, but there are some views that
16 bleed through.

17 So there's probably, I'm going
18 to say, maybe four yards or residential
19 properties that potentially have seasonal
20 views in one direction going northbound. And
21 then going eastbound I think we're probably
22 talking half a dozen homes or so. And
23 primarily on our side of the property --
24 there are probably two on the opposite side
25 of the road that would -- would see it.

1 So I guess to answer your
2 question, when we were out there we did not
3 have the ability to necessarily fully assess
4 seasonal visibilty, but it's something that,
5 you know, in terms of as we're going through
6 our process we take a look at while we're in
7 the field to try to get as much information
8 as we can.

9 But we rely more on our
10 computer model, which has -- has assessed
11 that. It has it's own limitations. It tends
12 to over predict things, but at least give us
13 an idea in terms of the overall visual
14 footprint, so to speak.

15 MR. MARTIN: Okay. I believe
16 in your recent testimony you estimated a
17 number of homes that would be able to see the
18 tower. Where were the majority of those
19 homes located?

20 THE WITNESS (Libertine): It's
21 -- it's a mix between the immediate
22 neighborhood, which I just spoke of. And
23 then there is another neighborhood that's to
24 the south. It's the Hobby -- I want to get
25 it right. I'm not sure if it's Hobby Drive

1 or Hobby Road.

2 And actually we have some
3 photos from that area. Those are the two
4 areas that have the majority of views. Let
5 me just point that out to you. I believe
6 it's photos 4 and 5. Let we just find that.

7 Yes, photographs 4 and 5 are
8 from Hobby Drive, and more or less, kind of
9 the extent of the -- the views along that
10 road again, the photos are from a leaf-on
11 time of the year.

12 MR. MARTIN: And how would you
13 characterize the tower's situation, the view
14 scape? Is it something that's prominently
15 visible on top of the ridge, or is it set
16 against the background of trees, or --

17 THE WITNESS (Libertine): It
18 depends upon your perspective. I would say
19 in general -- well, let me -- let me start
20 off by saying, we are more or less at the top
21 of the ridge. We do have a plateau, so to
22 speak, on which we sit just slightly below
23 the top, but the tower itself would protrude
24 above the top of the ridgeline. Most of the
25 views where you -- or actually the

1 predominant area of views come from the south
2 just because the lay of the land.

3 If you're immediately close to
4 the site, just because of the steepness the
5 grade, you really don't have any views. As
6 you start to move away in that Hobby Drive
7 area, as I mention earlier, and then a little
8 bit further away there's a similar view at a
9 couple of the schools in the area where there
10 are some -- they're on -- in a little bit of
11 an elevated plateau themselves.

12 So the profile of the tower is
13 against the sky and does come up above the --
14 the ridgeline itself, in some cases probably
15 by about 40 feet or so from those
16 perspectives.

17 MR. MARTIN: Thank you. And
18 could you explain the design of the storm
19 water management system and how you've
20 addressed concerns about keeping the storm
21 water kind of neutral, avoid increasing the
22 storm water runoff from the development of
23 this facility.

24 THE WITNESS (Whitcomb): John
25 Whitcomb from All-Points Technologies.

1 Yes. What we did is we looked
2 at the existing conditions and the
3 existing flow paths and maintained them. We
4 have an existing entrance which we -- which
5 actually drains towards the intersection of
6 Old Stagecoach and Ledges Road, Aspen Ledges
7 Road.

8 There, because we're adding
9 impervious surface, or a gravel drive wider
10 than what's there now, we looked at that and
11 actually changed the pitch point back towards
12 Aspen Ledges Road. So we have a shorter
13 distance and maintained the flows in the same
14 range as they are now. So we looked at the
15 same, basically the same volume and the same
16 rate of discharge out towards Aspen Road.

17 For the rest of the site
18 coming -- coming towards our compound we
19 handled the storm water in accordance with
20 the State's manuals that -- that's normally
21 used for storm water. The design for the --
22 the hydraulics and hydrology is based on the
23 DOT drainage manual. The current standard
24 for the sedimentation erosion control were
25 based on the 2002 guidelines as provided by

1 DEP. And we also meet the guidelines of the
2 water quality manual from DEP.

3 In doing that we -- we treat
4 the first flush off the asphalted area
5 particularly with a small retention basin as
6 well as a detention basin. What -- what
7 happens nicely in this site naturally by what
8 we designed is by flattening the slopes in
9 the area of the compound we actually
10 increased the flow paths, lengths and also
11 their time of concentration to get there.
12 Doing both those things actually reduces your
13 rate of flow and discharge.

