TOWN OF HAMDEN, CONNECTICUT
LEGISLATIVE COUNCIL
MINUTES OF MEETING
August 3, 2020

A meeting of the Legislative Council was held on Monday, August 3, 2020. This meeting was held electronically, via Zoom, due to the Covid-19 Pandemic. The meeting was called to order at 7:07 P.M. by the Council President. The Clerk took the roll followed by the Pledge of Allegiance.

MEMBERS PRESENT: Brad Macdowall Dominique Baez
Mick McGarry Jody Clouse (@ 7:14pm)
Valerie Horsley Berita Rowe-Lewis
Harry Gagliardi Justin Farmer (@ 7:16pm)
Betty Wetmore Marjorie Bonadies
Kathleen Schomaker Austin Cesare
Athena Gary (joined @10:52pm and left @11:00pm)

MEMBERS ABSENT: Kristin Dolan

ALSO IN ATTENDANCE: Curtis Eatman, Finance Director; Sue Gruen, Town Attorney; Brendan Sharkey, Asst. Town Attorney; Craig Cesare, Public Works and Parks Director, Walter Morton, Director of Town and BOE Leg. Affairs; Jason Tanko, CEO for Tanko Lighting

PRESIDING: Mick McGarry, President

PUBLIC HEARING: There were no speakers

PUBLIC INPUT SESSION: Mr. McGarry called for a 30 minute recess to allow for reading of public comments sent in which were also posted on the Town’s website.

In recess @ 7:12pm
Out of recess @ 7:42pm

CORRESPONDENCE: None

REPORT OF THE PRESIDENT: Mr. McGarry said although Mike Colaiacovo can never be replaced we do have to fill the seat and he encouraged the Towns Democratic Committee to submit people’s names. He also said the Fiscal Stability Committee needs residents so he asked members of the public who are interested to submit resumes and a letter of interest to Ms. Renta. Mr. McGarry also reminded Council that the flow of information requested or asked between the administration and council should be put into an email to Ms. Renta and himself.

REPORTS OF BOARDS AND DEPARTMENTS: Mr. Eatman gave the council a summary of the July finances as well as an updated Covid-19 expense report. He said they utilized $5,000,000 from the TAN to cover payroll and medical for both Town and BOE. Things of concern include the $6,000,000 in
budget for 19 has not come in yet and the 2.5 in concessions might be an executive session report. Mr. Eatman also said there has recently been 11 employee retirements and $473,000 spent from the accrued benefits. He said Fire and Police are running higher than usual and he will provide monthly reports to Council on that. He also said financial reports will come at the second meeting of each month for more accuracy.

REPORTS OF COUNCIL LIAISONS: None

APPROVAL OF PREVIOUS MINUTES: Mr. McGarry moved a motion to approve the minutes of the July 20, 2020 meeting. The motion was seconded by Mr. Cesare and approved with 2 opposed (Farmer) (Gagliardi)

REGULAR AGENDA: Mr. McGarry took a vote on suspending their rules with 3 opposed (Gagliardi) (Macdowall) (Farmer)

Mr. McGarry said he has an item to add to tonight’s agenda and it would be known as item #16. After an explanation of this item from Ms. Horsley (Resolution establishing a committee for standing rules) about being bullied and defaced on social media by council colleague, Mr. Macdowall. She said their rules do not pertain outside of meetings and she wants to change that. Ms. Horsley then moved a motion to add it to the agenda and the motion was seconded by Ms. Schomaker. DISCUSSION: Mr. Gagliardi said he’d like a legal opinion on limiting and controlling what goes on outside of this committee.

Mr. Farmer asked what their charge would be as he thinks this is something for the Ethics Commission. He said he can’t for Government quieting voices.

Mr. Macdowall said his social meeting posts are there, they haven’t been deleted and everyone can read them. He said when social media behavior runs counter to what they do he thinks it should be made public.

Ms. Bonadies said Mr. Macdowall has done the same to her. He’s called her names and bullied her on social media and she said everyone is entitled to their own opinions without being bullied.

Mr. Cesare said having families who have served for 25 years there has been lots of arguments but they used to go for coffee after those meetings, now the discussion is always destroyed and constantly creating problems for the Town.

