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VILLAGE OF PLANDOME MANOR

-----X

PUBLIC HEARING

-----X

55 Manhasset Avenue
Manhasset, New York
October 15, 2019
7:15 P.M.

TRANSCRIPT OF PROCEEDINGS

COURTNEY BIONDO
Official Court Reporter

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A P P E A R A N C E S :

MAYOR: BARBARA DONNO

TRUSTEES: PATRICIA O'NEILL, R.A.

TONY DeSOUSA

MATTHEW CLINTON

JAMES BAYDAR

VILLAGE CLERK: RANDI I. MALMAN

VILLAGE COUNSEL: JOHN FARRELL, ESQ.

TREASURER: MARIE DePALO

BUILDING INSPECTOR: EDWARD P. BUTT

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MAYOR DONNO: We now have a presentation by ExteNet, by Richard Lambert.

MR. LAMBERT: Thank you.

Good evening, everyone.

My name is Richard Lambert. I'm THE External Relations Director, east coast, for ExteNet Systems.

I have with me tonight Larry Washington, who is our ExteNet in-house counsel.

This evening, we will not have Chris Fridrich with us, who came to the last meeting. He is the RF engineer who worked with Verizon RF engineer, radio frequency engineer, to design the network. Unfortunately, he couldn't make it this evening.

Any questions you are not able to ask because they are very RF specific, and I do not want to speak for him, we will refer to comments he made last week, and things that may be different, we will write those down and try to -- and get those to Randi and the Village for posting on the website or whatever venue that they choose to post those questions and answers.

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So I apologize for that up front.

I am a former jurisdictional planner down in Fairfax, so I appreciate and really enjoy seeing the civic engagement and advocacy this evening.

Thank you for coming out. I am glad we can -- hopefully there are some neighbors you haven't seen before or haven't seen in a while, and you can have a little reunion here this evening.

Again, so thankful for you all to come out this evening and so you can all engage and ask questions, and we can answer questions about the project that we have before us.

So this is an application for a special use permit for wireless telecommunications facilities. That is the distributed antenna system, DAS for short.

So the statement of intent. So ExteNet Systems, Incorporated is requesting a special use permit for the construction of a wireless telecommunications facility within the Village of Plandome Manor.

The purpose of this is to install small

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2 cell wireless infrastructure to patch discrete
3 holes in Verizon Wireless's 4G coverage and
4 provide greater capacity for the 4G wireless
5 network.

6 So I am going to show a little video
7 here that explains what kind of DAS and small
8 cell is. It leaves out a few things I will
9 talk about. It is from the perspective of
10 assuming you have great coverage already, but
11 capacity is an issue. Capacity being there is
12 not enough capacity for the traffic, the data
13 traffic to flow, so things are slow.

14 It comes from that perspective, but
15 please know that the project here is for
16 both -- mainly coverage, because there is a
17 coverage disparity, which we will go into that
18 in a few minutes, which leads to capacity
19 disparity, as well. You can't have one without
20 the other.

21 So I will play this. Let me know if you
22 can't hear it.

23 (Pause in the proceedings.)

24 MR. LAMBERT: Well, I will try to play
25 it.

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(Whereupon, a video was played at this time.)

MR. LAMBERT: Like I mentioned, the video talks to capacity issues, but understand that this also is -- for this community and communities around here, Verizon has identified coverage problems, too.

It mentioned macro sites. If you have enough macro sites and enough coverage, the small cells supplement, but in areas where you can't add more macro sites, more large towers, 150 foot, 200 foot towers, the alternative is small cell DAS systems.

So this is a system placed and proposed because there is no ability for Verizon to place macro sites up in the area.

So the benefits of DAS and small cell, you have improved coverage capacity, increased wireless speeds. It is a smaller form factor, like I explained there. Ideally, it fits in with your existing utility infrastructure environment.

As opposed to putting a large 150 foot tower up, it is a utility policy or a street

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2 light, something like that, which is a smaller
3 form factor.

4 Public safety is enhanced in a lot of
5 communities because they -- the wireless
6 network has poor coverage, line capacity, so
7 that 911 calls don't get filtered correctly
8 into the right places. Dispatches are not done
9 quickly because of the coverage issues in
10 certain areas.

11 So it is not just dropped calls, but
12 also the ability for calls to go through, and
13 information to go between one individual to
14 another individual.

15 We pride ourselves, ExteNet -- we are a
16 neutral host provider, which means our network
17 is not just for Verizon or not just for
18 T-Mobile, not just for AT&T or Sprint.

19 Although Verizon in this case will be
20 the first tenant, the first user of this
21 network, ideally, we can place probably up to
22 three on this network, as opposed to three
23 different companies coming in and putting their
24 own systems, their own towers, their own small
25 cells, and also putting their equipment on

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2 additional PSEG and Verizon Telecom poles. You
3 do it once.

4 They come and they want to get into your
5 community. They want to improve wireless
6 coverage capacity in the community. They come
7 to ExteNet, and they -- you know, through
8 licensing, they are added to the network.

9 So as opposed to them adding equipment,
10 it is on the equipment already there. It
11 reduces the proliferation of new vertical
12 structures and new equipment.

13 And that's one thing about ExteNet
14 Systems. As a neutral host provider, we don't
15 care who is on our system, and so we can
16 provide to communities, as well as to benefit
17 those who are kind of regulating all of this.

18 As opposed to going down -- as opposed
19 to going to T-Mobile one week, and Verizon
20 another week, or something else, another
21 company, another contact, and having multiple
22 connections and multiple contacts, they have
23 one contact. You have ExteNet for any issues
24 or concerns that may pop up as -- you know, if
25 storms come up or something is hit by a car or

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2 whatever it may be.

3 So it is one contact, not multiple
4 contacts for the building inspector to have to
5 call. So that's a benefit that we provide as
6 ExteNet.

7 So the application -- let's start
8 getting into the application a little bit.

9 Again, this is a DAS system, just the
10 nodes. We are not putting fiber in. The fiber
11 in this case is Verizon's fiber, so they will
12 be doing the fiber.

13 We are only putting the node up, which
14 is the antenna and radios that go on the poles
15 that you see.

16 There are twenty sites. We are only
17 talking about ten tonight. We talked about ten
18 last week.

19 Four of these are existing pole sites.
20 Eleven are replacement poles, and five are new
21 pole structures.

22 The form factors are, you know, mainly
23 wood utility poles, heights ranging from 29.5
24 to 40.5 feet.

25 The antenna on top, which we will show

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2 you, is roughly two feet high. It is a little
3 cannister, two feet high and 14.6 inches in
4 diameter, and there is a shroud which holds the
5 radios and goes on the side of the policy.

6 We will show you more of these things,
7 but I do want to give you the dimensions early,
8 so you know what this application is about.

9 It was also going to be existing --
10 addition to wood poles, we are proposing metal
11 concealment poles, as well.

12 So we talked about coverage. This is
13 the map that was given us to by Verizon. It is
14 one small section of a larger map. This is a
15 twenty -- a sixty-six node system in its
16 entirety covering five different jurisdictions.

17 We are going to talk about just those in
18 Plandome Manor.

19 So you see here -- I will explain the
20 legend a little bit here.

21 Red is good, which is -- you know, in RF
22 speak is neg 65. It is one of the best you can
23 get. That's kind of right at the antenna site.

24 Then it goes down to almost kind of the
25 worst, where you are losing signal, you are

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2 losing -- you are dropping calls, you can't get
3 a call. You have -- remember the old flip
4 phone? They were able to get a call through or
5 a text through, but you are not getting any
6 data through. That is happening with the neg
7 100, 105, 110.

8 You will notice here, based on the
9 legend here, that's kind of the blue, light
10 blue area, getting into the lightish green area
11 where signal strength is bad.

12 Verizon has said, "This area is poor
13 coverage. We need to improve coverage."

14 And you see around Leeds Pond, north of
15 Leeds Pond and Plandome, as well as southwest
16 and southeast are the areas that there is a lot
17 of blue in these areas.

18 This is why we are here. This is why
19 Verizon hired us, to come in and improve
20 coverage area, improve coverage for this area.

21 They said, "Hey, guys, here's a map of
22 problem areas. Create a design that best
23 improves coverage to our standard."

24 So it is their standard that Verizon has
25 as a business entity that they want to show and

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2 fulfill for their customers.

3 So this is the coverage map that all of
4 this is based on.

5 These are the node locations, along
6 Plandome Road, Stonytown Road, Circle Drive,
7 Jansen Drive, Papermill Road, Gristmill,
8 Plandome, as well.

9 We talked about the northern section
10 last week. We will talk about the southern and
11 southeastern parts this evening.

12 There is a large file -- I think it is a
13 cell file that I distributed earlier.
14 Basically it is a worksheet that has all of the
15 node locations on there, as well as other data
16 for each node.

17 So if you don't have this sheet, I
18 believe they are up front. Please get that, if
19 you can. We will be using this a lot tonight.

20 MAYOR DONNO: Those are on the website,
21 as well.

22 MR. LAMBERT: So the website, as well.

23 MAYOR DONNO: They are on the website.

24 MR. LAMBERT: Okay.

25 Oh, and -- okay. This is a coverage

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2 map. Last week, we didn't have the coverage
3 map of the entire sixty-six node area. That
4 top left one is the entire sixty-six nodes, and
5 this one to the right is kind of centered on
6 the Plandome Manor area.

7 There is a Google Map link that I sent
8 this morning to the website as well. It
9 doesn't have the map on there, but it does have
10 the node locations.

11 It is a Google map, and you can scroll
12 right down and do a street view of everything
13 that we are doing. So you can look around and
14 see what is going on with each node. It is
15 very interactive that way, so please feel free
16 to look that over the next few days, few weeks.

17 As you see here, this is the proposed
18 network. So assuming the proposal goes through
19 and you vote to approve it, the DAS nodes that
20 will go up will go in these locations.

21 You see a big change in the earlier map
22 which had the disparity in coverage to improved
23 coverage where now you see a lot of red and
24 upper tiers, the reds and yellows and oranges,
25 as opposed to the blues within the area that we

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2 are talking about here.

3 Again, the coverage area goes over five
4 municipalities; Munsey Park, Flower Hill,
5 Plandome, Plandome Manor, and North Hempstead
6 to the north.

7 So common questions that we have been
8 asked for the last few months.

9 Obviously, you know, we have been to
10 various other jurisdictions, and over this
11 period of time, we have had a few common things
12 that pop up.