14 So if you look at the,
15 particularly to the wetland to the south of
16 the facility we actually decreased the rate
17 of flow and the volume of flow by going in
18 that area because we have a better
19 opportunity for groundwater recharge with the
20 retention basin, because that comes out of
21 flow right off the top. That's about
22 2,000 cubic feet of storage that -- that goes
23 into the ground at that point.

24 MR. MARTIN: Okay. Thank you.

25 And could you explain who is

1 Insight Towers and what is Homeland's
2 relationship with Insight Towers?

3 THE WITNESS (Vincente):
4 Manuel Vicente.

5 Insight Towers is our tower
6 partner. They're our funding partner. We
7 have an agreement with Insight Towers. We
8 are their developer in the northeast area
9 here, so that's -- that's our relationship, a
10 contractual relationship and it's been in
11 place for about four years.

12 MR. MARTIN: Aren't they also
13 the property owner?

14 THE WITNESS (Vincente): They
15 are the property owner in this particular
16 case.

17 MR. MARTIN: And when did they
18 buy the property?

19 THE WITNESS (Vincente): I
20 believe they purchased the property April of
21 2013.

22 MR. MARTIN: Okay. Then did
23 they buy it with intents and purpose to build
24 this tower, to erect this tower on the
25 property?

1 THE WITNESS (Whitcomb): That
2 is correct. And the reason for that is
3 basically we started our search in 2010. The
4 industry has been looking for -- for decades.
5 And I know there's a lot of talk about, you
6 know, the mechanics of public safety and the
7 technology, et cetera. But the reality for
8 us as a tower developer after searching for
9 several years, and having even history
10 further back, we felt there -- there is no
11 other alternative. And we were comfortable
12 that the right course of action, since the
13 property was available, was to purchase it.

14 THE CHAIRPERSON: Excuse me.
15 Mr. Lynch I think has a question.

16 MR. LYNCH: Just a follow-up
17 question, Mr. Vincente.

18 I went online, you know, and I
19 brought up Insight, you know, Wireless Group,
20 LLC, and there's not much there. Could you
21 give us a little bit more on information
22 exactly who they are? What they are? And
23 who the principals may be and so on and so
24 forth?

25 THE WITNESS (Vincente): Sure.

1 Insight Towers group, or Insight Towers, LLC,
2 they're probably either the fourth or fifth
3 largest tower company in the country. Last
4 year they acquired all of Cox Communications'
5 towers. They're -- they're a much larger
6 entity than Homeland Towers. And that's why,
7 you know, from a business perspective it made
8 complete sense for us to partner together and
9 it's been a good partnership.

10 MR. LYNCH: And my follow-up
11 question would be, did they get into the
12 management of Homeland, or are you autonomous
13 as far as your own management group?

14 THE WITNESS (Vincente): We
15 are -- we are autonomous. We have a
16 contract. It's a -- I call it a
17 relationship. You can call it a lot of
18 different names. I call my -- our
19 development partners, but it's a
20 contractually-based partnership.

21 MR. LYNCH: Thank you,
22 Mr. Chairman.

23 Thank you, Mr. Martin.

24 THE CHAIRPERSON: Dr. Klemens?

25 DR. KLEMENS: I have a

1 question about the property as purchased by
2 Insight. And there was no public money used
3 to purchase that site. Correct?

4 THE WITNESS (Vincente):
5 Correct.

6 DR. KLEMENS: To access that
7 site you have to go over land that is owned
8 by who?

9 THE WITNESS (Vincente):
10 There's a paved road which is the first part
11 of the entrance. And then our property and
12 that road don't -- it wasn't a neat fit. The
13 Town required an easement for their paths to
14 go through our property and we felt the need
15 to use the road and the lay of the land as is
16 to create the need for a full practical
17 easement for our site. I believe that was
18 done prior to us purchasing through --
19 between the bank and the conservation
20 department originally.

21 DR. KLEMENS: So the
22 conservation department in Ridgefield owns
23 part of the road that you're crossing, part
24 of the access?