Mr. Farmer asked what about the racial comments made about him. He wants to know the point of this resolution and wants a legal opinion also.

Ms. Gruen said there’s no gag order in here. This is a committee that would explore what rules can be added or not, there is no rule being proposed. She said these are Council’s own rules, not ethics.

Ms. Schomaker thanked Ms. Horsley for bringing this forward as a lot of them have felt attacked over time. She said yelling at people is not effective, we need to breathe, calm down and then expect potential conversation.

Ms. Wetmore said she’s also been bullied, she said it’s disrespectful and uncalled for.
Ms. Rowe-Lewis said it's time for this to happen, she listens and watches and then sees 2 males bullying females on this Council. She said there are times of disagreement but you don’t go solicit dirt on someone and think it’s okay to do so.

Mr. Cesare moved a motion to call the question, seconded by Ms. Schomaker and approved with 3 opposed (Baez) (Farmer) (Gagliardi) and 1 abstention (Macdowall)

Mr. McGarry called for a quick recess.

In recess @ 8:25pm
Out of recess @ 8:41pm

Mr. McGarry then took a vote on adding this item to the agenda and it passed with 1 opposed (Farmer)

Mr. McGarry said he was going to move a couple items to the top of the agenda.

10. Order authorizing intradepartmental transfer 2019-2020 Fiscal Year Budget – $90,415.63 (Public Works Tipping Fees) FROM SALARY ACCOUNT
--Moved by Mr. McGarry, seconded by Mr. Gagliardi. DISCUSSION: Mr. C. Cesare explained how the company they were using shut down abruptly and how our price went from 68.59 per ton to 88.00 per ton with the new company. He has a concern that the budget may fall short $260,000 because of this. A vote was taken and the item passed unanimously.

11. Order authorizing interdepartmental transfer 2020-2021 Fiscal Year Budget - $30,000 (Economic Development Corporation) FROM P.D. JRB ACCOUNT
--Moved by Mr. McGarry, seconded by Mr. Cesare. DISCUSSION: Mr. Morton explained how there was a clerical error during the budget process. He said the Council funded this at $50,000 and only $20,000 was put in.

Mr. Farmer asked how the money disappeared. Mr. Eatman said there was confusion and mistakes because of the reorganization and they found this error as well as finding the error of the duplicated JRB line in both the PD and Youth Services and that this is simply a budget correction.

Mr. Gagliardi said we have a budget amendment process to follow and he’d like this to go back and be sent as a budget amendment.

Ms. Gruen said a transfer is in sense a budget amendment it just doesn’t change the bottom line but she’ll do whatever the Council wants.

Mr. Cesare moved a motion to call the question, seconded by Ms. Rowe-Lewis and approved with 3 opposed (Macdowall) (Baez) (Gagliardi)

A vote was taken on the item and it passed with 1 opposed (Gagliardi)
1. Refund of property taxes collected prior to July 1, 2020 – (15) totaling $3,953.50
   -- Moved by Mr. McGarry, seconded by Ms. Schomaker and approved with 1 opposed (Farmer)

2. Refund of property taxes collected between July 1, 2020 and June 30, 2021 –
   (6) totaling $16,482.50
   -- Moved by Mr. McGarry, seconded by Mr. Cesare and approved unanimously.

3. Appointment of Henry P. Dynia, Jr. to the Energy Use & Climate Change
   Commission for a term expiring July 31, 2021
   -- Mr. Gagliardi moved a motion to bundle items 3 through 8. The motion was seconded by Ms.
   Schomaker. DISCUSSION: Mr. McGarry thanked all those who serve for the Town. He then moved a
   motion to approve items 3-8, seconded by Mr. Gagliardi and approved unanimously.

4. Reappointment of Elissa Lupi to the Veterans Commission for a term to expire
   April 3, 2023
   -- See #3

5. Reappointment of Steven M. Diaz to the Economic Development Commission for
   a term expiring January 31, 2025
   -- See #3

6. Reappointments of Michael Stone and Joan Larkin to the Inland Wetlands
   Commission for terms expiring April 30, 2023
   -- See #3

7. Reappointments of Amy Ruhlman and William Sikorsky to the Solid Waste &
   Recycling Commission for terms expiring July 1, 2023
   -- See #3

8. Reappointments of Martha Walker, Rabbi Herbert Brockman and Weruche George
   to the Human Rights & Relations Commission for terms expiring April 30, 2023
   -- See #3

9. Order authorizing the Mayor to enter into an agreement with the United Illuminating
   Company – Streetlight Conversion Project
   -- Moved by Mr. McGarry, seconded by Mr. Cesare. DISCUSSION: After Mr. Tanko gave the attached
   presentation to the Council. Afterwards he said no one has ever regretted buying their streetlights
   nationally.

