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INCORPORATED VILLAGE OF PLANDOME MANOR  
BOARD OF TRUSTEES  
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55 Manhasset Avenue  
Manhasset, New York

October 10, 2019  
7:00 P.M.

PUBLIC HEARING MINUTES

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APPEARANCES :

BARBARA C. DONNO, MAYOR  
PATRICIA O'NEILL, RA, AIA, BOARD  
MEMBER

TONY DeSOUSA, BOARD MEMBER

MATTHEW CLINTON, BOARD MEMBER

JOHN FARRELL, ESQ., VILLAGE  
ATTORNEY

EDWARD P. BUTT, RA, AIA, BUILDING  
INSPECTOR

RANDI I. MALMAN, VILLAGE CLERK

\* \* \*

## 1 PUBLIC HEARING MINUTES

2 MAYOR DONNO: Good evening.

3 Welcome to the Incorporated Village of  
4 Plandome Manor Board of Trustees  
5 public hearing.

6 In 2016, the Board of Trustees  
7 imposed a moratorium on the  
8 applications -- on any applications  
9 from any cell carriers -- from the  
10 cell carrier companies while we worked  
11 on establishing a Village Code  
12 pertaining to wireless  
13 telecommunication applications. In  
14 2016, we also hired a consulting firm,  
15 The Center for Municipal Solutions,  
16 who has worked with us for the past  
17 four years helping us develop, along  
18 with our Village Attorney, helping us  
19 develop our Code, which went into  
20 effect in June of 2018; so we do have  
21 a Code and we had it in plenty of  
22 time. In August 2019, we received a  
23 special permit request from  
24 ExteNet Systems for the proposed  
25 installation of 20 DAS systems, which

## 1 PUBLIC HEARING MINUTES

2 are distributed antenna systems also  
3 known as wireless communication  
4 facilities.

5 These two public hearings that  
6 we're having tonight and Tuesday night  
7 will help address whether or not the  
8 Board of Trustees will help approve  
9 this special permit request. It's an  
10 opportunity for the community to be  
11 heard and to ask questions of ExteNet  
12 and our consultant, who is here. The  
13 Board's decision will not be made  
14 until all the public hearings have  
15 been held and we have a chance to go  
16 through all the responses, questions,  
17 take into consideration everything  
18 from the community and, of course, the  
19 legality of -- of installing these  
20 cell nodes. And as you know, they are  
21 all being -- the FCC is -- is the  
22 organization that has control over the  
23 federal Communication Act [sic], has  
24 control over these cell nodes, or at  
25 least the -- the laws. The Board's

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1  
2 decision, as I said, will not be heard  
3 until the public hearings have been  
4 held and all the requirements of our  
5 Code have been met by the applicant.

6           There's a speaker sheet on the  
7 table in the front hallway, so if you  
8 would like to speak, please sign up.  
9 And what we did was break it down into  
10 each node, so the nodes have numbers  
11 or areas. So what we'd like to do is  
12 just group everybody who wants to  
13 speak about nodes at a certain area.  
14 Please sign that sheet, and that way,  
15 we just won't jump around; we can  
16 address one node in particular and  
17 then go on to another node. And we're  
18 trying to do that to save time. We'd  
19 rather not have this meeting go to  
20 1:00 o'clock in the morning.

21           So I do ask that you please keep  
22 your questions short, limited to three  
23 minutes with one follow-up and not go  
24 on and on. If your question has  
25 already been asked but you'd still

## PUBLIC HEARING MINUTES

1  
2 like to comment, again, please keep  
3 that as short as possible. Please  
4 state your name and address for the  
5 record; our stenographer is here.  
6 Randi will have a microphone for you  
7 to use, so you don't have to get up  
8 and go to the podium; she'll bring the  
9 microphone to you. And, as I said,  
10 speakers will be grouped according to  
11 the locations they wish to speak  
12 about.

13 I think everyone has a agenda,  
14 and if not, what we're doing is there  
15 will be a presentation by ExteNet.  
16 Then there will be a presentation by  
17 our Village consultant,  
18 Al Tagliaferri. And then we'll have  
19 questions and answers.

20 And John, our Attorney,  
21 John Farrell, do you want to say  
22 anything?

23 MR. FARRELL: No. I think you  
24 pretty much touched on everything. I  
25 think the most important thing to know

## 1 PUBLIC HEARING MINUTES

2 is that this Board cannot consider  
3 anything regarding RF emissions,  
4 potential health risks, anything like  
5 that; that is all regulated by the  
6 FCC. We are not permitted to consider  
7 it in any way. If you bring up  
8 that -- if you bring that up during  
9 the course of your comments, I'm going  
10 to have to interrupt you and remind  
11 you that we're not allowed to consider  
12 that because it can taint our record.  
13 And I'd just like you to keep that in  
14 mind.

15 AUDIENCE MEMBER: Why?

16 MR. FARRELL: Because the FCC  
17 regulates it; the FCC has said these  
18 are the emissions levels that they  
19 deem safe based on the science that  
20 they've studied and they --

21 AUDIENCE MEMBER: When was the  
22 study done?

23 MR. FARRELL: This was all part  
24 of the Telecommunications Act of 1996,  
25 which has been periodically updated.

## 1 PUBLIC HEARING MINUTES

2 Sir, I mean, I would love to, you  
3 know, get into a debate with you about  
4 the FCC's rules and regulations, but  
5 it is what it is and I've seen cases  
6 where the record is completely tainted  
7 with discussions of health risks and  
8 the municipalities have lost that  
9 litigation because of that. So I just  
10 want it to be clear.

11 MAYOR DONNO: Thank you, John.

12 MR. FARRELL: Sure.

13 MAYOR DONNO: I am verifying  
14 that we do have a quorum, and if I  
15 could ask you all before we start the  
16 meeting to please rise for the Pledge  
17 of Allegiance.

18 [Whereupon, the Pledge was  
19 recited.]

20 MAYOR DONNO: Thank you. I'm  
21 going to open the public hearing, so  
22 the Board of Trustees is down there,  
23 and I'm going to leave and go down to  
24 one of those chairs.

25 Can I have a motion to open the



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PUBLIC HEARING MINUTES  
public hearing on the special use  
permit application submitted by  
ExteNet Systems for distributed  
antenna system in 20 locations  
throughout the Village of  
Plandome Manor.

TRUSTEE O'NEILL: Motion.

MAYOR DONNO: Can I have a  
second.

TRUSTEE CLINTON: Second.

MAYOR DONNO: All those in  
favor?

[A chorus of ayes.]

MAYOR DONNO: Thank you.  
Richard Lambert is the  
representative of ExteNet Systems, and  
I'll open it up to you.

MR. LAMBERT: Thank you.

Can you hear me? Small mic  
here. Thank you again for coming out,  
and I love seeing [inaudible]; it's a  
local thing. As a former planner, I  
appreciate that, and I'm sure your  
community appreciates your coming out

## 1 PUBLIC HEARING MINUTES

2 here to take part in this discussion  
3 and this public hearing this evening.

4 And I'm here with

5 Chris Fridrich, who is our RF  
6 engineer, and Larry Washington,  
7 sitting over there (indicating), who  
8 is our in-house attorney, as well to  
9 talk about compliance and some of the  
10 items that -- the legal questions that  
11 may pop up this evening. Again, my  
12 name is Richard Lambert. I am the ER  
13 director for ExteNet on the  
14 East Coast.

15 ExteNet Systems is requesting a  
16 special use permit for the  
17 construction of wireless telecom  
18 facilities within the Village of  
19 Plandome Manor. The purpose of this  
20 is to install small cell wireless  
21 infrastructure to patch discreet holes  
22 in Verizon's wireless 4G coverage to  
23 provide greater capacity in 4G  
24 wireless network.

25 So I'm going to attempt to play

## 1 PUBLIC HEARING MINUTES

2 a video here. We'll see if it works  
3 or not.

4 [Video playing.]

5 MR. LAMBERT: So this video kind  
6 of partially gets to the issue we are  
7 looking at. I mean, it talks about  
8 capacity. It brings up larger urban  
9 areas and -- and whatnot, which is  
10 where capacity is really needed, but  
11 also in areas like this, Lake Success  
12 and Manhasset Bay area and Plandome,  
13 Plandome Manor, all these areas.  
14 There's not just a capacity play,  
15 which is when -- when -- when your  
16 network is slow and you need more  
17 capacity to make it faster. Also, in  
18 areas like this, you'll see coverage  
19 -- coverage issues, and which we'll  
20 get to a map and I'll -- I'll show the  
21 -- the -- where Verizon's take on the  
22 lack of coverages area is and how the  
23 small cell DAS network will enhance  
24 the coverage area as well.

25 So the benefits of -- of a small

## PUBLIC HEARING MINUTES

1  
2 cell of a DAS system is can improve  
3 capacity and coverage, increase  
4 wireless speeds, smaller form factor.  
5 You know, as they mentioned in the  
6 video, you have the macrosite, which  
7 is the large 100-foot, 200-foot  
8 towers. Those aren't really available  
9 to place in [inaudible]. Over the  
10 years, communities have fought to not  
11 have large towers, so it doesn't make  
12 sense to have those here.

13 You know, the industry looked at  
14 other opportunities. How can we  
15 provide better service without putting  
16 a large macrosite and [inaudible] in a  
17 residential area? So the idea was  
18 well, let's make it smaller. Let's  
19 use the existing infrastructure,  
20 infrastructure that's already there  
21 along the rights of way, utility  
22 poles, streetlights owned by villages  
23 and towns and cities, and let's find  
24 something that can blend into the  
25 utility fabric of those areas. So

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1 fiber optics would be a strong --  
2 areas where there's fiber. If there's  
3 no fiber, things are put underground.  
4 You all probably see the large  
5 distribution equipment on utility  
6 poles currently adding -- adding  
7 infrastructure for wireless and it's  
8 very similar, you know, but even  
9 better because a lot of times, it's  
10 smaller than what's already on your  
11 poles in the communities. But the  
12 idea is to augment and -- and -- and  
13 kind of fit in with the fabric that's  
14 already there as opposed to adding a  
15 lot of new vertical structures, a lot  
16 of new equipment that -- that can be  
17 seen by people 4- or 500, 600, 700  
18 feet away like the macrotowers can be.

19 And the benefit of an ExteNet  
20 system coming here rather than a  
21 Verizon building specifically or  
22 Sprint coming in and asking for a  
23 permit is that ExteNet is -- we are a  
24 neutral host provider. Our equipment  
25

## PUBLIC HEARING MINUTES

1  
2 allows multiple carriers to be on it  
3 at the same time. So we come in with  
4 Verizon right now, but if T-Mobile or  
5 Sprint or AT&T also needs to build  
6 their capacity coverage in the same  
7 area as opposed to them building new  
8 sites or having new permits to come in  
9 and build new vertical structures and  
10 add more infrastructure to the  
11 communities, they hop on what we  
12 already have. So it reduces and  
13 mitigates the proliferation of new  
14 small cell infrastructure through  
15 communities because we're a neutral  
16 host. And that's one benefit we  
17 provide rather than, you know, just  
18 Verizon coming in or just T-Mobile  
19 coming into a community.

20 So the application that we have  
21 before the Board right now, it is a  
22 DAS system. Fiber is not part of this  
23 system; it's what we call "node only,"  
24 so it's just the infrastructure that's  
25 on the pole. The connection between

## PUBLIC HEARING MINUTES

1 poles is actually Verizon, and  
2 Verizon Telecom will be handling those  
3 parts of it, so you won't see that  
4 piece within the application because  
5 we don't control that aspect of it.

6  
7 There are twenty sites in this,  
8 so of these twenty sites, four are --  
9 we propose existing poles; we're  
10 putting equipment on existing poles.  
11 Eleven are replacement poles. There's  
12 various reasons why we need to replace  
13 poles; most of them have to do with  
14 the fact that we don't own the poles.  
15 PSE&G or Verizon Telecom, they own the  
16 poles, and we're just tenants of those  
17 poles. So we have to ask permission  
18 to go on certain poles, and they tell  
19 us if the poles need to be replaced or  
20 not or how to set up our equipment on  
21 their pole because we just pay the  
22 rent to them for the use of their  
23 space on the pole. And we have, you  
24 know, we are getting five -- five new  
25 poles, and some of these may be

## 1 PUBLIC HEARING MINUTES

2 ExteNet-owned poles; some may be PSE&G  
3 poles, Verizon poles.

4 So the form factor, for the most  
5 part, are wood utility poles. Heights  
6 range from 29.5 feet to roughly  
7 40.5 feet. There is a -- most of you  
8 picked up the larger sheet that  
9 actually has all the nodes on there  
10 and the node numbers. And across, it  
11 has the pole heights, existing pole  
12 height if we're going to change out --  
13 proposing change out, what the -- what  
14 the new pole height may be. It has  
15 all that information on here. There's  
16 a small sheet and a large sheet; same  
17 information, just different format.

18 MAYOR DONNO: Richard, they will  
19 be on the -- we'll post them on our  
20 website.

21 MR. LAMBERT: Yes, yes. And all  
22 this will be on the website, as well  
23 for those who haven't -- who can't  
24 come this evening or next Tuesday.

25 And you'll see -- I'll show you



## PUBLIC HEARING MINUTES

1  
2 some -- some graphics of the parts and  
3 pieces of this thing. So there's an  
4 antenna that goes on top of the pole  
5 or on the side of the pole in the  
6 "communications zone," as they call  
7 it. That antenna is about 24 inches  
8 by 14.6 inches. And there's a radio  
9 shroud, which you'll see, which holds  
10 radios that allow the -- the signal to  
11 be transferred back and forth between  
12 the radio and -- and -- and all the  
13 electronics that make it go to your --  
14 from and to your phone.

15 So as I mentioned earlier -- I'm  
16 sorry. This is a map that Verizon  
17 gave to us. It's all pixelated, so  
18 sorry that it's hard to see, but what  
19 you can see on this -- I mentioned the  
20 whole coverage thing. That's why this  
21 is not really about capacity; it's  
22 really a coverage issue is -- this is  
23 just kind of the Plandome Manor area.  
24 And what you see here is -- actually,  
25 this map, this graph here, red is the

## PUBLIC HEARING MINUTES

1  
2 best signal strength you can -- can  
3 achieve: neg 65 dBms. And it goes  
4 all the way down red and it goes down  
5 to green, down to blue. And the dark  
6 blue is negative 115. To explain  
7 this, pretty much after kind of neg 90  
8 -- negative 90 and down, you're  
9 getting a point where you're losing  
10 your signal, the point where your  
11 phone is not operative...you may get a  
12 phone call, but data is not coming  
13 through; you're not using it for the  
14 functionality that most people have on  
15 phones now. A flip phone may work  
16 perfectly fine if you're on a 2G  
17 network or something like that. But  
18 if you're trying to get any type of --  
19 of data because you have a smartphone,  
20 once you start dropping down past the  
21 neg 90 and below, it becomes less and  
22 less operable.

23 As you see in this area where we  
24 are, it's mainly dark blue, light  
25 blue. The Plandome Country Club is

## PUBLIC HEARING MINUTES

1  
2 green, the water over there. But this  
3 area where we are is mainly the lower  
4 levels. So -- and that's why Verizon  
5 is here, not just Plandome Manor but  
6 also Plandome and Munsey Park and  
7 Village of Flower Hill and around here  
8 because this whole area (indicating),  
9 they've deduced that they need better  
10 coverage here, and the individuals who  
11 are their customers, they're not  
12 getting the quality service that  
13 Verizon thinks they should get.

14 So that's kind of why we are  
15 here. They hired us to come in. They  
16 said, "Hey, we need to improve our  
17 network in this area. ExteNet, build  
18 us a network that will achieve that.  
19 Give us a network that will achieve a,  
20 you know, a neg 75, neg 80, or higher,  
21 you know." That's what they want in  
22 order to get the service that their  
23 customers need, you know. You know,  
24 they're not building and constructing  
25 for the fun of it. You know, all of

## PUBLIC HEARING MINUTES

1  
2 this costs money; in fact, a DAS and  
3 small cell system is way more  
4 expensive than a larger macrosystem.  
5 So if they don't have to build these,  
6 they don't want to. But they feel the  
7 need to, and so that's why we are here  
8 this evening getting permission from  
9 the Trustees to construct the system  
10 that Verizon thinks they need and  
11 believes they need.

12 So there is a map that's  
13 floating around, and this is kind of  
14 the [inaudible] area of, you know,  
15 where the yellow dots are, where the  
16 nodes are. So we'll come back to this  
17 in a little while, but on  
18 Papermill Road, North Plandome Road,  
19 Plandome Road, over here, Circle Drive  
20 and Janssen Drive, Stonytown Road, so  
21 they're along these roads; that's kind  
22 of where they kind of are.

23 So once we, you know, propose --  
24 you know, assuming that we -- that the  
25 Trustees allow us to build, once

## PUBLIC HEARING MINUTES

1  
2 they're built and the -- and this will  
3 also be online too; so you can take  
4 pictures, but this will also be online  
5 as well. So once the system goes up,  
6 you know, compare, you know --  
7 remember this patch -- you know, bad  
8 coverage, poor coverage. Once it goes  
9 up...

10 AUDIENCE MEMBER: [Inaudible.]

11 MR. LAMBERT: It's a very  
12 beautiful map. Unfortunately, I  
13 couldn't get the screen that  
14 [inaudible] all on it, but you'll  
15 see --

16 AUDIENCE MEMBER: [Inaudible.]

17 MR. LAMBERT: Well, what you see  
18 is a lot of red and a lot of -- a lot  
19 of -- a lot of this: red and yellow.  
20 That's what you want. That's what  
21 Verizon wants. So that's what Verizon  
22 wants their customers to have; that's  
23 their expectations of their level of  
24 service for their customers. That's  
25 good service to them. They're not,

## PUBLIC HEARING MINUTES

1  
2 "We do all right." They are, "We do  
3 the best," and this is, for them, this  
4 is the level of service they need. So  
5 right around the node, you can see  
6 it's the strongest, you know, neg 65,  
7 neg 70. And as it goes a little  
8 further from the node, it drops down,  
9 but it's still good signal for the  
10 uses of individuals.

11 So, you know, as we have done  
12 this over the last two years in the  
13 various municipalities and  
14 jurisdictions here, there have been  
15 some common questions that pop up and  
16 a lot of them have to do with FCC  
17 regulations and, obviously, RF  
18 exposure and those kinds of things.  
19 So I did want to at least address some  
20 of those questions. I know that some  
21 of the issues aren't necessarily that  
22 Trustees can't make decisions on  
23 those, but for the sake of good, you  
24 know, correspondence and good  
25 community development and good rapport

## 1 PUBLIC HEARING MINUTES

2 building, I did want to answer some of  
3 them early on because we do get these  
4 often, and they do ache at the  
5 underlying tone of these sometimes, so  
6 I do want to talk about this.

7 And I know a lot of people come  
8 in thinking, "This is a 5G network."  
9 5G, a lot of research on the 5G. You  
10 found a lot of things about the 5G,  
11 some things you like and some things  
12 you don't like, which is -- everybody  
13 has the right, definitely, has the  
14 right to do a lot of research and form  
15 your own opinion. But, you know, this  
16 is not a 5G network; this is a 4G  
17 network. So that's one thing; I want  
18 to make sure that's clear from the  
19 beginning. This is a 4G network that  
20 we're proposing.

21 A big question people ask is:  
22 "Hey, will this network be a 5G  
23 network in the future sometime?" And,  
24 you know, and I'm not a crystal ball;  
25 I can't say "yes" or "no" necessarily.

## 1 PUBLIC HEARING MINUTES

2 But this design, this design here  
3 cannot be a 5G network. This design,  
4 how it was designed and how we're  
5 proposing it cannot be a 5G network.

6 I'm not sure if you've seen some  
7 of the reports on the experimental  
8 sites in Manhattan and other places,  
9 other big cities for 5G. You know,  
10 they say, "Oh, if you're under an  
11 antenna, you have great service."  
12 Walk across the street, no 5G service.  
13 Go into a Starbucks that's right  
14 beside an antenna, no service. Right  
15 now, it's a lackluster type of  
16 situation with 5G now. It's an  
17 experimental phase right now. What  
18 they're talking about is this  
19 millimeter wave technology.

20 Let's back up a second. 5G,  
21 there's a misunderstanding of what 5G  
22 is. 5G is, in many ways, just a  
23 standard. It's saying, "In order to  
24 call yourself '5G,' you have to have,  
25 you know, this speed, this latency, X,



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1  
2 Y, and Z in order to call yourself  
3 '5G.'" You can use whatever  
4 technology you can get to use to get  
5 to that standard, to that 5G, but you  
6 can't call yourself "5G" unless you  
7 can fill these expectations of what 5G  
8 is. What that -- that technology has  
9 kind of developed right now and this  
10 high frequency millimeter wave  
11 technology is kind of how -- what's  
12 being developed. And that's what  
13 you're talking about, thinking about,  
14 reading about: that high frequency  
15 stuff.

16 That may work in a downtown  
17 urban area in Manhattan and in L.A.  
18 and in Boston. That kind of stuff may  
19 work. We are seeing it's kind of  
20 working, kind of not working. That  
21 technology wouldn't work here.  
22 There's too many trees. The calls  
23 have to be very close together. The  
24 network that we're proposing here, you  
25 would have to have almost three or

## PUBLIC HEARING MINUTES

1  
2 four times the number of poles to make  
3 5G even operational here. And that's  
4 without -- without the clutter of  
5 leaves and trees. Once you add that  
6 in there, it would be hard-pressed to  
7 make it work and very expensive to  
8 make it work, and no carrier wants to  
9 put in a system that probably won't  
10 have the -- won't operate the way they  
11 need it to and for the cost it's going  
12 to involve. So coming here, at least  
13 in the way it's being developed now,  
14 is very unlikely; so that answers that  
15 question.

16 So do the RF emissions exceed  
17 what's allowed? So as I mentioned  
18 earlier, FCC has kind of drawn out  
19 what is allowable and what's not. And  
20 we'll talk a little bit more about  
21 this, but I did want to say, you know,  
22 there's a third party that did a  
23 maximum permissible exposure study,  
24 MPE study. That's been given to the  
25 Trustees and may have been placed

## PUBLIC HEARING MINUTES

1  
2 online as well. And it said even in  
3 the worst case emissions, it's still  
4 less than 1 percent of what the FCC  
5 limit is. And so we are way below;  
6 what we are proposing has been tested  
7 way below what the FCC requires. So,  
8 you know, take that for what you want,  
9 but does it -- the question "Does it  
10 meet FCC" -- "Does it exceed?," it  
11 meets and exceeds tremendously what  
12 the FCC says. Okay?

13 Some people ask about, you know,  
14 "Okay, well, how does the RF affect"  
15 -- you know, "How does it reach out?  
16 How does it affect people on the  
17 ground?" So this is a kind of a graph  
18 of a antenna that's at 23 feet; 23  
19 feet. The middle of the antenna is at  
20 23 feet. As you see on this, on the  
21 graph here, none of our -- this chart  
22 -- none of our antennas are even that  
23 low; most of them are higher than  
24 that. So what you see is right at the  
25 antenna. It's the blue. So you're at

## 1 PUBLIC HEARING MINUTES

2 100 to 500 percent of that MPE. Yeah,  
3 that's unsafe to be right up there at  
4 23 feet, and if you're at 40 feet  
5 high, it could be dangerous at that  
6 level.

7 As it, you know, as it goes,  
8 travels away, that wave travels away;  
9 this wave physics, it travels away  
10 from that source antenna. It starts  
11 dropping quickly. So once you hit the  
12 blue, 100, 500. Or as you hit the  
13 green, it goes 100 percent to  
14 5 percent. And once you hit past that  
15 green, past those few feet -- pretty  
16 much it's 10 feet, roughly -- you  
17 start -- it gets to 0. So anyone  
18 walking -- walking or on the ground,  
19 there's no emissions -- there's no  
20 effect of emissions on you. Beyond 10  
21 or 15 -- even on the horizontal line,  
22 once you get past 10 feet, there's no  
23 emissions effect because the way --  
24 the way the physics of wavelengths  
25 are. At the source, it's strong. It

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2 quickly drops exponentially.

3 AUDIENCE MEMBER: How about if  
4 that's 30 feet high at the second  
5 bedroom level? What if -- how do you  
6 feel about that?

7 MAYOR DONNO: If you would just  
8 hold your questions, please.

9 MR. LAMBERT: Like I said, I  
10 mean, even when it's horizontal, so if  
11 you're looking -- so if it's right  
12 there, if Tim is right here, if you're  
13 standing right here (indicating),  
14 that's dangerous. Once you get past  
15 -- once you get past 10 feet -- once  
16 you get past 10 feet, that emissions  
17 drops like that and you no longer --  
18 now you're within that 1 percent  
19 range. So, you know, if your window  
20 is 5 feet from an antenna, that could  
21 be a problem. But I'm not sure who  
22 has a -- a -- a -- setback that's  
23 5 feet from the road. Does anyone  
24 here have a setback that's 5 feet from  
25 the road or 10 feet from the road?

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2 Probably not. Maybe 20 feet, 30 feet,  
3 100 feet from the road, maybe more so.  
4 For those individuals, there is no  
5 emissions. Even if you're, you know,  
6 looking at it from a bedroom window  
7 and it's on the street and your house  
8 is beyond 10, 15 feet from that, that  
9 window, you know, it's less than  
10 1 percent emissions.

11 MR. FRIDRICH: In layman's  
12 terms, you're getting more exposure  
13 from your own home Wi-Fi router than  
14 you are from this; your own baby  
15 monitor is giving you more energy  
16 exposure than -- than this once you're  
17 beyond 10 feet.

18 MR. LAMBERT: So someone asked  
19 earlier, you know, "What other studies  
20 have been done?" You know, 1996,  
21 that's so long ago. Just to let you  
22 know, there has been numerous studies.  
23 The FCC, it may not do its own  
24 studies, but there's a lot of studies  
25 that have been done by international

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1  
2 organizations through the world  
3 continuously on RF for various  
4 reasons. And FCC looks to those  
5 organizations and -- to -- to  
6 formulate its own policy sometimes.  
7 And this is one particular one:  
8 International Commission on  
9 Non-Ionized Radiation Protection.  
10 This is one large international  
11 organization that's -- it's engineers;  
12 it's academics from across the world  
13 who are part of this organization and  
14 they have been doing research for  
15 years on this stuff, for decades on  
16 RF.

17 Even as of 2018, they had --  
18 they were doing research and visiting  
19 guidelines, which the FCC looked at  
20 and said, "Okay. Well, our guidelines  
21 are pretty much the same as yours.  
22 We're not going to update our  
23 guidelines." So they didn't update  
24 them based on that, but they looked at  
25 them and said, "Hey, they're similar

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1  
2 enough that we don't need to go  
3 through all the update process." But  
4 there are organizations out there who  
5 are doing this work who are  
6 nonpartisan, who are nongovernmental,  
7 who are looking at RF exposure from a  
8 scientific perspective and doing  
9 research and talking to the FCC, but  
10 also other governmental organizations  
11 who make policy across the world. And  
12 they're looking to organizations to do  
13 the heavy lifting to create policy and  
14 help them create policy.

15 So there are -- you know, and I  
16 did give these to Randi, these  
17 studies, digital copies, so Randi may  
18 put them online. So if you want to  
19 look at any of these from 2018 to  
20 2009, whatever it may be, the  
21 research, it will be out there for you  
22 to look at. It's not editorialized;  
23 it's academics making and scientists  
24 making -- doing research and doing  
25 studies and doing peer reviews and



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1  
2 putting it out there. So again, take  
3 it for what it's worth. There is  
4 information out there. And there is  
5 more information at the website  
6 wirelesshealthfacts.com. Feel free to  
7 look at that. And this is online;  
8 this is why I put links in here, so if  
9 you see this online, you can get on it  
10 and get to the information quickly.