25 THE WITNESS (Vincente):

1 Correct.

2 DR. KLEMENS: Do you know
3 whether state funds were used to help
4 Ridgefield purchase that property?

5 THE WITNESS (Vincente): I
6 have no knowledge of that.

7 DR. KLEMENS: Thank you.

8 MR. MARTIN: Okay. Has
9 Homeland given any consideration to designing
10 its tower with a yield point because the
11 tower's setback radius encroaches on an
12 adjacent property?

13 THE WITNESS (Chasse): Scott
14 Chasse.

15 Yes, they have. The hinge
16 point would be pleased at 56 feet above grade
17 or slightly higher. The closest property
18 boundary would be to the north at 94 feet
19 away from the centerline of the tower.

20 MR. MARTIN: Okay. So you've
21 done more than consider it. You've actually
22 designed it?

23 THE WITNESS (Chasse): Correct.

24 MR. MARTIN: And will there be
25 any alarm systems on the compound or for the

1 equipment shelters of AT&T and the Town?

2 THE WITNESS (Chasse):

3 Typically the equipment shelters that are
4 deployed by the carriers have alarming
5 systems. If you open the door an alarm is
6 going to go back through the telephony back
7 to their switch and they are aware of anyone,
8 you know, breaking into their -- their
9 equipment.

10 Similarly with the generators,
11 as well, if there's an issue there's an
12 alarming system that's tied into the alarm
13 system of the shelter, which goes back to the
14 switch.

15 MR. MARTIN: Thank you.

16 And how has Homeland
17 considered addressing the conservation
18 commission's concern about landscaped
19 screening along the trail that runs above the
20 site of the facility?

21 THE WITNESS (Chasse): That's
22 still a work in progress. We'll -- we'll
23 obviously work with them to come up with a
24 solution. There's some physical features
25 there, a rock facing with fill that's sitting

1 on the top of that. The types of soils there
2 really aren't conducive to planting, but
3 Homeland is open to further discussions to
4 come up with an amenable solution to both
5 parties.

6 MR. MARTIN: Okay. Thank you.

7 And what are the call signs or
8 lease Id numbers mean on the table listing
9 AT&T's licensed frequencies in this area?

10 THE WITNESS (Lawton): You're
11 referring to the first set of
12 interrogatories' answers?

13 MR. MARTIN: Right.

14 THE WITNESS (Lawton): Those
15 are the -- when AT&T obtains a license, that
16 license to operate in a given geographic area
17 is defined by a call sign and that's on their
18 physical license paperwork.

19 MR. MARTIN: It's just like an
20 FCC designation or something?

21 THE WITNESS (Lawton): It's
22 the FCC license number for -- for each one of
23 those bands that -- this information actually
24 came from the FCC's records, online records,
25 and it's organized by call sign as well as by

1 band, by licensee, that sort of thing. So
2 that that's their actual physical call sign
3 that's associated with that grant of that
4 particular frequency band license.

5 MR. MARTIN: And is that for
6 the Fairfield? Is that Fairfield County
7 market, a distinct market area which those
8 licenses are --

9 THE WITNESS (Lawton): The
10 different licenses are organized and are
11 granted in different geographical areas.
12 They don't -- between the different bands
13 they don't necessarily follow the same
14 boundary lines, but these are the licenses
15 that are in Fairfield County. So basically
16 what I did was I did a search of the FCC
17 database for AT&T licenses in Fairfield
18 County, and this is what came up.

19 MR. MARTIN: Okay. And let's
20 see. On the coverage map provided with the
21 application it appears that there's very
22 little overlap between AT&T's adjacent sites.
23 So will this site present handoff problems
24 with the adjacent sites?

25 THE WITNESS (Lawton): You're

1 referring to page 8 of our report, I think?

2 MR. MARTIN: Yes.

3 THE WITNESS (Lawton): Okay.

4 The -- this was done at the 850 megahertz
5 cellular band and it was done -- AT&T, as you
6 see in the licenses, has a number of
7 different licenses. And as we talked --
8 we've talked about in previous hearings, each
9 set of those licenses propagates differently.

10 This is a snapshot of a
11 particular band. The coverage between the
12 1855, which is AT&T's internal designation
13 for this site, and the adjacent sites the
14 east in the more populated area of Ridgefield
15 here at 850 megahertz would not be as strong
16 as AT&T would prefer, but given the
17 limitations of the siting in this area and
18 the fact that they've been working on it for
19 15 to 20 years to build a site in this area,
20 this is certainly the best opportunity that's
21 presented itself for providing coverage in
22 this area.