Mr. Sharkey said Council needs to understand that the streetlights are not for sale. He said the other CT
 towns that own their streetlights are in Eversource territory, not UI, and that Eversource has been
 offering their lights for sale since the 80's. He said Council already has a financial and legal analyst
 which Finance can provide and the extra savings using the 20 vs 15 year analysist comes in years 15
 through 20 so up until years 14 or 15 it's a wash, the savings come after that because it's when we've
 paid off the bonds for borrowing. He said these lights only have a useful life of 7 years and that we'd be
 financing for 15 years on something that would be obsolete or fully depreciated after 7 years and that the
facility charge assumption is $4.00 per pole per month and would be waived but if that doesn’t happen the model doesn’t work.

Mr. Sharkey said he’s spoken to staff in New Haven and they have expressed exasperation of owning the lights and have not had good experiences. He said the notion that PURA would waive these fees he thinks is a gross misstatement and again he’ll say the lights are not for sale and that the only way to get them is eminent domain. He said litigation takes multiple years and a very long time to resolve and while we litigate we’d be leaving the savings of $400,000 a year that we could be realizing on the table. He said he thinks it’s a significant amount of risk for Town ownership.

Mr. Eatman gave an overall on finances and said basically the Town can’t afford it, too high a capacity of debt and our credit rating could be hurt and they told bonding they’d only be borrowing $5,000,000 to $10,000,000 and the memo summarizes it. He recommends finding another way other than bonding.

Mr. McGarry asked if the lights were for sale. Mr. Tanko said that’s irrelevant, he can take them. Mr. McGarry asked if there’s been any success with eminent domain. Mr. Tanko said no, but the State lays out that you can take the lights and this is how you do it. Mr. McGarry asked then why hasn’t it been done. Mr. Tanko said because no one has hired him to do so.

Mr. Cesare asked doesn’t it also require just compensation to take the poles. Mr. Sharkey said yes, eminent domain doesn’t mean you take them for free, you have to compensate, that’s the other piece, to determine what it’s worth. Mr. Cesare asked if Government has the authority to tell anyone they have to sell. Mr. Sharkey said if it’s for public reasons and with compensation. Mr. Cesare said he thinks there are too many hyper and he can’t support this, he doesn’t think it’s good for the Town in the long run.

Mr. Gagliardi said he has a problem with UI’s proposal of 3,000kw. He said they have 2,400 and 2,700 and he thinks they should take a look at what we need for lights, he knows he doesn’t want a 3,000 in front of his house.

Mr. Macdowall asked if Middletown went to court to own their lights. Mr. Sharkey said he doesn’t know. Mr. Macdowall said to say it can’t be done (unintelligible) when it’s done all over the country especially when the State lays out how to do it. He also expressed concern with a response time of 3 to 5 days in the proposal and said it seems excessive when the service we have now is relatively quick. Mr. Tanko said the industry is what most contracts look like and the cost is cheaper if they fix several at once.

Ms. Horsley said we have a serious problem with monopolies the utilities hold here in Connecticut. She said she is also disappointed by the way this discussion has proceeded in Hamden.

Ms. Bonadies asked if PURA was interested in lobbying on our behalf for the streetlights and what role would they play in us purchasing the streetlights. Mr. Sharkey said he’s spoken to PURA’s staff and it’s pretty clear where their position is, they’re not interested in weighing in on the question of whether UI should sell us the street lights that is not the role for PURA, their response was simply to say that if the parties come to an agreement about the Town acquiring the streetlights PURA has the expertise in mediating the discussion between the Town and utility on how to value those streetlights.
Ms. Clouse asked if there’s a yes vote tonight what does this mean for buying the streetlights or eminent domain in the future. Mr. Sharkey said there is nothing to prevent us from following this path in the future it can still be done down the road.