13 What is ExteNet proposing, a 4G or 5G
14 network?

15 This is a 4G network we are proposing.

16 Will network be 5G n future?

17 I have no silver -- I have no silver or
18 crystal ball. Thank you.

19 The likelihood of this network becoming
20 5G is pretty improbable, and I will tell you
21 why.

22 5G -- I don't know if you have seen some
23 of the reports in the last month or so about 5G
24 being trialed in New York and other big cities.

25 If you are under the antenna on a corner

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2 somewhere in downtown Manhattan, you will get a
3 great 5G signal. Walk across the street, you
4 lose it. You go to the Starbucks right beside
5 the antenna, you lose it. It goes to 4G, 3G.
6 It drops down quickly.

7 It is a line-of-sight technology right
8 now, the way it is being implemented in the
9 country. So because of that, we -- based on
10 the mathematics our RF engineer mentioned --
11 now, we have like twenty different sites here.
12 We would probably have to triple of the number
13 of sites if this became a 5G network.

14 Obviously, that would require, one, for
15 us to come back through for more special
16 permits, and the likelihood of it happening --
17 because DAS is very expensive, it is
18 improbable, because even then increasing, it
19 still won't -- because of the tree canopy,
20 which clutters the distance, the right of way,
21 the setback distance from homes, it really
22 wouldn't be effective.

23 So you could have a 5G network which
24 wouldn't work. It is like putting a Maserati
25 engine into an old Plymouth. It is there, but

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it is not going to be effective. It is not going to work. There is really no point in doing it.

So the likelihood of it happening, definitely in the way it has been implemented within the country, which is using a millimeter wave technology, which is what people have really come to think of as 5G, the high frequency technology, that's unlikely to come to areas which are kind of this rural, suburban, large lots, large setbacks from the streets areas.

It is really going to be in larger cities, more urban areas, where there is density that is relatively high, where the nodes are already close together, so just throwing in a 5G system makes more sense, because the nodes are already close together in those urban areas, like Manhattan, and downtown Atlanta, and downtown San Francisco, and Boston. Those areas make sense.

Plandome Manor and Plandome and Manhasset Bay and everything else, these areas don't make sense for that technology. So we

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2 haven't seen any requests for that.

3 So, also, do the RF emissions exceed
4 what is allowed?

5 That is a common question. So we have
6 an analysis by a third-party maximum
7 permissible exposure company.

8 The report is a worst-case scenario. So
9 even in the worst-case scenario, the emissions
10 are less than one percent of what the FCC
11 limits for installation.

12 So these values are within the rules
13 adopted by the FCC, which specify that RF
14 emissions should not be in excess of five
15 percent. So ours are less than one percent.

16 We already provided those reports to the
17 Village as evidence of our emissions reports.

18 Just to further discuss RF emissions and
19 how it works, this is a graph that depicts --
20 the yellow there, that is the antenna, and RF
21 emissions going from the antenna, and it is an
22 exponential decrease as it goes from that point
23 source.

24 I don't know if you know wave theory or
25 physics or anything, but the strength of the

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waves dissipates quickly, exponentially, as it leaves that point.

So as it leaves that blue section, it goes from, you know, 500 percent of MPE out to a hundred percent. It quickly goes down to five percent as it leaves, as it disseminates from that point, and down to one percent and down. Once you get past the green, it is down to zero.

So this is an antenna that is at 23 feet. All of our antennas are higher. So imagine, once it goes down ten feet or so, there is no exposure.

As far as the horizontal exposure from the antenna, some people say, "Oh, well, I have a second floor on my home, and this is at the second floor level."

Even though it may be at the street level, once you get past ten feet from that antenna point, even at the same height as the antenna, it goes down to zero exposure.

So that's the reality of how physics works and the wave frequency.

Just like -- you know, I can take these

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2 light bulbs. That's heat generating. That's a
3 radiation, radiation coming from that light
4 bulb. I can see the light bulb. I can see the
5 light emanating, but I can't feel the heat
6 until I actually walk up to the light bulb.

7 If I actually touch the light bulb, I
8 get burned. That's the heat radiation coming
9 off it. Once I leave that source, it drops
10 considerably. It drops down.

11 So waves work that way. So this is a
12 good example like that.

13 TRUSTEE O'NEILL: Just a question on
14 that graphic. Where would the fan be located,
15 the box with the fan units, you know, to scale
16 on that policy.

17 MR. LAMBERT: Well, the fan unit is, I
18 believe, ten feet above ground. So it would
19 be -- the ions, radio ions would be ten feet
20 high.

21 TRUSTEE O'NEILL: So assuming that the
22 little person is six feet tall --

23 MR. LAMBERT: Right.

24 TRUSTEE CLINTON: There is a scale.

25 MR. LAMBERT: Each one of the boxes is a

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foot.

TRUSTEE O'NEILL: Okay. So --

MR. LAMBERT: So six feet, so it would be up here (indicating).

TRUSTEE O'NEILL: That's where the box, that 32 inch by -- that box would be located at that level?

MR. LAMBERT: Yes.

TRUSTEE O'NEILL: Okay.

MR. LAMBERT: I have more graphics to show that.

TRUSTEE O'NEILL: Okay.

MR. LAMBERT: This is really just talking about the MPEs because that's a question we get often.

TRUSTEE O'NEILL: Okay.

MR. LAMBERT: Also a question we get is, what other studies are out there?

They all know the FCC hasn't updated their report since 1996, and that's not completely true.

There have been a number of studies. One of the big companies, you know, organizations that is -- it is a nonprofit,

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2 third-party organization that researches RF is
3 the International Commission on Non-Ionizing
4 Radiation Protection.

5 This organization has been doing studies
6 for decades. They did -- in '98, they created
7 guidelines for RF exposure. They did it in
8 2009. They did it recently in 2018, and
9 actually it is still being produced right now.

10 They did the draft in 2018. They are
11 publishing the new one this year or next year.

12 And all of these guidelines, the FCC
13 looks at these guidelines, not just this
14 organization, but other international
15 organizations, and reviews them and says, "Do
16 we need up to update our guidelines? Is it so
17 different? Do we need to update them?"

18 In this case, they decided, "Well, the
19 guidelines we have they were updated a few
20 years ago. No need to update based on the 2018
21 guidelines because they are very similar."

22 They all say similar things on exposure
23 limits and safety for exposure and what the FCC
24 guidelines should be.

25 So it is not just FCC creating them.

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2 They are based on international organizations
3 that are academics and engineers. They are
4 always being evaluated and looked at. So I
5 just want to put that out there.

6 If you want more information, there is a
7 WirelessHealthFacts.com, if you want more
8 information regarding other organizations that
9 have assessed safety and RF exposure and had
10 comments on that.

11 Another one is, my coverage is fine, so
12 why does the carrier need to improve service?

13 So your phone may say three or four bars
14 or you may get calls in and out. However,
15 Verizon uses very sophisticated modeling
16 information, as well as they look -- they have
17 done drive test studies of current activity.

18 They model it with future activity, what
19 is going on with the network, and these are
20 very sophisticated networks. They know where
21 the demands are within the network, just like
22 someone who controls a network server in your
23 company may be. They know where the outages
24 are. They know where slow speeds are. They
25 know where problems are within your Internet

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network at work.

Verizon and T-Mobile, they also have the ability to look at the entire system and pinpoint problem areas.

So it is not just based on call drop volume. It is based on that and a lot of other data that they collect over months, years, you know, and modeling for future use and future needs based on shifts in usage.

And in addition, there is a report, if you want to read it, a local report done by editors from Anton Media Group. They went out for Flower Hill and Plandome. They went to those sites in those communities and actually used their phones, and they checked the levels, the strength levels.

So what they found -- anybody can do this. What they found at those sites was that --

Actually, you can't really see the bottom here, but they saw most of those were sites -- were very poor or dead zones. Negative 100 or below -- negative 100 or higher. Sorry. So negative 100 to 120, they

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found. And those were areas of poor service and dead zones that they found at the other sites.

Although they didn't do any for this particular -- for Plandome Manor, the same logic and the same modeling that was -- Chris Fridrich, our RF engineer, the same modeling he used for those, he used for these. It is one big network that works together. So all of the same modeling he used.

So you can extrapolate the research to being similar or pretty much the same and consistent with what you would find if you all went to the sites here in Plandome Manor and did the same thing.

Also, there is a current question, I went to Verizon's page. I went to the coverage map, and it says our community has coverage. It is all red. So why are you here?

So you know, this is going to the actual Verizon site and, actually, this is -- the bottom here, that's kind of a Plandome Manor marker, but this really is the entire, you know -- this is New York and a lot of Long

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Island.

Everything is red. In fact, if you scroll out of this, most of the east coast is red, and there is very few, you know, white sites.

Unfortunately, although this is helpful for those who are trying to decide if they want to buy Verizon or T-Mobile -- I guess it is helpful, but for our RF engineering purposes, it is not, because we know that there are -- there are a lot of holes and gaps in these areas that supposedly are all red that Verizon has showed within their marketing and sales pitch on their website.

In fact, if you click, there is a little disclaimer at the bottom of this site, right here. If you go there and click there -- you can't read it here, but pretty much, it says that "We can not attest for the accuracy of this page or of this information. It includes areas of poor coverage, of no coverage."

So this disclaimer actually says that. Go there. It is easy to find, and it kind of explains all of the things that this

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map does not show, and it is telling.

It means, really -- it is nice for a sales pitch, but when we are actually trying to build a network off of, it is somewhat meaningless because everything is red.

That's now not how RF works, as I said earlier. You can't have the same strong signal everywhere you go. It fluctuates. It diminishes. Frequencies diminish from the point of origin.

So please go there, and you will see the same thing I saw. Okay?

Equipment details, you asked a little earlier. And I will try to keep this brief.

This is the antenna that we are talking about here, 24 inches by 14.6 inches.

It goes in -- there are two places on the pole, either on top, right there, or it will go in the comm or communications zone on the side of the pole using a bracket there.

This is the shroud. There are two radios within the shroud. There is a fan in the shroud, and there is -- the noise report was sent to the Village a few days ago.

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So you know, it is a mechanical object, the fan. So there is a noise. It cuts on during the summer to cool. It doesn't really cut on during the winter, and fall, it doesn't cut on, because it is only there to cool the units down.

And you will see on the report, at its highest, they rate it as an ambient noise at its highest. So in August, 110-degree day, a 100-degree day, if you are up on the antenna, you will hear ambient sound.