23 MR. MARTIN: So may I conclude
24 that you're saying there may be handoff
25 problems at 850 megahertz?

1 THE WITNESS (Lawton): At
2 850 megahertz there may. Basically what
3 happens is you -- to describe the way the
4 network works there's -- there's a number of
5 different bands. And if you don't have
6 service at a certain band, the -- it will
7 pass the -- the transmission, whether it's --
8 Handoff is sort of an old
9 term. It's not used so much with
10 circuit-switch data -- with packet-switch.
11 Circuit -- handoff is the circuit-switch
12 term. The packet-switch term would -- would
13 just be handover, or something like that.
14 It's passed to a band that can
15 better serve the user. So if these are
16 the -- these are plots at 850 megahertz. If
17 we prepared plots at 1900 megahertz they
18 would show even less coverage. So a user who
19 could be served by 1900 megahertz would be
20 served by 1900 megahertz, but when they
21 drove -- when they were moved out of, drove
22 out of, or walked out of, or happened to be
23 out of the coverage area that was provided by
24 1900 megahertz they would be served by 850.
25 When they -- when they would pass out of 850

1 they could be served by 700.

2 MR. MARTIN: Now would
3 the 1900 -- let's call this the 850
4 footprint. Wouldn't the 1900 footprint be
5 smaller than the 850 megahertz?

6 THE WITNESS (Lawton): That's
7 correct.

8 MR. MARTIN: So you'd have
9 move handoff -- what I -- well, let me use
10 handoff there.

11 MR. ASHTON: He's old
12 fashioned. Sorry.

13 MR. MARTIN: So you may have a
14 more difficult handoff?

15 THE WITNESS (Lawton): That's
16 correct. And so what would happen is,
17 depending on what technology was in use,
18 there's a function called IRAT, which is
19 inter ran -- I'm trying to remember what the
20 acronym refers to.

21 But it basically means that
22 you -- the call would transfer from one
23 technology to another trans -- another
24 technology, one band to another band. And
25 it's not as seamless a handoff. The

1 probability of failure is higher than if it
2 stays on it's native technology.

3 But you can be served -- the
4 calls can be handed to the, sort of the
5 umbrella band in the case that they need to
6 be. However when they don't need to be on
7 that umbrella band they would be on the, for
8 lack of a better description, the under --
9 the underlying smaller coverage area band.

10 THE CHAIRPERSON: I think
11 Mr. Lynch had a question.

12 MR. LYNCH: Yeah, just a
13 follow-up questions, Mr. Lawton, as far as
14 the different bands. I know when we get
15 to -- close to the different borders of New
16 York, the Commonwealth of Massachusetts,
17 Rhode Island and so on, that Verizon is on
18 one band and AT&T is on another band for 800.
19 Does that cause much of a problem here, or is
20 this what -- as far as your discussion is
21 concerned with Mr. Martin?

22 THE WITNESS (Lawton): The --
23 in terms of the handover or in terms of
24 passing the call from --

25 MR. LYNCH: Both.

1 THE WITNESS (Lawton): -- from
2 one side to the other?

3 MR. LYNCH: Yeah. One side to
4 the other really is what I'm talking about.

5 THE WITNESS (Lawton): Is --
6 that's not a technical concern. The --
7 certainly since Verizon owns this, the same
8 850 Band in New York they wouldn't want AT&T
9 covering customers on that side of the border
10 and vice-versa. So you can see, I mean, this
11 site is fairly well contained within
12 Connecticut.

13 So the -- the carriers
14 coordinate amongst themselves in order to
15 make sure that the handoff is achieved, or
16 the -- the handover, whatever you want to
17 call it, the transmit -- transfer of the call
18 or the session, data sessions, whatever it
19 is, is achieved on or as close to the border
20 as possible.

21 And the idea is you don't want
22 to -- we don't want to place sites right on
23 that border that would cover large areas in
24 New York which Verizon would not be happy
25 with.

1 MR. LYNCH: But then my
2 question, how do you get around that, though?
3 You say the carriers have an agreement. Now
4 if your cellular call is on the 800 band, or
5 850, would you go to 1900, or down to 700 to
6 continue the -- well, 700 doesn't do calls,
7 but how would that work?