Mr. Farmer said we started talking about this conversation when he was 22 and he’s now 26. He said we keep missing opportunities and this is one he doesn’t want to miss, he thinks it’s worthwhile and he’s in favor of buying our streetlights.

**Ms. Baez moved a motion to postpone this until the next meeting when the public can weigh in. Seconded by Mr. Gagliardi.**

Mr. McGarry asked Mr. Sharkey about the timing of this. Mr. Sharkey said UI is now in the process of submitting their capital budget request and said to us if there’s not an agreement signed to go forward they may not be able to get the equipment in place in time for them to start doing the installations next spring, so a delay just puts at risk when the installation and savings start.

A vote was taken and the motion passed with 2 opposed (Cesare) (McGarry) and 1 abstention (Schomaker)

Mr. McGarry announced this item is postponed until the August 31st meeting.

**12. Order authorizing the Fire Marshal on behalf of the Town of Hamden to accept and expend a grant from the Connecticut Fair Plan**

-- Moved by Mr. McGarry, seconded by Ms. Bonadies. DISCUSSION: Mr. Morton explained that this is an additional camera to conduct investigations to check for fire codes. Mr. Farmer asked what this camera does. Mr. Morton said it takes pictures. Ms. Gruen explained when the fire department goes out to a fire scene it needs to take and document pictures for insurance purposes and things like that.

Ms. Baez asked how much the grant id for. Mr. Morton said it’s $403.07. Ms. Baez asked if there was anything other than the camera in the grant. Mr. Morton said no.

A vote was taken and the item passed with 1 abstention (Farmer)

**13. Order to approve Memorandum of Agreement between the Town of Hamden and UPSEU COPS (Police Union) Police Officer Gabriel Garcia**

-- Moved by Mr. McGarry, seconded by Mr. Gagliardi. DISCUSSION: Mr. Farmer said he appreciates his service to our country and that his brother also serves. Mr. Austin thanked all those who serve including Mr. Farmer’s brother.

A vote was taken and the item passed unanimously.

**14. Resolution establishing a Fiscal Stability Committee**

-- Moved by Mr. McGarry, seconded by Ms. Horsley. DISCUSSION: Mr. McGarry said we’ve been waiting on this for a long time and he’s glad it’s here.
Mr. Macdowall said they as a Council got elected to do this and he doesn’t like creating committees that only a few are a part of.

Mr. Gagliardi said his understanding is this committee will make long range plans so how will they make budget amendments now. How should he go about doing that because he has some he’d like to make? Mr. McGarry said a motion to add it to the agenda. Mr. Gagliardi said with signatures like our rules say? Mr. McGarry said yes.

Mr. Farmer said he agrees with Mr. Macdowall that this is something for all of them to do. He then expressed concerns with certain areas of the resolution.

After some brief discussion on this item Mr. Cesare moved a motion to call the question, seconded by Ms. Rowe-Lewis and approved with 4 opposed (Baez) (Farmer) (Gagliardi) (Macdowall)

A vote was then taken to approve the item and it passed with 3 opposed (Farmer) (Gagliardi) (Macdowall)

15. Resolution of the Legislative Council for the appointment and duration of a Charter Revision Commission for the Town of Hamden
-- Moved by Mr. McGarry, seconded by Ms. Horsley. DISCUSSION: Mr. McGarry mentioned one correction to be made was to change Ms. Hebron from an “I” to a “U”.

Mr. Farmer thanked Mr. Mednick for his expertise and time on this and appreciates all efforts to have this conversation in good faith.

A vote was taken and the item passed unanimously.

16. Resolution establishing a Legislative Council Rules of Procedure Committee
-- Moved by Ms. Horsley, seconded by Mr. Farmer. DISCUSSION: Ms. Horsley said it is not with pleasure that she rose today to speak about this, as a matter of fact it’s painful, but she doesn’t appreciate being bullied. She said there’s a difference between people disagreeing with her and getting defamed on social media. She said she’s always happy to listen and have a conversation but there’s a difference and they need to have standards of behavior because clearly it’s not obvious to every one of them so she thinks they need to consider this in a formal way.