11 So I did hear people say, "Oh,  
12 our coverage is fine." I heard that.  
13 That's what we get often in every  
14 place. "My coverage is fine, so why  
15 does a carrier need to improve its  
16 service here? My service is fine."  
17 So the carriers use very sophisticated  
18 modeling tools that incorporate, you  
19 know, the current network activity.  
20 They do drive cars around with the  
21 sensors on them that picks up the  
22 activity on the roads, so they know  
23 that. These are very sophisticated  
24 networks now where they have  
25 monitoring technology all from that

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1  
2 work; it's all digital. So they know  
3 where the heavy use is, the lack of  
4 use is, where the dropped calls are,  
5 and where the poor performance is  
6 throughout the network. So they're  
7 always keeping tabs, and that's a  
8 humongous data collection they do.

9 And they do analysis. Once they  
10 get all that data, they aggregate it,  
11 they put it together, and they figure  
12 out okay, where -- where are the  
13 needs. Where is the coverage bad,  
14 where is capacity failing, where all  
15 those things happen. And where do we  
16 need to build infrastructure for  
17 future performance? Not just current  
18 performance but future performance  
19 because they know things are happening  
20 geographically and demographically  
21 that are changing the network. And  
22 how other networks -- it's not just  
23 the network here in this community.  
24 All these are -- they're all nodes  
25 within a larger network, a larger web.

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2 So things happening next door affects  
3 things happening in the next town  
4 over. So they're all interlinked. So  
5 it -- they know. Verizon knows;  
6 T-Mobile knows; they all know what's  
7 needed, and they put the resources  
8 together to fulfill what's needed.

9 And for those who say, "I have  
10 good service. I have good service,"  
11 there was a -- Marco Schaden, editor  
12 at Anton Media Group, did a quick  
13 study, and he and other individuals  
14 got together and they --

15 AUDIENCE MEMBER: [Inaudible.]

16 MR. LAMBERT: Well, it's out  
17 there. They got together and they  
18 went to the sites. They didn't go to  
19 the sites in Plandome Manor, but they  
20 went to Flower Hill; they went to  
21 Plandome sites. They went to all the  
22 sites in the proposed nodes areas and  
23 they used their -- brought their  
24 phones out and they did their own  
25 analysis to see what is -- what is the

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1  
2 power, what is the service in this  
3 area. What is the service? And they  
4 found out that it was actually pretty  
5 poor. You know that chart earlier,  
6 the negative 100, negative 90,  
7 negative 110? It's also here again.  
8 For their research -- and they had a  
9 few different phones, a few different  
10 people doing this. They all got  
11 negative 100 or worse at those sites.

12 Again, so the extrapolation is  
13 that the same data tools and same  
14 analysis tools used to pick those  
15 sites went into picking these 20 sites  
16 too. So we can guarantee that the  
17 sites here also have the same problem,  
18 which is why we are trying to build  
19 and trying to improve service because  
20 you may think you have good coverage,  
21 but the reality is you don't.

22 So those are the common  
23 questions that we normally get. So I  
24 know you have other questions, and  
25 we'll talk about those later on, but

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2 let's get to the actual details of  
3 this particular proposal.

4 So what you'll see, so  
5 aesthetically speaking, we'll talk  
6 about this in brief. You'll see an  
7 antenna on top of the pole, and  
8 there's an antenna on -- and for the  
9 common zone, which we'll see, it's  
10 this type of bracket with the antenna,  
11 and on top of the pole, it's this kind  
12 of situation right here (indicating).  
13 So it's a 2-foot antenna, a cylinder  
14 antenna, and roughly 14.6 inches in  
15 diameter. You'll also see a shroud  
16 with radios. So within this, there  
17 are two radios, and you'll see the  
18 shroud. So it's 35 inches by 15  
19 inches is the size of this.

20 AUDIENCE MEMBER: That goes on  
21 the pole?

22 MR. LAMBERT: It goes on the  
23 pole.

24 AUDIENCE MEMBER: Are those  
25 bands?

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2 AUDIENCE MEMBER: What is that?

3 MR. LAMBERT: Well, this shroud  
4 thing is because it needs air or it  
5 overheats. Air comes through.

6 AUDIENCE MEMBER: So that makes  
7 noise.

8 MR. LAMBERT: And actually, I  
9 didn't -- there's a noise thing I  
10 provided to other communities; I'm not  
11 sure I provided it to you all, but  
12 it's pretty much ambient sound. I'll  
13 give you all the data; I'll send it to  
14 you. You can look at the study that  
15 was done on these poles, and feel free  
16 to, you know, pick it apart.

17 So these are the major  
18 components that you'll see in cabling  
19 attached in these things. So this is  
20 kind of a -- this is a graphic of the  
21 pole. This is a pole top, so the  
22 antenna's on top of the pole. This is  
23 the pole. You'll see here is the  
24 radios that I mentioned, the meter,  
25 this cut-off switch, cabling up, and

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1  
2 you'll see the node on top  
3 (indicating). So that's kind of your  
4 typical wood pole utility pole.

5 This is one in which you'll see  
6 a com zone one. So at times, we can't  
7 put the antenna up on top because of  
8 PSE&G regulations of not putting  
9 things above the -- certain power  
10 lines because of the safety of the  
11 workers that come over there. So it  
12 goes on the side there in the middle  
13 (indicating).

14 So Larry, I'll have you come up  
15 and talk about the FCC compliance of  
16 it all.

17 MR. WASHINGTON: Thank you, and  
18 thank you for coming out this evening.  
19 Rich asked me just to give sort of an  
20 overview of what the FCC is doing, and  
21 for those of you who don't know -- you  
22 probably all do. You probably already  
23 do know. The Federal Communications  
24 Commission is tasked with the  
25 oversight of the wireless

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1  
2 telecommunications industry, the cell  
3 sites. The Telecommunications Act, as  
4 John had mentioned, was enacted in  
5 1996, and from that time forward, the  
6 FCC has been promulgating regulations  
7 and rules regarding the deployment of  
8 both the macrosites, which are the  
9 large towers that we all see and know  
10 so well, and more recently the small  
11 cell, which is what we are here for  
12 this evening.

13 The Commission has clearly  
14 delineated that they are the ones that  
15 control the issue of RF emissions. I  
16 believe that John had mentioned that  
17 that's sort of -- that's not sort of.  
18 It is off the table for consideration  
19 by the local jurisdictions. If a  
20 decision is made based solely on  
21 health effects, you will lose. That  
22 has been decided in court. It's not  
23 an -- it's not an unexplored issue;  
24 it's a settled issue of law. But  
25 that's not to say that the local



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1  
2 jurisdictions don't have opportunity  
3 to impact the deployment of these  
4 small cell facilities, as evidenced by  
5 your -- by the fact that you're here  
6 this evening that your voice does mean  
7 something; it does matter.

8 The FCC has said that you can,  
9 with reasonable standards, guide as to  
10 how these facilities are deployed.

11 What you can't do is stop their  
12 deployment for no reason. And in  
13 saying that, for example, one of the  
14 issues that we often hear is  
15 aesthetics, that it's ugly, "I don't  
16 want to look at it," and I understand  
17 that. The reality is is that the FCC  
18 said that you can, in fact, regulate  
19 based on aesthetics, but they have to  
20 be clear, well thought-out and written  
21 down and not have the impact of  
22 effectively being a prohibition of  
23 these sites or these facilities. So  
24 that's best -- certainly one of the  
25 areas that the community does have a

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1 voice in.

2  
3 But the FCC has also said that  
4 the deployment of those small cell  
5 facilities is extremely important to  
6 the extent that they have given the  
7 local jurisdictions what is called a  
8 "shot clock," that from the time that  
9 an application is submitted, if it is  
10 going on an existing pole or a  
11 replacement pole, the jurisdiction has  
12 60 days to either approve or deny that  
13 application. And that decision has to  
14 be in writing and supported by  
15 substantial evidence. The -- if it's  
16 a new pole, you have -- the  
17 jurisdiction, again, has 90 days to  
18 act. So again, there can be no  
19 blanket prohibition against these  
20 small cell facilities. There can be  
21 discussion and dialogue about how  
22 they're placed and where they're  
23 placed, but, again, it has to be a  
24 well thought-out plan as opposed to a  
25 -- a sort of knee jerk reaction.

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2 And so I think that part of --  
3 part of our discussion this evening --  
4 and I'm sure that you all want to have  
5 your voices heard, and we are  
6 certainly not opposed to having your  
7 voices heard, but we also want to  
8 paint the picture of what productive  
9 dialogue will look like in terms of  
10 what the FCC will permit and what they  
11 won't permit. And your -- your  
12 Trustees as well certainly are  
13 sensitive of their legal requirements,  
14 as well as their obligations to you as  
15 citizens.

16 Questions?

17 MR. LAMBERT: There will be a  
18 period of discussion once they open up  
19 the -- open up the forum for  
20 questions.

21 AUDIENCE MEMBER: Just a quick  
22 question as to what he -- what he  
23 said.

24 MR. LAMBERT: Yes.

25 AUDIENCE MEMBER: So if my

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1  
2 understanding is correct, which it may  
3 not be, so you can only reject it on  
4 the basis of aesthetics?

5 MR. WASHINGTON: No, I didn't --  
6 no. I said that you could consider  
7 aesthetics, but those aesthetics have  
8 to be a thought-out plan. It can't be  
9 subjective. It can't be, "Oh, I just  
10 don't like it here." You have to have  
11 -- you have to have a written  
12 thought-out plan of what aesthetically  
13 makes sense, what fits into the  
14 community, what doesn't. For example,  
15 a decorative pole, if you have a  
16 decorative pole in the community and  
17 then we come in and say, "No, let's  
18 put up a wood pole," that would be  
19 offensive aesthetically. It would be  
20 reasonable to say, "No, if you're  
21 going to put one of those facilities  
22 up, make it look like what's already  
23 there." And -- and you would win on  
24 that. That's --

25 AUDIENCE MEMBER: What if

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2 nothing's there?

3 MR. WASHINGTON: I'm sorry?

4 AUDIENCE MEMBER: What if  
5 nothing's there? You're putting up a  
6 new pole.

7 MR. WASHINGTON: Again, the FCC  
8 has said that we can in certain  
9 instances put up new poles, but,  
10 again, they cannot be -- they have to  
11 fit into the area that they are in.

12 AUDIENCE MEMBER: What if  
13 there's no poles on the street?

14 MAYOR DONNO: We are going to  
15 take questions afterwards because we  
16 do need to get through our consultant,  
17 if you don't mind, and then we'll open  
18 it up. Everyone will have a chance to  
19 speak and ask questions.

20 MR. LAMBERT: So quickly, we'll  
21 just go through -- I have a map and a  
22 kind of photo simulation of what we've  
23 proposed for these sites. So first  
24 we'll go through these nodes. Now,  
25 they're out of order, but this is the

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1  
2 order that's been given to us by the  
3 agenda, so we'll go with the agenda.  
4 And I think you all did that because  
5 geographically, they're common to each  
6 other, so want to get those done  
7 first.

8 So we'll start with 16, which is  
9 at Luquer. So near -- also, these  
10 aren't -- these are near addresses  
11 because these are right of way.  
12 There's -- these areas don't actually  
13 have addresses, so we said  
14 "approximate" or "near" an address.  
15 So this is on Luquer, and the pole,  
16 it's an existing pole. It already has  
17 equipment on it. What we're looking  
18 at is adding an antenna right there,  
19 which is a com -- com zone antenna,  
20 and a box right there, which is a  
21 radio. So existing antenna --  
22 existing utility pole. Trying to use  
23 existing utility poles where we can.

24 AUDIENCE MEMBER: What's the  
25 cross street?

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2 MAYOR DONNO: It's actually  
3 North Plandome Road.

4 MR. LAMBERT: So 31 is 8 Luquer.  
5 And this site is interesting because  
6 the -- what's there now -- now the  
7 pole is on the other side of the  
8 street --

9 AUDIENCE MEMBER: That's not it.

10 MR. LAMBERT: This isn't it?

11 AUDIENCE MEMBER: There's  
12 nothing there.

13 MR. LAMBERT: Exactly, exactly.  
14 So existing, right now, there's a  
15 little sign that says, you know,  
16 "Slow. Children walking." Something  
17 like that is right there. So this is  
18 one of the only places where we're  
19 actually proposing a new structure.  
20 And this is not a wood structure; this  
21 is an ornamental pole that actually --  
22 you know, I showed you other pictures  
23 where you can see the antenna on top  
24 and the box on the side. This is  
25 actually a stealth pole where things

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2 were -- the antenna is on top and all  
3 the equipment's in the base. And  
4 actually, we have examples of a  
5 variety of different types of these.  
6 This is one particular example; we can  
7 do streetlights; we can do various  
8 ornamental things. But this is --

9 AUDIENCE MEMBER: We have no  
10 streetlights there.

11 MR. LAMBERT: Yeah. So we  
12 wouldn't propose a streetlight.  
13 Exactly. See, that's what we want you  
14 to tell us as we go through this  
15 because there's a lot of different  
16 colors we can use, different --  
17 actually, I'll show you briefly.

18 AUDIENCE MEMBER: Is that a  
19 Photoshopped pole, or is that really  
20 there currently?

21 MR. LAMBERT: No, no, no. It's  
22 a photo simulation. So --

23 AUDIENCE MEMBER: That's a photo  
24 simulation. That wasn't currently  
25 there.



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2 MR. LAMBERT: Yeah, it's not  
3 currently there.

4 This is -- this is in Plandome,  
5 actually, but it gives an example of  
6 an area that -- one proposal we're  
7 doing is Plandome is that this is  
8 what's currently there in Plandome,  
9 the tree, and they asked us, "Oh, can  
10 you take the tree out and put a pole  
11 there." So these are different types  
12 of poles we're looking at. Well, it's  
13 a tree that they wanted us to take  
14 out. They asked us to. The residents  
15 asked us to.

16 The point is the different types  
17 of poles. So you have the different  
18 types of poles. We have colors; the  
19 bases are different. So I just -- the  
20 different sizes, 12 inches, 16 inches,  
21 all types of different poles we can  
22 use to stealth the equipment so you  
23 don't see the boxes and whatnot out  
24 there.

25 AUDIENCE MEMBER: Can they bury

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2 it?

3 MR. LAMBERT: Unfortunately, the  
4 antenna needs to be above ground  
5 because of physics. So...

6 AUDIENCE MEMBER: Where is the  
7 power source for that pole?

8 MR. LAMBERT: That one would be  
9 underground. So electrical and fiber.

10 AUDIENCE MEMBER: Yeah, but what  
11 are you tapping into?

12 MR. LAMBERT: Well, across the  
13 street, there's already an existing  
14 power line -- existing utility line.

15 AUDIENCE MEMBER: For 8 Luquer  
16 that you just pointed out there, where  
17 would that power source come from?

18 MAYOR DONNO: Could someone talk  
19 louder.

20 AUDIENCE MEMBER: I'm just  
21 asking where the power source would  
22 come from for the 8 Luquer antenna.

23 MR. LAMBERT: Yeah. So power  
24 source, there's already an existing  
25 pole line across the street. And so

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2 that power --

3 AUDIENCE MEMBER: In the  
4 backyard.

5 MR. LAMBERT: Well, exactly, in  
6 the backyards but the cross streets,  
7 though. It would come from the  
8 closest proximate utility pole.

9 MR. FARRELL: We need to -- this  
10 nice young lady is trying to record  
11 all this. So she's having a lot --  
12 I'm sure she's having a lot of trouble  
13 with all the overtalk. So if we could  
14 just hold the questions to the end, it  
15 would be -- it would be very helpful,  
16 just to keep the record clean.

17 AUDIENCE MEMBER: If you could  
18 just stick to the facts like saying if  
19 you're on that street, you're saying  
20 oh, we're getting the power source.  
21 Like, can you speak in terms of facts.  
22 There's no utility lines, like, across  
23 the street, so we're not -- we're  
24 having a hard time understanding,  
25 like, our, you know --

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2 AUDIENCE MEMBER: The

3 presentation.

4 MR. LAMBERT: I can afterwards;

5 I don't want to hold this up, but we

6 can do an aerial of this particular

7 site.

8 So 2 Aspen Gate Drive, node 15,

9 so this one is also an existing wood

10 pole and this would be -- the antenna

11 would be this there and the box would

12 be on the pole (indicating). It's an

13 existing utility pole.

14 The one, node 18, near 25 Morgan

15 Court. So this is -- this would be a

16 new wood pole that we would

17 actually --

18 AUDIENCE MEMBER: Why don't you

19 -- why don't you go deeper into the

20 woods? There's woods back there.

21 MR. LAMBERT: Well, eventually

22 -- eventually, that's private

23 property, I believe. That's property

24 back there.

25 MR. BRUNETTI: I'm sorry, sir; I

1 PUBLIC HEARING MINUTES

2 just have one question about what you  
3 said before.

4 MR. LAMBERT: Sure.

5 MR. BRUNETTI: "We don't need to  
6 be here" is what you said, right?  
7 That you were called in. So I just  
8 need to know why this is all going on.  
9 Your statement was, "We don't need to  
10 be here." So why are you here? No,  
11 that's what you said. You can check  
12 the record too.

13 MR. FARRELL: He never said --  
14 he never said that. They know that  
15 they have to be here for a special  
16 permit.

17 MR. LAMBERT: No, no, no.

18 MR. BRUNETTI: "I don't need to  
19 be" -- "We don't need to do the job"  
20 is what he said exactly. "We don't  
21 need to be here to do the job."

22 MR. LAMBERT: No, no. Verizon  
23 would rather -- because it's expensive  
24 to put in a DAS --

25 MR. BRUNETTI: I don't care what

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2 Verizon thinks. Tell me why you're  
3 here.

4 MR. LAMBERT: Well, we have been  
5 hired by Verizon.

6 MR. BRUNETTI: I don't know if  
7 that's true.

8 MR. LAMBERT: We have been hired  
9 by Verizon to put up a system for  
10 them. But it's the initial host, so  
11 we can put not just Verizon but we can  
12 put Sprint.

13 MR. BRUNETTI: Well, is it only  
14 Verizon?

15 MR. LAMBERT: Well, Verizon is  
16 the initial tenant. Actually, we're  
17 -- we need to make sure the record is  
18 clean, so let's keep questions till  
19 the end. We are a provider of --

20 MR. FARRELL: Interrupting this  
21 is not -- we're not getting anywhere.  
22 We can at the end of -- at the end of  
23 his presentation, we can go back.

24 AUDIENCE MEMBER: Why not put it  
25 in back of the woods? It's, like,

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1  
2 common sense.

3 MR. FARRELL: Sir, sir, we're  
4 asking that you hold the questions to  
5 the end, and we will go through them.  
6 We're just trying to keep the record  
7 clean; we're trying to get through the  
8 presentation. You guys can ask all  
9 the questions you want. We'll stay  
10 here; the Board will stay here as long  
11 as they need to hear all the questions  
12 that are asked, but we need to get  
13 through this part of the presentation  
14 so our expert can get up and say what  
15 he thinks about what ExteNet is  
16 proposing. And then we will turn the  
17 -- we will turn it over to the  
18 residents and allow you to have as  
19 much time as you need -- well, within  
20 the three minutes. You got to collect  
21 your thoughts; you got to be concise,  
22 but we will give you the time you need  
23 to ask the questions.

24 MAYOR DONNO: Thank you.

25 MR. LAMBERT: So node 19.

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2 1526 Plandome Road, near there. This  
3 is a -- the pole is already there, and  
4 we are replacing the pole, adding a  
5 com zone antenna. And you can see the  
6 electronics there.

7 Node 20 near 14 Rock Hollow  
8 Road. This is near the museum  
9 entrance. This a new wood pole. That  
10 would be a pole top antenna.

11 Node 21 near 21 Rock Hollow  
12 Road. This is a replacement pole, so  
13 there's already a wood pole; there's  
14 already a utility pole there. We  
15 would be -- PSE&G would probably have  
16 us replace the pole to make sure that  
17 it fits their standards for weight and  
18 loading.

19 Node 22 is another replacement  
20 pole. There's a pole there, and we  
21 would be -- there's a stub pole, the  
22 small pole there; we would be putting  
23 a pole there that's antenna pole top  
24 and there's equipment on the side.  
25 It's already along a utility line.



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2 You make a good point too. The  
3 antennas could be colored to match the  
4 pole. So though the simulation looks  
5 like it's a white antenna on a brown  
6 pole, we can color these antennas any  
7 color we want or you all want, as well  
8 as the box here can be colored any  
9 color because it's a -- the radios  
10 themselves inside can't be, but the  
11 sheath around it can be colored to  
12 match the pole. If you want a pole,  
13 you know, a brown one, it can be brown  
14 or painted brown.

15 So node 26 is near 20 Andover  
16 Court. And this is a replacement  
17 pole, so a pole that's already there.  
18 We are looking at replacing it with a  
19 stronger pole that meets PSE&G's  
20 standards.

21 AUDIENCE MEMBER: Now, that  
22 tree, is that bothered by the node?

23 MR. LAMBERT: No, no. The tree  
24 is actually pretty far back. PSE&G  
25 will go through whatever it needs to

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1  
2 do. We are not replacing the poles;  
3 PSE&G is replacing the poles.

4           Actually, that's one good point.  
5 As we go through this, as -- the way  
6 PSE&G looks at this is that they won't  
7 come out and do surveys with us until  
8 the locality has approved the  
9 locations. Once they approve it,  
10 they'll come out and they'll walk with  
11 us and then they'll tell us, "Okay.  
12 Do this to this pole." So those poles  
13 that we're talking about replacing,  
14 after they look at them, they may not  
15 be replaced. They may -- you know, we  
16 may go with the existing poles in  
17 those situations. It will be up to  
18 PSE&G, the pole owner, to tell us what  
19 we should and shouldn't do because  
20 they're the pole owner.

21           So those cases that we, you  
22 know, that we're proposing a  
23 replacement pole and we don't, those  
24 drawings will be updated and they'll  
25 be given to the community to look at,

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2 as well as changes that happen in the  
3 field in construction, things that  
4 we're told to do by the pole owner  
5 that we can't necessarily control. So  
6 when we talk about replacing, some of  
7 these may be replaced and some  
8 actually may not be replaced. We  
9 won't know until PSE&G walks with us  
10 and tells us what we can and cannot do  
11 with the poles.

12 Okay. Node 30 is a new wood  
13 pole. There's a pole line across the  
14 street. There's primary wires on top.  
15 We can't place a node on a pole that  
16 has primary. It has to go in com  
17 zone. For us with com zone, it's  
18 lower, and so the -- it can't  
19 propagate a signal as far, so we need  
20 a higher pole, a higher antenna to get  
21 the propagation that we need. If it's  
22 -- if all the poles -- antennas are  
23 low, it requires more poles. We don't  
24 want to add more poles if we can get  
25 -- you know, we don't want to add two

## 1 PUBLIC HEARING MINUTES

2 poles if we can get it with one pole.  
3 So we'd rather go on top of a pole  
4 than go down low on a pole. The  
5 situations where usually that happens  
6 is when we're not in line with the  
7 pole. The pole line across the street  
8 from it is because that's situated.

9 So those are the ten that we are  
10 doing tonight, and we'll do the other  
11 ten next Tuesday. So that's my  
12 presentation this evening. Those are  
13 the poles and the information that I  
14 provide. I will allow Mr. Al  
15 Tagliaferri to come up and speak.

16 MR. TAGLIAFERRI: Good evening,  
17 ladies and gentlemen, Mayor, Members  
18 of the Board. My name is  
19 Al Tagliaferri. I work with CMS. We  
20 are The Center for Municipal  
21 Solutions. We were hired as wireless  
22 consultants to review this application  
23 for the project that ExteNet is  
24 proposing in the Village. And there  
25 were a few concerns that we had with

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1                   the application.

2                   Currently, we feel that the  
3                   material provided, although numerous,  
4                   it's not conclusive as to the need for  
5                   the specific nodes at the locations.  
6                   Specifically, the first point is --  
7                   just in a general sense, not to speak  
8                   to the individual nodes but the  
9                   propagation maps that was provided, we  
10                  said earlier that this is, I believe,  
11                  primarily for coverage in the area for  
12                  Verizon. We only received coverage  
13                  maps in the 700 megahertz frequency  
14                  where Verizon operates, and that's  
15                  four separate frequencies that they  
16                  operate at. So we requested to see,  
17                  you know, propagation maps in all four  
18                  frequencies to confirm the need for  
19                  the coverage in that area, as well as  
20                  Verizon coverage from the adjoining  
21                  sites to see how these -- the nodes at  
22                  the locations would fit within the  
23                  existing network or proposed sites  
24                  that are coming in the future. And by  
25

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1  
2 doing that, we may be able to -- well,  
3 we'll be able to confirm whether any  
4 or all of them are needed to provide  
5 the service that Verizon needs, where  
6 some of them may be able to be moved  
7 slightly because, as you can see, some  
8 of them are very visible next to  
9 people's -- some of your driveways or  
10 right in front of your homes where  
11 there wasn't a pole before. We want  
12 to be conclusive that each location is  
13 needed to be at that location or  
14 couldn't be moved maybe to another --  
15 across the street or, you know,  
16 slightly at a less visually obtrusive  
17 location.

18 That was some of the material  
19 that we needed. We didn't -- so we  
20 can't really conclude that each site  
21 is specifically required as far as the  
22 coverage needs. As well as -- I know  
23 we said earlier as far as the  
24 emissions, and it's true. The FCC has  
25 preempted local communities from

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1 denying based on that fact, but the  
2 local communities do have the  
3 authority to request that the  
4 applicant show compliance with the FCC  
5 standards. Here, we only received  
6 emissions at ground level where for  
7 these installations, a lot of times  
8 there'll be utility workers up on the  
9 pole. So for DAS nodes specifically,  
10 we like to see three different  
11 emissions results at three different  
12 heights, at not only ground level but  
13 also adjacent to the -- at the same  
14 height as the antenna to ensure that  
15 utility workers or anyone on that  
16 pole, landscapers or anyone near or at  
17 the same height would be protected at  
18 certain distances, as well as, like  
19 was shown, that the signal propagates  
20 out. There may be some second-story  
21 windows. We just want to make sure  
22 that everything is in compliance. So  
23 that was another request that we had,  
24 just to see the data on that.  
25

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2 And it was also shown that there  
3 are some new poles that are also being  
4 provided. One of them was a  
5 concealment pole; they showed  
6 different options where the antennas  
7 and the equipment could be concealed  
8 within the entire pole where you  
9 wouldn't have a box on the side of the  
10 existing forerunner wood pole. You  
11 know, we -- in some of the locations  
12 also, once they can be confirmed that  
13 they're needed, we would ask that that  
14 option be presented to the town, not  
15 just at the one or two sites that were  
16 shown but maybe at others to give the  
17 Board the option to decide whether  
18 that's a, you know -- and with input  
19 from the community -- whether that's a  
20 better alternative visually at the  
21 locations that they want to be  
22 installed.

23 I mean, that's pretty much it.  
24 We found that the -- you know, based  
25 on that, overriding the need for all



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2 of the 20 specific locations, you  
3 know, to say conclusively that yes,  
4 these are the -- in these spots, we  
5 would, you know, we would be  
6 requesting the propagation maps and  
7 all the frequencies so we can see how  
8 they fit so that maybe some could  
9 be --

10 MAYOR DONNO: Eliminated.

11 MR. TAGLIAFERRI: -- eliminated  
12 or moved to a less visually obtrusive  
13 -- like, I think it was said -- one  
14 gentleman said to move it into the  
15 woods. That could be an option. Or  
16 even I saw at the science center, it's  
17 right at the entrance; they were on  
18 the side -- on the road going down,  
19 there is a utility easement, but there  
20 are utility poles, or maybe another  
21 location could be found that's not as  
22 obtrusive as that.

23 AUDIENCE MEMBER: It's a nature  
24 preserve.

25 AUDIENCE MEMBER: There are kids

1 PUBLIC HEARING MINUTES

2 there for camp.