8 THE WITNESS (Lawton): You
9 could. And, in fact, a situation that I'm
10 very familiar with, I happen to live close to
11 the Massachusetts/Rhode Island border and
12 AT&T in Massachusetts has the 850 band. And
13 Rhode -- I mean, in New Hampshire they don't
14 have 850. They have only 1900. So when you
15 travel along Route 3 from Massachusetts into
16 New Hampshire the call is -- if you're on a
17 call, if you're on a voice call it's
18 seamlessly handed off most of the time. I
19 doesn't always work, but it's handed off from
20 the 850 megahertz tower that's providing
21 service in Massachusetts, as you -- as you
22 approach the border you pick up the adjacent
23 tower in New Hampshire that's providing
24 service at 1900 megahertz. The call is
25 transferred whether it's -- if it's voice

1 it's a handover. If it's data it's just the
2 new packets are sent back and forth with the
3 new tower.

4 MR. LYNCH: Now in delivering
5 data, so data services, data services,
6 whatever, is that transfer not necessary if
7 you're on a 700 band wherever you go?

8 THE WITNESS (Lawton): No.

9 MR. LYNCH: With data?

10 THE WITNESS (Lawton): No. At
11 this point the data, the LTE data service --
12 and UMTS also provides data service, but it's
13 not as high speed as LTE -- but the LTE, LTE
14 is only data service at this time. There are
15 very few voice over LTE handsets, but they're
16 just in testing phase. They're not publicly
17 available.

18 So the LTE service at 700
19 megahertz and at 1900 megahertz is purely a
20 data service at this time. So that would --
21 it would work the same way. If -- if you
22 were -- if you're using 700 megahertz data
23 you would hand over to a 700 megahertz
24 license on the other side, or a
25 1900 megahertz license from the other side.

1 MR. LYNCH: Thank you.

2 Thank you, Mr. Chairman.

3 Thank you, David.

4 MR. MARTIN: And I forget
5 exactly where I saw it, but somewhere in your
6 materials submitted you stated AT&T was
7 looking at additional sites in Ridgefield.
8 Would these additional sites help with this
9 handoff problem we've been talking about?

10 THE WITNESS (Lawton): I
11 believe at least one of the additional sites
12 is in the intervening area between where we
13 are now and what we call 1855, but I don't
14 believe all of them were. Some of them
15 were -- are intended to cover some of the
16 areas that you see underserved to the east of
17 the populated portion of Ridgefield.

18 MR. MARTIN: Okay. And in
19 your discussion with Mr. Lynch you broached
20 the subject about the different technologies
21 and how -- and from your power density
22 calculations, I also noticed you had a
23 transitioning away from the GSM. And I guess
24 at this site you will only be utilizing UMTS
25 and LTE?

1 THE WITNESS (Lawton): That's
2 correct. New sites at this point in the AT&T
3 network are not deployed with GSM anymore.
4 Just UMTS and LTE at this time. Eventually
5 possibly only LTE, but at this time, like I
6 was saying earlier, there's no service on LTE
7 for voice, and there's a lot of people with
8 both phones that will not access LTE are
9 not -- or are not capable for accessing the
10 LTE bands. And also they -- you wouldn't be
11 able to have a voice call if -- if this site
12 were to be deployed with LTE at this time.
13 By the time the site would be on the air,
14 those voice-over LTE phones may be available.

15 MR. MARTIN: Okay. Thank you.

16 And in the interrogatories we
17 asked for coverage maps that depicted
18 heights, coverage below the 150-foot proposed
19 centerline, I guess 140 foot. And to my
20 layman's eye I couldn't detect much
21 difference. So could you explain what the --
22 what kind of coverage problems would begin to
23 occur at below the proposed 150-foot
24 centerline?

25 THE WITNESS (Lawton): It's a

1 number of things. Coverage as we -- as we
2 start, as the users start to go from voice
3 users to data users, a voice user, it's -- it
4 either works or it doesn't.

5 A data user, first of all,
6 typically data users tend to be -- tend to
7 use their phones, or their -- no, not their
8 phones, but their "terminals" is the correct
9 term -- in the most disadvantageous coverage
10 areas possible, in their houses, in
11 buildings, in schools. Although we wouldn't
12 like them to do that, but that's what they're
13 doing.

14 And so the data service is --
15 is not -- we can't really look at it anymore
16 as sort of a two-dimensional thing and define
17 it as, this is where it's covering and
18 everything outside of that is not where it's
19 covering, because you have to consider also
20 the -- the factor of coverage within the
21 building, within the -- all the homes that
22 are in that part of Ridgefield.