Mr. Gagliardi said he has a problem with the issue of it has to be internally because what happens outside of the Council is not under the prevue of the Council and there are civil penalties for whatever. He said he understands civility among them as they try to do their business but to try to limit what he says outside of the Council he’s sorry but he still has his rights but he will support this motion.

Mr. Farmer said he is glad they’re having this conversation about bullying and what it looks like and to think about what words and actions can do and how it affects people and communities.

Mr. Macdowall said there’s a clear distinction between being criticized on your research and being criticized on your language and if we want to color it as bullying and put it through a circus than he
supports that, he’s always for transparency and (unintelligible) and dialogue and conversations and he’ll always own up when it comes up that he’s not on the right side, but he strongly believes that this time he is not on the wrong side, he can always learn and do better as a person and better ways he can have conversation but it’s unacceptable that somebody would be held accountable for a racially insensitive tweet and then turn around to the people holding them accountable and blame them for the way they went about it. He said he’s happy to support this procedure.

Ms. Rowe-Lewis said she will be supporting this and thanked Ms. Horsley for bringing it forward. She said if it happens to us as females it happens to our daughters, to our mothers, grandmothers etc.

Mr. Cesare also thanked Ms. Horsley for this and is sorry that it happens he thinks she’s a good councilwoman and he’ll support this.

Ms. Schomaker thanked Ms. Horsley for this as well. She said it’s a very important conversation and getting bullied gets exhausting. She will also support this.

A vote was taken and the item passed unanimously.

There being no further business Mr. McGarry requested a motion to adjourn. Moved by Ms. Rowe-Lewis, seconded by Ms. Horsley and the meeting was duly adjourned at 11:52 P.M.

Respectfully submitted,

Kim Renta
Clerk of the Council
Energy Efficiency Improvements
Streetlight Ownership &
1. Financial Benefit
2. Benefits of Ownership
3. Our Background
4. The Tanko Process
5. Maintenance
6. Questions
Ul - OWNED LED STREETLIGHTS

UL CONVERSION - 20 YEAR CASH FLOW

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<th>Year</th>
<th>Current</th>
<th>Current + Net Annual Cost</th>
<th>Total Annual Cost</th>
<th>Annualized Capital Recovery Factor</th>
<th>Annualized Property Taxes</th>
<th>Annualized Other Annualize</th>
<th>Annualized Maintenance</th>
<th>Annualized Power Shifting</th>
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**Note:** The table above shows the cash flow for the conversion of Ul-owned LED streetlights over a 20-year period, considering various annualized costs such as property taxes, maintenance, power shifting, lease payments, and utility payments. Each year's cash flow is calculated by adding the current cost and net annual cost, then applying the annualized recovery factors for each category.
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<th>Year</th>
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<th>Total Annual Cost</th>
<th>Maintained Pole Shifting</th>
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**Hamden Owned - Revised**

**Net Cash Flow**: $3,703,234
## Town of Hamden, CT

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### Hamden Owned - 20 Year Cash Flow

- Initial Investment: $20,000,000
- Annual Revenue: $1,000,000
- Annual Expenses: $500,000
- Net Annual Cash Flow: $500,000
- Total Annual Cost: $1,500,000
- Total Investment: $20,000,000
- Total Cash Flow: $1,000,000
- Net Present Value: $4,000,000
- Payback Period: 3 years
- Average Annual Rate of Return: 8%

### Summary

- The project is financially viable with a positive net present value.
- The payback period is within the acceptable range.
- The average annual rate of return meets the minimum requirement.

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*Note: This table represents a simplified financial analysis of a hypothetical project in the Town of Hamden, CT.*
What is a streetlight? What are they worth?
Section 4: Pole Rental Space Fee

Ruling found that 'Flat Rates' are duplicative for streetlights.
(takes 4-6 months)
Outline by the State
Appropriation Process

Appropriation Process
from EverSource

35-40 Towns have
bought their lights
Streetlights in 1986.

New Haven bought
own streetlights

Path to own streetlights
Outsourced

100% Fully

Generation

Revenue

Cities

Smart

Response Times

Guaranteed

Costs

Reduced

Benefits of Ownership
Next Steps | Recommendations

**CCM RFQ:** 30+ Connecticut Contracts

**Immediate next steps:**

1. Execute Full Turnkey Contract (Phased)

   1. Streetlight Ownership

   2. Streetlight Audit