3 MR. TAGLIAFERRI: Well, again,  
4 the first step would be proving that  
5 it needs to be there, so we would want  
6 to see the propagation data, you know,  
7 for all the nodes. But basically, as  
8 of right now, we feel that the  
9 application is incomplete without more  
10 data being provided.

11 AUDIENCE MEMBER: Is that  
12 typical?

13 MR. TAGLIAFERRI: Pretty much.  
14 Well, it depends. It depends on the  
15 material that came in; I mean, if a  
16 lot was submitted and we've been out  
17 to each location and we felt that  
18 there may be some other -- you know,  
19 some of them may have been able to be  
20 moved or concealed in a different way  
21 or eliminated altogether.

22 AUDIENCE MEMBER: What's the  
23 date of the application?

24 MR. TAGLIAFERRI: I believe we  
25 got it in July, but I believe it came

1 PUBLIC HEARING MINUTES

2 to the --

3 AUDIENCE MEMBER: Are we within  
4 the 60-day period?

5 MR. LAMBERT: Actually 90 days  
6 because there are some new poles.

7 AUDIENCE MEMBER: So when is the  
8 90-day clock?

9 MR. WASHINGTON: We have a  
10 tolling agreement with the Village  
11 that we have tolled the shot clock  
12 while we work through this process.

13 AUDIENCE MEMBER: Okay.

14 AUDIENCE MEMBER: And I'm sorry.  
15 I didn't hear that.

16 MR. WASHINGTON: We have what we  
17 call a "tolling agreement." We stop  
18 the clock while we work through the  
19 process.

20 AUDIENCE MEMBER: So what day  
21 are you at now?

22 MR. WASHINGTON: The 21st.

23 AUDIENCE MEMBER: When do we  
24 expect the other data your company  
25 needed to make a determination on

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2 whether the...

3 MR. WASHINGTON: We, frankly,  
4 disagree with the assertion that more  
5 data is needed to complete this  
6 application; that what we supplied was  
7 consistent with the guidelines and the  
8 guidance of the FCC; that these sites,  
9 we've demonstrated not only the need,  
10 but given the directing of the Federal  
11 Communications Commission, that  
12 identification of these sites not only  
13 speak to coverage issues but also  
14 capacity issues as well. So we are  
15 comfortable with the information that  
16 we provided. We are willing to talk  
17 with the Village about further  
18 extension of the tolling agreement as  
19 we continue through this process. But  
20 we just want to keep the process  
21 moving.

22 AUDIENCE MEMBER: So are we  
23 gonna get the other information or  
24 not?

25 MR. TAGLIAFERRI: Well, we can

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2 request it; we have requested it with  
3 our reasons why we feel it's  
4 necessary, and the applicant is...

5 MR. LAMBERT: Well, we want to  
6 respond to the request you made for  
7 EME for the -- that map that you saw  
8 earlier came right out of the EME  
9 reports. And the EME reports talked  
10 to ground level, horizontal level,  
11 distance from -- for residents walking  
12 by, and commercial. So the EME  
13 reports, you have; you have the  
14 information in it.

15 AUDIENCE MEMBER: It has the  
16 data distance and all?

17 MR. LAMBERT: It has it in there  
18 already. So we made that clear that  
19 we responded to you all. We said that  
20 it's already in the EME report. So  
21 the information has already been  
22 provided; it was provided with the  
23 initial application. In fact, the map  
24 that I just showed, that I showed  
25 earlier that had the -- you know, kind

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2 of the swath of how it looked, that's  
3 from the report and it talks directly  
4 to distances from the node, from the  
5 antenna. That information has been  
6 provided.

7 MR. HARRIS: Just a quick  
8 question. In your analysis, have you  
9 done any study on the value of homes  
10 once these nodes go up?

11 MR. TAGLIAFERRI: Well, that  
12 would be for the applicant to address.  
13 I know it's an issue at many hearings.

14 MR. HARRIS: Has there been a  
15 study that you're aware of? In  
16 suburban areas, not in inner cities.

17 MR. LAMBERT: I'll be honest  
18 with you. All the studies out there,  
19 positive or negative, are --

20 MR. HARRIS: I assume that  
21 you've been honest the whole time,  
22 right?

23 MR. LAMBERT: Yeah, yeah. Well,  
24 no, I mean part of this issue is  
25 people want to tell you all types of

1 PUBLIC HEARING MINUTES

2 things about home values, and I will  
3 say -- I'm not gonna say "Oh," --  
4 there's no data to support "yes" or  
5 "no" right now. I mean, there's  
6 actually nothing out there really to  
7 say it.

8 MR. HARRIS: So you're not aware  
9 of any study either way?

10 MR. LAMBERT: It's all opinion  
11 and it's all based on -- there's no --

12 MR. HARRIS: No study.

13 MR. LAMBERT: I've done research  
14 all over the place. When I was  
15 working with Fairfax planning and  
16 zoning outside of D.C., I was actually  
17 charged with getting that information  
18 for Fairfax. It's a very suburban  
19 area like this area.

20 MR. HARRIS: Is your company  
21 aware of any studies?

22 MR. LAMBERT: No.

23 MAYOR DONNO: Can we just follow  
24 the list, if you don't mind.

25 MR. LAMBERT: Not that we would

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2 say -- put our hat on. There's no  
3 studies out there that I found that  
4 says "yes" or "no" that I would put my  
5 hat on.

6 MAYOR DONNO: Okay. We are  
7 going to follow the speaker sign-up  
8 sheet, if you don't mind, so that we  
9 can get through this. I know you all  
10 have questions.

11 Mr. Campanelli?

12 MR. CAMPANELLI: Yes.

13 Good evening. My name is  
14 Andrew Campanelli, Campanelli &  
15 Associates, P.C., 1757 Merrick Avenue,  
16 Suite 204, Merrick, New York. I  
17 represent a dozen residents who have  
18 retained me to address a number of the  
19 nodes. Four of the nodes on for this  
20 evening are the subject of my clients'  
21 concerns: nodes No. 15, 16, 18, and  
22 31.

23 Since I have never appeared  
24 before the Board, I would like to  
25 introduce myself. I'm an attorney



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1  
2 that handles cell tower matters not  
3 only across the State of New York but  
4 across the entire United States. In  
5 fact, at the request of the State of  
6 New York, I teach local governments  
7 how to entertain these applications  
8 and, of equal import, how to render  
9 their determinations while avoiding  
10 any violation of the federal  
11 Telecommunications Act of 1996.

12 This is not my first encounter  
13 with an ExteNet application. I've  
14 seen four applications virtually  
15 identical to the one currently before  
16 this Board. I was retained by  
17 homeowners in the Village of Lake  
18 Success, the Village of Flower Hill,  
19 the Village of Plandome. The first  
20 two applications we opposed were  
21 denied by two of those villages for  
22 the very same reasons I'm going to  
23 point to you tonight.

24 So I do want to start by  
25 addressing your Code requirements

## PUBLIC HEARING MINUTES

1  
2 because Plandome Manor has what I call  
3 "smart planning provisions."  
4 Sophisticated planning boards across  
5 the country do precisely what you've  
6 done. I will submit that cell towers  
7 and wireless facilities are a  
8 necessary evil. Everybody loves their  
9 cell phones, so we need towers for  
10 them to work. Smart planning  
11 provisions recognize this, and what  
12 they do is local governments regulate  
13 the placement of the facilities to  
14 achieve several objectives  
15 simultaneously.

16 The first is to saturate the  
17 Village with coverage, and at the same  
18 time, in doing so, you want to  
19 minimize the number of towers you need  
20 and facilities you need to provide  
21 that coverage, and also, you want to  
22 minimize to the greatest extent  
23 possible any adverse impacts on  
24 residential properties and nearby  
25 homes. Your Code does precisely that,

## PUBLIC HEARING MINUTES

1  
2 and I will tell you quite clearly  
3 ExteNet's application in this case,  
4 just like the other villages, falls  
5 far short. It doesn't comply with  
6 your Code; it doesn't satisfy its  
7 requirements; and, in fact, if you  
8 were to grant this application, not  
9 only would it violate the Code; it  
10 would inflict upon the nearby homes  
11 the precise types of adverse impacts  
12 your Code and specifically your  
13 special use requirement was adopted to  
14 prevent.

15 So the first thing I want to  
16 talk about is the adverse aesthetic  
17 impacts, and I was amazed as I stood  
18 back there and watched this visual --  
19 these visual images portrayed by  
20 ExteNet. It blows my mind because  
21 this is the fourth time I've seen  
22 this. First I want to point out:  
23 ExteNet is a site development company.  
24 It's not a carrier. It doesn't  
25 provide any personal wireless

## PUBLIC HEARING MINUTES

1  
2 services, and it does not need any of  
3 these nodes for any reason other than  
4 to make money. That's point-blank.

5 Now, when a site -- let me back  
6 up. Under your Code -- and I'll give  
7 you the specific section -- under  
8 Section 225-15H(17), consistent with  
9 all the other villages, you require  
10 this applicant to give a visual impact  
11 analysis. Why? The whole purpose of  
12 visual impact analysis is to give you  
13 an accurate depiction of the adverse  
14 aesthetic impacts that their homes  
15 will suffer if these nodes go where  
16 ExteNet wants them. Now, generally  
17 speaking, across the country, site  
18 developers always try to minimize what  
19 the adverse aesthetic impact is gonna  
20 look like. So what do they do? When  
21 they take their photographs, they  
22 deliberately omit any photographs  
23 taken from the actual properties that  
24 are gonna be most adversely affected;  
25 it is so bad that the United States

## 1 PUBLIC HEARING MINUTES

2 Court of Appeals for the Second  
3 Circuit ruled that where an applicant  
4 submits a visual impact study which  
5 does not include any photographs taken  
6 from the homes most adversely  
7 affected, it should be rejected as  
8 defective on its face. ExteNet knows  
9 this. The name of the came is  
10 Omnipoint. On Tuesday, I'm gonna give  
11 you a brief laying everything out for  
12 you.

13 This is no shock. Everyone  
14 knows since 2005 this is what an  
15 applicant is supposed to do when they  
16 give you a visual impact analysis, and  
17 ExteNet knows it because they did it  
18 in Lake Success and they did it in  
19 Plandome and they did it in  
20 Flower Hill and they did it again  
21 here. They haven't even made a good  
22 faith attempt to comply with your  
23 requirement. So that's defective on  
24 its face and it should be rejected.  
25 They've not met your Code requirement.

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1  
2 Now, your consultant has been --  
3 your consultant was smart enough to  
4 recognize the defects in the alleged  
5 need for coverage. Every time I see  
6 one of their applications, it just --  
7 it shocks me; it really does because  
8 as far as applications in New York --  
9 and I handle them all over the country  
10 -- ExteNet's are pretty much the worst  
11 that I've seen in the State of New  
12 York as far as proof, okay? There are  
13 two types of defects in wireless  
14 coverage that need -- that create the  
15 need for new facilities. It's very  
16 simple; this is not rocket science,  
17 okay? Gaps in coverage -- significant  
18 gaps in coverage -- and capacity  
19 deficiencies.

20 When sophisticated boards  
21 require proof for smart planning  
22 provisions, they require hard data  
23 showing exactly if the claim is as a  
24 gap in service, local boards require  
25 them to provide hard data showing,

## PUBLIC HEARING MINUTES

1  
2 number one, the existence of a gap,  
3 precisely where the gap is, and how  
4 big it is. What is that hard data?  
5 The easiest and cheapest way to get  
6 data for an actual gap is a drive  
7 test, and they're claiming a drive  
8 test has been done, but they haven't  
9 given you the drive data. What they  
10 did is they gave you computer  
11 modeling; it's a big difference. What  
12 they do is they take the actual data  
13 and they apply variables. What that  
14 means is they manipulate the signal  
15 strengths to make it show whatever  
16 they want it to show, and it happens  
17 in case after case after case. And  
18 I'm going to prove to you what I'm  
19 telling you is true.

20 MAYOR DONNO: Well, you don't  
21 have that much time, so.

22 [Audience interruption.]

23 MR. CAMPANELLI: First of all, I  
24 believe my clients would like to allot  
25 me their three minutes. Would anybody

1 PUBLIC HEARING MINUTES

2 like to give me their three minutes?

3 [A chorus of yeses.]

4 MR. CAMPANELLI: Second, I point  
5 out I found -- another thing I found  
6 very unusual is -- I'm doing this 20  
7 years -- I've never actually seen an  
8 applicant put a commercial at a  
9 hearing. They did a commercial for  
10 small nodes. I don't understand why  
11 that was permitted but it was.

12 So let's talk about the gaps and  
13 the needs, okay? If you are going to  
14 require them to show you where the  
15 gaps are, you should require the hard  
16 data because without that, you have no  
17 way of knowing if these facilities are  
18 necessary to remedy whatever gaps  
19 exist, and if they're not, that means  
20 after these are built, you're gonna  
21 have to build more. It's not gonna  
22 solve anything. The capacity claim is  
23 even worse; it's a joke. If they show  
24 no gap in capacity, if they want to  
25 show a gap in capacity, it is



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1  
2 extremely easy. You heard the  
3 applicant for -- the representative of  
4 ExteNet say that Verizon has the data  
5 about dropped calls. That's exactly  
6 what you asked for. It's very simple.  
7 If they want to show you there's a  
8 deficiency in capacity, they can give  
9 you a printout for any geographic area  
10 in this Village for any time, any day  
11 showing you exactly any dropped calls.  
12 So they can say, "Okay, on  
13 Smith Street between this street and  
14 this street on September 5th between  
15 these three hours, we lost 600 calls.  
16 Here's the list." They didn't give it  
17 to you, consistent with every single  
18 one of these applications I've seen in  
19 every village.

20 I compared their claims to  
21 Verizon's own data -- not their data,  
22 Verizon's data -- and here is what I  
23 found. Node No. 15, they're claiming  
24 they need No. 15 because Verizon, not  
25 them, has either a gap in service or a

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1  
2 capacity deficiency. Verizon  
3 maintains its own database. It has  
4 its own database showing exactly where  
5 it has coverage and where it has gaps,  
6 and, of equal import, it shows the  
7 service level which reflects capacity.  
8 Fortunately, that database is linked  
9 to an interactive website; you can go  
10 on and access their website and find  
11 the problems at any site.

12 This is from Verizon's own data  
13 today. I printed this out today this  
14 afternoon for the specific location  
15 where they want to install node  
16 No. 15. According to Verizon's own  
17 data, Verizon has no significant gap  
18 in its service at the precise location  
19 where this applicant says they need it  
20 to remedy Verizon's service. In  
21 addition, it indicates the level of  
22 its service. Verizon rates its level  
23 of service as "no service," "fair,"  
24 "good," and "excellent." "Excellent"  
25 represents the best level of service

## 1 PUBLIC HEARING MINUTES

2 Verizon has anywhere in the  
3 United States. Where they want to put  
4 node 16 [sic], the level of service,  
5 according to Verizon based upon its  
6 database, is excellent.

7 AUDIENCE MEMBER: Is that node  
8 16?

9 MR. CAMPANELLI: That's node --  
10 excuse me. That's node 15.

11 Pointing out to the other three  
12 nodes at issue. Node 16, Verizon's  
13 coverage, current as of this  
14 afternoon. This is next to 1 Luquer  
15 Road in Manhasset. No gap in service  
16 at or anywhere near the precise  
17 location where they say they need node  
18 16 to remedy Verizon's gap. Quality  
19 of service: excellent. Best capacity  
20 level Verizon has anywhere in the  
21 United States.

22 MAYOR DONNO: Can I ask you  
23 where you go. Facebook?

24 MR. CAMPANELLI: Verizon has a  
25 website, and its website is connected

## 1 PUBLIC HEARING MINUTES

2 to its own database. It is an  
3 interactive website which allows you  
4 to interact with their data. You can  
5 punch in any geographic location at  
6 any time and find their actual data,  
7 okay?

8 What this shows is significant  
9 gaps. Gaps are shown in white;  
10 coverage is shown in red. If you look  
11 at every single one of these spots  
12 (indicating) -- and it's the same for  
13 Lake Success and Plandome and  
14 Flower Hill -- in every single spot,  
15 there's no gap in service. There is  
16 no white area anywhere and no capacity  
17 deficiency; see, that's why you  
18 haven't gotten actual data from the  
19 drive test and that's why you haven't  
20 gotten dropped call records. And it's  
21 not as if Verizon can't give it. I  
22 had a case in Philipstown recently and  
23 Philipstown said, "Do you have proof  
24 of dropped calls?" and Verizon gave us  
25 the dropped call data. They didn't do

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2 it here, and the reason is because the  
3 dropped call data is not going to  
4 confirm what they're claiming.

5 So it's the same for node 16,  
6 18, and 31. Each one of these --  
7 again, according to Verizon, not  
8 according to them -- nothing. If you  
9 look at their image of current Verizon  
10 coverage, what's remarkably absent is  
11 any verification from any RF engineer  
12 as to that propagation map being  
13 actually accurate. There's nothing.  
14 They haven't told you what data was  
15 used to compile that map, nothing.

16 Now, the first time I got a  
17 chance to see the file was yesterday,  
18 and I know there were drive tests. I  
19 saw one of the drive test sheets, but  
20 I wasn't able to get access to the  
21 whole file. But I guarantee you,  
22 without seeing it, they didn't give  
23 you the drive test data, and the  
24 reason that is is because that's gonna  
25 show you something markedly different

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1 from what they've claiming.

2 As far as not taking photographs  
3 -- I forgot this -- from the  
4 residents' properties, I had a case in  
5 Thompson two months ago. The board  
6 said, "These photographs are useless.  
7 You're not showing what it's gonna  
8 look like from the homeowners'  
9 properties." So the applicant went to  
10 the homeowners; asked for permission.  
11 They let them on their properties, and  
12 they saw what they actually looked  
13 like. These are the very same reasons  
14 that these identical applications --  
15 they're the same -- have so far have  
16 been denied by Lake Success and  
17 Flower Hill.

18 Now, as far as some of the  
19 questions that -- and by the way, I  
20 know the [inaudible] will be continued  
21 to the 15th. I'm going to submit a  
22 formal memorandum telling you exactly  
23 who I represent, exactly which nodes I  
24 am opposing, and providing legal  
25

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1  
2 backup. It is not enough for me to  
3 persuade you to deny the applications  
4 for the nodes I'm opposing. It is of  
5 equal import -- I need to make sure  
6 you deny them for a legally valid  
7 basis and they're denied based upon  
8 substantial evidence which you place  
9 into your decision. I'm going to lay  
10 that all out for you in my memorandum.  
11 I'm gonna guide you so that if you see  
12 fit to determine that they haven't  
13 complied with your Code, you will be  
14 able to render a decision which will  
15 render it pretty much immune from  
16 legal challenge. That's important to  
17 me.

18 One of the residents asked about  
19 property values. Well, surprise,  
20 surprise, there are records of how  
21 they affect property values. My  
22 clients in Plandome and Flower Hill  
23 had real estate brokers come in and  
24 provide analysis, and I'm going to  
25 provide them here as well. According

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1  
2 to the U.S. Court of Appeals for the  
3 Second Circuit, substantial evidence  
4 for reduction in property values can  
5 be met if the property owners provide  
6 letters from brokers, professional  
7 brokers who are acutely acquainted  
8 with this particular real estate  
9 market as to how each of the proposed  
10 nodes will affect the value of their  
11 homes. Now, I went to one of the  
12 homes last night and I must tell you:  
13 These homes are absolutely stunning.  
14 This is a beautiful place, it's a  
15 beautiful Village, and there is no  
16 question; it's beyond argument that  
17 these are going to adversely impact  
18 property values. I will tell you in  
19 Plandome, ExteNet's nodes for just  
20 five of the nodes in total would have  
21 reduced the values of nearby  
22 properties by in excess of \$2 million.  
23 And I'm going to provide proof of that  
24 for the nodes that I'm opposing here.  
25 I'm also going to provide proof of



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1  
2 adverse aesthetic impact.

3 Let me just see if I missed  
4 anything.

5 It troubles me greatly -- it  
6 troubled me greatly to sit here and  
7 listen to ExteNet's attorney talk  
8 about what the FCC says you can and  
9 cannot do. It's greatly exaggerated.  
10 The Telecommunications Act of 1996 has  
11 two main provisions. Subparagraph A  
12 starts by saying, "Except as otherwise  
13 provided herein, local governments  
14 retain full power to regulate the  
15 installation of wireless facilities  
16 within their jurisdiction."  
17 Subparagraph A is followed by  
18 Subparagraph B, which imposes five  
19 constraints; they're very limited.  
20 The FCC has been trying to broaden  
21 those constraints. It hasn't happened  
22 yet.

23 There was a recent ruling that  
24 Counsel referred to that shortened the  
25 shot clock to 90 days for DAS systems.

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1  
2 That ruling by the FCC, number one,  
3 has been declared invalid by the U.S.  
4 Court of Appeals for the D.C. Circuit.  
5 Twenty-one states are currently suing  
6 the FCC to nullidate [sic] that order,  
7 and both houses of Congress have  
8 introduced bills to nullify that very  
9 order. So that order is not written  
10 in stone and, quite frankly, many  
11 jurisdictions have said, "We're not  
12 bound by that," just so you know, and  
13 I'll provide the case law for you.

14 Now, once again, looking at the  
15 visual images that they depicted to  
16 you, a couple of things have to jump  
17 out at me and I have to discuss them.  
18 Whatever they show you they're going  
19 to build is not necessarily what is  
20 going to be built, okay? Antennas are  
21 upgraded and changed at least every 6  
22 to 8 months in my experience, and I'm  
23 doing this 20 years. But worst of  
24 all, in 2012, the then-President  
25 Barack Obama signed what's called the

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2 Middle Class Tax Relief and Job  
3 Creation Act of 2012, which sounds  
4 like it would have nothing to do with  
5 wireless facilities. It does. They  
6 snuck in a really cute provision that  
7 basically says this: Once a wireless  
8 facility is installed, the owner of  
9 that facility can increase the height  
10 and size of that facility, and local  
11 governments cannot stop them. As far  
12 as the height, the FCC has interpreted  
13 that provision to mean that any  
14 facility can be increased up to 20  
15 percent more than the current height,  
16 and you will be powerless to stop  
17 them. They can also increase the  
18 number of boxes, the power output.  
19 Once it goes up, you have very little  
20 control over any of that, and it  
21 happens on a regular basis.

22 In addition, when new poles are  
23 required by PSE&G, ExteNet has no  
24 power. And what I mean by that is  
25 ExteNet -- the typical utility poles

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1  
2 that we've been accustomed to when  
3 you're growing up as kids and seeing  
4 the poles, they're 35 -- 35 feet in  
5 length. 5 feet goes in the ground.  
6 They stand 30 feet above ground level.  
7 PSE&G is no longer installing 30-foot  
8 poles. They're only installing  
9 40-foot poles. So when they go to  
10 PSE&G and say, "We want to put your  
11 equipment on there," PSE&G says, "We  
12 don't think you can handle it" or "We  
13 want more space. We're gonna replace  
14 the pole." Those poles are gonna be  
15 10 feet higher and the equipment's  
16 gonna be 10 feet higher; and once they  
17 go up, they can go even 20 feet higher  
18 than that under the Middle Class Tax  
19 Relief and Job Creation Act.

20 So I caution the Board to  
21 approach this very carefully. I am  
22 going to submit a formal brief on  
23 Tuesday. I would like access to the  
24 entire file because I didn't get a  
25 chance to see the entire file. I

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2 understand it was being reviewed by  
3 the Trustees, which I think is  
4 admirable. And I think that's about  
5 it unless anybody has any questions.

6 MAYOR DONNO: What is the --  
7 what is that tax, that -- the act?

8 MR. CAMPANELLI: The Middle  
9 Class Tax Relief and Job Creation Act  
10 of 2012. I can give you the specific  
11 provision. They buried it so nobody  
12 would see it. But I can give you it;  
13 in fact, it's going to be in my brief.  
14 You won't have to look for it.

15 MAYOR DONNO: Okay.

16 MR. CAMPANELLI: I'm going to  
17 give you federal case law supporting  
18 everything that I'm telling you.

19 MAYOR DONNO: Okay. Thank you.

20 MR. CAMPANELLI: Thank you.

21 MAYOR DONNO: I do want to open  
22 it up to the Board if the Board has  
23 questions.

24 [Audience applause.]

25 MAYOR DONNO: Pat?

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2 TRUSTEE O'NEILL: I did have a  
3 question. You know, we were shown  
4 this, this graphic of the enhanced  
5 service that these nodes would -- so  
6 we were shown this graphic of the --  
7 what the coverage would be with the  
8 proposed nodes. And it doesn't show  
9 where the current -- where the current  
10 service is located. It doesn't  
11 include -- how do we get service now?  
12 Are there nodes right now in the  
13 Village? How do we get service?

14 MR. LAMBERT: There are  
15 macrosites outside the area, which  
16 propagates signals into the community.

17 TRUSTEE O'NEILL: Okay. So that  
18 brings me to my next question. When,  
19 you know, when you played the video  
20 and that showed, you know, the  
21 macrotowers and it was said that,  
22 well, you know, that's more for, you  
23 know, cities. We're, you know, a  
24 residential area, so therefore, these  
25 nodes would be more appropriate for

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1  
2 the residential areas because they can  
3 blend in better, you know. But my  
4 question is: Have the macrotowers  
5 been explored? I mean, we're shown  
6 what these nodes would do, but has a  
7 study been done if macrotowers are  
8 located, for example, in more  
9 commercial areas? You know, would  
10 that -- you know, that's a study that  
11 I think should be done too if, in  
12 fact, we need this enhanced service.  
13 So, you know, if these macrotowers are  
14 higher up -- correct? -- they're  
15 taller so that whatever they emit is  
16 -- is, you know, taller than any  
17 house. And then they can be located  
18 in areas that -- where we don't have  
19 residential or we don't have camps and  
20 we don't have -- you know, we've got a  
21 train track. We've got other sites.  
22 We've got cemeteries. We've got other  
23 sites where, you know, maybe it would  
24 be better for there. So that's my  
25 other question about these macrotowers

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2 and have other studies been done.

3 Let me see. The other question,  
4 just quickly, on the poles, we've got  
5 the antenna on top and then the box  
6 with the fan. What's the approximate  
7 height of that box, and do the fans  
8 emit any type of emissions?

9 MR. LAMBERT: Okay, well, the  
10 first question first --

11 TRUSTEE O'NEILL: Yeah.

12 MR. LAMBERT: -- the macrosites.  
13 Earlier, I mentioned that these  
14 providers would rather do macrosites  
15 because they're cheaper, so if they're  
16 coming to us or other companies to put  
17 small cell or DAS in, they either have  
18 exhausted their ability to put new  
19 macrosites up there, or the place  
20 they've tried to have rejected those  
21 sites. I mean, have you all had  
22 Verizon or anybody come to you all in  
23 the last few years asking for a permit  
24 to put a macrosite up?

25 MAYOR DONNO: No.



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2 MR. LAMBERT: Okay. Other  
3 places have and they rejected them.  
4 There was an attempt actually last  
5 year just on the large water tower of  
6 Munsey Park. Verizon actually  
7 explored putting a macrosite up there.  
8 Once -- you know, the water authority  
9 said, "No, we're not going to let you  
10 put it on our tower." So that would  
11 have actually -- if they could have  
12 gotten that lease on that tower, that  
13 would have removed some of the need  
14 for a lot of the small cell nodes  
15 around the area, particularly in  
16 Flower Hill, actually, because it's  
17 closer to Flower Hill than  
18 Munsey Park. But the water authority  
19 said, "No, we can't put it up here."  
20 So Verizon came to us and said, "Well,  
21 we can't put it up there" and --

22 AUDIENCE MEMBER: There has to  
23 be other options.

24 MR. LAMBERT: Well, the thing is  
25 I can't tell Verizon -- we don't

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1 control the signal. Verizon,  
2 T-Mobile, those guys control the  
3 signal. They control where they want  
4 their stuff to go. If they want the  
5 macrosite, they'll try to get a  
6 macrosite up. And if they fail to do  
7 that, this is when they go to the  
8 second option; trust me. They've done  
9 the research because it costs them a  
10 lot more to put these types of things  
11 up than a macrosite. So they would  
12 rather put a macrosite up. So the  
13 fact that we're here talking to you  
14 right now means that they tried and  
15 failed in other places, or they put up  
16 macrosites in commercial locations;  
17 and maybe ten years ago, they did the  
18 trick, but as higher demands for data  
19 and other things that have caused, you  
20 know, inadequacy in coverage, as  
21 that's grown, those macrosites that  
22 they could get up in those commercial  
23 areas, those areas have -- those  
24 macrosites have needed to be  
25

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2 compensated with small cells, so.