23 And so a data-service user, if
24 the site is lower and -- let me think of how
25 to explain this. The -- if the site is lower

1 the coverage outside of the home may be still
2 sufficient to provide voice service, but you
3 go inside the home and the higher restriction
4 that's caused, or the higher demand that's
5 caused by the data service is no longer met
6 because you still have -- there's still
7 consistent loss through the building, but
8 your -- your signal outside the building has
9 reduced. So now your signal inside the
10 building has reduced to the point where it's
11 affecting your data throughput.

12 So we can't really look at
13 this and say, all the people in the area
14 covered by this site on this plot will have
15 outstanding coverage in their home. We --
16 when we do these plots we -- we try to look
17 at them and try to use a some -- somewhat
18 typical loss value for -- through a home, but
19 some homes are built out of wood, some homes
20 are built out of brick and those obviously
21 have very different loss values.

22 So to get around to answering
23 the question, which was, as the -- as the
24 site height lowers and as the footprint
25 shrinks, even -- even if we can't see, sort

1 of the what I call the macro footprint on
2 the -- on the piece of paper shrinking that
3 much, which I agree, it doesn't shrink a
4 whole lot. You also are going to be
5 impacting users in their homes as well. And
6 you're also impacting at 700 megahertz, your
7 coverage is also going to shrink accordingly.
8 At 1900 megahertz the coverage will shrink
9 accordingly. So the site becomes less and
10 less useful.

11 At this point when AT&T's
12 engineers looked at this site at this height
13 it was approved taking into account all the
14 technologies, all the bands, all the -- the
15 fact that there isn't basically -- maybe it's
16 a generalization, but there is basically no
17 coverage in this area. I'm sure they're on
18 ridgelines. I was able to get some coverage,
19 but it's somewhat limited.

20 Taking that all into account,
21 AT&T when they were presented with this site
22 at this height said that was something they'd
23 be interested in putting into their network.
24 Anything lower than that, we -- we went back
25 and we did discuss with AT&T's engineers, and

1 anything lower than that, they're
2 apprehensive that it won't be of value to the
3 network.

4 MR. MARTIN: Okay. Thank you.

5 And I suppose you must have
6 seen by now the comments received from the
7 State's Department of Public Health. Are
8 there any recommendations in those comments
9 that are problematic for Homeland Towers?

10 THE WITNESS (Whitcomb): The
11 comments in terms of?

12 MR. MARTIN: Basically the --

13 THE WITNESS (Whitcomb): No.

14 MR. MARTIN: Basically the
15 public health pointed out that the areas
16 within the public watershed reservoir, nearby
17 reservoir --

18 THE WITNESS (Whitcomb):

19 Correct.

20 MR. MARTIN: -- and mainly
21 erosion control, storm water runoff control,
22 things like that.

23 THE WITNESS (Whitcomb): As we
24 noted, we actually likely improved the water
25 quality and discharge with the addition of

1 the treating the first flush of runoff with
2 the basin, lowering the slopes where the
3 compound is.

4 So we would anticipate that,
5 if not at least maintaining the water
6 quality, we would improve the water quality
7 of the runoff. And in terms of the rate of
8 flow there, there's -- there would be no
9 issues in terms of discharge to the wetland,
10 or the watercourse, or within the watershed.

11 MR. MARTIN: Okay. All right.
12 Thank you.

13 THE CHAIRPERSON: I have a
14 follow-up on that. And one of the notations
15 or conditions that was in that same letter
16 talked about no storage of fuel, I believe.
17 And if I'm correct, how do you store the fuel
18 for the generator?

19 Or would that just be defined
20 as diesel fuel, whereas as opposed to propane
21 or something else?

22 MR. FISHER: Chairman, I'm
23 going to ask a few different witnesses to
24 comment on it.

25 My -- I did review that

1 letter. We've seen that letter before. It's
2 a really standard letter. My understanding
3 of the fuel is on-site storage of fuels, as
4 opposed to fuel used in a generator system,
5 and we could certainly seek clarification
6 from the Department of Health on that, but I
7 think they're concerned about on-site storage
8 of fuels, drums, things of that nature.

