

The October 20, 2020 Special Meeting of the Woodbridge Board of Selectmen was convened at 5:08 p.m. by First Selectman Beth Heller via teleconference. Ms. Heller declared the following members present via roll-call: First Selectman Beth Heller; Deputy First Selectman Mica Cardozo; Joseph J. Crisco, Jr.; Joseph S. Dey, III; Dwight C. Rowland; and Sandra T. Stein.

Present for staff: Administrative Officer/Director of Finance Anthony Genovese; Town Counsel Gerald Weiner; Assistant Administrative Officer Betsy Yagla; Media Specialist Pua Ford; and Mrs. Shaw, Clerk.

Invited Guest: Attorney Ira Bloom

*“In accordance with Governor Ned Lamont’s Executive Order 7 B Section 1, which suspends the open meeting requirements of in-person participation, audio and video of this Regular Meeting is being simultaneously televised live on WGATV Channel 79 and youtube@WGATV79, in order to allow the public to view and listen to our meeting.*

*Just to give everyone a short summary, at the October 14, 2020 Regular Board of Selectmen Meeting, we discussed a proposed **private transaction** between residents residing at 118 Newton Road and Cellco Partnership DBA Verizon Wireless to construct a new cell tower at 118 Newton Road in Woodbridge. The purpose of the proposed Woodbridge North 2 Facility (aka the new cell tower) is to “fill existing wireless service gaps in Cellco’s 2100 MHz frequency range and provide more reliable wireless service in Cellco’s 700 MHz frequency range to north central Woodbridge.”*

*That evening I stated that I believe this cell tower does NOT belong in the area of 118 Newton Road, or any other residential neighborhood in our Town. Any such location is completely unacceptable in my opinion. Hopefully we will be able to find a location that provides the needed service and also is not located in any residential neighborhood.*

*Following discussion, the Board **VOTED UNANIMOUSLY** to oppose the Cellco/Verizon proposal to constructing a cell tower at 118 Newton Road.*

*Secondly, the Board **VOTED UNANIMOUSLY** to engage an attorney experienced in representing municipalities in negotiating with the Cell Tower Companies and to possibly represent the Town in any proceedings before the Siting Council.*

*I will now turn the meeting over to Town Counsel Jerry Weiner.”*

Mr. Weiner said that since July he has been in almost daily contact with the attorney for Verizon and has offered six or seven alternative sites for the tower. Unfortunately Verizon has found the alternate sites do not meet the coverage requirement either due to elevation or location. He said that he is waiting for Verizon to respond about two additional sites. The Town continues to seek suitable alternate sites and residents should contact the First Selectman’s office if they have suggestions for alternate sites.

Mr. Weiner noted that while opposition to cell tower applications are not common there are attorneys experienced in this specialized area of the law. He then introduced Atty. Ira Bloom with the firm of Berchem Moses PC, who is the Town Attorney in Westport and has handled several cell tower cases.

Mr. Bloom described his 40 years of experience representing municipalities in many aspects of the law including over 23 years as a municipal attorney for several towns such as Wilton, Easton, Madison, and others. He gave a brief history of his experience in working with towns regarding cell tower proposals.

**EXECUTIVE SESSION**

Mr. Weiner recommended that the Board enter executive session to discuss strategy and negotiations in regard to the pending application that Verizon is planning to submit to the Siting Council. At 5:19 p.m. the Board of Selectmen **VOTED UNANIMOUSLY** (Heller – Stein) to move into executive session pursuant to C.G.S. 1-200(6)(B) to review retention of attorney regarding pending cell tower proposal and to invite Mr. Weiner, Mr. Genovese, and Mr. Bloom to attend.

At 6:29 p.m. the Board of Selectmen moved out of executive session and returned to the Special Meeting. Ms. Heller declared that no motions were made or vote taken in executive session

**ACTION AS APPROPRIATE**

Ms. Heller read the following motion: *“That the Town retain Attorney Ira Bloom as Special Counsel to assist in negotiations with Verizon and to determine whether the Town should retain an engineering consultant. And the Board of Selectmen authorize the Town Attorney and First Selectman to negotiate the terms and conditions of Attorney Bloom’s retainer agreement including the rate of compensation.”*

Ms. Stein seconded the motion

Discussion: Ms. Stein said that: *“This is an important next step for the Town and for the residents. The Board has a number of strategies to explore which can be done much better by having dedicated and experienced counsel in this regard.”*

Mr. Cardozo thanked Atty. Bloom for reviewing his qualifications.

**VOTE:** The Board of Selectmen **VOTED UNANIMOUSLY** to adopt the motion.

**ATTORNEY IRA BLOOM**

Atty. Bloom thanked the Board for the vote and said he looks forward to working them.

Advice to residents. Atty. Bloom strongly urged the neighbors who are affected and concerned to form an informal group and look into hiring their own independent lawyer who is experienced in this area to represent their interests. He said that two heads are always better than one and several neighbors could join in sharing the fees. Atty. Bloom noted that a neighborhood lawyer could work with him and develop a strategy to oppose the Cell Tower. He also stated that it is always possible at some point the Town’s interests and the interests of the neighbors could be different He urged them to seriously consider hiring their own lawyer and do it quickly.

**ADJOURNMENT**

On a non-debatable motion by Ms. Heller, seconded by Mr. Crisco, the meeting adjourned at 6:40 p.m.

Respectfully submitted  
Geraldine S. Shaw, Clerk