I forgot the decibel range. Maybe 35, but I'm not quite sure. But look at the report. It is on the website, and it explains everything.

That report was performed by a third party. It wasn't done by the manufacturer, so, you know, take it as you will. I think it is objective in its analysis. They do a pretty thorough analysis of the noise emitted from the fan unit.

And there is electric meter cut-off switches, as well, that are on the pole. These are smaller pieces that, because PSEG requires

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2 us to capture the electrical cost that we are
3 acquiring and not push it onto them, a meter
4 has to be on each pole to quantify how much
5 cost we are incurring.

6 So this is an example of just a
7 schematic of the pole. This is a pole-top
8 antenna.

9 Right here, roughly ten feet or so above
10 grade, is the shroud we looked at, and you have
11 a meter and cut-off switch down here below.

12 And PSEG will let us know and tell us
13 what those heights should and can be, although
14 we are presenting this right now.

15 These aren't our poles, the ones that
16 are using existing or replacement poles. They
17 are PSEG or Verizon Telecom's poles. We are
18 leasing the space from them. They own the
19 pole. They tell us what we can and cannot do
20 with their pole and what poles we can and
21 cannot use and what we can attach to the pole.

22 PSEG will not go out with us to
23 investigate and give us a detailed survey of
24 how to use the poles until the municipality has
25 approved.

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2 Assuming we get approval, then we go out
3 with PSEG to make sure our drawings fit what
4 they want. And if they want to change
5 something based on construction, based on
6 variables, anything they choose, they will tell
7 us, okay, "change this slightly," "Change that
8 slightly," "You don't have to replace this
9 pole," "You can use the existing pole."

10 Things like that, they will tell us and
11 we will mark those things, and before we build,
12 we will bring them back to Plandome Manor and
13 the building department to make sure they have
14 those on file.

15 This is an example of a communication
16 zone. So this is a comm zone antenna sitting
17 below the distribution wires, electrical wires.

18 There are times when PSEG won't allow us
19 to put an antenna on top because of safety
20 considerations, so we would have to put it a
21 little lower.

22 And as you know, with the wave theory,
23 if the antenna is lower, it disburses less. So
24 the area that it covers is less than if that
25 antenna was up higher.

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That's why those poles -- those antennas that are 150-foot towers can go for miles, while these go for literally hundreds of feet, roughly 400, 500 feet between each node, give or take.

So I will have Larry here talk about the FCC compliance considerations.

MR. WASHINGTON: Good evening.

My name is Larry Washington. I am a senior regulatory attorney with ExteNet, and Richard just asked me to explain some of the requirements regarding FCC.

I don't want to bore you to tears with this, but all of this came about in the Telecom Act of 1996 where it was determined or this was the basis for the deployment of wireless facilities around the country.

MEMBER OF THE PUBLIC: Can you talk a little louder.

MR. WASHINGTON: Sure. I'm sorry. You can't hear me? Okay.

This is the basis for FCC's regulation of wireless facilities across the country, and I would encourage you -- the FCC has links

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2 which explain some of the regulatory authority
3 and some of the -- from their perspective, what
4 local jurisdictions can do and can't do.

5 I would definitely encourage you, if you
6 have the time, to look on the FCC website.

7 But I think that some of the big issues
8 that have come up is, one, the regulation of RF
9 emissions.

10 As Richard has eluded to or expressly
11 stated, the FCC has sole jurisdiction over the
12 regulation of RF emissions. They set the
13 standard, and they insist on compliance with
14 those standards and enforcement actions.

15 That's not to say that local
16 jurisdictions can't raise concerns, but those
17 concerns would be taken up with the FCC.

18 And you can -- the local jurisdiction
19 cannot deny an application based on radio
20 frequency emissions or health effects. The FCC
21 has clearly said that compliance with the
22 regulations is all that is required, and they
23 set those standards. If we comply with them,
24 there are no other questions to be asked.

25 Regarding recent development with the

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2 FCC, the FCC -- and I think with Richard --
3 some of these bullet points Richard has already
4 mentioned about the conservative limits that
5 the FCC has set regarding radio frequency
6 emissions, worst case scenarios.

7 All of those were factored in into
8 setting appropriate levels. But again, it is
9 something that local jurisdictions cannot use
10 as a basis for denying an application.

11 One of the other things, a recent
12 development with the FCC and small cell
13 regulation is that the FCC has set up what is
14 called a shot clock.

15 A shot clock is essentially a period of
16 time that a jurisdiction has to render all of
17 its permits and approvals or denials, for that
18 matter.

19 For small cell applications, which this
20 is, the local jurisdiction has sixty days from
21 the submission of an application -- sixty days
22 from the submission of an application to render
23 a decision if it is a colocation. If it is a
24 new pole, the jurisdiction then has ninety days
25 to render that decision.

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If that decision is not made within that time frame, then the applicant can file a complaint in federal court.

There is the ability to toll shot clock, which we have done at this point in reviewing the current applications that we are here tonight to discuss.

So we are working with the -- we are attempting to work with the jurisdiction. We do want to hear from the local community, and I think that the Village attorney or counsel has indicated that your input is important. That's why there is a public record being taken.

So it is not an exercise in futility but, again, there are parameters that the jurisdiction has to operate within.

MR. LAMBERT: Thank you Larry.

So now we will go to the ten sites that we are going to be discussing this evening.

So, basically, I will show you a photo simulation of the sites. It is a simulation. It is not there now, you know, and it is not a hundred percent accurate, but it is a simulation of what, theoretically, you will see

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2 from a vantage point.

3 So on the first site, node 23, on
4 Papermill, 54 Papermill Road, this is a new
5 pole site, which would -- you know, it is the
6 antenna on top and the radios on the side.

7 This is -- just to let you know, based
8 on the sheet, this is a 37-foot pole.

9 So next we have node 24 at 90 Gristmill
10 Lane. This is a replacement pole,
11 approximately 41 foot in height. This one, the
12 antenna is in the comm zone, not on top.

13 Node 27 at 7 Papermill Road, which is
14 also a replacement light pole. So this one
15 would be an increase from -- right now the pole
16 height is 25 feet. It would go up roughly
17 28.75 feet.

18 Node 28, 189 Circle Drive, this is also
19 a replacement pole. It goes from 30 feet to
20 36.3 feet in height.

21 These are being replaced because --
22 theoretically, because PSEG want to harden
23 these sites to make sure that they are strong
24 enough to -- not only for our attachments, but
25 for future attachments of other -- for a cable

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company or uses, as well.

So this is an opportunity for them, if they choose, to increase their poles at our expense, because ExteNet pays for the increases. Though PSEG is -- it is their pole. They are actually the ones replacing -- not replacing the poles, setting the poles. So sometimes it is directly for future use of their pole that they have, and we don't always know that. They are owner. They don't have to tell us.

So node 29, this is going up from roughly 30 -- same height. So this is a -- this is an existing pole. We are not going to remove this pole. We will just put the antenna in the comm zone and the infrastructure on the side.

I am not sure you can see -- I mentioned earlier, we are trying to make these compatible with the existing infrastructure that is already there.

You can't see very well, but there is already a pole back here with a current transformer on it. These are all over our

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2 community. These transformers are probably
3 twice the size of this box here.

4 I don't know exactly the dimensions, but
5 these transformers are pretty large, but they
6 are all already throughout the community.

7 So we are trying to, you know, provide
8 infrastructure that is consistent with what you
9 have and hopefully better than what you already
10 have existing. We are not trying to add new
11 stuff to areas that have nothing around
12 whatsoever.

13 So node 33, is at 1 Stonytown Road, and
14 this is also an existing wood pole that we will
15 just not replace. We are proposing that PSEG
16 would not replace it.

17 You see the antenna in the comm zone
18 again, and there is a box at least ten feet
19 high above the sidewalk.

20 Node 35 is at 100 Circle Drive or around
21 100 Circle Drive. These are in the right of
22 way. So these are not actually on property.
23 So when I say approximate to or near, there is
24 no address for these, since the right of way
25 doesn't have an address. They are approximate

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to these addresses.

So this is a replacement pole. It will go from 31 to 36 feet approximately.

Node 37 is a replacement also at 2 Gristmill Lane. This is 24 feet currently. It is a small step pole. It will go to roughly 36 feet in height.

Node 39 is at 305 Circle Drive. It is a also a replacement pole. This would go from 35 -- 39 -- this would go from 25 feet to 36 feet approximately.

And the last one, node 40 at 1270 Plandome Road, also a replacement wood pole, going from 34 feet to 36 feet.

There are a few of these -- I can't remember offhand. I think that the current poles are actually -- this may be one of them -- currently in the property.

PSEG will remove that pole from the property and place it into the right of way, which will -- a few things it allows us to do.

One, it allows us to get off the property, into the right of way.

Secondly, there are a lot of low-hanging

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2 lines all through the area. Getting that pole
3 closer can increase those lines, which right
4 now are so low, if trucks go through them,
5 possibly it could take those lines down. So it
6 raises those lines to standards that the DOT
7 would prefer, those situations.

8 So these are the ten we are discussing
9 this evening.

10 So that's my presentation.

11 So the Village, please feel free to move
12 to the next step.

13 MAYOR DONNO: We are just going to have
14 a brief presentation by our consultants, and
15 then we will open it. The Board can ask
16 questions then, unless you have questions now,
17 the Board.

18 TRUSTEE O'NEILL: We will wait until the
19 end of the presentation.

20 MR. TAGLIAFERRI: Good evening, Mayor,
21 members of the Board, ladies and gentlemen.

22 My name is Al Tagliaferri. I work with
23 the Center For Municipal Solutions. We were
24 retained by the Village to review this
25 application for completeness and give our

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recommendations.

Basically, the main issue that we found -- we have been to each of the locations. We have looked at the material, but, basically, the main issue that we found was the proof of need for these nodes and whether any or all of them are really required.

The whole driving force behind this project is Verizon and there service deficiency.

ExteNet is the infrastructure provider that is to build the nodes and maintain the network, but it is really based on Verizon's need, their service needs.

From the maps that we received, the propagation maps for coverage, we have only received the 700 frequency LTE service, where Verizon in this area operates in four separate frequencies, and we would need to see all of the frequencies they are licensed to operate in to determine whether or not there is really a gap in service, as well as -- not just from the proposed new sites, but we also need to see the existing coverage from the surrounding

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2 adjoining sites to see how that coverage
3 propagates within the Village and where these
4 nodes may or may not be needed.