3 And the second question you  
4 asked was...I'm sorry.

5 TRUSTEE O'NEILL: The height of  
6 the fans and do they emit any...

7 MR. LAMBERT: So the radios  
8 themselves do not emit any RF  
9 emissions.

10 AUDIENCE MEMBER: The fans do.

11 MR. LAMBERT: The fans are fans  
12 -- well, they don't emit any RF  
13 emissions. I mean, they emit sound,  
14 but the sound is ambient sound; it's  
15 mechanical. So in the summer when  
16 it's really hot and the fan turns on  
17 to keep things cool, there is a  
18 ambient sound; if you're up close to  
19 the fan, you'll hear it.

20 AUDIENCE MEMBER: So we won't  
21 hear the birds chirping or? So that's  
22 basically --

23 MR. LAMBERT: In the summer,  
24 your air conditioning is probably  
25 going to be a lot louder than any fan

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2 here.

3 AUDIENCE MEMBER: It's also  
4 generating; the electricity goes off  
5 from the generator.

6 MR. LAMBERT: Yeah, yeah. But  
7 earlier, I mentioned we have a noise  
8 report that I'll be happy to provide  
9 to Randi, so you can all feel free to  
10 look at it. And it does a great  
11 analysis --

12 AUDIENCE MEMBER: Yeah, but your  
13 other report is faulty so that we  
14 don't really have a lot of confidence  
15 in those reports.

16 MR. LAMBERT: Well, it's not --  
17 well, this report -- this is  
18 information that -- we didn't do the  
19 report, for one. It was done by  
20 somebody else. The manufacturer of  
21 the actual fan, they had third parties  
22 come out there to look at the fans and  
23 do analysis on them.

24 AUDIENCE MEMBER: Was the fan,  
25 like, 10 feet away from your actual

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2 front door?

3 MR. LAMBERT: I will -- they  
4 actually do analyses of distances and  
5 the sound and decibels per feet away  
6 from up close to further back. So I  
7 don't want to delve into it now  
8 because one, I have not memorized the  
9 entire report. I'll be happy to give  
10 it to you because, actually, it's  
11 pretty thorough and it does all the  
12 analysis that you will probably  
13 [inaudible].

14 AUDIENCE MEMBER: Are you  
15 exclusive to Verizon? Because you  
16 keep saying Verizon [inaudible].

17 MR. LAMBERT: Because this  
18 project, Verizon is the first tenant.

19 AUDIENCE MEMBER: You have a  
20 contract with them?

21 MR. LAMBERT: We have a contract  
22 with them.

23 [Audience interruption.]

24 MAYOR DONNO: Excuse me. Hold  
25 it. Let's not yell out, please.

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2 MR. LAMBERT: Yeah, the Trustees  
3 have questions.

4 MAYOR DONNO: I was just gonna  
5 ask: When do those fans go off? Do  
6 they run all the time? Do they go off  
7 at a certain time?

8 MR. LAMBERT: No. Um...

9 MAYOR DONNO: At a certain  
10 temperature?

11 MR. LAMBERT: Yeah. When it  
12 gets hot, it cuts on, and it cuts on  
13 at different levels. So when it's  
14 really hot, it spins, and it gets to  
15 -- it spins per, you know...

16 AUDIENCE MEMBER: It spins  
17 nonstop.

18 MR. LAMBERT: No, it doesn't  
19 spin nonstop. It shuts off; it cuts  
20 on; it spins at different speeds  
21 depending on how -- how it needs to  
22 create air circulation.

23 MAYOR DONNO: So it does run all  
24 the time?

25 MR. LAMBERT: It's available to

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2 run all the time; it doesn't run all  
3 the time. No, it doesn't. I mean, it  
4 could if it's hot; if it's a hundred  
5 degrees for five days, it'll probably  
6 run a lot. If it dips down into the  
7 80s and the 40s and the 60s, it's  
8 going to stop running. I mean, it  
9 will circulate based on --

10 MAYOR DONNO: And you will  
11 provide us with the information --

12 MR. LAMBERT: Yes, yes.

13 MAYOR DONNO: -- with the study.  
14 Which everything that he will be  
15 giving us we will put on our website,  
16 if we can get it on the website. I  
17 don't know how long some of these  
18 studies are, but we'll try -- at least  
19 we'll have everything here. We're  
20 gonna try to put everything that we  
21 can on the website, so you can go onto  
22 the website and print it out or take a  
23 look at it.

24 And those of you who are  
25 standing in the back, there's a bunch

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2 of seats up here if you want.

3 MR. LAMBERT: Yeah, please take  
4 our seats.

5 MAYOR DONNO: Anybody up here?  
6 Matt?

7 TRUSTEE CLINTON: Yeah.

8 You know, we started this  
9 process almost four years ago. The  
10 first thing that struck the Board was  
11 the disproportionate number of nodes  
12 being proposed in our Village in  
13 comparison to the surrounding  
14 villages. And 20, by any stretch, is  
15 more by a factor than Flower Hill or  
16 Munsey Park or Plandome. So that  
17 leads to the question of need, which  
18 has already been addressed at length  
19 by the eloquent attorney. But my  
20 question is: If this whole process is  
21 being driven by Verizon and you are  
22 the execution contractor, you know,  
23 what level of service is actually  
24 required? I mean, the impetus is for  
25 Verizon to provide better coverage and



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1  
2 more capacity to better serve its  
3 customers. The Village residents are  
4 the customers. So if we can achieve  
5 90 percent of their service objectives  
6 with 50 percent of the nodes, I think  
7 that should be considered. So if  
8 there's -- if there's -- if there's  
9 room to look at the actual service on  
10 each pole, like we have suggested,  
11 maybe we can reduce this number from a  
12 20 to a more reasonable number. And  
13 again, if we can get 90 percent with  
14 60 percent of the nodes, that's, you  
15 know, that's progress from our  
16 perspective. But we haven't really  
17 had any alternative presentations  
18 other than "No, you're getting 20  
19 nodes." I think it's down from 21,  
20 but 21 was found not to be in  
21 Plandome Manor.

22 So that would be my question  
23 because we, again, are the recipients  
24 of the service that Verizon is game to  
25 improving, and I think we should have

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2 some say. I think 90 percent --  
3 everybody would agree -- is probably  
4 good enough for us if we can do it  
5 with 50 percent of the nodes.

6 AUDIENCE MEMBER: Or less.

7 AUDIENCE MEMBER: If homeowners  
8 are really upset about their service,  
9 they can simply get extenders. You  
10 know, they're very reasonable, and you  
11 don't need these nodes.

12 TRUSTEE CLINTON: I think we'd  
13 be kidding ourselves to say that our  
14 service is ideal. I mean, everyone's  
15 got --

16 [Audience interruption.]

17 TRUSTEE CLINTON: We know  
18 there's a dead zone on Stonytown; we  
19 know there's a dead zone on  
20 North Plandome.

21 [Audience interruption.]

22 AUDIENCE MEMBER: We moved here  
23 because of that. Most of us moved  
24 here [inaudible].

25 TRUSTEE CLINTON: I'm with you;

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2 I'm asking the same questions.

3 MR. CAMPANELLI: May I respond  
4 to that.

5 TRUSTEE CLINTON: Sure.

6 MR. CAMPANELLI: You know, one  
7 of the trends that I'm watching -- and  
8 again, I do this all day long all over  
9 the state, all over the country.  
10 Verizon, when they wanted to get the  
11 nodes or the DAS towers installed,  
12 they used to say that they wanted  
13 98 percent service. They used to say  
14 they wanted 98 percent of their calls  
15 to go through. In areas where it  
16 appears that there is no gap in 4G  
17 service and it looks like somebody is  
18 trying to put in an infrastructure for  
19 a 5G, what I've noticed is they're now  
20 saying -- and they put it in fine  
21 print -- they want 99.5 percent  
22 coverage. What that means is if  
23 anything under 95 -- 99.95 [sic]  
24 percent of their calls don't go  
25 through, they consider that inadequate

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1  
2 and say they consider there is a need  
3 for the facility. 99.5 percent.

4 And so how I've responded before  
5 local boards all over the state is  
6 that if you've got 99.5 percent of  
7 your calls going through, that's  
8 sufficient service because that 0.05  
9 [sic] could be anything. It could be  
10 call failure by operator error. It  
11 could be the other line, the other  
12 service. So that's why if you really  
13 want to see if these nodes are  
14 necessary, you want to see dropped  
15 call results, actual dropped call  
16 numbers. That is black and white; you  
17 can't manipulate that. Verizon is not  
18 gonna lie about how many dropped calls  
19 they have, where, and when. If you  
20 get that, it's gonna show you what  
21 service they have, where you have any  
22 gaps, and if these things have  
23 anything to do with 4G at all; and I  
24 suspect they don't.

25 MAYOR DONNO: Did you want to

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2 answer him?

3 MR. FRIDRICH: Yeah.

4 First of all, this network is  
5 not about calls. It's about data.  
6 It's about improving the data speeds  
7 in the Village. Yes, you can go out  
8 and you can probably most likely hold  
9 a call up just about at anywhere in  
10 the Village, a call, a true voice  
11 call. But when you're talking about  
12 achieving the data speeds that Verizon  
13 corporate has outlined to their local  
14 region, to the New York -- the  
15 Long Island region for data speeds,  
16 it's not met here. It's not. I mean,  
17 he even said there's dead zones. If  
18 you've got coverage woes, you're not  
19 gonna have the data speeds that  
20 Verizon wants to achieve.

21 Now, the question about can --  
22 is 90 percent good, again, this is all  
23 dictated by Verizon. This design  
24 that's before you, yes, it was -- it  
25 was done by me, but it was also done

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2 in conjunction with their RF engineers  
3 actually reviewing it, scrutinizing  
4 it, and approving it. So their  
5 engineers have actually already  
6 analyzed where these nodes are and if  
7 they're gonna meet the need -- their  
8 need to fulfill these data speeds.

9 Now, Mr. Campanelli has said  
10 that we have not provided any true  
11 data, but we actually have. It's part  
12 of the application. We not only  
13 provided predictions, which is the map  
14 that she held up with the fiery  
15 pictures, but also -- actually, it's  
16 right there (indicating). That is --  
17 that is a drive test plot.

18 MAYOR DONNO: Here? This one  
19 (indicating)?

20 MR. FRIDRICH: Yes. That was  
21 provided by Verizon. There's a whole  
22 stack in there. It provides signal  
23 levels. It provides LTE connectivity.  
24 It kind of -- basically what you would  
25 -- what the engineers use to review

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2 whether or not they're meeting their  
3 system objective.

4 MAYOR DONNO: Forgive me. I'm  
5 not understanding what you mean by  
6 "It's all about data." What exactly  
7 are you talking about?

8 MR. FRIDRICH: Well, data.  
9 Think of it --

10 MAYOR DONNO: To us, it's calls;  
11 it's dropped calls. It's no service.

12 MR. FRIDRICH: Well, they go  
13 hand in hand, okay? I mean, yes, when  
14 the signal level drops to a certain  
15 level -- and I think the threshold for  
16 LTE is maybe somewhere around neg 115,  
17 neg 110, neg 115 dBm -- yeah, you're  
18 gonna have a hard time holding up a  
19 call. But you'll have absolutely no  
20 data, and when I say "data," that's  
21 like browsing the Internet. That's  
22 like running your apps.

23 MAYOR DONNO: So this is  
24 Internet. We're talking about  
25 Internet.

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2 MR. FRIDRICH: Well, yeah,  
3 Internet. It's your smartphone  
4 functions. How about Google Maps  
5 running --

6 AUDIENCE MEMBER: What does the  
7 FCC represent as a data speed? What  
8 is their minimum?

9 AUDIENCE MEMBER: It doesn't.

10 MR. FRIDRICH: The FCC doesn't  
11 recommend data speeds.

12 AUDIENCE MEMBER: You defined it  
13 as 25 megabytes or milobytes [sic]  
14 download and 3 upload. Most of us  
15 have more than that. So what are we  
16 getting? How much -- how much does  
17 Verizon want to give us? Do we...

18 AUDIENCE MEMBER: We don't need  
19 Google Maps.

20 [Audience interruption.]

21 AUDIENCE MEMBER: The 1986 or  
22 '96 FCC act, it would talk about data.  
23 Calls is one thing; data is something  
24 else.

25 MAYOR DONNO: It's not gonna do



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1  
2 us any good to yell out, so it's --  
3 you know, I understand what you're  
4 saying and I appreciate. We feel as  
5 strongly as all of you. We want to  
6 learn; we want to understand this. We  
7 feel -- I'm speaking for myself, I  
8 guess. I hope I'm speaking for the  
9 Board. I almost feel powerless  
10 knowing --

11 [Audience interruption.]

12 MAYOR DONNO: Well, according to  
13 what the FCC is regulating what we can  
14 do. But I want to learn what we can  
15 learn about what we can do, what we  
16 can do to either make it better or...

17 AUDIENCE MEMBER: We don't want  
18 it.

19 AUDIENCE MEMBER: No one wants  
20 it.

21 MAYOR DONNO: I understand that.  
22 I understand that. And if I had my  
23 brothers, I wouldn't want it either.

24 [Audience interruption.]

25 AUDIENCE MEMBER: What's

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1  
2 happening, the value here, the value  
3 here goes to Verizon and to them. So  
4 what happens -- first of all, as  
5 residents, we don't want it, right?  
6 So it's obvious the benefit -- the  
7 benefit will go to someone else.  
8 They're gonna get the benefit; Verizon  
9 gets the benefit. The value of our  
10 property goes down, and we don't need  
11 it.

12 MR. FARRELL: Folks, we can't  
13 have -- we can't have multiple people  
14 yelling. We have to keep a record of  
15 this. If we have eight people asking  
16 questions of the Mayor at the same  
17 time, she can't pick it up  
18 (indicating). She can't address them  
19 accurately. We need to conduct  
20 ourselves in an orderly fashion. We  
21 understand that you're upset about  
22 this, that you're passionate about  
23 this, and we want to hear what you  
24 have to say, but we need to keep a  
25 record; so we need to keep order.

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2 Thank you.

3 TRUSTEE O'NEILL: I have a  
4 question. This equipment, this  
5 ExteNet equipment is being placed --  
6 the ExteNet -- the proposed equipment  
7 is being placed either on existing  
8 poles in the Village or proposed new  
9 poles or replacements. So how much --  
10 how much is ExteNet being paid by  
11 companies like Verizon and other  
12 companies that are going to use this  
13 equipment? I mean, there's no benefit  
14 to the Village. So how much -- you  
15 know, what -- what's -- what's your  
16 profit in this?

17 MR. WASHINGTON: That one is  
18 proprietary information that we aren't  
19 able to make -- it's not public  
20 information. We do receive a fee for  
21 this, but I challenge the assertion  
22 that there is no benefit to the  
23 Village for having better coverage,  
24 given the --

25 MR. CAMPANELLI: I think the

1 PUBLIC HEARING MINUTES

2 question was what's the benefit to  
3 you, not the benefit to them.

4 MR. WASHINGTON: No. The  
5 statement that was made was there's no  
6 benefit to the Village for having  
7 better coverage.

8 MR. CAMPANELLI: You didn't --  
9 you didn't answer the answer.

10 MR. WASHINGTON: That is not  
11 accurate. The fact is that in terms  
12 of service, the ability to reliably  
13 trans- -- to communicate data and  
14 information is, in fact, a benefit to  
15 the Village. Businesses today rely  
16 very heavily on -- on [inaudible].

17 [Audience interruption.]

18 AUDIENCE MEMBER: This is  
19 residents.

20 MAYOR DONNO: Let's just --  
21 let's get to this. Let's get to our  
22 questions. Let's listen to the  
23 answers, please. And let's ask the  
24 questions and listen to the answers so  
25 that we can get as much information as

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1  
2 possible. It helps us in making the  
3 decisions that we need to make. It  
4 helps our consultant in dealing with  
5 ExteNet and getting the information  
6 that he's going to need in order to  
7 help us and advocate for our Village.  
8 It helps our Attorney.

9 So please, this is -- you know,  
10 we've been out and we've seen all the  
11 sites, but this is the first time I've  
12 heard or all of us have heard the  
13 presentation. So I do appreciate your  
14 passion. I think we all feel the same  
15 way up here, but please understand  
16 that, you know, we just -- we need to  
17 hear from you, but let's not start  
18 yelling out and let's try to listen to  
19 them. And, you know, I know how most  
20 of you feel; I can tell how most of  
21 you feel. So let's see if we can  
22 get as much information as possible,  
23 and let's keep it -- at least so that  
24 we can have a record of it.

25 Does the Board have any more

1 PUBLIC HEARING MINUTES

2 questions?

3 [No response.]

4 MAYOR DONNO: Okay. I'm going  
5 to call on Joy. I don't know if she's  
6 still here.

7 MS. EFSTATHOPOULOS: That's me.  
8 Can I give my minutes to Counsel,  
9 please.

10 MR. CAMPANELLI: Well, I'll be  
11 very grateful. Thank you. Okay.

12 I want to comment on two things:  
13 one thing you said, that you felt  
14 powerless, and number two, he said  
15 it's up to Verizon; no. It is  
16 essential -- it's absolutely critical  
17 that this Board make certain factual  
18 determinations. I'll tell you  
19 specifically what I mean. One of the  
20 prohibitions of the Telecommunications  
21 Act say when someone files an  
22 application of this type, even if it  
23 would violate your zoning code, you  
24 must grant the application if, number  
25 one, the applicant shows they suffer

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1  
2 from a significant gap in personal  
3 wireless services, and number two,  
4 that the proposed installation is the  
5 least intrusive means of remedying the  
6 gap in services. Who makes those  
7 determinations? You. The biggest  
8 mistake local governments make  
9 throughout the state is they don't  
10 recognize their own power to make  
11 factual determinations. It is  
12 entirely up to you to determine  
13 whether or not they have established  
14 A) whether there's a significant gap  
15 in personal wireless services and B)  
16 whether these proposed sites are the  
17 least intrusive means of remedying  
18 those gaps.

19 You must, must make those  
20 factual determinations. If you don't,  
21 you lose by default. It will go to a  
22 federal judge who will make those  
23 decisions for you. That's one of the  
24 biggest mistakes that gets made. And  
25 when you make those decisions, if it's

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2 based upon substantial evidence in the  
3 record and you site that evidence in  
4 your decision, local judges are  
5 loathed to overturn your factual  
6 decisions. They do not want to be  
7 zoning boards of appeals.

8 You have far more power than you  
9 think. Each of the issues I raised  
10 before you, I ask you: Make a  
11 determination. Will it have an  
12 adverse aesthetic impact on the homes?  
13 Will it reduce property values? Has  
14 the applicant shown a significant gap  
15 in service? Where is it and the  
16 extent? We must make each of those  
17 determinations; I assure you you have  
18 far better -- far more power than you  
19 actually think.

20 [Audience applause.]

21 MAYOR DONNO: I just have a  
22 question. I've been up to Albany;  
23 I've been to workshop after workshop.  
24 I've attended workshops down here.

25 MR. CAMPANELLI: I hope you come



1 PUBLIC HEARING MINUTES

2 to my next one in February.

3 MAYOR DONNO: You know, I have  
4 researched as much as I possibly can  
5 on this, and I know other villages. I  
6 meet with other village mayors, so I  
7 know everybody is going through the  
8 same thing. There are some -- across  
9 the state, how many villages have  
10 denied these applications, and how  
11 many have won them -- won that  
12 decision?

13 MR. CAMPANELLI: In most of my  
14 cases, when I make a presentation and  
15 I give a brief, most of the times  
16 they're not challenged because the  
17 record is so solid. In other words,  
18 if you make a fatal mistake, let's say  
19 -- I've had a case where residents  
20 came in with a petition signed by a  
21 thousand signatures and a board member  
22 said, "I'm voting against it; here's a  
23 thousand signatures." That's not a  
24 legally permissible reason. But when  
25 I submit a memorandum with evidence to

## 1 PUBLIC HEARING MINUTES

2 substantiate my claims, I create a  
3 solid record. I would say in  
4 90 percent, in 90 percent of the cases  
5 where I have persuaded a board to deny  
6 the application, it is not  
7 subsequently challenged.

8 Now, here in Lake Success,  
9 ExteNet has challenged, and they just  
10 challenged it in Flower Hill. Now I  
11 have to educate boards: Okay, so they  
12 challenged. So what? If, for  
13 argument's sake, somehow you violate  
14 the federal Telecommunications Act,  
15 they can't sue you and get damages.  
16 They can't get attorney's fees. If  
17 they ever sue you, all they get is the  
18 permit. That's it.

19 MAYOR DONNO: But Lake Success  
20 is in mediation.

21 MR. CAMPANELLI: Lake Success is  
22 trying to come up with a happy medium.

23 MAYOR DONNO: Right.

24 MR. CAMPANELLI: Unfortunately,  
25 much to the chagrin of my clients, I

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2 filed a motion to intervene, which has  
3 not yet been decided. It depends upon  
4 the boards. In -- in Plandome --

5 MAYOR DONNO: Well, in  
6 Lake Success, the judge ordered them  
7 into mediation, so they --

8 MR. CAMPANELLI: On consent.  
9 They agreed to go; they can't force  
10 them; they agree.

11 In Plandome, the mayor wants  
12 them in. The mayor invited them in.

13 MAYOR DONNO: Well, they haven't  
14 made a decision.

15 MR. CAMPANELLI: The mayor said,  
16 "Don't you guys think your homes will  
17 be more valuable with good cell  
18 service?" I can't control the boards.  
19 Boards do different things based upon  
20 different reasons. What I can tell  
21 you is where boards make a solid  
22 determination based upon the law, it  
23 is far more difficult to challenge.  
24 If you make the proper factual  
25 determinations based upon the evidence

1 PUBLIC HEARING MINUTES

2 in front of you, it is very, very  
3 difficult to challenge. And even if  
4 you lose, they get the permit; that's  
5 it, nothing more.

6 MAYOR DONNO: I'm sorry?

7 MR. CAMPANELLI: And even if  
8 they sue you and you lose, all they  
9 get is the permit.

10 AUDIENCE MEMBER: No damages.

11 MR. CAMPANELLI: No damages, no  
12 returns.

13 MAYOR DONNO: They get the  
14 permit and they get to put their poles  
15 up and we have no say in that.

16 MR. CAMPANELLI: If they can  
17 establish that you violated the  
18 Telecommunications Act.

19 TRUSTEE CLINTON: And there's a  
20 significant -- obviously, Flower Hill  
21 is looking at 100,000 in legal bills,  
22 which is -- would be roughly  
23 20 percent of our tax revenue per  
24 annum. That's a big -- I mean, if you  
25 got a -- first of all, we are limited

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2 in terms of what we can raise taxes.  
3 But if you get a 20 percent tax  
4 increase for additional legal  
5 expenses, there would be some pushback  
6 in that too, so it's not --

7 MR. CAMPANELLI: I don't think  
8 the \$100,000 was for litigation. It's  
9 federal -- TCA litigation is by far  
10 the cheapest federal litigation there  
11 is. It's essentially a motion; that's  
12 it. The court looks at the evidence  
13 you had before you at the time you  
14 made your decision and determines if  
15 there was a reasonable basis for the  
16 determinations you made and sees if  
17 there's a flagrant violation of the  
18 Telecommunications Act. If there  
19 isn't, the case is over. There's no  
20 depositions. There's no discovery,  
21 nothing. It takes 90 days. Done.

22 MAYOR DONNO: Well, maybe you  
23 ought to talk to Flower Hill a little  
24 bit.

25 Elizabeth Owen?

1 PUBLIC HEARING MINUTES

2 MS. OWEN: Yeah. I give my time  
3 to Mr. Campanelli.

4 MR. CAMPANELLI: Unless you have  
5 questions, I'm done. Thank you.

6 MAYOR DONNO: Nancie?

7 MS. TAKAHASHI: Yes. I guess --  
8 I mean, he covered most of it. You  
9 know --

10 MAYOR DONNO: I'm sorry. Could  
11 you please give your name and address  
12 for the stenographer.

13 MS. TAKAHASHI: It's  
14 Nancie Takahashi at 8 Luquer Road.

15 So, actually, I have two  
16 questions. So one of them was: So  
17 you were showing a picture right in  
18 front of my yard without the picture  
19 of my house. So, I mean, I agree with  
20 you; that picture was completely  
21 inaccurate because it didn't show that  
22 the pole is going pretty much 10 feet  
23 from my front door and, you know,  
24 where her driveway kind of juts out  
25 to. So we would like to know where

1 PUBLIC HEARING MINUTES

2 the power comes from for that new  
3 antenna that's gonna be going up.

4 AUDIENCE MEMBER: It wasn't  
5 clear.

6 MS. TAKAHASHI: Right. As I  
7 said, there's no lines; there's no  
8 streetlights on our street. There's  
9 no poles, no nothing. Thirty-one.

10 MR. LAMBERT: Thirty-one.

11 MS. TAKAHASHI: So our power  
12 lines are in the back of my house.  
13 Her power lines are in the back of her  
14 house.

15 MR. LAMBERT: They would be  
16 coming from the power lines  
17 underground.

18 AUDIENCE MEMBER: There's an  
19 easement they can put through your  
20 backyard.

21 AUDIENCE MEMBER: They can't  
22 because that's Port Washington. Her  
23 backyard, the woods behind her  
24 backward is Port Washington.

25 MS. TAKAHASHI: It juts to

## 1 PUBLIC HEARING MINUTES

2 Port Washington, so I don't know how  
3 you're going to get the power from my  
4 backyard to the front. Like, you have  
5 to dig it up? Like, is there -- I  
6 don't know. Are you just going to  
7 show up one day and then you're gonna  
8 dig it up, or is there, like, a whole  
9 process to this? Is it going to take  
10 a week? Is it going to take a day?

11 MR. LAMBERT: I mean, the power  
12 would be coming along the right of  
13 way; like, all utilities would have  
14 it. So it's along the right of way  
15 underground. It would feed it  
16 underground. So it would come from  
17 the closest proximate pole that has  
18 this power.

19 MR. FRIDRICH: It would not --  
20 it would not go through your yard. It  
21 would not go through private property  
22 at all. It would follow the path of  
23 the right of way to whatever the  
24 closest power source is.

25 AUDIENCE MEMBER: Wherever the



1 PUBLIC HEARING MINUTES

2 easement is, that's where they're  
3 going to go.

4 AUDIENCE MEMBER: So how do they  
5 get there?

6 AUDIENCE MEMBER: No, there is  
7 an easement for your backyard.

8 [Audience interruption.]

9 MR. FRIDRICH: There are  
10 easements, PSE&G easements across  
11 private property. We're not allowed  
12 to do that. We would have to actually  
13 get a private property agreement with  
14 you, as well as PSE&G. So we're not  
15 gonna go through your backyard.

16 MR. CAMPANELLI: I'm sorry. The  
17 Public Service Commission says you  
18 have access to the public easements,  
19 so I don't know where that's coming  
20 from because I've seen you go through  
21 the backyards in Garden City.