9 THE CHAIRPERSON: That's all
10 right. So I just wanted to clarify that.
11 Thank you.

12 MR. FISHER: But if we could
13 have the witnesses confirm that, or just the
14 standard conditions that they were seeking
15 are something that are acceptable to the
16 Applicant here.

17 THE WITNESS (Chasse): They
18 are. The conditions that were set forth
19 there are fairly standard. We've seen them
20 before. The current proposal before us is
21 showing a diesel belly tank on the generator
22 systems that are there. They're double
23 walled. There's alarm sensors. There's
24 whistles, a containment system as well as
25 having an emergency response kit on site as

1 well with a waste drum in the event of any
2 issues. And it is on an impervious surface.

3 MR. MARTIN: Okay. One final
4 question. There seemed to be some
5 contradictory evidence in the record about
6 the likely presence of bog turtles. Could
7 you give a definitive summary of what the bog
8 turtles situation is there?

9 THE WITNESS (Gustafson): We
10 received a letter originally from the natural
11 diversity database that there was the
12 occurrence of two -- two state-listed
13 species, bog turtle, which is both federally
14 and state listed, and eastern box turtle.

15 We put together a protection
16 plan for both the bog turtle and eastern box
17 turtle, submitted that for review and all
18 this material is in the application. We
19 submitted that to -- for a review to the
20 wildlife division of Connecticut DEP. And
21 our latest correspondence was from Laura
22 Saucier who reviewed our -- our plan and
23 indicated that -- and I'll read verbatim.

24 This is in -- behind the last
25 tab of Exhibit 9. It's our response to the

1 R8 CT interrogatories. Laura goes on to say,
2 bog turtles, for bog turtles it is unlikely
3 that bog turtles will be in the project area.
4 So I do not think that the measure's signage
5 or education for this species is warranted.
6 Please submit signage about bog turtles. The
7 issue with bog turtles is going to be
8 sedimentation and/or erosion associated with
9 construction that potentially could affect
10 the Titicus River System.

11 That's the end of her -- her
12 response to that element in an e-mail dated
13 March 25th, 2014, to myself.

14 We revised our protection plan
15 to essentially keep the eastern box turtle
16 protection measures in place, which she
17 approved. And then modified our wetland
18 protection plan to provide additional
19 measures during construction facility to
20 protect the nearby wetlands system, which is
21 a headwater to Titicus River system.

22 MR. MARTIN: Thank you.

23 THE WITNESS (Gustafson):

24 You're welcome.

25 MR. MARTIN: Those are my

1 questions, Mr. Chairman.

2 THE CHAIRPERSON: Dr. Klemens,
3 did you --

4 DR. KLEMENS: Yes. Thank you,
5 Mr. Chairman.

6 I'm now very confused by
7 looking at the public health, this letter,
8 which is attributing this being in the
9 Saugatuck Reservoir drainage. Now as far as
10 I knew, this is the Titicus River. So are we
11 Saugatuck which flows to the Sound? Or
12 Titicus?

13 THE WITNESS (Gustafson): Dean
14 Gustafson. My understanding is that the --
15 the site is located within the Titicus River
16 watershed.

17 DR. KLEMENS: So then the
18 letter from the Public Health Department is
19 something incorrect. They've got it in the
20 wrong drainage public water supply.

21 THE WITNESS (Gustafson): We
22 can seek clarification from that agency.

23 DR. KLEMENS: Please.

24 THE CHAIRPERSON: Mr. Hannon.

25 MR. HANNON: I've got a

1 follow-up question. I just want to make sure
2 I'm hearing this correctly. I believe you
3 just stated that the backup generator
4 is diesel that you're looking at.

5 THE WITNESS (Chasse): Correct.

6 MR. HANNON: My understanding
7 is the Town said they're looking at propane?

8 THE WITNESS (Chasse): The
9 drawings currently show them with diesel, not
10 propane.

11 MR. HANNON: Okay. So was
12 that then stated in error, that it was
13 propane? Because I'm just kind of curious as
14 to why one party would be looking at diesel
15 and the other one would be looking at
16 propane. That's all.

17 Thank you.

18 MR. LEVESQUE: Mr. Chairman?

19 THE CHAIRPERSON: Mr. Levesque.

20 MR. LEVESQUE: Only because
21 it's an issue, but would the propane provide
22 a more cautious protection of the watershed
23 than diesel, you know, in case there was,
24 like, a truck spillage filling diesel?