5 Basically, that's -- so without that
6 information, we really can't determine
7 whether -- whether the 20 nodes at the current
8 locations are really required.

9 As you see, several of them are very
10 visibly obtrusive. They are right at the
11 entrance to people's homes, at the driveways.

12 A lot of them are going to be new poles,
13 where -- you know, what we would recommend is
14 that, if any of these -- if they could prove
15 the need for any of these facilities, that the
16 Village be offered the option of concealment
17 structures to conceal the equipment and the
18 antennas within them.

19 And also, like you see, some of the new
20 poles that are proposed, replacement poles, are
21 right at the driveways or right in front of
22 someone's house or across the street from
23 somebody's house where, you know, based -- if
24 we could see an overall picture of the existing
25 coverage, maybe some of those nodes could be

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2 moved a hundred feet or so, around the corner,
3 somewhere where -- there may be another
4 location that is less obtrusive.

5 But again, without the full propagation
6 signal from Verizon, we really can't make that
7 determination.

8 You know, we find that the application
9 right now is incomplete based on that.

10 And also, to speak to the health and
11 safety, I know the emissions reports were
12 submitted, but we -- they were only submitted
13 with calculations for ground level emissions.

14 Being that these are on poles, utility
15 poles, where there are workers that work on the
16 utility lines, as well as a lot of mature
17 vegetation and landscaping where there is going
18 to be landscapers up on trucks that could be in
19 close proximity to the antennas, we would also
20 like to see calculations for the emissions that
21 are at the same level as the antennas. And
22 also, there could be someone's second-story
23 window in the vicinity.

24 But there was a graphic that was
25 submitted, but we would also want to see the

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2 math behind it, basically, like was shown to
3 the ground level, to show the actual distances
4 so, you know, the community could confirm and
5 feel safe.

6 That was just another part of the
7 missing material that we would like to see.

8 But again, the main issue that we found
9 was the need for Verizon's service and, you
10 know, we are just seeing one frequency, and
11 without the adjoining service from the
12 adjoining sites and the other communities, you
13 know, we really can't confirm that these are
14 actually needed at each location.

15 And due to the visual obtrusiveness, you
16 know, we would need more information before we
17 could say yes to any of this.

18 So we would -- at the moment, we find
19 that -- we are working with the applicant to
20 try to come up with the material, but at the
21 moment, we find that it is still incomplete as
22 to this project.

23 MAYOR DONNO: Thank you.

24 Let me open it up for the Board for a
25 few minutes. Any questions?

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We are just going to go back up to the dais, and it will open up some seats.

(Pause in the proceedings.)

TRUSTEE CLINTON: I'll kick it off.

Obviously, for those of you that weren't here last week, we had a bit of a marathon session and a similar presentation by both parties that just presented here.

And you know, one of the obvious things that came up that we still haven't really gotten a lot of clarification on was the disproportionate amount of nodes selected for the Plandome Manor Village as a part of the overall project, twenty nodes versus a total of sixty-four or sixty-six.

MR. LAMBERT: Sixty-six.

TRUSTEE CLINTON: So roughly thirty-one percent for less than, you know, ten percent of the geographical area for the total five jurisdictions under consideration, and less than that of the population, and we never really got a clear explanation as to why.

We did get a few different interpretations. One is that it was part of a

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2 complex network that was a result of some
3 algorithms that covered the entire five
4 jurisdictions most efficiently.

5 But contrary to that, we got
6 explanations that, you know, each node only had
7 coverage of 500 feet, and that we had cluster
8 nodes in areas that had, you know, very sparse
9 populations that seemed, you know, very much
10 over represented.

11 So that was an unresolved area of
12 conflict for me.

13 You know, the safety issues -- we said
14 this is not about safety. We said safety is
15 not allowed to be addressed in this
16 conversation, yet we spent a good bit of the
17 conversation saying that we were well below the
18 five percent minimum, in fact, one percent of
19 the five percent FCC recommended allowable
20 guidelines.

21 But those studies were only taken at the
22 ground level. We haven't been presented with
23 evidence, and as you pointed out, we don't have
24 any sense of what the emissions are at the
25 elevated levels where people are most affected.

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We talked about Verizon being the impetus for this contract and why you are here presenting to us, but, obviously, there are several other carriers interested in accessing our area.

You know, so each pole can carry up to three or four different carriers. So we talked about what impact that would have on the emissions, and it was speculated that that would be minimal, like take it up from less than one percent to slightly more than one percent, 1.2 percent, but we don't have any evidence of that either. So that was sort of disturbing.

And there is supposed to be a process, similar to this process, for approvals of each carrier, but yet we talked about poles carrying three or four different carriers without actually discussing the process.

So that sort of raised some concern from our standpoint.

You know, we talked about coverage and capacity, that this issue was about coverage and capacity, you know, but yet, if you go

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2 underneath each of the proposed sites, the
3 coverage actually seems pretty darn good with
4 respect to your cell phone reception.

5 So it seems more about capacity than it
6 does coverage, and that leads to the question
7 of need, as most of us have, you know, online
8 services in our homes.

9 We don't have capacity issues, and I
10 know that's not Verizon's concern, but this is
11 meant to service the residents, not Verizon
12 necessarily, and that's why we are here.

13 So that issue of capacity, to me, was
14 not really -- was not really proven.

15 So I come out with a lot of questions
16 and, you know, we haven't really had any
17 clarification today. We certainly rehashed the
18 presentation from last week.

19 So there is still a lot of uncertainty
20 and a lot of information that I need in order
21 to make an intelligent decision on this.

22 Those are more observations than
23 questions, I guess.

24 You know, you indicated that you are
25 sort of doing us a favor by moving the poles

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2 into the approved setback region from private
3 property, but, in fact, you couldn't access
4 those poles if they were on private property,
5 so I don't get the sense you are doing us any
6 favours there.

7 And you know, again, like our
8 consultants, I would like to see the map on the
9 efficiencies of the algo that justifies twenty
10 nodes being put in our little hamlet as a
11 percentage of the total.

12 I have got to think there are more
13 efficient ways and more aesthetic means to
14 achieve an objective, whether there is any need
15 at all.

16 So those are just some preliminary
17 thoughts on my side. I don't know if those
18 address any of your concerns, but I know I
19 certainly need more information.

20 MAYOR DONNO: Pat?

21 TRUSTEE O'NEILL: Matt brought up some
22 points that I wanted to make, but I just want
23 to add to that.

24 The video that you showed us spoke of
25 cities and crowded spaces, and we don't have

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2 crowded spaces.

3 We have all residential -- and we are a
4 small village. We are not a town. We are not
5 a city. We are a small village.

6 So I think that that video really didn't
7 pertain to us. I think that, again, capacity
8 is not an issue here and, again, we didn't ask
9 for -- we never reached out for faster service
10 or increased capacity.

11 The other just observation, post Sandy,
12 Superstorm Sandy here, we had a lot of damage
13 to our utility poles and overhead wires, and I
14 think -- you know, something that was asked of
15 the Village is why do we even have overhead
16 wires now? Why do we have poles? Why can't
17 everything be buried?

18 It seems a little antiquated. So when I
19 see those nodes, and the antennas, and the
20 boxes, and the fans, and all of this stuff, and
21 the electric meter being added to poles or new
22 poles for this particular thing, I sort of
23 think, you know, it is a little antiquated.

24 It seems almost -- is there a better way
25 to get this service in, sort of? Is this a

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2 quick, easy, profitable solution for you, kind
3 of at our expense?

4 The other thing that I just wanted to
5 add is, our village has a pretty strong
6 Architectural Review Board and a Zoning Board
7 of Appeals, and it is there for any change to
8 the exterior to a building. It is there really
9 to preserve an aesthetic and a look to this
10 village.

11 It is a publicly-noticed -- they are
12 publicly-noticed meetings, and the applicant
13 needs to show, not only the change to their
14 house and how it affects their property, but it
15 also needs to show how it affects the
16 surrounding areas.

17 And, you know, I think, again, the
18 photos and the graphics that you have shown of
19 these individual poles, you know, somehow
20 doesn't show the full context aesthetically.
21 So you don't really get the sense of what it
22 looks like, you know, a view looking up the
23 street in context with other poles, with the
24 homes. It doesn't really show the view from
25 the home where these poles are located in front

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2 of.

3 So I just think that it falls short of
4 our village, and it's pretty strong aesthetic
5 rules and regulations.

6 Let me see if I just wanted to say
7 anything else.

8 No. I think some other things have been
9 covered, and I am sure tonight we will hear
10 from the residents.

11 MAYOR DONNO: Thank you. Tony?

12 TRUSTEE DESOUSA: Nothing.

13 MAYOR DONNO: Jim?

14 TRUSTEE BAYDAR: Nothing right now.

15 MAYOR DONNO: I will open it up to our
16 residents.

17 MEMBER OF THE PUBLIC: I have a quick
18 question for clarification from the
19 presentation.

20 TRUSTEE CLINTON: Please state your name
21 and address for the record.

22 (Inaudible.)

23 MR. LAMBERT: We are keeping a record,
24 so if you could speak up to make it clear --

25 MEMBER OF THE PUBLIC: Her name is Nancy

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Takahashi, 8 Luquer Road.

MS. TAKAHASHI: T-A-K-A-H-A-S-H-I, 8
Luquer Road.

Quick question. You kept talking about
existing poles you are leasing from PSEG. Then
who owns the brand new poles that are going up?

MR. LAMBERT: Those would be ExteNet
poles.

MS. TAKAHASHI: Wait. So you own a pole
that is on our village road.

MR. LAMBERT: Just like PSEG -- we are a
public utility, so just like PSEG owns a pole
that is in the public right of way, as a public
utility, we would own a pole in the public
right of way. The same rules would apply us to
as PSEG.

MS. TAKAHASHI: Five brand new ones are
going up, so they own it on our property?

MR. LAMBERT: In the right of way. Not
your property.

MS. TAKAHASHI: This form, I think this
is new from last week. Is this the exact same
one?

MR. LAMBERT: Yes.

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MS. TAKAHASHI: I see these like red dots else where. There is node 10, 12, 11, 13, 17, right around the Plandome area, Plandome Manor area. Are those the ones that are proposed in Port Washington?

MR. LAMBERT: Yes.