22 MAYOR DONNO: But  
23 Mr. Campanelli --

24 MR. CAMPANELLI: I'm sorry. I  
25 can't --

1 PUBLIC HEARING MINUTES

2 MAYOR DONNO: I understand that,  
3 but you know what? We've got ExteNet  
4 here. Our consultant is here. I  
5 appreciate your wanting to -- I  
6 appreciate you wanting to answer.

7 MR. CAMPANELLI: I'm very sorry.

8 MAYOR DONNO: So would you be  
9 able to get that information for her?

10 MR. WASHINGTON: Yes.

11 MAYOR DONNO: Where that  
12 power --

13 MR. FRIDRICH: We can -- we can  
14 dig up the power [inaudible].

15 MR. WASHINGTON: Which node was  
16 that?

17 AUDIENCE MEMBER: Thirty-one.  
18 The question is also whether it's even  
19 -- whether that pole is even  
20 necessary. That's -- that's one of  
21 the biggest questions.

22 AUDIENCE MEMBER: What question?

23 AUDIENCE MEMBER: Whether that  
24 pole is even -- that node is even  
25 necessary. We haven't even

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2 established that.

3 MAYOR DONNO: Well, that's --  
4 that is what -- that is -- as I said,  
5 we are working with the consultants,  
6 and they have gone through all the  
7 applications. I mean, this is not  
8 just something that we are working on  
9 tonight. They've got a lot of the  
10 information; they're asking for a lot  
11 of information. We've got letters  
12 going back and forth. It's, you know,  
13 just -- we're -- they still have a lot  
14 to answer, and there's a lot of  
15 questions that we have. So they're  
16 not all going to be answered tonight,  
17 and we will get the answers for you.

18 MS. TAKAHASHI: Okay. That's  
19 fair.

20 One other quick thing I wanted  
21 to ask was: So you're saying this  
22 was, you know, capacity issues. So  
23 it's --

24 MR. LAMBERT: Coverage and  
25 capacity; it's both.

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2 MS. TAKAHASHI: Okay. There's  
3 about 250 houses within the Village of  
4 Plandome Manor, and you're putting in  
5 20. So you're basically putting in  
6 between 2 to 10 houses. So, now,  
7 let's say we say -- we come to an  
8 agreement. So you're basically saying  
9 that you need these DAS nodes in order  
10 to cover our Village properly. So,  
11 then, how do we come to an agreement  
12 that we only need 10 of them? Then  
13 won't there be gaps again with only 10  
14 nodes going in? So is it all or  
15 nothing, or some will still suffice?

16 MR. LAMBERT: I can clarify a  
17 little bit. This isn't based on a  
18 municipal boundary. It's a larger  
19 network. It's a 66-node network that  
20 crosses five different jurisdictions  
21 that all work --

22 MS. TAKAHASHI: So you're  
23 putting it in Port Washington, which  
24 is right in my backyard?

25 MR. LAMBERT: Yeah. There's 16

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2 nodes in Port Washington that we're  
3 proposing now. The application is all  
4 throughout the Village of Port  
5 Washington.

6 MAYOR DONNO: I believe there's  
7 64 or 65 total.

8 MR. LAMBERT: There's 66 total  
9 nodes.

10 MAYOR DONNO: Between the Town  
11 of North Hempstead and the villages:  
12 Plandome Manor, Plandome, Flower Hill.  
13 Munsey Park, I think, has one. So --  
14 and then the rest go to the Town of  
15 North Hempstead.

16 MR. LAMBERT: So it's a large  
17 network. You know, the nodes aren't  
18 designed to just feed Munsey Park or  
19 Plandome Manor or Plandome. They all  
20 work together to form a large -- a  
21 larger web of service. So when you  
22 move or remove some in Flower Hill,  
23 Plandome, depending upon the location  
24 of it, you know, it could affect the  
25 node locations in Plandome Manor. I

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2 mean -- and vice versa. So if you  
3 move one closer to the others and  
4 there's too much overlap and that  
5 coverage is hindered because of  
6 overlap, we have to then move a node  
7 somewhere else to remedy that  
8 deficiency in things being too close  
9 together. And too far together, it  
10 creates gaps.

11 AUDIENCE MEMBER: So why would  
12 you need 16 for Port Washington and 20  
13 for Plandome Manor?

14 MR. LAMBERT: The stuff about  
15 municipalities is that there are  
16 macrosites all through here, and  
17 sometimes, you know, there's a tower  
18 in existence somewhere close by. And  
19 so just that proximity to that tower  
20 and that jurisdiction, you may not  
21 need as more, or there may be no tower  
22 anywhere around there [inaudible].

23 AUDIENCE MEMBER: Is there one  
24 -- is there one in Port Washington, a  
25 macrosite? Let's start there.

1 PUBLIC HEARING MINUTES

2 MR. LAMBERT: Offhand, I don't  
3 know if there's one in Port Washington  
4 because --

5 AUDIENCE MEMBER: But there's  
6 only 16 cell nodes that you're  
7 proposing.

8 MAYOR DONNO: Hold it.

9 AUDIENCE MEMBER: I've been  
10 raising my hand for 25 minutes.

11 MAYOR DONNO: But I'm reading  
12 off of the paper, so we're just going  
13 through the paper.

14 AUDIENCE MEMBER: There's a  
15 large one in Manorhaven. There's a  
16 large tower, 150-foot tower, in  
17 Manorhaven. I know that.

18 MR. LAMBERT: Okay. So there is  
19 some relationship to existing  
20 macrosites. So if there's a macrosite  
21 close by, you don't need nodes in that  
22 vicinity. But as soon as that  
23 coverage becomes worse because you're  
24 further from the macrosite, you need  
25 more nodes. And it depends on the

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1  
2 typology of the area; you know, the  
3 tree line and more dips and valleys  
4 that you have which creates, you know  
5 -- physics creates areas of poor  
6 performance. You need more towers in  
7 those, more nodes, more antennas in  
8 those areas where you see coverage  
9 issues because of other externalities  
10 like that. So, I mean, it's variable  
11 and it's not based on municipality.

12 Munsey Park only has one because  
13 it just -- it happened to fall in  
14 Munsey Park where it was needed.  
15 Because it would have gone into --  
16 it's Flower Hill, but that area didn't  
17 have anything --

18 AUDIENCE MEMBER: There was  
19 nothing.

20 MR. LAMBERT: -- nothing there  
21 to put it on. So the next closest  
22 point was the flagpoles, so we put it  
23 on the flagpole. It happened to be in  
24 Munsey Park. I mean, they got one,  
25 but, again, it has nothing to do with



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2 municipality. They were a coverage  
3 area. This happens to go across  
4 municipal boundaries.

5 MAYOR DONNO: Mr. Carillo?

6 MR. CARILLO: Yeah. I have one  
7 question.

8 MS. MALMAN: Please state your  
9 name and your address for the record.

10 MR. CARILLO: Jim Carillo,  
11 4 Aspen Gate.

12 Are there any fees that the town  
13 will be receiving from you guys --

14 AUDIENCE MEMBER: ExteNet.

15 MR. CARILLO: -- for putting up  
16 -- for ExteNet putting up these side  
17 nodes? And is it a one-time fee, or  
18 is it a reoccurring fee?

19 MR. WASHINGTON: The FCC has  
20 established a right of way and  
21 attachment fees that municipalities  
22 can charge, and it's, I believe, \$270  
23 a year per attachment.

24 AUDIENCE MEMBER: Per carrier?

25 MR. WASHINGTON: It's per

1 PUBLIC HEARING MINUTES

2 attachment. So --

3 MR. CARILLO: Are any devices  
4 attached to the pole?

5 MR. WASHINGTON: No. The  
6 antenna -- well, one cell site would  
7 be an attachment to a pole. And that  
8 would be an annual fee, so however  
9 many are in existence would be --  
10 would be a fee that the Village could  
11 charge.

12 MR. CARILLO: Okay. Thank you.

13 MAYOR DONNO: Valerie Carillo?

14 MS. CARILLO: I'll give my time.

15 MR. CAMPANELLI: I don't -- I  
16 don't need it. Thank you.

17 MAYOR DONNO: Okay. Thank you.

18 MR. CAMPANELLI: Thank you.

19 MAYOR DONNO: 2 Aspen Gate.

20 Elena Vases?

21 MS. VASES: Yeah, that's me.

22 MAYOR DONNO: Hi.

23 MS. VASES: Elena Vases. I live  
24 at 2 Aspen Gate where the pole is  
25 actually on my yard; that's node 15.

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2 I'm just really upset  
3 aesthetically. When you turn down the  
4 block, the pole is right there. I  
5 mean, that's going to be the first  
6 impression when somebody is walking  
7 down my -- my home. If you go down  
8 that block, there are millions of  
9 dollars -- those homes are worth  
10 millions of dollars, and you want to  
11 put something on that pole. And you  
12 even said in your presentation that  
13 pole is from PSE&G. So you have the  
14 ability to -- for PSE&G to tell you to  
15 make another pole or to make it go  
16 higher, so you can't even tell me what  
17 that final pole is gonna look like on  
18 my property and how it's gonna affect  
19 -- how my house looks like, and  
20 especially if I ever want to sell my  
21 home to someone. And if I have people  
22 at my house, they're going to be  
23 looking at -- I don't know -- how big  
24 the pole is. And you gave several  
25 pictures of proposed cell nodes; I

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2 don't know if it's gonna look like a  
3 refrigerator or something smaller. So  
4 that's upsetting.

5 And I also had a year worth of  
6 delay when I was asking for a  
7 generator in my backyard --

8 MR. VASES: Eighteen months, to  
9 be exact.

10 MS. VASES: -- okay, because --  
11 and that should be part of the town  
12 record because aesthetically, when  
13 somebody enters the block, the  
14 generator was going to be an eyesore.

15 MR. VASES: It had to be covered  
16 by trees, mandatory trees; otherwise,  
17 I wouldn't get my permit done.

18 MS. VASES: Okay. So you were  
19 concerned about the generator, but  
20 you're not concerned about how  
21 aesthetically the pole is gonna affect  
22 my property. So that upsets me  
23 because that's -- you know, I'm not  
24 going to say anything rude.

25 And you're constantly saying

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1  
2 "Verizon," and that's upsetting to me  
3 because, you know, our attorney has  
4 excellent service; and I feel Verizon  
5 hasn't even submitted a proposal to  
6 Plandome Manor for any type of gap or  
7 any other map or whatever equipment it  
8 is for Plandome Manor to have rejected  
9 it for you to be here and say that  
10 you're hired by Verizon.

11 And the only other thing is it's  
12 upsetting for me to see that 20 cell  
13 nodes are in Plandome Manor alone, and  
14 you showed that aerial visual. And  
15 there's a lot of empty space -- one  
16 being the cemetery; one being other  
17 parks, golf courses -- and you're not  
18 even proposing any nodes there. And  
19 you didn't even give us an aerial  
20 visual of the surrounding area of how  
21 many nodes are there altogether so we  
22 could see that big fire picture of the  
23 whole town or aerial picture. So I  
24 feel that's misleading in and of  
25 itself.

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2 So that's what I have to say.

3 MAYOR DONNO: Thank you.

4 We are going on to No. 16, which  
5 is 1 Luquer. Barbara Napolitano?

6 MS. NAPOLITANO: Yes. Hi.

7 MAYOR DONNO: Hi.

8 MS. NAPOLITANO: I'm not on  
9 Luquer but I'm close enough, and just  
10 being in the neighborhood, I'm  
11 extremely concerned about other things  
12 that I'm not allowed to talk about. I  
13 kind of feel bullied by the FCC not  
14 being able to express my concerns  
15 about certain hazards. So, that, I  
16 wanted to state, number one.

17 And secondly, I'd like to get  
18 back to Mr. Campanelli's question or  
19 statement that you have to show us why  
20 there's a need. That's something that  
21 the Board should know, and I'd like to  
22 know the need for these excess cell  
23 nodes.

24 MR. WASHINGTON: We believe that  
25 we have made -- we have shown gaps in

1 PUBLIC HEARING MINUTES

2 coverage. We have shown drive test  
3 data notwithstanding assertions --

4 MS. NAPOLITANO: Excuse me.  
5 Verizon has a different idea than  
6 you're giving me. According to  
7 Mr. Campanelli's report from Verizon,  
8 our carrier --

9 MR. WASHINGTON: I'm glad that  
10 you brought that up --

11 MS. NAPOLITANO: Okay.

12 MR. WASHINGTON: -- because --  
13 and Chris, please correct me if I'm  
14 wrong because I don't want to get it  
15 wrong -- is that that information was  
16 pulled off of marketing data that  
17 contains a disclaimer to the effect  
18 that it's not to be used in terms of  
19 absolute coverage for Verizon.

20 MS. NAPOLITANO: Is that true,  
21 Mr. Campanelli?

22 MR. CAMPANELLI: May I respond.

23 MR. LAMBERT: Yup.

24 MR. CAMPANELLI: Okay. The  
25 whole point --

1 PUBLIC HEARING MINUTES

2 MS. NAPOLITANO: I'll give up my  
3 time.

4 MR. CAMPANELLI: Okay. The  
5 whole point is --

6 MR. LAMBERT: I'll bring the --  
7 next week, I will bring you the actual  
8 disclaimer; I will show it to you so  
9 you can see --

10 MS. NAPOLITANO: Okay.

11 MR. LAMBERT: -- that the  
12 marketing tool that's used to let  
13 people know --

14 MS. NAPOLITANO: But Verizon is  
15 telling us the service is excellent.  
16 Why are we doing this?

17 AUDIENCE MEMBER: Why is Verizon  
18 saying that?

19 MR. CAMPANELLI: I'm trying to  
20 respond.

21 MR. LAMBERT: There's marketing  
22 and there's the actual RF engineers.  
23 Salespeople.

24 MR. CAMPANELLI: The key  
25 question is has the applicant shown



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1  
2 there is a significant gap in service.  
3 The Telecommunications Act does not  
4 guarantee that ExteNet, much less  
5 Verizon, get seamless coverage. The  
6 question is whether or not they've  
7 shown a significant gap in coverage.  
8 So he can claim all he wants it's  
9 marketing material. This is the  
10 actual data. They're showing the  
11 existence or lack of significant gaps  
12 in coverage, which is exactly what  
13 they're talking about. If there's a  
14 spot that's 2 feet by 2 feet, it's not  
15 gonna show up on that map. That's  
16 correct. But to say it's marketing  
17 data is nonsense. He's claiming that  
18 Verizon is basically lying.

19 MAYOR DONNO: Al, will we be  
20 getting...

21 MR. TAGLIAFERRI: Yeah, well,  
22 that's -- we originally -- our initial  
23 request was because all the RF data  
24 that was submitted is only for one  
25 frequency that -- that --

1 PUBLIC HEARING MINUTES

2 MR. CAMPANELLI: Of course.

3 MR. TAGLIAFERRI: -- Verizon  
4 operates where they actually operate  
5 four separate frequency bands. So we  
6 would want to see coverage maps and  
7 propagation data and capacity data for  
8 all of the frequencies that Verizon  
9 operates because that would show us  
10 overlaps. Because, like you said,  
11 there may be some dead spots, but  
12 there is coverage in most of the  
13 Village. But we don't see that  
14 without all the frequencies from the  
15 adjoining maps, what's existing now,  
16 and how the different --

17 MR. FRIDRICH: Yeah. And  
18 actually, you were provided  
19 700 megahertz coverage because if --  
20 that will actually show the absolute  
21 best coverage that they have. All  
22 four frequencies operate on all their  
23 macrosites. As you go up in  
24 frequency, your coverage goes down.  
25 So the coverage you have at 700 is the

1 PUBLIC HEARING MINUTES

2 best case you're gonna have. So if  
3 you show 850 --

4 MR. TAGLIAFERRI: I still want  
5 to see the surrounding, the existing  
6 coverage.

7 MR. FRIDRICH: Yeah, but it's  
8 gonna be -- it's gonna be worse.  
9 That's the point. And that's why they  
10 provided --

11 MR. LAMBERT: We can give you  
12 the other ones, but they'll just show  
13 worse scenarios.

14 MR. TAGLIAFERRI: But we want to  
15 see that.

16 MAYOR DONNO: Yeah. I think our  
17 consultant is asking for more data,  
18 more information on not only that, but  
19 he's -- he had also asked for the  
20 information on the...

21 MR. TAGLIAFERRI: Right, the  
22 existing, surrounding, adjoining  
23 sites.

24 MAYOR DONNO: Well, not only  
25 that. What's the --

1 PUBLIC HEARING MINUTES

2 MR. TAGLIAFERRI: Oh, the  
3 emissions?

4 MAYOR DONNO: The emissions.

5 You need to prove to this Board,  
6 I think, that, you know -- you need to  
7 prove to this Board that we need 20  
8 and that there is a, you know, a need  
9 for them in the place that they --  
10 that you want them to be installed.  
11 And we're still not sure about that.  
12 There's -- you know, I've been to  
13 every single site twice. And Ed and I  
14 -- our Building Inspector and I and Al  
15 went out to these sites. We just went  
16 out -- what? -- a month ago or  
17 something from site to site. And we  
18 took notes and we, you know, we have  
19 our own ideas about -- I don't know  
20 how to read this stuff (indicating).  
21 You know, I've read about it.

22 We've talked to Al. Our other  
23 consultant who is with Center for  
24 Municipal Solutions is up in Albany.  
25 He has helped us, along with our

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2 Attorney, with the Code, which I think  
3 is a pretty damn good Code, you know.  
4 And I think it's pretty comprehensive,  
5 that Code. We worked on it for a very  
6 long time.

7 Believe me. We're not up here  
8 to just say "yes." They've got to  
9 prove a lot of stuff to us. But, you  
10 know, we also have the FCC that we're  
11 contending with. And I appreciate  
12 everything that you've said,  
13 Mr. Campanelli, but I belong to  
14 Nassau County Village Officials, that  
15 New York Conference of Mayors. We  
16 have conferences and workshops on this  
17 all the time; I'm going to one in a  
18 month on this. And they all said the  
19 same thing: That, you know, it's, you  
20 know -- this is a difficult thing to  
21 fight, but, you know, if we can fight  
22 it, we're gonna fight it. So that's  
23 where I am right now.

24 MR. LAMBERT: Just to note, I  
25 mentioned the article that was written

## 1 PUBLIC HEARING MINUTES

2 by a local news group in the area that  
3 went to the sites in Flower Hill and  
4 Plandome. I urge you to do the same  
5 thing. Follow the same sites they  
6 did. Use your phones. Everybody's  
7 phone has the ability to obtain  
8 coverage information, obtain the  
9 information regarding how powerful or  
10 not powerful the signal is. Go to the  
11 sites that we've put in the area, the  
12 map here.

13 AUDIENCE MEMBER: We live there.  
14 What are you talking about? We --  
15 that's my house. My husband  
16 [inaudible] -- he works from home.

17 MR. LAMBERT: Use your phones;  
18 get the data if you want to. I'm just  
19 saying get the data if you want to.

20 AUDIENCE MEMBER: You're talking  
21 about significant deficiencies;  
22 they're not significant. They might  
23 be slight. It's not an issue.  
24 Everybody in this room is against  
25 this. Is there anybody in this room

1 PUBLIC HEARING MINUTES

2 that is for this?

3 [A chorus of nos.]

4 AUDIENCE MEMBER: Zero, right?

5 MAYOR DONNO: Can I call

6 Mr. Papadakos.

7 MS. JANUSKA: It's actually

8 Sheri Januska. I'm speaking.

9 MAYOR DONNO: I'm sorry.

10 MS. JANUSKA: I actually wrote

11 for Luquer. I would like to speak to

12 2 Aspen Gate --

13 MAYOR DONNO: Okay.

14 MS. JANUSKA: -- because I agree

15 with Elena. When you drive down my

16 street, you turn on -- first of all,

17 if you're passing by the one on Luquer

18 on the left, hearing that whir during

19 my walk, whatever. I came here for a

20 little country-style living. It's a

21 beautiful area. I paid premium. I

22 looked further on the island. I -- I

23 searched for this spot, my little dead

24 end street, so I could have a nice

25 peaceful place. You know; you live in

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1  
2 a nice, peaceful place; you don't want  
3 something stuck right in front of your  
4 house, in front of your property.

5 It's -- the aesthetics of it are  
6 horrific. Horrific. It takes away  
7 the tranquility.

8 You drive down my street and the  
9 first thing you're going to see:

10 Gate, Aspen Gate. What does that  
11 mean? You want to enter into  
12 something. You're entering into their  
13 pole and it looks horrible. I mean,  
14 there's no redeeming quality of that  
15 placement. I don't want it in my yard  
16 either. It's just, aesthetically  
17 speaking, I'm going to sit in my house  
18 and I'm going to look across my  
19 neighbor's beautifully built new  
20 home and see an absolute -- I mean,  
21 are we in an industrial area? This is  
22 not what I bought into. This is not  
23 what somebody else is going to pay for  
24 when they come to purchase my home.

25 That's not what they want. That's



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2 what I paid for; I made premium for  
3 that spot, that peace, that  
4 tranquility for what? To hear a  
5 whirring of a fan and to see this, you  
6 know, monstrosity? There's no need.  
7 There's no need.

8 MAYOR DONNO: Thank you.

9 MS. JANUSKA: The aesthetics are  
10 horrific.

11 MAYOR DONNO: I'm going to  
12 No. 18, which is 25 Morgan. That's  
13 the site of 25 Morgan Court.

14 Mr. Vatakis?

15 MS. VATAKIS: That's me.

16 MAYOR DONNO: I'm sorry.

17 MS. VATAKIS: I think the first  
18 name was my son, who went home to bed.  
19 His name was Pantelis Vatakis, and his  
20 concern is that is a cul-de-sac where  
21 he rides his bike.

22 MAYOR DONNO: I'm sorry. Can  
23 you just give your full name and  
24 address.

25 MS. VATAKIS: I'm Argie Vatakis

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2 at 5 Morgan Court.

3 MAYOR DONNO: Hi, Argie. I  
4 haven't seen you in a long time.

5 MS. VATAKIS: So as Mayor Donno  
6 probably knows, my family has been  
7 residing at 5 Morgan Court since 1981.  
8 Our property abuts up to Leeds Pond  
9 science preserve. It is a cul-de-sac  
10 full of children riding bikes, playing  
11 every day. It's a beautiful area.  
12 There is not currently any cell tower  
13 there.

14 The aesthetics, as you pull up  
15 Elm Sea Lane and you turn right onto  
16 Morgan Court, that is gonna be what  
17 you see. Right now, you see  
18 beautiful, lush greenery. We have  
19 neighbors from Luquer and Gulls Cove  
20 and Elm Sea Lane all walking down into  
21 our cul-de-sac to enjoy the science  
22 preserve and now they're going to turn  
23 onto Morgan Court and what you're  
24 gonna see is a sci-fi cell tower.

25 Again, we've resided there with

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2 many of our neighbors for decades. We  
3 strongly oppose any new tower that  
4 you're planning to put on  
5 Morgan Court; again, there are  
6 children riding bikes in that  
7 cul-de-sac every day, playing right  
8 below where you're saying that this  
9 tower is gonna be. Go there; you'll  
10 see chalk in the cul-de-sac because  
11 the kids are drawing there. It is not  
12 a place for a cell tower.

13 MAYOR DONNO: Thank you.

14 Maria Brunetti?

15 MS. BRUNETTI: Yeah, that's me.  
16 Maria Brunetti, 25 Morgan Court. It's  
17 exactly across the street from Argie.  
18 She and several of my neighbors are  
19 here.

20 I wanted to know about the  
21 maintenance of these poles and what  
22 kind of crews come in. And the place  
23 where this pole is going to be put  
24 seems to be right smack in the middle  
25 of the most gorgeous spot on the

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2 street, and my concern is: What trees  
3 are coming down? What's gonna be  
4 missing? There's bunnies popping  
5 through; there's all kind of wildlife  
6 too, and how does that get affected?

7 MR. LAMBERT: The location  
8 that's it's at now is the proposed  
9 location. It's at the periphery of  
10 the wooded area. Going further into  
11 the wooded area would probably impact  
12 some of the tree line around there,  
13 only because trucks would have to go  
14 there to install the pole. And there  
15 would be maintenance, but once it's  
16 up, it's maintained very infrequently.  
17 Once a year, if that.

18 MR. FRIDRICH: Basically if an  
19 alarm goes off.

20 MR. LAMBERT: Yeah. If an alarm  
21 goes off and the -- it's not regular  
22 maintenance.

23 MR. FRIDRICH: I mean, we do do  
24 audits on these, but we also -- all of  
25 our networks are connected to a

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2 network operation center, so if  
3 something goes wrong at one of the  
4 sites, they get alerted and a crew  
5 gets dispatched within hours.

6 MR. LAMBERT: And that's very  
7 infrequent when that happens.

8 MS. BRUNETTI: There are also  
9 school buses that turn around in that  
10 cul-de-sac, so if you're doing  
11 emergency maintenance during the hours  
12 that a school bus is gonna come,  
13 they're not gonna be able to turn  
14 around.

15 MR. LAMBERT: The crews in the  
16 area would be crews that are local to  
17 the area, so they would work with the  
18 Village and the community to make sure  
19 that when they're active that they're  
20 doing the best they can to stay out of  
21 the way of the vehicles in your  
22 neighborhood. But those are local  
23 crews. We're not sending somebody  
24 from Chicago.

25 MS. BRUNETTI: I just have a

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2 follow-up also. It just came to my  
3 mind. There's nothing there now,  
4 electrical or anything. How is that  
5 gonna get the power? Because --

6 MR. LAMBERT: I believe there is  
7 a, if I remember correctly --

8 MS. BRUNETTI: Does that mean  
9 now wire is going to cross all over  
10 the place zigzagging the cul-de-sac?

11 MR. LAMBERT: No, it's  
12 underground.

13 AUDIENCE MEMBER: He's saying  
14 it's underground.

15 MR. LAMBERT: Yeah, underground.  
16 I mean, from the closest utility pole.  
17 And we first looked at that pole  
18 actually not in the cul-de-sac but  
19 kind of on the side of the cul-de-sac  
20 and, I think, an existing pole line  
21 that was going across the street -- I  
22 believe, if I remember correctly --  
23 and decided that that was probably too  
24 close to a driveway; so we decided to  
25 put it over there because it was

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1 furthest away from any driveway and  
2 closer to the wooded area for, you  
3 know, a pole, which made sense at the  
4 time versus putting it along a  
5 landscape path. There was an  
6 alternative there, so we took the  
7 alternative which was there near the  
8 park property -- not property but near  
9 the county preserve property rather  
10 than putting it closer to someone's  
11 driveway. We actually had an  
12 alternative so we took it.

14 MAYOR DONNO: JoAnne Tsoumpas?

15 MS. TSOUMPAS: Yes. I give my  
16 time.

17 MR. CAMPANELLI: Nothing --  
18 nothing here. Thank you.

19 MAYOR DONNO: Thank you.

20 Doug Longobardi?

21 MS. OLSEN: He doesn't appear to  
22 be here anymore.

23 MAYOR DONNO: Oh.

24 MS. OLSEN: I'm Deirdre Olsen.  
25 I don't know if I'm on your list to

1 PUBLIC HEARING MINUTES

2 speak or not.

3 MAYOR DONNO: No.

4 MS. OLSEN: Okay. I'd like to  
5 speak on behalf of the poles on  
6 14 Rock Hollow Road and 21 Rock Hollow  
7 Road. I'd also like to speak on  
8 behalf of my family and mother; my  
9 mother is Hope Catalano.

10 MAYOR DONNO: Yes.

11 MS. OLSEN: I own the house with  
12 my mother. We -- I have been living  
13 in this home for 40 years. We moved  
14 here in 1979. My husband and I have  
15 bought elsewhere, but we live here  
16 because it's the country and it's  
17 beautiful to us and there's nothing  
18 else like it.