25 THE WITNESS (Chasse): Yes.

1 Yes, it would.

2 MR. LEVESQUE: Thank you.

3 THE CHAIRPERSON: I think
4 we're at a breakpoint and we do have to
5 reconvene at seven. So we're going to recess
6 now.

7 And as I said, we will
8 reconvene at 7 p.m. for the public session.
9 Obviously, the evidentiary portion will be
10 reconvening back at some later date.

11 Thank you.

12 (Whereupon, the Witnesses were
13 excused, and the above proceedings were
14 adjourned at 4:58 p.m.)

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CERTIFICATE

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2 I hereby certify that the foregoing 122
3 pages are a complete and accurate
4 computer-aided transcription of my original
5 verbatim notes taken of the Siting Council
6 Meeting in Re: DOCKET NO. 445, APPLICATION
7 FROM HOMELAND TOWERS, LLC, AND NEW CINGULAR
8 WIRELESS PCS, LLC, FOR A CERTIFICATE OF
9 ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED
10 FOR THE CONSTRUCTION, MAINTENANCE, AND
11 OPERATION OF A TELECOMMUNICATIONS FACILITY
12 LOCATED SOUTHWEST OF THE INTERSECTION OF OLD
13 STAGECOACH ROAD AND ASPEN LEDGES ROAD,
14 RIDGEFIELD, CONNECTICUT, which was held
15 before ROBERT STEIN, Chairperson, at the
16 Ridgefield Town Hall, Large Conference Room,
17 400 Main Street, Ridgefield, Connecticut, on
18 April, 24, 2014.
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25

Robert G. Dixon, CVR-M 857
Court Reporter
UNITED REPORTERS, INC.
90 Brainard Road, Suite 103
Hartford, Connecticut 06114

1 I N D E X

2 WITNESSES HARRY CAREY
 3 SCOTT CHASSE
 4 DEAN GUSTAFSON
 5 MICHAEL LIBERTINE
 6 MICHAEL LAWTON
 7 RAYMOND VERGATI
 8 MANUEL VICENTE
 9 DAVID VIVIAN
 10 JOHN R. WHITCOMB
 11 RICHARD N. AARONS Page 13

12 EXAMINERS:

13 Mr. Ainsworth Page 27
 14 Mr. Martin Page 58, 84

16 EXHIBITS

17 (Admitted into evidence.)

18 EXHIBIT	DESCRIPTION	PAGE
19 II-B-1	Application for a Certificate 20 of Environmental Compatibility and 21 Public Need filed by Homeland 22 Towers, LLC, and New Cingular 23 Wireless PCS, LLC, received 24 February 21, 2014, and attachments 25 and bulk filings	21

1	I N D E X (Cont'd.)		
2	EXHIBIT	DESCRIPTION	PAGE
3	II-B-2	Notice of Publication in	21
4		The Ridgefield Press, dated	
5		January 31, 2014	
6			
7	II-B-3	Proof of service of Application	21
8		on Public Utilities Regulatory	
9		Authority, dated February 20, 2014	
10			
11	II-B-4	Responses to CSC	21
12		Interrogatories, dated April 1,	
13		2014	
14			
15	II-B-5	Resumes	21
16	a.	Scott M. Chasse	
17	b.	Dean Gustafson	
18	c.	Michael Lawton	
19	d.	Michael Libertine	
20	e.	Raymond M. Vergati	
21	f.	Manual J. Vincente	
22	g.	David Vivian	
23	h.	John R. Whitcomb	
24			
25			

I N D E X

EXHIBIT	DESCRIPTION	PAGE
II-B-6	Affidavit of Sign Posting, dated April 8, 2014	21
II-B-7	Affidavit of Corrected Sign Posting dated April 16, 2014	21
II-B-8	Pre-Filed Testimony of Richard N. Aarons, dated April 17, 2014	21
II-B-9	Responses to RACT Interrogatories dated April 17, 2014	21
II-B-10	Supplemental Submission, dated April 17, 2014	21
a.	Pre-File statement of Facts in lieu of Direct Testimony, dated April 17, 2014	
b.)	Titicus Valley Aquifer Assessment prepared by All Points Technology Corporation, P.C., dated April 15, 2014	

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I N D E X (Cont'd.)

EXHIBIT	DESCRIPTION	PAGE
II-B-11	Docket 445 Public Hearing Presentation, dated April 24, 2014	21