MS. TAKAHASHI: So you are telling me, right behind my house -- so you are proposing to put one right in front of my house and right behind my house and right next to my house because we don't have enough coverage for four houses?

MR. LAMBERT: Roughly 500, 600 feet apart, but unless your lot is that large --

MS. TAKAHASHI: I mean, could you see. I mean --

MR. LAMBERT: The three you are looking at now along --

MS. TAKAHASHI: There is one, two, three, four, five -- I mean, six really.

MR. LAMBERT: I sense a Google Map out, and also, there is a Cam Z, which is a Google Earth map, as well that we -- that Randi may be able to put on line where you can do a distance

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2 calculator from node to node, as you get the
3 distances. So we can do that, but you also can
4 do that, and you will see --

5 (Whereupon, all speaking at the same
6 time.)

7 MR. LAMBERT: They are averaging 500,
8 600 feet in most situations.

9 TRUSTEE CLINTON: Averaging or --

10 MR. LAMBERT: They are around. There
11 are a few that are maybe a little less and a
12 few a little more, but they are around there.

13 MR. KATTAN: Eric Kattan from 21 Circle
14 Drive.

15 You didn't answer the questions --

16 MAYOR DONNO: I'm sorry. Say it again.

17 MR. KATTAN: Eric Kattan, K-A-T-T-A-N.
18 Sorry.

19 You didn't answer the Board's questions.
20 You just presented a bunch of questions. There
21 was no answer given.

22 MR. LAMBERT: There were statements that
23 they had. We can answer the questions you have
24 if --

25 MR. KATTAN: Why don't you just -- you

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asked a bunch of questions.

VILLAGE ATTORNEY FARRELL: They are going to provide us additional information. I don't think they are prepared to answer that question specifically tonight.

You were here on Thursday when it --

MR. KATTAN: The same questions were asked then.

VILLAGE ATTORNEY FARRELL: -- when it was --

It is the same explanation. This is part of a network of antennas, sixty-six antennas, and why they selected twenty locations in Plandome Manor is because that's what -- their testimony is, that's what the propagation map shows they need to cover the gaps that Verizon has identified in the coverage. That is their testimony.

Now, they have to prove that testimony and they have given us some evidence, but not enough to satisfy our RF expert, our cell experts.

They are going to provide that additional information, and we will have that

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before we make any decision, before the Board makes any decision.

MR. KATTAN: Okay.

MAYOR DONNO: Yes, sir?

MR. OWEN: Conrad Owen, O-W-E-N, 1270 Plandome.

What is PSEG'S access?

MR. LAMBERT: They will have -- they have full ability. They can tell us -- in fact, a year from now, if they have something else they want to do with that pole, it is part of the agreement that they have the right to remove us or any other third-party attachment.

MR. OWEN: Can they keep you from accessing it for this?

MR. LAMBERT: Not for this, no, but for other reasons. If they have reasons to deny attaching, they can do that, but if they allow one company to attach, like a cable company to attach, and not us, that's actually illegal.

TRUSTEE O'NEILL: To add to that gentleman's question, so if you are denied access or you are kicked off of a pole, utility pole, then would you just put another one right

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2 next to it? Could you possibly put another one
3 right next to it to fill that void?

4 MR. LAMBERT: We would have to come back
5 to a special use process to add another
6 location.

7 MR. OWEN: So a follow-up to that would
8 be, if they only -- if it only has electric
9 service on it now, they can deny it?

10 MR. LAMBERT: No.

11 MR. WASHINGTON: No.

12 MR. LAMBERT: I will let Larry speak to
13 that.

14 MR. WASHINGTON: The Federal
15 Telecommunications Act that I referenced
16 earlier permits us to go on public utilities,
17 the electric companies, municipal utilities,
18 because they also allow cable companies to
19 attach to those poles, as well, and they cannot
20 discriminate between wireless carriers and the
21 cable companies.

22 MS. OWEN: Since I have the mic, can I
23 ask a question?

24 Elizabeth Owen, 1270 Plandome Road.

25 Among many concerns, I have two big

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ones.

They are aesthetics, visual clutter, all of this equipment going on a pole that is in the corner front of our property is node 40, and how that ties in to, ultimately, property values, because like many people in the community, even a five percent dent, you are talking six figures. And if you look at the impact on one home, it will flow through to all of the other homes.

But aesthetically, among many things, what I am concerned about is the signage. I read the Village Code on this. It is chapter -- whatever it is, section -- I have it here, 225, under the zoning, and I see that the signage, letter N, that the Village is requiring up to a four square foot sign on the equipment box to notify persons in the immediate area of the presence of RF radiation or to control exposure to RF radiation within a given area.

All of these computer images, there is no signage, and all of the boxes are turned towards the private homes.

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I am concerned about the future value of my home, and it is not only the equipment, but now you have got a sign on it, and I have been looking on line. There are warning signs. And I know there are intended largely for workers on the pole, but any prospective buyer seeing a sign alerting and educating and scaring away, or just someone who is not informed --

I mean, we have all had to kind of rapidly get up to speed on this, and even if we are okay with something, it doesn't mean a future buyer will be.

So I would like to see examples for every proposed node, twenty of them, all of the signage, because you are showing a pretty box turned around that is kind of flush with the environment, but there is more that hasn't been revealed.

TRUSTEE CLINTON: I think that's a fair point that hasn't been brought up.

MR. WASHINGTON: We can certainly provide examples of signage.

As to the issue of aesthetics, again, the FCC said that local jurisdictions can take

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2 into consideration aesthetics, but they said
3 that taking that consideration, it has to be
4 something that is written out, that is
5 reasonable, that is articulatable.

6 So it is not like aesthetics are off the
7 table, but you just need to articulate, and I
8 think I heard one of the trustees indicate that
9 there is a very active zoning board and
10 architectural commission that has standards, as
11 well. So --

12 But they have to be articulatable, and
13 they have to be reasonable, and they can't
14 result in a blanket denial of any sort of
15 coverage.

16 MAYOR DONNO: You had your hand up in
17 the back.

18 MR. LAM: Michael Lam, 7 Elm Sea Lane.

19 So this obviously is for profit, meaning
20 you can't say this is for our good, you know,
21 for coverage or capacity.

22 Everybody here has a cell phone. You
23 turn on your Wi-Fi calling, you probably get
24 more coverage and more capacity. So this is
25 obviously to enhance Verizon or whoever's

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1 network.

2
3 So somebody is profiting from this, and
4 what do we get out of this?

5 If her home value goes down --

6 MEMBER OF THE PUBLIC: Exactly.

7 MR. LAM: Where is the money going? Are
8 there any restrictions on future build outs,
9 maybe 6G, 7G? It is more powerful, more
10 radiation, right?

11 MR. LAMBERT: Well, yes. We don't know
12 what 6G looks like or any other build out.
13 There are no standards for those.

14 MR. LAM: Once you build an
15 infrastructure there, you can expand on that.

16 MR. LAMBERT: Well, as I said earlier,
17 there are limitations on expanding. It
18 requires new poles or a considerably new form
19 factor of equipment. We have to go through a
20 special permit process, just like we are doing
21 now to add certain elements to that.

22 It is not a 5G, so I can't speak to 5G,
23 and there is no 6G standards out there, so I
24 definitely can't speak to what 6G might look
25 like. 5G may even look different in two years.

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We have no idea.

Regarding -- this is a business. I mean -- well, Verizon has customers. It feels it needs to enhance its coverage to maintain its customer base, and possibly get people to transfer over from other companies to Verizon.

So yes, there is a motive, a customer motive, but at the same time, this is just like PSEG improving its infrastructure or any other infrastructure provider coming in every few years or every few decades and saying, "I need to upgrade this space to certain things."

It is a cost. It is a liability for the most part.

MEMBER OF THE PUBLIC: Wow, really.

MR. LAMBERT: But it is --

MEMBER OF THE PUBLIC: You guys work for liabilities, huh?

TRUSTEE CLINTON: Excuse me.

MR. LAMBERT: Well, I am saying improving infrastructure is a liability. I mean, you hope more customers come on, but -- you know, Verizon and anybody else, but there is no guarantee. So --

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MEMBER OF THE PUBLIC: You are guys are
in the liability business. I get it.

(Whereupon, all speaking at the same
time.)

MR. LAMBERT: Well, first of all --

VILLAGE ATTORNEY FARRELL: Everybody
hold up.

MEMBER OF THE PUBLIC: That's a bullshit
answer.

VILLAGE ATTORNEY FARRELL: Excuse me.
Sir.

MEMBER OF THE PUBLIC: It is.

VILLAGE ATTORNEY FARRELL: We are trying
to keep a record.

MR. DIPIETRO: Michael DiPietro, 15
Luquer Road.

That is a bullshit answer.

VILLAGE ATTORNEY FARRELL: All right.
We don't appreciate the language.

We would appreciate a little bit more
decorum and a little bit more civility.

MR. DIPIETRO: I will, if I can get a
real answer out of these people.

VILLAGE ATTORNEY FARRELL: What do you

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mean?

MR. DIPIETRO: That is an absolute crap answer.

VILLAGE ATTORNEY FARRELL: I understand, but he is trying to give the best answer he can under the circumstances.

MR. DIPIETRO: We have wasted how many hours discussing this, right? It is disgusting. Have that on the record.

VILLAGE ATTORNEY FARRELL: That's fine.

MR. LAMBERT: Just like a company that works for PSEG, a contractor, would come in and improve PSEG'S infrastructure, they are paid to do that.

At the same time, we are paid as a company. That is our business model. We are not a nonprofit. We are a private, for-profit company, and yes, we get paid to enhance capacity, coverage, to build out a network.

But, again, DAS is more expensive than just going up and building a macro site, much more expensive.

There is a reason why they haven't tried to put a macro here, for various reasons

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2 probably, but if they could put a macro site in
3 the middle of the community, 150-foot pole, a
4 macro site, they probably would, and that would
5 keep them from having to purchase a lot of
6 infrastructure and DAS and small cell.

7 So yes, we -- you know, they have a
8 budget for infrastructure, and yes, part of
9 that budget goes to ExteNet to build
10 infrastructure, just like any other company
11 that wants to, you know, improve their
12 building, improve anything else. There is a
13 budget that goes to expenses, and this is an
14 expense for Verizon or T-Mobile or anybody else
15 that is part of their yearly budget, and we
16 siphon off part of that budget.