19 When I was 10 years old, I  
20 volunteered. I walked down  
21 Rock Hollow Road right up to the  
22 science museum and I cared for the  
23 animals there when I was 10 years old.  
24 There is nothing like this in our area  
25 outside of state. It's very, very



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2 special and it really needs to be  
3 protected.

4 I have to say I have three  
5 teenagers. I know what data is; we  
6 use a ton of data. There is no  
7 problem in my house. We have no need  
8 for it. We have no use for it. We  
9 are completely fine with the data and  
10 the coverage that we have. I have no  
11 interruption of service whatsoever.

12 I think -- just this summer, it  
13 should be noted that there was a fire  
14 on a pole in our backyard, so there  
15 are hazards, whether that's going to  
16 be, you know, acknowledged or not.  
17 There was a fire in my backyard this  
18 summer, and it's -- there is all kinds  
19 of risks that we would -- we should  
20 absolutely look into avoiding.

21 But aesthetically, yes, if  
22 that's what we have to go with, by all  
23 means. Aesthetically, we live on a  
24 beautiful -- 21 Rock Hollow Road, and  
25 the picture that was taken was during

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2 a construction. There was a cyclone  
3 fence; it does not look like that.  
4 It's a beautiful little street,  
5 Rock Hollow Road. There's no line  
6 painted on it because it's a country  
7 lane. It's a nature preserve. That  
8 pole, 14, is a beautiful little corner  
9 there. The Boy Scouts do community  
10 service projects. It's very low  
11 traffic. The use or need or  
12 proposition of a cell tower there, it  
13 has to be noted I'm vehemently  
14 opposed.

15 MAYOR DONNO: Joseph Presti?

16 AUDIENCE MEMBER: He left.

17 MAYOR DONNO: Gus Harris?

18 MR. HARRIS: Hi. Gus Harris,  
19 Elm Sea Lane.

20 So what's important to me, it's  
21 very nuanced what you say that Verizon  
22 wants to increase service. I just  
23 want to establish that it's not for  
24 the residents, right? This is for  
25 other Verizon customers; to me, that's

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2 loud and clear here that this is done  
3 for other customers, not us, the  
4 residents of Plandome Manor. No one  
5 wants it, so we're clear.

6 I just -- what's the life?  
7 What's the least life of the towers?  
8 Is it perpetuity? Once it goes up, is  
9 it forever or?

10 MR. WASHINGTON: I'm not sure  
11 that we understand your question.  
12 We're not trying to evade it.

13 MR. HARRIS: Once the tower is  
14 up, what's the contract? How long is  
15 it on for?

16 MR. WASHINGTON: Okay. You're  
17 asking for the term of the lease.

18 MR. HARRIS: That's right.

19 MR. WASHINGTON: Okay. I'm  
20 trying to think. PSE&G, typically,  
21 it's -- and this is general because,  
22 again, the terms of the contract are  
23 confidential, but generally, they run  
24 -- they run in the range of I would  
25 say 15 to 20 years total.

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2 MR. HARRIS: I did a quick  
3 Google search, and a cell tower is  
4 roughly 50 grand a year in lease  
5 payments. Verizon would pay 50 grand  
6 a year. Could you confirm if that's  
7 in the ballpark.

8 MR. LAMBERT: That's a cell  
9 tower macrotower. That is nowhere --

10 MR. HARRIS: Probably half as  
11 much?

12 MR. WASHINGTON: And again --  
13 yeah. That's a cell tower, and on top  
14 of that, again, I can't even confirm  
15 what the --

16 MR. HARRIS: What if I did a  
17 Google search? What would it say?

18 MR. WASHINGTON: I -- I don't  
19 know.

20 MR. HARRIS: You wouldn't even  
21 -- you're in the business. If I were  
22 to do a Google search, you wouldn't  
23 know what it would say? Okay.

24 MR. WASHINGTON: But remember,  
25 each of these is individual. Some

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2 sites are more valuable than other  
3 sites. Carriers will pay X number of  
4 dollars one place and walk away at  
5 another.

6 MR. HARRIS: Okay. So it's a  
7 lot less than 50 grand a year.

8 MR. WASHINGTON: I'll accept  
9 that for the purposes of your  
10 representation.

11 MR. HARRIS: The 50 grand a  
12 year?

13 MR. WASHINGTON: For the  
14 purposes of your representation.

15 MR. HARRIS: So we say it's  
16 roughly that much. So --

17 MR. WASHINGTON: No, for a  
18 tower.

19 MR. HARRIS: Okay.

20 MR. LAMBERT: For a macrotower.

21 MR. WASHINGTON: For a  
22 macrotower, not for small cell sites.

23 MR. HARRIS: Okay. So when I  
24 think of 25 Morgan Court, what I don't  
25 understand is why you even need a

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2 tower there, right? I live in Elm Sea  
3 Lane. I sit on my deck, my porch. I  
4 don't see a car pass by for hours on  
5 end, right? Who needs that tower?  
6 Which -- I was trying to do some math  
7 here of what these towers are worth.  
8 So, clearly, they're worth something  
9 to you. So my sense is you probably  
10 get -- the reason you want 20, I  
11 think, was there's some financial  
12 incentive here. I don't think we need  
13 it, and I'd go as far as to say you  
14 may actually get paid based on the  
15 number of towers that go up. Could  
16 you confirm if any of your  
17 compensation is based on the number of  
18 towers that go up.

19 MR. WASHINGTON: The -- our  
20 compensation is based on the needs of  
21 the carriers as they -- they don't pay  
22 for sites that they don't need.  
23 That's not a smart business model.

24 MR. HARRIS: Does your company  
25 compensate people based on the number

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2 of towers that go up? You're making  
3 the recommendation that we need 20  
4 towers. And for me, 25 Morgan Court  
5 is sort of the exclamation point  
6 because no one goes there. So why  
7 would we want one there if no one goes  
8 there? So in my mind, there must be  
9 compensation.

10 MR. WASHINGTON: We made  
11 representations that it's not  
12 compensation; it's based on the need  
13 that the carriers have identified.  
14 Our radiofrequency expert has made  
15 that assertion this evening as well.

16 AUDIENCE MEMBER: It's an easy  
17 question, right? How are your  
18 salespeople compensated?

19 MR. WASHINGTON: I can't --

20 AUDIENCE MEMBER: You're a sales  
21 guy, right?

22 MR. LAMBERT: No. I'm external  
23 relations. I do nothing with sales.

24 AUDIENCE MEMBER: Okay. So you  
25 guys can't tell me.

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2 MR. LAMBERT: Sales guys don't  
3 come to these.

4 MR. WASHINGTON: Hypothetically,  
5 business model, if you have a service  
6 that I need but you're going --  
7 obviously, you're going to say, "Well,  
8 I need X," and we are going to say  
9 that that's going to cost you this  
10 much. You're not going to say, "Well,  
11 oh, just keep it coming so that you  
12 can make more money off of this."  
13 Again, this is being driven by  
14 Verizon's need. And yes, there is a  
15 business model to it, yes. We will  
16 readily acknowledge that, but I don't  
17 think that any of us here -- I don't  
18 think that any of us here are going to  
19 then start --

20 AUDIENCE MEMBER: It's a very  
21 simple question. Do they get paid on  
22 top line revenue or number of poles?  
23 It's a very simple question. Do they  
24 get paid on top line revenue or number  
25 of poles?



1 PUBLIC HEARING MINUTES

2 MR. WASHINGTON: Top line  
3 revenue.

4 AUDIENCE MEMBER: Like, how much  
5 money they bring in or the number of  
6 poles they put up?

7 MR. WASHINGTON: I don't know --  
8 I don't know how our salespeople are  
9 compensated, but --

10 MR. LAMBERT: Each contract is  
11 [inaudible].

12 MR. HARRIS: But you recommended  
13 the 20. You recommended it, not  
14 Verizon. Didn't you recommend the 20?

15 MR. LAMBERT: Well, how it works  
16 -- and Chris can talk to that -- is  
17 that they give us a contour, basically  
18 a large area. "We need this coverage  
19 at this quality. Do that." And Chris  
20 goes to the -- a very sophisticated  
21 model and looks at areas and puts node  
22 locations and tries to get the best  
23 coverage he can based on height, based  
24 on topography, based on a lot of  
25 different variables that go into the

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1  
2 model. And he sends it to Verizon.  
3 Verizon says, "Eh. We don't think we  
4 need that many" because they might not  
5 want to pay for that many. "Can you  
6 increase the height here to get less?"  
7 You know, there's that debate that  
8 happens back and forth, and it comes  
9 down to --

10 MR. FRIDRICH: Or they'll relax  
11 their specification. Again, maybe  
12 let's take a step back. Just -- I'll  
13 educate you on how this design ever  
14 came about if you're interested.

15 MR. HARRIS: I just have a tough  
16 time with 25 Morgan Court. There's no  
17 one there. I can speak to that  
18 firsthand experience. There's no one  
19 there. No one goes there. It's a  
20 dead end. I mean, I don't know why  
21 you need a tower there. So I'm trying  
22 to think why you would recommend a  
23 tower.

24 MR. FRIDRICH: First of all, you  
25 keep calling these "towers." They're

## 1 PUBLIC HEARING MINUTES

2 not towers. There's a big difference  
3 between a tower and one of these fans.

4 MR. HARRIS: The fan, whatever  
5 you want to -- that's fine. But  
6 there's no one there, so I'm trying to  
7 think why you would recommend a node  
8 when there's no one there. In my  
9 mind, I'm trying to figure out why you  
10 would do that. I'm trying to  
11 understand if it's the economics that  
12 are driving this. That's just what  
13 I'm trying to get to the bottom of.

14 MR. FRIDRICH: Again, they gave  
15 us a large polygon. We call it the  
16 "Plandome Manor polygon," and they  
17 gave us a list of specifications.  
18 Generally, it's based on signal  
19 strength. They'll give us a level of  
20 signal strength. The hotter the  
21 signal is, the more nodes you're going  
22 to require. And anyhow, generally  
23 speaking, these nodes are somewhere in  
24 the neighborhood between 4- and  
25 700 feet apart.

1 PUBLIC HEARING MINUTES

2 MR. HARRIS: So you don't take  
3 traffic into account? So if there's  
4 no signal where there's no need, why  
5 put a --

6 MR. FRIDRICH: You ever heard  
7 the saying "Build it and they will  
8 come"? I mean --

9 [Audience interruption.]

10 MR. HARRIS: You can't build  
11 anymore. All the lots are filled.  
12 There are no more homes that can go  
13 up.

14 Can I just say one last thing.  
15 I have one more thing.

16 MR. LAMBERT: A node doesn't go  
17 to your house. You know, the  
18 locations aren't picked. There are a  
19 few things we calibrate when picking  
20 locations. One is, you know, does a  
21 location fill the need -- does it  
22 fulfill coverage gaps? Second --

23 MR. HARRIS: Not for the  
24 residents, generally, just to be  
25 clear.

1 PUBLIC HEARING MINUTES

2 MR. LAMBERT: Generally for the  
3 network, for the network, coverage for  
4 the network, yes. Now, some of you  
5 people here are AT&T customers and  
6 T-Mobile customers, so --

7 AUDIENCE MEMBER: Are you  
8 subleasing to them afterwards?

9 AUDIENCE MEMBER: Is there a  
10 maximum number of people you can --  
11 tenants you can get to that one pole?

12 MR. LAMBERT: One second. I  
13 will get to that question in a second.

14 We work with the utility owners,  
15 the actual pole owners to say, "Okay.  
16 We'll pick three or four poles that  
17 could accommodate the needs of the  
18 RF." And we'll go to -- you know, our  
19 guys will come in who know PSE&G and  
20 Verizon and they'll say, "Well, that  
21 pole is not going to work. That pole  
22 is not going to work. That pole  
23 works." We may have five poles to  
24 have chosen from to begin with. Only  
25 one pole worked based on what the

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2 owner will allow us to put on the  
3 pole.

4 Sometimes it comes down to it's  
5 in that location because the one down  
6 the street or the one down across the  
7 street wasn't available to us to use.  
8 We couldn't use it. You know, that  
9 might be the third, you know, list of  
10 five poles on the pool printouts and,  
11 you know, the fifth of five. You  
12 know, we had others that we wanted  
13 more that would fulfill obligations  
14 better, but for a reason, we couldn't  
15 put it there. And that happens often.  
16 We've gone through that practice. You  
17 know, it's a back-and-forth with the  
18 pole owner. We can't just say we want  
19 to put it there. We have to ask  
20 permission to put it there and  
21 sometimes it's given to us and  
22 sometimes it's not.

23 MS. TAKAHASHI: What about new  
24 ones? What about brand-new ones?  
25 Where did you get permission from?

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2 TRUSTEE CLINTON: I think just  
3 what everybody is having a difficult  
4 time, and the Board included as well,  
5 is we're wrestling with the notion  
6 that of the five villages affected by  
7 this, including Port Washington, of  
8 the 64 [sic] nodes being proposed, 20  
9 are being proposed in  
10 Plandome Manor --

11 MR. LAMBERT: 18 in Flower Hill.

12 TRUSTEE CLINTON: -- which  
13 occupies less than 10 percent of the  
14 geographical area of the areas that  
15 we're discussing. So less than 10  
16 percent of the geographics. Over  
17 30 percent of the burden. And it  
18 needs to be proven to us why that's  
19 rational, why there's a need.

20 MS. EFSTATHOPOULOS: Can I ask a  
21 question, please, to that point. The  
22 reason why I'm having a difficult --

23 MAYOR DONNO: I'm sorry. Could  
24 you state your name.

25 MS. EFSTATHOPOULOS:

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2 Joy Efsthathopoulos, 7 Luquer.

3 The reason why I have a  
4 difficult time accepting what you're  
5 saying about the location of these  
6 nodes is because there is no way in my  
7 mind that we need three nodes on one  
8 block, and that's what you've done on  
9 Luquer. There's literally one on the  
10 corner, one on 8 Luquer in front of my  
11 house, and then one on the corner of  
12 Aspen Gate; and Luquer and Aspen Gate  
13 meet at the corner. It's one block  
14 and you're putting three nodes there.  
15 It cannot be. What you're saying  
16 cannot be. And the one that's on  
17 8 Luquer is a new concealment pole  
18 that you're putting in. There are no  
19 poles on Luquer and Aspen Gate. On  
20 the entire block, you're not using any  
21 existing utilities because they're not  
22 there. And you're putting this thing  
23 up, which is automatically in and of  
24 itself going to be unsightly, right in  
25 front of full view on four homes that



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1  
2 are surrounding it. It is not  
3 aesthetically appealing.

4 MS. TAKAHASHI: Right. There's  
5 like -- what? -- ten houses on that  
6 block. Luquer is a very residential  
7 area, as you've seen. There's really  
8 no side- -- there's no sidewalk, so  
9 there's no foot traffic. The homes  
10 are actually quite spaced apart, and  
11 that's one of the, you know, reasons  
12 we live there and we like it there;  
13 it's much more private and the lots  
14 are bigger. So for you to put three  
15 nodes, it doesn't make any sense.  
16 We're not gonna have ten more  
17 children. There's not gonna be a  
18 business that's coming in.

19 MR. HARRIS: They do it for the  
20 lease rates. They do it for the lease  
21 rates. That's what it is. It's the  
22 leases.

23 MS. EFSTATHOPOULOS: Also, I  
24 believe that right behind us, because  
25 we border Port Washington, I believe

1 PUBLIC HEARING MINUTES

2 there's another three.

3 MAYOR DONNO: I'm sorry.

4 Another what? Another what?

5 MS. EFSTATHOPOULOS: Another  
6 three nodes behind --

7 MR. FARRELL: Mayor Donno,  
8 Mayor Donno, we need to -- people are  
9 speaking and we don't know who's  
10 speaking.

11 MS. EFSTATHOPOULOS: I stated my  
12 name as Joy Efstathopoulos at  
13 7 Luquer. And the question still  
14 stands.

15 MR. FARRELL: No, I understand  
16 that, but the thing is people are  
17 speaking out of turn. Before you  
18 speak, you have to say your name --

19 AUDIENCE MEMBER: I did.

20 MR. FARRELL: -- because we have  
21 to go back and read this --

22 MS. EFSTATHOPOULOS: I did.

23 MR. FARRELL: No, but people  
24 interjected in between when she  
25 started.

1 PUBLIC HEARING MINUTES

2 MS. EFSTATHOPOULOS: But I  
3 didn't get an answer.

4 MR. FARRELL: I'm just trying to  
5 give some general information because  
6 we have to keep the record. Some of  
7 us are going to have to go back and  
8 read this and we're gonna have to use  
9 it. If there's any litigation, we're  
10 gonna have to use this to defend us.  
11 So when you start talking and then a  
12 follow-up question comes from someone  
13 else, we don't know who the follow-up  
14 question came from for the record. So  
15 it's just a general statement.

16 So --

17 MS. EFSTATHOPOULOS: Can I  
18 finish.

19 MR. FARRELL: -- you can go with  
20 your question now.

21 MS. EFSTATHOPOULOS: So it's  
22 Joy Efstathopoulos at 7 Luquer, and I  
23 still have a -- I have great  
24 difficulty understanding how we need  
25 in one block three nodes. We have

1 PUBLIC HEARING MINUTES

2 1 Luquer, 8 Luquer, and 2 Aspen Gate.  
3 That is on one block in  
4 Plandome Manor.

5 MAYOR DONNO: I understand.

6 MR. HARRIS: And this is  
7 Gus Harris. I believe it's because of  
8 the lease rates. I believe because  
9 they get whatever it is, 2,000 a  
10 month.

11 MAYOR DONNO: Thank you.

12 Is Mary Beth Harris here?  
13 Mary Beth?

14 MS. HARRIS: I'm here.

15 AUDIENCE MEMBER: But can they  
16 answer that question.

17 MAYOR DONNO: They can. They  
18 can try.

19 MS. EFSTATHOPOULOS: And my  
20 follow-up to that is: When you  
21 contracted with Verizon, did you  
22 contract for a certain number of poles  
23 that actually in -- really, at the end  
24 of the day, doesn't have anything to  
25 do with coverage so that you're just

1 PUBLIC HEARING MINUTES

2 trying to find places to put up X  
3 amount of poles that you contracted  
4 with Verizon?

5 MR. LAMBERT: That's not how it  
6 works, no.

7 MS. EFSTATHOPOULOS: I'm asking  
8 you if that is the case.

9 MR. LAMBERT: That's not the  
10 case, no.

11 MS. EFSTATHOPOULOS: So in other  
12 words, in all these villages that  
13 you're putting up these nodes, that  
14 there is no -- you're putting it up  
15 based, supposedly what you're saying,  
16 on need and not what you contracted  
17 with Verizon?

18 MR. LAMBERT: Right. Because, I  
19 mean, Verizon doesn't come and agree  
20 to just allow us to put up just  
21 haphazard just a lot of nodes because  
22 they pay --

23 MS. EFSTATHOPOULOS: No, that  
24 wasn't my question.

25 MR. LAMBERT: -- they pay for

1 PUBLIC HEARING MINUTES

2 that.

3 MS. EFSTATHOPOULOS: My question  
4 was: Do you in this project contract  
5 for a set number of nodes that you  
6 would be putting up?

7 MR. FRIDRICH: After the design  
8 was reviewed.

9 MR. LAMBERT: And agreed upon.

10 MR. FRIDRICH: The design was  
11 reviewed by Verizon RF and they said,  
12 "Yes, we like this design. We want to  
13 contract this number of nodes." We  
14 didn't -- it wasn't --

15 MS. EFSTATHOPOULOS: So you did  
16 contract for a certain -- the answer  
17 is "yes." So that being said, you're  
18 actually not here to negotiate at all.  
19 You're here to get everything that  
20 you're asking for because a  
21 negotiation means that you're willing  
22 to change the amount of nodes per area  
23 and per village. That's a  
24 negotiation.

25 MR. LAMBERT: Well, this is --

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2 one, this is a meeting for a permit.  
3 We have an application before the  
4 Trustees. There could be discussion  
5 with the Trustees about locations and  
6 about those kinds of things. We've  
7 had them in Plandome, and we came to  
8 certain agreements on locations and  
9 whatnot. So that can be -- that can  
10 occur, but we have the permit -- the  
11 application before you, so you all can  
12 make a decision to vote on that permit  
13 with what we have given you, or we can  
14 go into discussions, like we have with  
15 Plandome, about locations and talk  
16 about changes, you know. I mean, that  
17 can be part of the conversation.

18 MAYOR DONNO: Mary Beth?

19 MS. HARRIS: I'll give Gus my  
20 time.

21 MR. HARRIS: I'll be just very  
22 quick. Just another comment. You  
23 mentioned before --

24 MAYOR DONNO: I'm sorry. State  
25 your name.

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2 MR. HARRIS: Gus Harris, Elm Sea  
3 Lane, 37 Elm Sea Lane.

4 And it's not gonna be about the  
5 lease rights. So the question: When  
6 you presented before, you said that we  
7 shouldn't worry about 5G; this is all  
8 4G and rest assured. And you also  
9 said that the limit from the FCC is  
10 5 percent, and we are going to be  
11 running at 1 percent. Is that  
12 correct?

13 AUDIENCE MEMBER: No. We're  
14 running at 1 percent max from worst  
15 case scenario.

16 MR. HARRIS: Worst case, which  
17 is less than the 5 percent limit  
18 established. Are you prepared to put  
19 that in the contract, both the 5G  
20 limitation and the 1 percent  
21 limitation?

22 MR. LAMBERT: There is no --  
23 it's a permit; there is no contract.

24 MR. HARRIS: So could it be  
25 baked in the permit so -- to limit any



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2 future expansion to 5G? I'm sure it's  
3 a contraction that could be arranged.

4 MR. LAMBERT: Well, it could be  
5 in a written agreement, but right now,  
6 it's for permit; the permit is what it  
7 is; the permit is permit based on --

8 MR. HARRIS: But could that be  
9 limited if we want -- if...

10 MR. FRIDRICH: If we were to  
11 deploy 5G, if Verizon decided five  
12 years from now and said, "We want 5G  
13 on these nodes," we would have to go  
14 through this process again.

15 MR. HARRIS: So you can't  
16 just -- you just can't willy-nilly --

17 MR. FRIDRICH: No, we just can't  
18 go start putting boxes up.

19 MR. LAMBERT: As I said earlier,  
20 5G would require a lot more poles to  
21 go up to -- in order to get 5G to even  
22 make it work.

23 MR. FARRELL: The Code requires  
24 them to come back if they're gonna  
25 change the infrastructure on the pole

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2 to increase it to 5G; if they're gonna  
3 put up new equipment, they would have  
4 to come back to us for another special  
5 permit.

6 We can impose conditions,  
7 reasonable conditions. We would have  
8 to do some investigation to see  
9 whether restricting them to a 4G  
10 service with this system would be  
11 appropriate. I can't say that  
12 standing here right now. But as part  
13 of a special permit, the law does  
14 allow us to impose reasonable  
15 conditions on the development. And  
16 that's something we can certainly  
17 consider, but, again, I would temper  
18 that statement with I would have to  
19 see if it would be considered  
20 reasonable within the guise of the  
21 FCC's regulations.

22 MAYOR DONNO: Declan Meagher?

23 MR. MEAGHER: Okay.

24 Declan Meagher, 57 Elm See Lane.

25 Let me take a minute to make a

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2 comment first. I want to thank the  
3 Mayor and the Trustees for your  
4 service for us, for the community. I  
5 don't -- you guys don't get enough  
6 thanks ever. And also for arranging  
7 this so that we meet all our  
8 neighbors.

9 [Audience laughter.]

10 MR. MEAGHER: It's unfortunate  
11 that it's under this circumstance, but  
12 having said that, I wanted to pick up  
13 on Matt's comment because he made the  
14 point that you indicated 10 percent.  
15 So we're 33 percent of the nodes but  
16 only --

17 TRUSTEE CLINTON: 31 percent.

18 MR. MEAGHER: -- 31 percent and  
19 less than 10 percent of the  
20 geographical area. Well, if we have  
21 only about a thousand people, what's  
22 our percentage relative to the total  
23 population of the 66 nodes? I suspect  
24 that's even less than 10 percent in  
25 terms of population. To me, tonight,

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1  
2 there's been no demonstration of a  
3 need for those nodes. To me, that's  
4 absolutely clear, and I think you're  
5 observing your constituency is telling  
6 you that. And you'll see probably  
7 here more of that Tuesday night.

8 I do want to ask if the poles  
9 are considered structures under the  
10 Code, under the Village Code. Are  
11 they regulated in terms of height by  
12 the Code?

13 TRUSTEE CLINTON: No.

14 MR. MEAGHER: They're not, no.  
15 So, in fact, I saw a 40-foot dimension  
16 on a pole that can actually be raised  
17 another 20 percent, according to the  
18 attorney. So that would be probably  
19 another 8 feet.

20 MR. FRIDRICH: That's not true.

21 MR. MEAGHER: So they could be  
22 as high as 48 feet, but the point is  
23 your slides showed that it could be as  
24 high as 40 feet, the pole. Now,  
25 that's in excess of the height

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2 restriction for structures in the  
3 Village. So I just don't understand  
4 how they can come in and put a  
5 structure -- I consider this a  
6 structure -- that's higher than what  
7 our Code allows under the existing  
8 Code. I don't think -- not to -- not  
9 to use the word -- but I don't see  
10 that you can trump our local Code.

11 MAYOR DONNO: Are you talking  
12 about the poles that they're gonna put  
13 in like the --

14 MR. MEAGHER: Yes.

15 MAYOR DONNO: -- like the  
16 stealth poles?

17 MR. MEAGHER: Yes.

18 MAYOR DONNO: Not -- of course  
19 not the utility poles because they can  
20 pretty much do what they want.

21 MR. MEAGHER: Yes, the new  
22 poles. The new poles.

23 AUDIENCE MEMBER: The new poles  
24 have a cement base, so it's a  
25 structure.

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2 MR. MEAGHER: Okay. I just  
3 would add one more thing. Some of  
4 these locations, none of them directly  
5 impact me personally. But I have to  
6 think about if any one of those poles  
7 were near my house, I would feel the  
8 same way, and I have to react that  
9 way. Those poles are just hideous.  
10 There's no two ways about it. They're  
11 not aesthetically pleasing at all, and  
12 we are just cluttering up the Village  
13 unnecessarily with more structures  
14 that we really don't need. I don't  
15 think there's been a demonstrated need  
16 here tonight for the poles, for the  
17 nodes, and frankly, if 95 percent of  
18 the residents of the Village could  
19 have a vote and could say "absolutely  
20 no," how -- I can't see the FCC -- and  
21 I don't have our -- well, I'll defer.  
22 Would the FCC have an issue if  
23 95 percent of the population says, "We  
24 don't want it. We don't need it"?  
25 You know? Is that a reasonable

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2 objection?

3 So I'm not sure, Ms. Mayor, that  
4 we're -- that you're powerless.  
5 You're not powerless. He's absolutely  
6 right. You have all the power acting  
7 on our behalf, and I think you share  
8 our opinions. But therefore, I want  
9 to thank you for running the session  
10 so well too and giving everyone an  
11 opportunity to speak.

12 MAYOR DONNO: Thank you.

13 MR. MEAGHER: Thank you.

14 MAYOR DONNO: 15 Morgan Court.

15 Is it --

16 MS. LOCURTO: Yes, it's  
17 Maria Locurto, 15 Morgan Court. I'm  
18 neighbors with the Brunettis.

19 I've lived in the Village all my  
20 life; I grew up here. And as we  
21 stated, we live on a beautiful  
22 cul-de-sac, peaceful, quiet, children  
23 playing, birds, the preserve. And to  
24 see this type of pole go up right  
25 outside our very doors is very

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2 disconcerting, to say the least.  
3 There's no need for them. We don't  
4 want them. And we pride ourselves in  
5 keeping our homes to the Village Code  
6 as they have set forth for us, and we  
7 don't think that these type of poles,  
8 nodes, whatever belong in our Village.  
9 They're not needed and we simply don't  
10 want them. Thank you.