17 MS. MARCHESALA: I have a concern.

18 Maria Marchesala, 31 Elm Sea Lane.

19 In your model that you are showing us
20 there, Elm Sea Lane and that area around there
21 is very hilly. So I would like to see if they
22 show elevations in their projections because
23 the poles at 30 feet are at my home's level of
24 a person.

25 So I think that should be included,

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because you are basing it on flat land, and it is not flat land.

MR. LAMBERT: We based it on -- we are basing it on the height of the land that the node is on.

So there is elevation above sea level? Is that what you are --

MS. MARCHESALA: The surrounding homes are not at that same level.

MEMBER OF THE PUBLIC: It is very hilly.

MR. LAMBERT: True. Okay.

MEMBER OF THE PUBLIC: It is very hilly, so if there is there a node several houses down from someone's home, that can be eye level with that home, less than 500 feet.

TRUSTEE CLINTON: It speaks to the study of the request of the emissions at the box level.

MR. LAMBERT: I did speak to the emissions and the distance from the node.

MEMBER OF THE PUBLIC: It goes to the consultants request for more information, right?

TRUSTEE CLINTON: In theory.

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MAYOR DONNO: Excuse me?

MEMBER OF THE PUBLIC: The consultant's request for more information.

MAYOR DONNO: Yes, yes. Absolutely. We are not done with asking for information.

MS. MARCHESALA: My point is, topography needs to be included.

MAYOR DONNO: No, I totally understand what you are saying.

MS. MARCHESALA: That's my concern.

MAYOR DONNO: I totally understand. You have a hand up?

MS. CUNEO: Nancy Cuneo, 4 Circle Lane. I have three points.

One happens to be that the 1996 FCC reporting, that's how many years ago?

I mean, obviously, you don't have a more recent report, but as we all know, the Port Washington Water District is suing Dow Chemical and everything else, so you can't tell me that that particular report is not going to affect us today or in the future, as far as those nodes. We don't know that.

I know you can't base your choices on

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2 knowledge that you don't have, but that is
3 certainly a concern, and I think it is a
4 concern for all of us. That's one point.

5 The second point is that the algorithms
6 that were presented by Verizon I think is an
7 unacceptable and deceiving presentation to the
8 Village or anybody else, for the fact that --
9 when were they -- I don't know or understand
10 the numbers that you were saying, but they are
11 not correct, and why would you try and deceive
12 the Village or any other area, as far as, you
13 know, what you are presenting to us.

14 MR. LAMBERT: I'm not sure what not
15 correct numbers.

16 MS. CUNEO: The consultant was talking
17 about the algorithms that were presented where
18 700 --

19 MR. TAGLIAFERRI: Well, it just wasn't
20 complete. There was only one frequency when
21 Verizon has four --

22 MS. CUNEO: Okay. So basically -- I
23 mean, it is incomplete information that is
24 being misrepresented to the people in the
25 Village.

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MR. DIPIETRO: And Verizon is unwilling to present the rest of the information?

MS. CUNEO: The third thing that I think that all of us is talking about is, here you are trying to place this equipment in many parts of our neighborhood, but you are only going to be carrying three carriers on that one particular node. So --

MEMBER OF THE PUBLIC: Or four.

MS. CUNEO: So that just opened the door who anybody else who is going to come in saying, "Well, they have got it. We should be able to put a node, too, to carry these other four carriers," or whatever the case may be.

So it is a literally a can of worms that is going to get opened, and it is going to destroy our little village.

And one percent to five percent, as far as what the exposure is, I am not willing to take that gamble with my family. And my neighbor here, that's literally out his front door.

I mean, it is so like disgusting, and it is not a word I would typically use, but it is

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not acceptable. So you have got to really go back to the drawing board.

If this is something that you are looking for, it has to be something agreeable and safe, as well as give us proper information to base this decision on.

MR. LAMBERT: Just to clarify, this application right now, Verizon is the only tenant. We have not received requests from any other carriers to come onto this network. That may happen eventually; it may not.

MEMBER OF THE PUBLIC: Are you kidding?

MEMBER OF THE PUBLIC: Let's be realistic.

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: Everybody -- folk, folks, we are trying to keep a record. We can't have cross talk.

MR. LAMBERT: The point is I don't know what could happen. They may come and --

MEMBER OF THE PUBLIC: Of course, it is going to happen.

MS. CUNEO: You don't know, factually,

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but you do know -- you know that that is going to happen.

MR. LAMBERT: Well, I don't --

MEMBER OF THE PUBLIC: Probably.

MS. CUNEO: Common sense.

MR. LAMBERT: It can happen, definitely.

The way it is designed, we -- the radios right now, based on the technology that we are using right now, could possibly get up to three or four carriers and based on --

MEMBER OF THE PUBLIC: Now, it is four carriers.

MR. LAMBERT: Well, four carriers total right now, yes.

MEMBER OF THE PUBLIC: You said three before.

MR. LAMBERT: The way it is designed, it can get up to three carriers, possibly four carriers or less, depending on the form factor of what they use.

The technology we don't have before us, so we don't know how many carriers we could get on this eventually.

TRUSTEE CLINTON: For the record, it

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2 would be helpful for the residents and the
3 Board for you to be on the record to let us
4 know what the process would be if additional
5 carriers did reach out and want to leverage the
6 proposed equipment, assuming it was
7 implemented.

8 MEMBER OF THE PUBLIC: What did you say?

9 MEMBER OF THE PUBLIC: We can't hear
10 you.

11 VILLAGE ATTORNEY FARRELL: I think
12 before we get there, there are two things, just
13 to clarify.

14 First, additional carriers does not mean
15 you are going to be putting in additional
16 poles. They would go --

17 MEMBER OF THE PUBLIC: It is additional
18 boxes.

19 VILLAGE ATTORNEY FARRELL: From what you
20 are saying, it would be within the shroud that
21 you have, you can accommodate your carriers.

22 MEMBER OF THE PUBLIC: No, no. It is
23 additional shrouds.

24 MR. LAMBERT: It could be additional
25 shrouds.

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VILLAGE ATTORNEY FARRELL: It could be additional shrouds. Okay.

MEMBER OF THE PUBLIC: It will be.

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: But it won't be additional poles. If AT&T wanted to come in, they wouldn't put a pole right across the street. They would want to be on your --

MR. LAMBERT: Ideally, yes.

MS. OLIVIERI: To echo that, I want to say --

VILLAGE ATTORNEY FARRELL: Ma'am --
ma'am --

MS. OLIVIERI: Liz Olivieri, 17 Elm Sea Lane.

MAYOR DONNO: Just let John finish.

VILLAGE ATTORNEY FARRELL: We are still trying to finish.

Larry, can you address -- I'm sorry.

Mr. Washington, can you address the Telecommunications Act of 1996 and clarify that for the people?

There was a question about that being

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the last time the RF emissions were studied.
Can you shed any light on that?

MR. WASHINGTON: As we indicated, and as was in the testimony that was presented at our meeting last week, the FCC has looked at those standards and continues to look at those standards.

There were questions that came up regarding the implications and consequences of 5G.

The FCC looked at the 5G, the exposure limits and said that they felt, based on their examination of other independent health organizations and agencies, that the limits that had been established earlier were still safe and effective limits.

It is not like they set them in 1996 and then walked away. They are constantly under revision. They are constantly looking at information from other organizations, independent of the FCC, that evaluate those standards and exposure limits.

MR. DIPIETRO: When was the last formal opinion?

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MR. LAMBERT: 2018, actually.

MR. DIPIETRO: 2018?

MR. LAMBERT: Yes.

TRUSTEE CLINTON: 2018 is when they
looked --

MR. DIPIETRO: For the record, what is
the act or amendment to that agreement?

MR. WASHINGTON: I'm not sure that I
understand your question.

MR. DIPIETRO: You are saying -- what
was the conclusion? Right?

If something was actually discussed and
concluded, there should be a record, right?

So for the record, right, what was that
record? That's all I am asking.

MR. WASHINGTON: My understanding was
that they issued a policy statement. If you
like, I will go and find that.

MR. DIPIETRO: You should.

MR. WASHINGTON: And submit it to the
Board.

MR. DIPIETRO: You should, and you
should give it to the Board.

MR. WASHINGTON: We have no problem

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2 sharing that.

3 MR. DIPIETRO: Okay. Thank you.

4 MS. OLIVIERI: 17 Elm Sea Lane, Liz
5 Olivieri.

6 I echo what the Board is saying,
7 particularly Patricia O'Neill.

8 I sat on the DRB for several years after
9 having renovated my own home, and the process
10 we put our residents through is extensive,
11 showing samples, siding, you know, pavers,
12 whatever it is.

13 If I were to erect a sign in front of my
14 home, every one of you would be coming by and
15 taking it down.

16 So I am not for this in any fashion, but
17 I -- what Matt Clinton shared and the concerns
18 and the observations, I agree with. So I
19 really hope you will hold this company to a
20 greater standard than we even hold our
21 neighbors to for what we put in our -- outside
22 of our property for everyone to see.

23 MEMBER OF THE PUBLIC: The
24 aesthetics are --

25 (Whereupon, all speaking at the same

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2 time.)

3 MAYOR DONNO: Go ahead, sir.

4 MR. SIEGEL: Jed Siegel, 7 Rock Hollow
5 Road.

6 I have two questions.

7 One, as you mentioned, concealment
8 shrouds or concealment structures, is there a
9 picture of what something like that looks like?

10 And secondly --

11 I don't suppose you are going to pull
12 out a picture right now?

13 MR. LAMBERT: Well, yes. I have
14 digital. I can turn it on and show you again.

15 TRUSTEE CLINTON: Basically, from what I
16 gather, it looks like an aluminum street pole
17 with nothing on it, just a plain aluminum pole.

18 (Whereupon, all speaking at the same
19 time.)

20 MR. SIEGEL: So it is a replacement pole
21 altogether.

22 TRUSTEE CLINTON: It is a replacement
23 pole with all of the works on the interior.

24 MR. SIEGEL: Okay.

25 MEMBER OF THE PUBLIC: Can't they also

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2 be --

3 TRUSTEE CLINTON: Is that fairly
4 accurate?

5 MR. LAMBERT: Yes. We work with
6 manufacturers who can manufacturer different
7 types of poles from ones with very ornamental
8 to kind of standard ones, different bases and
9 different sizes.

10 MR. SIEGEL: My second question is --
11 the way I am understanding what you just said
12 about, if you build it, my guess is they are
13 going to come.