11 MAYOR DONNO: Thank you.

12 Gus Mantikas? We're on Andover  
13 now.

14 MR. MANTIKAS: Gus Mantikas,  
15 10 Andover Court.

16 I just want to say that we are  
17 against it also. Our block is a dead  
18 end block on the water down a hill.  
19 The top of the pole will probably be  
20 emitting, if anything, into people's  
21 windows, including my bedroom; we're  
22 at the top of the hill.

23 I have a question for ExteNet:  
24 Do you actually own the equipment  
25 that's on the pole?



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2 MR. WASHINGTON: We own  
3 everything that's attached to the  
4 pole. Verizon wants to own their  
5 antennas inside our canister.

6 MR. MANTIKAS: So when you said  
7 that more leased people will come  
8 aboard afterwards like AT&T and all  
9 that?

10 MR. WASHINGTON: Oh, I'm sorry.  
11 I answered your question too quickly;  
12 I apologize.

13 MR. MANTIKAS: So when AT&T  
14 wants to come on board also into the  
15 box, that's just another radio that  
16 goes in there or another box?

17 MR. FRIDRICH: It would be  
18 another box.

19 MR. WASHINGTON: It would be  
20 another box.

21 MR. MANTIKAS: So you could add  
22 more boxes to every single one of  
23 these poles in the future?

24 MAYOR DONNO: They'd have to go  
25 back to the Village. They have to

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2 come back to us again.

3 MR. WASHINGTON: We couldn't  
4 just go out and automatically expand  
5 these sites without going to the  
6 Village.

7 MR. MANTIKAS: And will the  
8 Village have any leg to stand on to  
9 block it?

10 MAYOR DONNO: We'd have to go  
11 through this whole process again.

12 MR. MANTIKAS: Well, again, so  
13 speaking selfishly, at our house here,  
14 it's a beautiful block. It's on the  
15 water view. And if I have multiple  
16 boxes on the pole, it would just  
17 totally destroy our property.

18 And also, if I also may  
19 interject, I know we're not only  
20 allowed to say anything about the FCC  
21 or anything like that, which I know,  
22 but they said the letters RFM first --  
23 or RMF [sic]; excuse me. But you know  
24 what? Just like the EPA just recently  
25 said our water -- I'm sorry -- always

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2 said our water was safe here and they  
3 just recently said, "Oh, by the way,  
4 Nassau County, your water is not safe  
5 anymore," I would not want these  
6 things in the future with the FCC  
7 saying, "Oh, by the way, our levels  
8 are too high." Thank you.

9 MAYOR DONNO: Thank you.

10 Maria Brunetti, did you want to  
11 speak again?

12 MS. BRUNETTI: No.

13 MAYOR DONNO: No? Okay.

14 MR. BRUNETTI: I'll say  
15 something.

16 MS. BRUNETTI: Oh, my husband  
17 will speak.

18 MR. BRUNETTI: Mike Brunetti,  
19 25 Morgan Court. And Gus, there are  
20 five people in 25 Morgan Court.

21 MR. HARRIS: I don't see anyone.  
22 I see no one. I'm there for hours; I  
23 see no one.

24 [Audience laughter.]

25 MR. BRUNETTI: My only question

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2 is: Has the Board seen an increased  
3 need where people are contacting you  
4 and saying, "Listen, my phone stinks.  
5 I can't get on this computer"? My  
6 question is: Where does the need come  
7 from?

8 MAYOR DONNO: Certainly not  
9 here.

10 MR. BRUNETTI: So no one has  
11 come to you and said, "Listen, we need  
12 this," right?

13 So I think you guys, you know,  
14 have presented sketchy facts. You  
15 probably go into a lot of towns where  
16 there's three people that show up and  
17 you go, "Hey, let's stamp one in  
18 here."

19 MR. LAMBERT: No, no. That's  
20 not the case. We've had very, very  
21 active meetings.

22 MR. BRUNETTI: That's great.  
23 And listen, I think you're probably a  
24 nice guy and you're trying to, you  
25 know, make a buck, but I don't think

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2 it's going to happen here, and I think  
3 that if the Board --

4 MR. LAMBERT: I do my job like  
5 everyone else does their job.

6 MR. BRUNETTI: Sure, sure. I  
7 get it. Trust me. I grew up in  
8 Queens in an apartment.

9 MR. LAMBERT: Yeah. I live in  
10 D.C., so.

11 MR. BRUNETTI: I live in a  
12 great, great cul-de-sac now. Five  
13 kids -- I mean, five people in my  
14 family. Three bedrooms.

15 MR. LAMBERT: Yeah, must be  
16 nice.

17 MR. BRUNETTI: Worked my butt --  
18 no, it wasn't nice back then. Worked  
19 my butt off to get over here, and  
20 you're going to put, like, a water  
21 tower, it amounts to, in my backyard.

22 MR. LAMBERT: That's  
23 misrepresentation.

24 MR. BRUNETTI: So let me just  
25 say this: You haven't presented

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1  
2 anything that I could say, "Hey, that  
3 sounds like a great idea." And you  
4 know what? The Board, I think, is  
5 culpable now and say: You can't  
6 approve this. There's no chance you  
7 can approve it. That's all I want to  
8 say.

9 AUDIENCE MEMBER: Not in its  
10 entirety. That's for sure.

11 MS. BASIOS: My name is  
12 Pennie Basios. I'm at 1 Morgan Court.  
13 We just moved to the area a year  
14 ago and we're totally in love with the  
15 area, the whole peacefulness that  
16 comes with the neighborhood; it's a  
17 very, very lovely neighborhood. And I  
18 had a question because I'm concerned  
19 about the pole in 25 Morgan, and  
20 that's where I live as well. You're  
21 saying you're contracted with Verizon  
22 to put their boxes on your pole,  
23 correct? Verizon is the one that's --  
24 they're going to be the first one. So  
25 is there --

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2 MR. LAMBERT: We're contracted  
3 with PSE&G, who owns the pole.

4 MS. BASIOS: No, there is no  
5 pole there.

6 MR. LAMBERT: Oh, okay. Gotcha.

7 MS. BASIOS: So that's a new  
8 pole that's going up. So you're  
9 saying Verizon is going to put their  
10 box on it, essentially?

11 MR. LAMBERT: Yes.

12 MS. BASIOS: Is there a maximum  
13 number of tenants that you can then  
14 get to put on your poles like if  
15 T-Mobile wants a box and Sprint? And  
16 then does that also change the --  
17 because you're saying, "Okay. You  
18 have to be below this height. You  
19 won't get affected." If you have,  
20 like, three tenants on there, does  
21 that change the emissions that's going  
22 out as far as safety towards our...

23 MR. LAMBERT: Well, two or three  
24 questions there. So for one, yes, we  
25 can -- we can bring in more tenants; I

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2 mean, as part of the business model --

3 MS. BASIOS: Is there a maximum?

4 MR. LAMBERT: Well, there are  
5 only four companies: T-Mobile,  
6 Verizon --

7 MS. BASIOS: Now. Now. But  
8 within the 15 years that the lease  
9 ends, right?

10 AUDIENCE MEMBER: They'll  
11 probably still be fine.

12 MR. LAMBERT: But either way, we  
13 are building the nodes for probably  
14 two -- like, the new poles, probably  
15 two max, maybe three, depending on if  
16 they have smaller equipment. But  
17 that's speculative because we don't  
18 know what people are gonna come three,  
19 four years; we don't know how small  
20 the equipment is gonna be. So that's  
21 speculative; two to three, possibly.

22 Regarding the RF, we have nodes  
23 now across the country that have all  
24 four carriers on the node and it's  
25 still less than the 5 percent. It's



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2 roughly 1.2; you know, still probably  
3 less than 2 in most cases that we are  
4 aware of, and our RF engineer has data  
5 to support that. Even with all four  
6 carriers on a pole, you know, on an  
7 antenna, it's still less.

8 MAYOR DONNO: Charlene Prounis?

9 MS. PROUNIS: So maybe there's  
10 some good news happening right now  
11 because one of the things I was gonna  
12 talk about was really the need of 18  
13 or 20 nodes, and I really do feel like  
14 everybody here tonight has brought up  
15 the same point recurringly, along with  
16 the attorney; like, I think if you  
17 could prove the need to us as to why  
18 we need this. We're a residential  
19 area. We all have cable that comes  
20 into our house. We all have all of  
21 our downloads and our video of our  
22 Internet. Everything works in my  
23 house. A lot of people work from  
24 home. I don't have any problems. My  
25 husband doesn't have any problems. I

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1  
2 can make conference calls on my cell  
3 phone. So I don't really see the  
4 need. Yes, I have an occasional  
5 dropped call right by the train  
6 station. That's about the only time I  
7 really have a dropped call.

8 So, you know, if we don't have a  
9 really strong need and if they really  
10 haven't documented based on the  
11 radiofrequency map that you designed  
12 that says we needed these 20 nodes, it  
13 doesn't feel like we are having that  
14 many dropped calls and lack of  
15 service. So it's like you doubt  
16 something. The consultant's asking  
17 for more information. Like, we need  
18 more information before we can get to  
19 this point of do we really need this.  
20 To me, that is at the heart of this.

21 I think the attorney raised a  
22 lot of really good points beyond that  
23 like, you know, with the tax bill that  
24 went in that you could -- you know,  
25 there's ways to work around this to

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2 come up with other things that could  
3 further really document why this would  
4 not be a good thing to go forward with  
5 at this point. So we oppose it.

6 And then on top of that, the  
7 aesthetics, of course, you drive down  
8 our block; it's going to be right as  
9 you drive down the end of Luquer and  
10 then you'll see this pole, right?

11 MAYOR DONNO: Thank you.

12 Is it Sari Kullen [sic]?

13 MS. KULKA: Kulka, Sari Kulka.  
14 I'm going to pass it over to our  
15 attorney.

16 MR. CAMPANELLI: Thank you.

17 There's two things that I heard  
18 that I really must create a record  
19 for. First, there's been a  
20 representation that once you approve  
21 whatever type of facility they want to  
22 be built, nothing will be changed;  
23 nothing will be added without coming  
24 back before the Board. That's not how  
25 it works and that's not how it will

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1  
2 work.

3 I will tell you, I think, two  
4 weeks ago, there was an application of  
5 DAS system approved in Kings Point. I  
6 think it was ExteNet. And after it  
7 was approved, they began installing  
8 equipment and poles that differed  
9 substantially than what was approved  
10 by the village. The village issued a  
11 stop work order and revoked the permit  
12 because what they were building was  
13 significantly different in height,  
14 location, and specifications than what  
15 was actually approved by the Board.

16 In addition, I can tell you from  
17 experience Oyster Bay, Hempstead,  
18 Huntington, once these facilities go  
19 in, they are updated routinely. They  
20 make alterations constantly, they add  
21 equipment constantly, and they do not  
22 come back to zoning boards for  
23 approvals. The position most of the  
24 site developers take is basically  
25 "We're gonna build it. You want to

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1  
2 stop us? Sue us." That's what  
3 happens on Long Island. I know of at  
4 least 75 installations which were  
5 materially altered after the permit  
6 was given, and no applications were  
7 made by any zoning -- for any zoning  
8 -- any zoning types or approvals of  
9 any kind, inconsistent with what is  
10 required by the Code. And when  
11 they're asked about what they did,  
12 they said, "We're changing the  
13 technology," and there is clear  
14 federal case law that says local  
15 boards are prohibited -- they are  
16 preempted by the FCC to tell us what  
17 kind of equipment we can use.

18 So I can tell you this: If they  
19 go up, the equipment will change and  
20 nobody is filing any more applications  
21 for it. That's even if they build  
22 what they're telling you they're gonna  
23 build because in Kings Point just two  
24 weeks ago, it didn't happen. Thank  
25 you.

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2 MAYOR DONNO: Peter?

3 MR. KATTAN: Can I ask -- I'm  
4 sorry. This is Eric Kattan, 21 Circle  
5 Drive.

6 Can they comment to the lawyer  
7 what is really the case in  
8 Kings Point.

9 MR. WASHINGTON: Okay. If I  
10 can, I will readily acknowledge that  
11 we made a mistake in Kings Point. We  
12 apologized profusely and we'll explain  
13 what happened. As you heard testimony  
14 here this evening that PSE&G will not  
15 go out and do a site walk until after,  
16 and then we thought that there would  
17 be some poles that would have to be  
18 replaced. They weren't. PSE&G said,  
19 "Use the existing pole," so we had to  
20 use the existing pole. Where we made  
21 the mistake is we should have went  
22 back and let the jurisdiction know  
23 that PSE&G said, "Here is what you  
24 have to do," and we didn't. We  
25 apologized. We are going back in

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2 through the process.

3 With regard to upgrading, we're  
4 allowed to do maintenance. We are not  
5 allowed to make wholesale changes to  
6 these sites once they've been  
7 approved. And I think that's  
8 important that there is legal recourse  
9 for the jurisdiction for that. We  
10 can't just go and slap anything up.  
11 And when we make a mistake, we get our  
12 hand slapped and we take our medicine  
13 and we go back and correct our  
14 mistakes.

15 MS. TAKAHASHI: I have a  
16 question to what you just said. This  
17 is Nancie Takahashi at 8 Luquer. How  
18 would we know if you've made any  
19 changes that are not within the legal  
20 whatever...

21 MR. WASHINGTON: There are  
22 approved designs that are --

23 MS. TAKAHASHI: But, again, once  
24 it's up, who is --

25 MR. WASHINGTON: There are

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2 approved designs. The -- your  
3 Building Department goes around and  
4 reviews the installations to make sure  
5 they match what was approved by this  
6 Board.

7 MAYOR DONNO: Both our Building  
8 Inspector and our Code Enforcement  
9 Officer will do that.

10 MR. FARRELL: Exactly. So once  
11 the -- if the application were to be  
12 granted and permits were issued, the  
13 Building Inspector and our consultant  
14 would go and view the sites and check  
15 to make sure that they were being  
16 installed in connection with the  
17 specifications for each site. If  
18 they're not, they're not going to get  
19 their CO and they'll have to come back  
20 to the Board and come back for  
21 approval.

22 MS. TAKAHASHI: Well, what about  
23 -- so every time they do a  
24 maintenance, we will go back and check  
25 -- recheck?



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2 MR. FARRELL: Not if they do  
3 maintenance. If they change --

4 MS. TAKAHASHI: But what is  
5 maintenance? Do we know?

6 MR. FARRELL: I can't tell you  
7 that right now. I mean, you're  
8 allowed to maintain things; once you  
9 get a permit for it, you have to  
10 maintain it so that it stays up and  
11 that it operates properly.

12 MS. TAKAHASHI: Right. Maintain  
13 also could be upgrade.

14 MR. FARRELL: I don't think  
15 that's true. I don't believe that  
16 that's the case. I think an upgrade  
17 is not maintenance.

18 MAYOR DONNO: Peter Kulka?

19 MR. KULKA: I thank you all for  
20 bringing this on tonight and  
21 respecting the community's wishes to  
22 all be heard.

23 One thing that's absent here  
24 tonight -- and it's by design, but I  
25 know ExteNet was hired by Verizon --

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1  
2 is Verizon, because Verizon -- this is  
3 all about Verizon. Verizon documents  
4 have been portrayed in one way; then  
5 there are documents to counter that.  
6 I know this may all go legal, so  
7 they'll sort it out. But it's a shame  
8 that Verizon wasn't here or a  
9 representative of Verizon expressing  
10 the needs -- need that they needed to  
11 hire ExteNet to provide service to our  
12 community.

13 The other concern I have is on  
14 Luquer Road. The point was made  
15 earlier; you have three nodes. I  
16 actually count four nodes because the  
17 Elm Sea node is about 400 feet  
18 north -- no, south of 8 Luquer Road.

19 MS. EFSTATHOPOULOS: And  
20 Port Washington also.

21 MR. KULKA: And I don't know  
22 much about Port Washington, but if  
23 Port Washington doesn't have nodes,  
24 maybe the design was to put extra  
25 nodes on Luquer to feed

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2 Port Washington the additional  
3 service. So I don't know if that was  
4 looked into, if Port is gonna get  
5 nodes or has nodes or is not.

6 MS. EFSTATHOPOULOS: They have  
7 it. It's in the plan here.

8 MR. KULKA: Okay, well, I just  
9 know the plan of this Village. That's  
10 all I know of. So it just seems the  
11 density on Luquer Road is way above  
12 what is probably required.

13 The other point is the node  
14 outside of 8 doesn't make sense at  
15 all. I know where the power services  
16 are. I've studied the Village maps  
17 dozens of times sitting on the other  
18 boards here. So I think that needs to  
19 be reviewed and looked into.

20 But the big question here is why  
21 isn't Verizon here to support ExteNet.  
22 Why? And if they do install all these  
23 extra nodes, maybe they can power down  
24 the macrosites. Maybe there's a  
25 bigger design going on here, bigger

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2 plan. Maybe Verizon intentionally is  
3 doing this so they can maybe downsize  
4 some of their macrosites. So I'm  
5 looking for answers; that's all.

6 MR. LAMBERT: Well, regarding  
7 Verizon coming to the meetings,  
8 because they're only licensed to  
9 propagate their signal through the  
10 infrastructure that we are creating  
11 for them -- and other carriers,  
12 possibly, eventually -- it is of their  
13 opinion -- they've expressed this a  
14 few times -- that they're reluctant to  
15 come to community meetings because  
16 they feel that they've hired us to  
17 build the sites, and they're just  
18 tenants on, you know, on your sites.  
19 So it's challenging, to say the least,  
20 to bring them out to community  
21 meetings.

22 MR. DEPIETRO: Can I just ask a  
23 question that has to do -- pertains to  
24 this.

25 MAYOR DONNO: Just put your name

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2 on the record. I believe there was  
3 another question.

4 MR. KULKA: I appreciate what  
5 you said and it is your job. But go  
6 ahead, Michael.

7 MR. DEPIETRO: Thank you, Peter.

8 MR. FARRELL: Just give your  
9 name and address.

10 MR. DEPIETRO: Mike DePietro,  
11 15 Luquer Road.

12 And if that's the case and  
13 they're, like, laissez-faire about  
14 this entire situation -- right? --  
15 then why did they leave it up to you  
16 guys, right? Like, from a tenant  
17 perspective, when it's their traffic,  
18 their call centers, everything like  
19 that, their feed, their signal --  
20 right? -- why are they putting you in  
21 charge, or why are you basically going  
22 around litigating everybody instead of  
23 them? I mean, if they care as much as  
24 you say they care -- right? -- because  
25 that's the only thing I've heard all

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2 night, right? "Verizon wants us to do  
3 this" -- right? -- "and they're paying  
4 us to do this. They've hired us to do  
5 this." Then why are you litigating  
6 all the cases and not them?

7 MR. LAMBERT: It's our permit,  
8 so we are applying for the permit, and  
9 our permit gets denied --

10 MR. DEPIETRO: But aren't they  
11 -- are they involved in any of the  
12 litigation whatsoever? Have they ever  
13 been involved in that?

14 MR. LAMBERT: I can't speak to  
15 that; I have no idea.

16 MR. WASHINGTON: I would be  
17 hesitant to characterize their legal  
18 position with regard to any specific  
19 litigation, and I wouldn't want that  
20 to be part of our record either.  
21 That's a decision that they make.  
22 Sometimes they may choose to  
23 participate; other times they may not.

24 MAYOR DONNO: Pat?

25 MS. MACK: Hi. Patricia Mack,

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18 Bayside Drive.

I have two comments. You know, just looking at this map and knowing that this is occurring in other villages, there are a lot more nodes really close to Luquer Road that are not shown on the map, and I think it would be very helpful to everybody involved if all -- if the picture were wider and all the nodes were yellow because they're red and they're hard to see and the numbers are not highlighted. There's node 17 right over here. You know, the node that I was concerned about turns out to be in Plandome -- nearest to my home turns out actually to be in Plandome; although it's a yellow node on this map, it's not on the list. But I think we ought to be able to see the big picture, especially with people on the board of the other villages as to what's next to them.

My second comment was about, you

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2 know, bringing the power, perhaps that  
3 -- you know, the power wouldn't go  
4 under roads or underground  
5 [inaudible]. You know, if there were  
6 to be road disruptions in order to  
7 bring power to these poles, how would  
8 that be addressed?

9 And then I guess that's it. I  
10 would really like to see a big map,  
11 like, with all 65 [sic] nodes and see  
12 where they all are.

13 MAYOR DONNO: Of all 65 [sic]  
14 nodes for the Town of Hempstead?

15 MS. MACK: Yeah, you know, so  
16 that we could see, you know, what's  
17 around us and to know what the exact  
18 approvals are from other villages for  
19 those nodes.

20 MR. LAMBERT: Well, I can  
21 definitely create a Google Map that  
22 has all of them, all 66 nodes, and  
23 send that as a Google Map link so you  
24 can actually, you know, use  
25 Google Maps to delve into it.



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2 MAYOR DONNO: With the nodes --  
3 with your nodes -- with the nodes on  
4 it, the proposed nodes?

5 MR. LAMBERT: Yes, with the  
6 nodes.

7 MAYOR DONNO: For all the  
8 villages?

9 MR. FRIDRICH: All 66.

10 MR. LAMBERT: All 66. That's  
11 fine.

12 MS. MACK: Oh, I did have one  
13 other comment.

14 MAYOR DONNO: Sure.

15 MS. MACK: I would also like to  
16 know where the macrotowers are. You  
17 know, because how does Munsey Park  
18 only have one? Perhaps because  
19 there's so much commercial property in  
20 that area that it's covered that way,  
21 but it would be nice to know, as you  
22 asked: How are we getting cell  
23 service now? And, you know, where is  
24 that tower that gives us Verizon  
25 service? I don't know.

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2 MS. EFSTATHOPOULOS: Isn't there  
3 a tower on -- I mean, a tower on the  
4 steeple?

5 MAYOR DONNO: There are; they  
6 do. I know that they do have cell  
7 towers; on The Congregational Church  
8 there's, I think, a few of them.

9 MS. EFSTATHOPOULOS: There's  
10 like two locations that -- Joy,  
11 Luquer, 7 Luquer. There's one, I  
12 believe, on The Congregational  
13 Church --

14 MAYOR DONNO: There's a couple.

15 MS. EFSTATHOPOULOS: -- is a  
16 macro. And there's a micro somewhere  
17 as well. I read that somewhere.

18 MAYOR DONNO: I thought someone  
19 said Manorhaven, that there is a tower  
20 in Manorhaven.

21 AUDIENCE MEMBER: There is a  
22 tower in Manorhaven. There's a couple  
23 on -- there's one on Port Washington  
24 Boulevard. You can actually Google  
25 "cell tower sites in Manhasset," and

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2 you'll get a map instantly. It'll  
3 show you where all the locations are,  
4 it'll tell you who owns the tower, and  
5 gives you all that information.

6 MAYOR DONNO: Yes, sir? You  
7 haven't spoken yet.

8 MR. PROUNIS: Yes.  
9 Mike Prounis, Andover Court.

10 I'm just curious about the way  
11 this network is constructed. It  
12 appears that these 64 [sic] nodes do  
13 not have any impact on the locality  
14 that we're talking about here. What  
15 part of the network would be affected  
16 if the 64 nodes were not installed?  
17 Like you said, like, would part of  
18 Port Washington not be able to receive  
19 a certain amount of data, or are you  
20 saying the problem would be localized  
21 that we would experience?

22 MR. FRIDRICH: What we're  
23 talking about, we're talking about the  
24 nodes here in Plandome Manor  
25 specifically, but, again, these nodes

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2 are just a subset of a 66-node network  
3 that spans five villages. So what's  
4 your question again with that?

5 MR. PROUNIS: Well, I don't  
6 think that these nodes really appear  
7 to affect our local activity. Are you  
8 suggesting that it would affect a  
9 larger portion of the network? If we  
10 didn't have these 64 nodes, like,  
11 would parts of Port Washington -- I  
12 don't understand. Is it localized or  
13 is it a more broader network issue?

14 MR. FRIDRICH: Right now,  
15 there's a -- Verizon has identified a  
16 deficiency across these five  
17 municipalities, and we have designed a  
18 network of 66 nodes that basically  
19 fill that gap in coverage.

20 MR. PROUNIS: And that  
21 deficiency doesn't necessarily have to  
22 be here in this location is my point.  
23 It's somewhere else besides here, and  
24 by putting nodes into this locale  
25 will correct some deficiency in

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2 another part of this five --

3 MR. FRIDRICH: No.

4 MR. PROUNIS: I'm asking a  
5 question, though.

6 MR. FRIDRICH: Okay. I  
7 understand your question now. No.  
8 These nodes, the nodes that we're  
9 talking about here, they've got a very  
10 small radius, okay? Luquer Road keeps  
11 coming up, and I've looked at the cell  
12 spacing or the node spacing between  
13 them. They're on the order of like  
14 5-, 600 feet apart, and that's normal  
15 for the specifications that Verizon  
16 provided to us for this polygon. The  
17 cell spacing is the same in  
18 Flower Hill; it's the same in  
19 Port Washington. I mean, there's  
20 variations. Like, for example, we're  
21 not gonna put a node in the middle of  
22 a -- a big wooded area. We're not  
23 gonna put nodes on the golf course.  
24 So it's not homogenous, I guess, is  
25 one way to put it.

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2 Basic cell site design, think of  
3 it as a bunch of hexagons. In an  
4 ideal cellular design, you got all --  
5 you got these hexagons that all  
6 connect together, and in a perfect  
7 world, you would have a cell tower in  
8 the middle of each of those hexagons.  
9 Small cells are really no different  
10 either. You've got -- you've just got  
11 smaller hexagons, and they all butt up  
12 against one another. And generally  
13 speaking, they're --

14 MR. LAMBERT: A honeycomb.

15 MR. FRIDRICH: Yeah, a  
16 honeycomb. Thank you. You know,  
17 they're spaced about 5-, 600 feet  
18 apart for the specifications.

19 MAYOR DONNO: Yes?

20 MR. KATTAN: Me?

21 MAYOR DONNO: Yes, you.

22 MR. KATTAN: Hi. Eric Kattan,  
23 21 Circle Drive.

24 So I just have a couple of  
25 questions. Hopefully hard facts. Is

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2 there a minimum signal that we need to  
3 comply with? Is it stated by Verizon  
4 or the FCC? If there is a minimum, is  
5 this the minimum amount of antennas  
6 that we need in order to get that  
7 minimum, or is this what Verizon would  
8 want us to have here so they can  
9 broadcast that they are covering the  
10 area?

11 MR. FRIDRICH: The number -- the  
12 cell density -- call it the "cell  
13 density" -- is determined by the  
14 signal level that Verizon is trying to  
15 achieve. And that signal level will  
16 provide them the data rates that  
17 they're looking to achieve.

18 MR. KATTAN: But what is the  
19 minimal amount that we need by law?

20 MR. FRIDRICH: There is no law.

21 MR. KATTAN: If there is no law  
22 or minimum, then why are we doing it?

23 MR. FRIDRICH: This is their  
24 decision; this is what Verizon  
25 corporate wants to achieve.

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2 MR. KATTAN: But I understand,  
3 but we are subject to -- unless I  
4 don't understand, I mean, if we say  
5 "no" to Verizon, I guess they'll sue  
6 us or the FCC, or I just -- I guess I  
7 don't understand. What is the minimum  
8 that the law requires us to put in?  
9 Not what Verizon wants. What is the  
10 minimum we need to put?

11 MR. LAMBERT: There is no  
12 minimum by law. I mean, if the power  
13 company came in and said, "We need to  
14 make sure that enough power gets to a  
15 community," they put an infrastructure  
16 they need to get the power to the  
17 community. Water company, the same  
18 way: "We need to put the water  
19 infrastructure in to get water" --

20 MR. KATTAN: I understand but  
21 data is vague; data is vague. We have  
22 3G; we can have one meg; we can have  
23 one meg; we can have a hundred, a  
24 hundred -- what is the minimum -- if  
25 we want to put the minimum amount in



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1  
2 order to not be subject to any  
3 lawsuits or to -- what is the minimum  
4 amount of data bandwidth that we need  
5 to have and what is the minimum amount  
6 of antennas? Is this the minimum  
7 amount of antennas that we need to put  
8 in in order to comply with the minimum  
9 amount of data that we need to show in  
10 order to not be prosecuted by the FCC?  
11 This is the minimum we can put in?

12 MR. FARRELL: I think we're  
13 mixing metaphors.

14 MR. WASHINGTON: Yeah. We're  
15 struggling to -- we're trying to give  
16 you an answer, but we are sort of  
17 struggling trying to understand what  
18 it is that you're asking.

19 MR. KATTAN: If we're putting --  
20 if we're gonna put five antennas,  
21 would that comply?

22 MR. WASHINGTON: There are no  
23 minimums that there's some sort of  
24 legal threshold, but, again, I don't  
25 know that that's answering your

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1  
2 question. So --

3 MR. FARRELL: I think I  
4 understand what you're saying. The  
5 FCC does not set a minimum signal  
6 standard that a company has to  
7 provide. They want to provide a  
8 certain level of service so that  
9 everybody wants to get a Verizon phone  
10 because you have great data; you have  
11 great coverage. So they have a  
12 standard that they establish as a  
13 company that will meet their minimum  
14 standards for providing service to  
15 people that are using Verizon phones.  
16 They've determined -- Verizon, they've  
17 come here tonight because, according  
18 to them, Verizon has said, "We have a  
19 gap in the coverage in this area. You  
20 need to fill it. Build us a network  
21 that will fill that gap." That's what  
22 they've purported to construct and  
23 that's what they want to build out to  
24 fill that gap.

25 MR. KATTAN: And if we say "no,"

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2 then we take it with the FCC?

3 MR. FARRELL: If we say "no" --  
4 I assume and I don't know --

5 MR. KATTAN: Right.

6 MR. FARRELL: -- they will  
7 likely bring us to court as they've  
8 brought other municipalities to court.  
9 They will say we denied it improperly,  
10 that they need the coverage because  
11 there is a gap, and then we'll  
12 litigate that issue.

13 MR. KATTAN: I understand. So  
14 the question is: What is the minimum  
15 amount of signals and antennas we need  
16 to put in so they can't take us to  
17 court, that we would pass?

18 MR. FARRELL: It's not like  
19 negotiating a contract.

20 MR. KATTAN: I understand that  
21 but --

22 MR. FARRELL: They're saying  
23 they need 20. We're saying we don't  
24 know if they need 20. We have to  
25 figure that out.

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2 MR. KATTAN: Right. But if you  
3 say "We need something," at least show  
4 the minimum as this; is this the  
5 minimum? I mean, you can double.  
6 What prevents you from putting double?

7 MR. FRIDRICH: These nodes are  
8 very, very expensive, okay?

9 MR. KATTAN: I get it.

10 MR. FRIDRICH: Verizon doesn't  
11 want to buy these nodes if they don't  
12 have to. So to answer your question,  
13 20 is the minimum. That's what we  
14 were trying to get.

15 MR. KATTAN: 20 is the minimum  
16 to achieve what?

17 MR. FRIDRICH: To achieve what  
18 Verizon wants to achieve.

19 MR. KATTAN: And do we need to  
20 comply with what Verizon wants to  
21 achieve, or who do we need -- what --  
22 who decides the minimum of what we  
23 need in order to not be subject to a  
24 lawsuit, rather than what Verizon  
25 wants? That's what the question is.

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2 MR. FARRELL: There's no answer  
3 to that.

4 MR. LAMBERT: There's no answer  
5 to that question.

6 MR. KATTAN: So if we put one  
7 antenna, can they take us to court?

8 MR. FARRELL: They could take us  
9 to court if we deny one. They could  
10 take us to court if we denied all of  
11 them. They could take us to court  
12 under any scenario that doesn't give  
13 them what they want.

14 MR. KATTAN: Okay. I have  
15 another question. Was there an intent  
16 to put a macroantenna somewhere in the  
17 Village?

18 MAYOR DONNO: Not in our  
19 Village, no.

20 MR. KATTAN: So can we  
21 potentially look into that? Because  
22 that will solve the aesthetics of  
23 the --

24 MR. FARRELL: A macroantenna,  
25 just so everybody is clear, a

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2 macroantenna is between 75 and  
3 150 feet high.

4 MR. KATTAN: Yeah, but it'll  
5 take them years to do it.

6 MR. LAMBERT: The last tower...

7 MR. FARRELL: The last tower is  
8 a macrosite.

9 MR. KULKA: My question was  
10 along the line of -- Peter Kulka,  
11 9 Luquer Road. My question was along  
12 the line of this gentleman. One, does  
13 ExteNet build macrotowers?

14 MR. LAMBERT: Do not.

15 MR. KULKA: Okay. So Verizon  
16 hired you to get something into this  
17 Village, obviously. I asked the Board  
18 of Trustees: Is -- has there been or  
19 is there an attempt from Verizon to  
20 get a macro- or microantenna on public  
21 land? There is public land within  
22 this -- in the five communities,  
23 county property -- I don't want to  
24 mention golf courses and so forth --  
25 that would eliminate all the need for

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2 nodes and will be in the middle of a  
3 golf course or on some other county  
4 property. Has that attempt been made  
5 to satisfy the FCC's requirement for  
6 us to have better service?

7 MAYOR DONNO: Peter, not that  
8 I'm aware of.

9 MR. KULKA: Okay. So my point  
10 here is if we deny ExteNet, it doesn't  
11 mean we're saying "no" to cell  
12 service. We want just a different  
13 version of the service.

14 AUDIENCE MEMBER: Exactly.

15 AUDIENCE MEMBER: But they don't  
16 provide it.

17 MR. KULKA: Verizon does provide  
18 it, but this is plan A; maybe there's  
19 a plan B.

20 MR. FRIDRICH: No, actually,  
21 plan A would have been a macrosite.

22 MR. KULKA: Okay. Well, maybe  
23 it needs to be revisited, but then  
24 your company would be sidelined.

25 MR. LAMBERT: Well, they

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2 wouldn't have come to us. I said  
3 earlier --

4 MR. KATTAN: But there was no  
5 request. The Mayor said there was no  
6 request.

7 MAYOR DONNO: As far as I know.  
8 I don't know if there was a request.  
9 We did not have a request, but I don't  
10 know if anybody else had a request. I  
11 can't answer that.

12 MR. KULKA: So maybe the joint  
13 villages, all the villages should get  
14 together on this one.

15 MR. LAMBERT: All of the  
16 telecoms have their own site  
17 acquisition aspects to their company.  
18 Those guys go out and they try to find  
19 locations to place towers, to place --

20 MR. KULKA: And I'm sure there's  
21 a golf course or somebody around here  
22 who would love to earn \$100,000 a year  
23 in commissions.

24 MR. FARRELL: Mr. Kulka, we  
25 can't have -- I apologize. We just



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2 can't have a back-and-forth. You need  
3 to let him answer the questions.  
4 Thank you.

5 MAYOR DONNO: Yes, sir?

6 MR. VASES: So I'm on the list.  
7 I've been patiently waiting to speak.  
8 Did you finish your list yet?

9 MAYOR DONNO: I'm sorry. I must  
10 have -- go ahead. Speak.

11 MR. VASES: So I'm  
12 Constantine Vases. I actually live on  
13 2 Aspen Gate, and the pole is actually  
14 on my property.

15 So the first picture that I saw  
16 is completely incorrect because that  
17 pole is sitting on almost the border  
18 of Port Washington boundaries, which  
19 means the neighbor is literally  
20 looking at that pole. He just moved  
21 into the neighborhood, into the  
22 Port Washington neighborhood, so I  
23 have to bring it to his attention  
24 because until two days ago, I found  
25 out from Joy. And I've hired, with

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1  
2 the other three individuals -- I'm No.  
3 15, of course -- we've hired  
4 Mr. Campanelli; I've hired  
5 Mr. Campanelli to represent me.

6 But there's a couple of things.  
7 We keep talking about dropped calls.  
8 This was never about dropped calls;  
9 this was about data. I've never had a  
10 problem with data anywhere in this  
11 area, so I'd like to know what kind of  
12 lost data or lapse in data; and I want  
13 to stress data and I want that for the  
14 record because calls is not the issue.  
15 I'm more concerned about the data  
16 because this conversation started with  
17 data, so I want to have information on  
18 what lost data and how many people  
19 that are our way lose their signal  
20 while they're coming down Aspen Gate  
21 or Luquer or anything in that nature.  
22 So that's my main concern.

23 Then the other thing, we just  
24 keep talking about Verizon, Verizon.  
25 So how many companies, for the record,

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2 can you actually put on this pole? Is  
3 it 1? 2? 3? 9? 15? How many is it? I  
4 want a number.

5 MR. FRIDRICH: I think it  
6 depends on what kind of equipment they  
7 want to put on.

8 MR. VASES: How many is the  
9 maximum number of individual companies  
10 you can put on a pole?

11 MR. FRIDRICH: In a best case  
12 scenario, it would be four.

13 AUDIENCE MEMBER: That would be  
14 worst case scenario.

15 MR. FRIDRICH: No, that would be  
16 best.

17 MR. VASES: Well, how many more  
18 can you put on a pole? It's only 20  
19 feet tall. You can't put more than  
20 four; otherwise, it would be on the  
21 ground because you said one individual  
22 box.

23 MR. FRIDRICH: I said four  
24 carriers, okay?

25 MR. VASES: And you said one

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2 individual box per carrier.

3 MR. FRIDRICH: Correct.

4 MR. VASES: So think about this:  
5 You have four boxes that are how long?  
6 35 inches by?

7 MR. FRIDRICH: No, no. You're  
8 missing the point, okay? The box that  
9 we're proposing is the shroud that  
10 we're putting up is about 35 inches  
11 long. But as time goes on, this  
12 equipment is shrinking, okay? So at  
13 some point, maybe by the time multiple  
14 carriers want to get on, now each box  
15 is only 1 cubic feet.

16 MR. VASES: But if you were to  
17 sign to get these -- permission for  
18 the nodes and you actually had four  
19 carriers to sign on -- right? -- would  
20 you need four boxes? Yes or no?

21 MR. FRIDRICH: Again, it depends  
22 because the shroud itself, right now,  
23 the equipment that's going inside that  
24 shroud --

25 MR. VASES: Can you put Verizon,

1 PUBLIC HEARING MINUTES

2 AT&T, or Sprint on the same box? Yes  
3 or no?

4 MR. FRIDRICH: Yes, we can.

5 MR. VASES: You can.

6 MR. FRIDRICH: Yeah. We do it  
7 -- in Hull, Massachusetts, we have all  
8 four carriers in --

9 MR. VASES: On one box?

10 MR. FRIDRICH: Yeah.

11 MR. VASES: On one box.

12 AUDIENCE MEMBER: What about on  
13 Long Island?

14 MR. FRIDRICH: What's that?

15 AUDIENCE MEMBER: What about on  
16 Long Island?

17 MR. FRIDRICH: No. We don't  
18 have that on Long Island.

19 AUDIENCE MEMBER: So there's not  
20 one [inaudible].

21 AUDIENCE MEMBER: He hasn't done  
22 it yet.

23 MR. FRIDRICH: No, we haven't  
24 done it yet.

25 MR. FARRELL: They don't have a

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2 system yet.

3 MR. VASES: How many nodes -- I  
4 have a couple more questions; I've  
5 been patiently waiting. How many  
6 nodes have been approved out of the 66  
7 till present date? 1 node? 1 node  
8 has been approved?

9 MR. LAMBERT: Well, no, actually  
10 3 -- 4 in Lake Success. Well, that's  
11 not part of the 66 nodes. So 1 per  
12 the 66. We do have, you know, nodes  
13 in other places other than just the  
14 66.

15 MR. VASES: So again, because I  
16 want this for the record, so out of  
17 that 1 node, how many were actually  
18 put on the initial permit to get  
19 approved? Were there 5? 20? 19?

20 MR. LAMBERT: Well, for  
21 Munsey Park, there was only 1.

22 MR. VASES: No, no, no. So you  
23 said you got 1 approved.

24 MR. LAMBERT: Correct.

25 MR. VASES: Out of how many

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2 nodes in total?

3 AUDIENCE MEMBER: Out of 66.

4 MR. VASES: So 1 -- so in  
5 Munsey, you said you only wanted 1  
6 node?

7 MR. LAMBERT: There's only 1  
8 node in Munsey Park that we have; we  
9 asked for 4 and we received that 1.

10 MR. VASES: So you've gotten 1  
11 out of 66.

12 MR. LAMBERT: Right. And we're  
13 still in the process.

14 MR. VASES: Have any of them  
15 been denied yet? Have you been denied  
16 any --

17 MR. LAMBERT: Yeah,  
18 Flower Hill and -- well, the 66,  
19 Flower Hill.

20 MR. VASES: So how many were  
21 denied in Flower Hill?

22 MR. LAMBERT: 18.

23 MR. VASES: 18. And how many  
24 went in on the permit application?

25 MR. LAMBERT: 18.

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2 MR. VASES: So you got denied  
3 all 18?

4 MR. LAMBERT: Yes.

5 MR. VASES: And then where else  
6 were you denied?

7 MR. LAMBERT: Well, part of the  
8 66, nowhere else because the  
9 jurisdictions haven't even come to a  
10 vote. Plandome, as well as  
11 Plandome Manor, hasn't voted.

12 MR. VASES: Is that public  
13 information? How do we find out who  
14 gets denied? Is that something we can  
15 look up?

16 MR. LAMBERT: I mean, the media  
17 has --

18 MR. FARRELL: You can talk to  
19 him. He knows all the information.

20 MR. VASES: I'm not done yet,  
21 though.

22 TRUSTEE DeSOUSA: You know what?  
23 We are going to taking a five-minute  
24 break. She needs -- she needs a break  
25 (indicating).



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2 MAYER DONNO: She needs to --

3 MR. FARRELL: Our stenographer's  
4 hands are about to fall off.

5 [Whereupon, a recess was taken.]

6 MR. VASES: So Aspen Gate is  
7 another cul-de-sac. There's really  
8 six houses on the block, and one is  
9 actually for sale. So there's only  
10 five homes in another cul-de-sac. So  
11 there has to be a bigger reason why  
12 this is happening that we don't know  
13 about. And I actually have two front  
14 yards, and Mr. Butt could, you know,  
15 verify that.

16 So like my wife said earlier, it  
17 took me 18 months to get a variance to  
18 move my generator from my side yard to  
19 my front yard, and I had to disguise  
20 it or camouflage it or whatever  
21 terminology we want to use to make  
22 sure that it's not an eyesore. How  
23 are we going to disguise these poles,  
24 boxes, fans, whatever we want to call  
25 them?

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2 And also, that front yard, my  
3 son actually has his rebounder there,  
4 his lacrosse rebounder there.

5 Everyone knows lacrosse is the biggest  
6 sport in Manhasset, so my son actually  
7 has his lacrosse rebounder directly  
8 under there; you could pass by and see  
9 that if you like later. So I want to  
10 know how they're going to disguise  
11 this. And my son -- I don't know how  
12 tall that is, but my son will be a lot  
13 closer than where my house is, so he  
14 will have some type of effect there.  
15 And I can almost guarantee that my son  
16 will hit that box probably every  
17 single day with his lacrosse ball, so  
18 the maintenance will be there on a  
19 weekly or biweekly basis because the  
20 lacrosse ball is a really tough ball;  
21 it can probably knock out the fan.

22 So listen, I'm not looking to  
23 create any enemies, but there has to  
24 be a reason why they have -- there's a  
25 pole on my property by PSE&G, which I

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2 have no option, of course, because I  
3 need electricity. However, it is  
4 another cul-de-sac with only six  
5 homes, one being vacant. And the  
6 picture that they showed on that slide  
7 does not help the neighbor that is on  
8 Port Washington; literally, that pole  
9 is directly in front of their bedroom.  
10 So these are things that I want to  
11 bring up, but, again, we have our  
12 attorney that's going to represent us,  
13 and this is not going to be an easy  
14 fight.

15 MAYOR DONNO: Do you want to  
16 address that?

17 MR. LAMBERT: Which particular  
18 question do you want me to address?

19 MR. VASES: Why they chose a  
20 cul-de-sac with six homes.

21 AUDIENCE MEMBER: Or with three  
22 homes.

23 MR. LAMBERT: Well, Chris said  
24 this a few times: It's -- yes, it is  
25 about filling the gap in the needed

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2 area, but the propagation goes 4- or  
3 500 hundred feet to other areas too,  
4 and it fulfills the network coverage  
5 aim. So it's not just about filling,  
6 you know, what's going on in your  
7 house or your neighbor's house. The  
8 need for the infrastructure is for the  
9 larger network, as well as those who  
10 are in the immediate vicinity. So  
11 it's a twofold situation.

12 MAYOR DONNO: Richard, you  
13 provided us with photographs of the  
14 pole from different -- well, you did  
15 it at different angles.

16 MR. VASES: One direction.

17 MAYOR DONNO: One of the things  
18 that this gentlemen said was -- I  
19 guess you have a neighbor who would be  
20 looking at your pole.

21 MR. VASES: Directly at the  
22 pole, but he's in Port Washington.

23 MAYOR DONNO: When you go out  
24 and take these pictures, do you look  
25 at the different angles that, you

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1  
2 know, people are across the street and  
3 they're gonna look directly over at a  
4 pole, or they're, you know, from his  
5 driveway, he's looking at the pole and  
6 all we see is just from one view?

7 MR. LAMBERT: Well, remember, I  
8 believe a few years ago, we actually  
9 went out with -- in a van and went out  
10 with certain individuals and kind of  
11 drove around all the pole sites and  
12 looked at the poles from different  
13 vantages. I didn't take pictures to  
14 simulate from different vantages, but  
15 we did look at it from different  
16 vantages and we made decisions of  
17 where poles should go; we tried to  
18 find places that were the least  
19 intrusive but also that we could  
20 actually place a pole and that  
21 fulfilled the RF coverage as well. So  
22 that location is based on a number of  
23 different variables --

24 MR. VASES: This pole is  
25 directly on my property, on the

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2 property that I pay taxes every single  
3 year.

4 MR. LAMBERT: It's a right of  
5 way; it's a right of way.

6 MR. VASES: Yeah, I believe that  
7 because she has a right of way for the  
8 electric on the back. Of course.

9 MR. LAMBERT: The thing is we  
10 are in a residential area, so it's  
11 very, very difficult to put a pole in  
12 locations that will not be seen by  
13 residences.

14 MR. VASES: It's not on the  
15 street is what I'm trying to say.  
16 It's not on the street; I'm telling  
17 you it's on my property; I'm not  
18 saying it's on the street. It's on my  
19 physical property.

20 MR. LAMBERT: It's on the right  
21 of way.

22 MR. VASES: It's not on the  
23 street. What you're saying is on the  
24 street. I'm telling you --

25 MR. FARRELL: The right of way,

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2 so your property line ends at a  
3 certain spot, and then there may be  
4 grass between the end of your property  
5 line and the actual pavement.

6 MR. VASES: I'll look at the  
7 survey and verify that.

8 MR. FARRELL: He can probably  
9 show you that information. So they're  
10 only constructing in what would be  
11 part of the right of way. So streets  
12 are supposed to be 49-and-a-half feet  
13 wide. Not all streets are developed  
14 to 49-and-a-half feet wide. They're  
15 usually, especially in Plandome Manor,  
16 much narrower. But a portion of the  
17 front yard of your property is  
18 probably in what's called the "right  
19 of way," which means that it's part of  
20 the public property.

21 MR. LAMBERT: Which node is  
22 that, by the way?

23 MR. VASES: It's No. 15, 15.

24 MAYOR DONNO: One more question  
25 and then we're gonna close it out.

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2 MS. CARILLO: So I want to say  
3 something more on the same node.  
4 Valerie Carillo, 4 Aspen Gate.

5 So we live right next door to  
6 the beautiful house that was built,  
7 and one thing that I have to say about  
8 the Design Board Review [sic] was they  
9 did a wonderful job when this builder  
10 was building the house. And the one  
11 thing that they -- the Design Board  
12 took great care in was that 2 Aspen  
13 Gate was the house that was seen as  
14 soon as you drive down. And they  
15 wanted that squire to be higher than  
16 what the builder did, and I think he  
17 had to put out more money into it; he  
18 did it because that was something that  
19 was -- you see when you drive down our  
20 street. It was the entrance to our  
21 street and all of the houses on our  
22 street. And this pole is now gonna be  
23 the first thing that you see when you  
24 drive down the street. So it will  
25 decrease all of the property values on



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2 our whole street.

3 MAYOR DONNO: I appreciate your  
4 comment. Thank you. Thank you.

5 MS. EFSTATHOPOULOS:  
6 Joy Efstathopoulos.

7 MAYOR DONNO: I'm sorry?

8 MS. EFSTATHOPOULOS:  
9 Joy Efstathopoulos, 7 Luquer.

10 One more small question -- or  
11 not question -- statement, please.

12 MAYOR DONNO: Okay.

13 MS. EFSTATHOPOULOS: I just want  
14 to point out again that out of the  
15 entire plan of the 20 nodes that we're  
16 looking here, which are all on  
17 existing poles, whether they're going  
18 to be replaced or whether they're  
19 existing, there are poles that are  
20 already there. The only pole where  
21 that is not the case is 8 Luquer,  
22 where a new pole is being developed.

23 MAYOR DONNO: And 25 Morgan.

24 MS. EFSTATHOPOULOS: And  
25 25 Morgan. And there are no poles

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2 there.

3 MAYOR DONNO: I understand.

4 MS. EFSTATHOPOULOS: I mean, you  
5 can't help but not see this.

6 MAYOR DONNO: Right. I'm very  
7 aware of that.

8 MS. EFSTATHOPOULOS: So I'm  
9 sorry I'm bringing it up again.

10 MAYOR DONNO: That's okay. The  
11 Board is very aware of that. We're  
12 very aware of that. There's a few  
13 other areas that you haven't even  
14 mentioned.

15 Okay. I would actually -- Gus  
16 and then --

17 MR. HARRIS: Can I ask just one  
18 more question.

19 MAYOR HARRIS: Go ahead.

20 MR. HARRIS: What I'm struggling  
21 with, you need a pole where there's no  
22 people. Like, I see there's no poles  
23 in the golf course. Why? Does it  
24 matter? Do you need traffic around a  
25 pole? Do you need people around a

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2 pole, or do you need traffic for it to  
3 be --

4 MR. FRIDRICH: Well, first of  
5 all, poles have to go in the right of  
6 way, okay? We don't build -- we build  
7 in the right of way. It's generally  
8 challenging for us to get private  
9 property agreements. We don't -- we  
10 tend to steer away --

11 MR. HARRIS: But is a pole  
12 helpful if there's no traffic? Does  
13 it help at all if there's no people  
14 within -- you mentioned before 400 to  
15 500 feet. Does it matter if there's  
16 no traffic? Is it of any use if  
17 there's no people there?

18 MR. FRIDRICH: If there's no  
19 people?

20 MR. HARRIS: That's right.

21 MR. FRIDRICH: What do you mean?  
22 Like putting it in the middle of the  
23 golf course?

24 MR. HARRIS: Exactly.

25 MR. FRIDRICH: No, it won't.

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2 MR. HARRIS: Okay. So what I've  
3 been struggling with -- and the  
4 gentleman said it before --  
5 Circle Drive or the Mills, I frequent  
6 those places many times. The traffic,  
7 outside of the people in this room, is  
8 almost nil, right? It's literally  
9 zero, right? The only people -- no  
10 one is gonna go through Circle Drive  
11 unless they live there, right?

12 So what I'm struggling with with  
13 Verizon, they want the network; it's  
14 just mind-boggling to me why they want  
15 the network where 90 -- when you make  
16 this needs-based assessment, does  
17 anybody ever look at the traffic going  
18 there? Because these, whatever you  
19 want to call them, nads [sic] or nodes  
20 are worth nothing to anyone other than  
21 the people in this room, other than,  
22 arguably, North Plandome Road. That,  
23 I could see where you have the traffic  
24 on North Plandome Road. The  
25 proportion of people outside of the

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1  
2 Village could be higher. But in  
3 Circle Drive, the Mills, on and on,  
4 Plandome Park, these are all the  
5 residents; these are the people here  
6 that, in theory, would benefit and  
7 they don't want it; no one else would  
8 benefit from this.

9 MR. FRIDRICH: Well, all I can  
10 say is --

11 MR. HARRIS: I'm sorry. So the  
12 question to you is: Do you take into  
13 account the traffic when you make an  
14 assessment of the need for a tower?  
15 Does it matter?

16 MR. FRIDRICH: I do not take  
17 into account the traffic, okay? I  
18 take into account --

19 MR. HARRIS: Coverage.

20 MR. FRIDRICH: -- coverage. I  
21 take into account what Verizon has  
22 specified us to take into account.  
23 They -- I can tell -- I worked for  
24 T-Mobile for five years, okay? So  
25 yes, they will take into account

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2 coverage; they'll take into account  
3 capacity, the, you know, usage,  
4 whatever, but, see, this area -- this  
5 area that we're trying to -- the 66  
6 nodes we're putting across the five  
7 municipalities, there basically is no  
8 coverage. It's fumes. They can't  
9 provide any sort of degree of service.

10 MR. HARRIS: And I'm saying you  
11 don't need it. That's what I'm trying  
12 to say; you don't need coverage in  
13 Circle Drive because it's only the  
14 residents that --

15 MAYOR DONNO: I know; I hear  
16 you. I think they hear you.

17 MR. FRIDRICH: Yeah.

18 MAYOR DONNO: I would really  
19 like to close out the meeting. So I  
20 need a motion from the Board to  
21 declare the Board of Trustees the lead  
22 agency for this SEQRA.

23 TRUSTEE O'NEILL: Yes.

24 MAYOR DONNO: Can I have a  
25 second.

1 PUBLIC HEARING MINUTES

2 TRUSTEE CLINTON: Second.

3 MAYOR DONNO: All those in  
4 favor?

5 [A chorus of ayes.]

6 MAYOR DONNO: And I would like a  
7 motion from the Board of Trustees to  
8 adjourn -- you want me to adjourn or  
9 keep it open?

10 MR. FARRELL: Well, yeah. I  
11 mean, we're gonna keep the record open  
12 until -- what is it? -- October 15th.

13 MAYOR DONNO: Okay. So do you  
14 want me to say "adjourn," use the word  
15 "adjourn," or --

16 MR. FARRELL: Well, no. We're  
17 gonna -- we're gonna keep the -- we're  
18 gonna keep the record -- I would say  
19 "to keep the record open until  
20 October 15th."

21 MAYOR DONNO: Okay. So we're --  
22 can I have a motion to keep the record  
23 open until October 15th when we will  
24 have the next public hearing.

25 TRUSTEE CLINTON: Motion.

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PUBLIC HEARING MINUTES

MAYOR DONNO: Can I have a  
second.

TRUSTEE O'NEILL: Second.

MAYOR DONNO: All those in  
favor?

[A chorus of ayes.]

MAYOR DONNO: Thank you,  
everyone. We've got another public  
hearing on Tuesday, so.

[TIME NOTED: 10:54 P.M.]



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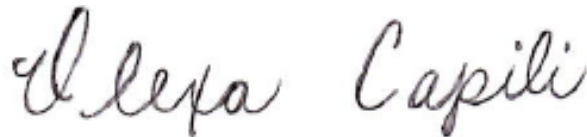
CERTIFICATION

I, OLEXA CAPILI, a Notary Public for  
and within the State of New York, do  
hereby certify:

That the within transcript is a true  
and accurate record of the proceedings.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I am  
in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 11th day of November  
2019.



OLEXA CAPILI

\* \* \*

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