14 I mean, you put up the antenna and you
15 have the shroud, the radio thing, whatever it
16 is called --

17 MR. LAMBERT: Within the shroud, yes.

18 MR. SIEGEL: That antenna can handle
19 more shrouds. Is that how to works?

20 MR. LAMBERT: Yes.

21 MR. SIEGEL: Or it works inside the
22 existing shroud?

23 MR. LAMBERT: Well, for the one antenna
24 -- we don't add new antennas. The antenna has
25 ports within the antenna, that those ports are

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just connected to the --

MR. SIEGEL: So there would be additional shrouds on the pole.

MR. LAMBERT: Yes. Yes. Well, it could be additional shrouds on the pole.

MR. SIEGEL: Because you have the capacity because you have an antenna there.

MR. LAMBERT: Right.

There are situations where we have been able to, based on the configuration of the new radios, if a new company comes in, to have a new shroud that shrouds the antennas, but all types of different configurations.

Not knowing what type of equipment the next carrier may come in with, I can't really tell you what it is going to look like until they actually come in with a proposal.

MR. SIEGEL: Just today, would you say likely that there would be additional boxes for shrouds put on those poles?

MR. LAMBERT: If they come in with the same equipment that we are using for Verizon, yes.

MR. SIEGEL: Thank you.

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MR. DIPIETRO: For the record, last week, they did say, if you build them, they will come.

MR. SIEGEL: Okay. I must be clairvoyant.

(Whereupon, all speaking at the same time.)

MR. SPERBER: Elliot Sperber, 39 Circle Drive.

Just on the question of -- I think everyone here is agreeing to the pretty obvious thing, that there is some what of an arms race concept to it. There is an economic concept, and I understand that Verizon is putting capital into this with the idea they are going to get more customers to come over and maybe have better service.

The other carriers are not going to sit by and let all of their business go to Verizon. They are then going to do the same.

So we don't know the future, but we know the future. We know there is going to be that concept.

My main concern is, even if it was one

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2 node or one box, whatever, from those pictures,
3 it looks extremely ugly. And the concept that
4 there is other ugly stuff in our neighborhood
5 doesn't really work for me. It just is an
6 additional ugly thing that I frankly don't
7 think we need, and I think it will have a
8 signatures impact on home values.

9 MEMBER OF THE PUBLIC: Absolutely.

10 (Whereupon, all speaking at the same
11 time.)

12 MR. SPERBER: And we are now going into
13 an unknown situation where your home value is
14 going to decrease, one, because there are these
15 ugly things --

16 MEMBER OF THE PUBLIC: Dramatically.

17 MR. SPERBER: -- right in front of your
18 house, and two, because we obviously are having
19 all of these concerns.

20 I have been to these meetings before.
21 There is never this many people in the room.
22 People are obviously concerned.

23 So a prospective buyer is going to look
24 at the house and they are not going to have the
25 benefit of having sat and had a conversation

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with you.

They are just going to look and say, "I am going to a different area where there is not a pole across the street," even if they don't understand it and all of the wonderful benefits of it.

We, obviously, are not going to know, but I think that it is a very significant potential risk that home values deteriorate in a meaningful way by putting these up there.

The third thing is, there has been a lot of e-mails floating around on our local chat groups and whatnot. As I mentioned, there is a full room here. There was a full room on Thursday. There is a lot of people I know that couldn't make it, but are very concerned.

This is a situation where Verizon is saying, "We are doing you a favor. We are doing something to help you," and everyone is saying, "We don't want this."

So there must be some list of, here are all of the residents within this area -- because, again, you are saying that these antennas affect a small geography around where

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2 the antenna is placed.

3 There must be a long list of people that
4 couldn't make it to this meeting that are in
5 favor, that are saying, "Verizon, please fix
6 our service. Please improve things, and we are
7 the residents who want this."

8 Because right now, all I have heard is
9 people that don't want it. So it is a weird
10 concept of saying, "We are going to do things
11 better for you. You can't do anything about
12 it. The FCC made the rule, and you can't do
13 anything, and it is to help you."

14 And everyone is like, "We don't want it
15 at all." And that seems to be pretty
16 consistent.

17 I don't think there is any data point of
18 anybody who is in favor or who has said that
19 there is any concern.

20 I mean, obviously, we are all putting
21 forth another concept because no one has cell
22 issues. Nobody is saying, "Oh, thank God. I
23 couldn't get a cell signal and now there is a
24 cell signal."

25 MEMBER OF THE PUBLIC: Or data issues.

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(Whereupon, all speaking at the same time.)

MR. SPERBER: So nobody is having any concern. You are solving a problem that nobody feels exists, and nobody is in favor of it, and it is all being done under the guise of helping us, which nobody agrees with.

And the only tangible thing I see coming out of this is our home values are going to drop at a pretty significant pace.

And we can all agree that there is nothing that can prevent all of the other carriers from coming in, because that's just how business works.

MR. LAMBERT: Thank you.

(Whereupon, all speaking at the same time.)

MAYOR DONNO: Hold on a second.

Kate?

MS. DUNNE: Kate Dunne from 71 Circle Drive.

MAYOR DONNO: Can you take the microphone, please?

MS. DUNNE: Everybody here has said many

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things that I agree with, and I want to, first of all, thank the Board for your due diligence and your comments.

I know you are trying really hard to get all of this information that is not very easy to get from the company, and I am grateful to you for doing what you are doing on our behalf.

But I also want to reiterate a couple of the things that I have heard here, and I wanted to make several points.

I did send a letter to the Village, which probably didn't arrive today, and so many people have spoken and said many of the things that I would say and that I said in that letter.

I am just going to read you one small part of that letter for the benefit of the residents here.

"I am a real estate agent with Daniel Gale Sotheby's in Manhasset, and it is, in my opinion, that the installation of these nodes will definitely have a negative impact on our property values.

"I would like to tell you that there was

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2 a survey conducted in June 2014 by the National
3 Institute for Science, Law, and Public Policy
4 in Washington, D.C., and that survey was titled
5 'Neighborhood Cell Phone Antennas and Towers:
6 Do They Impact a Property's Desirability?'

7 "Well, that demonstrates that
8 homeowners, buyers, home buyers, and renters
9 are less interested in properties located near
10 cell towers or antennas, as well as in
11 properties where a cell tower or a group of
12 antennas are placed on top of or attached to a
13 building."

14 So they studied for both commercial and
15 for residential. I will just give you the
16 residential points.

17 Ninety-four percent said a nearby cell
18 phone tower or group of antennas would
19 negatively impact their interest in a property
20 or the price they would be willing to pay for
21 it.

22 Seventy-nine percent said, under no
23 circumstances, would they ever purchase or rent
24 a property within a few blocks of a cell tower
25 or antenna.

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Eighty-nine percent said they were genuinely concerned about the increasing number of cell towers and antennas in their own residential neighborhood.

I can tell you from my own experience that --

MEMBER OF THE PUBLIC: Professional experience.

MS. DUNNE: -- that curb appeal, the look of our village, or the aesthetics are very important.

And I can tell you that I have driven up to a home, not in this village, but somewhere else, and the customer takes one look and says, "No. Not even going in. I don't like it. I don't like it. I can see the water tower in the distance."

A water tower. Water tower is not sending out any emissions. In the distance.

"No. Let's go on to the next. There are other houses I can look at."

It happens all the time. People make a snap decision.

Now, whether there is -- I'm not even

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going to go to the point of whether there is danger involved or not.

The perspective -- their perspective is that they do not want to take a chance with the health and safety of their family.

VILLAGE ATTORNEY FARRELL: Well, we are not allowed to consider the health and safety aspects of cell towers, and I am going to have to cut you off there because it cannot be in our record.

MEMBER OF THE PUBLIC: She is not saying that.

MS. DUNNE: All I am saying --

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: I don't want any record as to health and safety --

MS. DUNNE: I am saying, in general --

VILLAGE ATTORNEY FARRELL: -- in reference to --

MS. DUNNE: Please let me finish.

I am saying that the general public has a perception of fear of these things. Okay.

MEMBER OF THE PUBLIC: It is property

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values.

MS. DUNNE: Okay?

And I will also tell you that the -- have you ever been in an office building or a large or a tall building, and you go to hit the elevator button, and there is no thirteen?

Is there any logic to that?

There is no floor thirteen. That's because nobody wants to rent or lease -- you know, rent space or buy an apartment on the thirteenth floor.

There are also examples of homeowners in our area, not Plandome Manor, but in Manhasset, who have actually applied to the Town of North Hempstead to change their house number because it is an unlucky number and it is bad feng shui.

(Whereupon, all speaking at the same time.)

MS. DUNNE: There are superstitions out there that buyers have. I am not saying they are right.

There are buyers that have perceptions, and their perceptions are based on

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2 superstition. Call it fear, call it
3 superstition.

4 Whatever it is based on, the fact of the
5 matter is, this tower in front of your house
6 and on Circle Drive, unlike some of the other
7 areas in our village, the poles are in front of
8 our house. They are not in back.

9 MEMBER OF THE PUBLIC: All of us are.

10 (Whereupon, all speaking at the same
11 time.)

12 MS. DUNNE: In other areas of the
13 Village, some of the poles are behind. Right?

14 So the buyer is not going to see that
15 until they have already seen the house, and
16 they are out in the backyard, and then they see
17 the pole.

18 And I have experienced buyers that look
19 at the pole and say, "What is that up there?"

20 Those big transformers? Out of here.
21 No longer interested in this house.

22 So my concern is that, even if they were
23 to put up a stealth pole where they were going
24 to put a new pole in, the buyers are smart
25 enough to notice that that pole is different

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from every other pole.

MEMBER OF THE PUBLIC: Absolutely.

MS. DUNNE: You think they are not going to know that is a cell phone antenna inside that pole?

They are still going to know, and they are still going to say, "Don't show me that house. Take me to the next one."

And that's all. Thank you.

MAYOR DONNO: Thank you.

MEMBER OF THE PUBLIC: Very good.

(Whereupon, all speaking at the same time.)

MAYOR DONNO: There is someone behind you.

MR. LANG: Gary Lang, 305 Circle Drive. So that's one of the houses.

I am pretty naive to this, and I wasn't here last week, so I apologize if I am back pedaling.

We heard you basically point out that Verizon is misleading. Look on their website, look in the fine print. They are misleading, and now we are being asked to make a decision

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2 based on their projections for future needs.

3 We have heard that there is going to be
4 an impact on residential value. We can't put a
5 number to it, but instead of hearing about
6 their algorithms, I dropped two calls last
7 week, and sure, it was inconvenient, but if my
8 house takes a five percent haircut, twenty
9 percent haircut, whatever it takes, I am
10 willing to live with it.

11 (Whereupon, all speaking at the same
12 time.)

13 MR. LANG: Can we get past the algorithm
14 and break down something -- and this is from
15 someone who I already don't trust, just based
16 on what you showed me.

17 Instead of an algorithm, what is this
18 actually benefiting us?

19 Dropped calls. Time to load the
20 Internet.

21 So that I can make an informed decision
22 based on, well, a potential price depreciation,
23 because there is a phenomenal jump up in
24 utility, or depreciation, because it just looks
25 horrible.

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Second question. The shrouds, as there is more providers -- I know that you talked about noise levels. Will additional shrouds create additional noise levels?

As we said, we know eventually there will be more carriers, which I think it would take more to cool, with more energy being submitted.

What is the noise level we can anticipate when it is sitting -- I know you say it is on a right of way, but it feels like our property.

What is the difference? And are we going to get in fine print that this is based on some hypothetical noise level, but it is not indicative of future actual results, so don't -- you know, you can't base it on what you are actually going to hear at night when you are trying to sleep.

I think those would be very useful in helping make this decision.

MAYOR DONNO: Any other residents that have --

MEMBER OF THE PUBLIC: We are not

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2 getting answers.

3 I'm sorry, but we are not getting
4 answers. He asked a question.

5 MAYOR DONNO: No, I hear you.

6 MEMBER OF THE PUBLIC: If he can answer,
7 please.

8 MR. KATTAN: Eric Kattan, 21.

9 Would there be more fans, if more
10 carriers -- just answer the gentleman's
11 question.

12 MR. LAMBERT: If there are more shrouds,
13 there will be more fans to cool the shrouds,
14 yes.

15 MR. KATTAN: There will be more noise.

16 MR. LAMBERT: Yes, there will be more
17 noise.

18 (Whereupon, all speaking at the same
19 time.)

20 MAYOR DONNO: Will the shrouds -- as
21 more carriers are added to the poles, will the
22 shrouds become bigger and the fans are larger?

23 MEMBER OF THE PUBLIC: Of course, yes.

24 MR. LAMBERT: I don't know what the
25 carriers will do. I can't speak to what is

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2 going to happen.

3 I can say what happened to other
4 projects that have multiple carriers on them.

5 There are times where they can be placed
6 inside the same shroud, based on the
7 configuration of that equipment, and there may
8 be still only one fan.

9 If another carrier comes on that has --
10 assuming the same type of equipment, there
11 would be a second fan unit with a second
12 shroud.

13 But, again, this is speculation because
14 we don't have a proposal from any other
15 carriers, so I don't know what they would put
16 on there.

17 TRUSTEE CLINTON: In theory, you can
18 have multiple shrouds and multiple fans.

19 MR. LAMBERT: In theory, you could.

20 TRUSTEE O'NEILL: And multiple antennas.

21 MR. LAMBERT: No. Only one antenna.

22 TRUSTEE O'NEILL: Only one antenna. So
23 if multiple carriers come on, it would just be
24 one antenna whether it is on top of the pole or
25 if it is one of the side mounted.

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MR. LAMBERT: Yes.

MEMBER OF THE PUBLIC: Once you exceed three or four carriers, additional carriers would probably need a new antenna and possibly a new pole. There might a new meeting but --

MEMBER OF THE PUBLIC: Or not.

MAYOR DONNO: That would have to go through the Board. Any additional -- any changes --

MEMBER OF THE PUBLIC: I am just saying, if you have the precedent of three or four carriers being there --

TRUSTEE CLINTON: This would be a good time for the Board to better understand and the residents to understand what the process is to accept additional carrier requests on existing poles.

MR. LAMBERT: It is a form factor change. It would come through the special permit process, your process, if it is improving on a certain form factor.

If there is an increase to the form factor, it would go through the Board.

MEMBER OF THE PUBLIC: I don't

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2 understand what that means, form factor.

3 MR. LAMBERT: The size. The size of the
4 equipment that is on there. Right now, it is a
5 certain volume.

6 MEMBER OF THE PUBLIC: When you rent out
7 the space to the next carrier --

8 MR. LAMBERT: If they add new
9 equipment that hasn't been approved already --

10 (Whereupon, all speaking at the same
11 time.)

12 VILLAGE ATTORNEY FARRELL: If it
13 involves new equipment, then he would have to
14 come back.

15 MS. TAKAHASHI: With all due respect --

16 Nancy Takahashi, 8 Luquer Road.

17 If this goes through, why wouldn't the
18 others? If we don't have any reason to just
19 deny the additional carriers or shrouds or
20 wireless --

21 MEMBER OF THE PUBLIC: I would think
22 that we don't have the right to do that.

23 MS. TAKAHASHI: Right. That's why we
24 have to be very careful. We have to be very
25 careful and cautious and make sure we make an

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2 educated decision, an informed decision, on
3 information that we need.

4 And I just wanted to add to -- there was
5 a gentleman who said, you know, what does the
6 sign look like.

7 I would like to see what it looks like.
8 The rendering is very misleading. I am
9 actually -- you know, you just said, "Oh, I can
10 give you a picture."

11 I know what the sign looks like. It is
12 in their office. Anybody can go and see what
13 the sign looks like, but what I am concerned
14 about, on any of the photo renderings, you put
15 it, like he said, to the back and the shroud is
16 like facing this way.

17 All you have shown us is, okay, "Oh,
18 look, it is a pole," and it is like kind of far
19 away.

20 You haven't shown that, on my street, in
21 front of my house, if this pole goes up, when
22 you drive up my street without any poles or
23 lamps or -- nothing --

24 **MEMBER OF THE PUBLIC:** There is nothing
25 there.

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MS. TAKAHASHI: -- no electrical lines, the first thing I am going to see, coming to my house, is going to be this 30-foot pole --

MEMBER OF THE PUBLIC: This ugly pole.

MS. TAKAHASHI: -- with an antenna sticking with a shroud and a sign that says, "Warning. Danger. There is going to be radiation."

Yes, I know it is something that you have to -- you know, it is a cautionary thing, but who is going to want to buy that house?

Let's be honest. You can strike this from the record, but a show of hand, please. You all own a house. Would you like one of those in front of your property?

(Whereupon, all speaking at the same time.)

MS. TAKAHASHI: And you cannot tell me that that is not going to diminish my property value. That makes no sense.

And I don't want to this to be a not-in-my-backyard situation. I think, as a neighborhood, we should all be concerned.

And I would like to see a rendering like

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exactly what it is going to look like, at what level, and where is the antenna going to hit?

Is it going to hit my neighbor in front of my house who is little bit up hill?

Is it going to hit her son's bedroom window, or is it going to hit my daughter's bedroom window in the back?

You know like we need a proper rendering, if you really want us to take a look at it and see if this makes sense.

MAYOR DONNO: Yes. I'm sorry.

MS. OLSEN: Deirdre Olsen, 21 Rock Hollow Road.

I would like Mr. Campanelli to speak on our behalf. He has a lot to say.

MR. CAMPANELLI: May I?

MAYOR DONNO: Three minutes.

MR. CAMPANELLI: Mayor, I have quite a bit of exhibits that I need to enter into evidence.

You gave the applicant more than an hour and a half. He even put up a commercial up there.

I represent forty residents. I can't

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submit evidence in three minutes.

VILLAGE ATTORNEY FARRELL: And you spoke for thirty minutes at the last hearing.

MR. CAMPANELLI: Regarding the other nodes.

VILLAGE ATTORNEY FARRELL: No.

MR. CAMPANELLI: This regards these nodes this evening.

VILLAGE ATTORNEY FARRELL: No. You spoke for thirty minutes at the last hearing. This is one hearing. This is one hearing.

MR. CAMPANELLI: I understand.

VILLAGE ATTORNEY FARRELL: So you spoke for thirty minutes the last time.

MR. CAMPANELLI: I understand.

VILLAGE ATTORNEY FARRELL: You got your information in. You spoke for thirty minutes. You have three minutes to speak.

MR. CAMPANELLI: That will be a violation of my clients' First Amendment right.

VILLAGE ATTORNEY FARRELL: No, it is not a violation.

MR. CAMPANELLI: I can't create a record and submit the evidence I need to submit. I

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have documents --

VILLAGE ATTORNEY FARRELL: We don't need you to lay a foundation for each of your exhibits.

If you would like to submit your evidence for the record, we will take it into the record, we will review it as a Board, and we will make our determination based on that.

You don't need to lay a foundation. This is not a court. It is an administrative hearing.

MEMBER OF THE PUBLIC: I think he is allowed to speak.

VILLAGE ATTORNEY FARRELL: So we are not violating your First Amendment rights.

MEMBER OF THE PUBLIC: He is trying --
(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: We are not trying to control the meeting.

MEMBER OF THE PUBLIC: So can ten people give him the three minutes?

VILLAGE ATTORNEY FARRELL: Excuse me.

MEMBER OF THE PUBLIC: So can ten people

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give him the three minutes?

VILLAGE ATTORNEY FARRELL: No. He already had his time. We already did this at the last meeting.

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: We are not going to --

MEMBER OF THE PUBLIC: I have my three minutes. I have my time.

VILLAGE ATTORNEY FARRELL: Sir --

MEMBER OF THE PUBLIC: I have three minutes.

VILLAGE ATTORNEY FARRELL: Sir, we are not going to -- no. You had three minutes at the last hearing.

MEMBER OF THE PUBLIC: I'm sorry, but I am allowed to come here tonight.

VILLAGE ATTORNEY FARRELL: Right, but it is one hearing.

MEMBER OF THE PUBLIC: So I am allowed -- okay.

VILLAGE ATTORNEY FARRELL: It is one hearing.

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MEMBER OF THE PUBLIC: So if ten people give him your minutes.

VILLAGE ATTORNEY FARRELL: You have three minutes.

MEMBER OF THE PUBLIC: We will give you --

(Whereupon, all speaking at the same time.)

MAYOR DONNO: We are letting the residents speak.

MEMBER OF THE PUBLIC: This is ridiculous. This is for the residents.

VILLAGE ATTORNEY FARRELL: Thank you.
(Whereupon, all speaking at the same time.)

MAYOR DONNO: I have no problem with Mr. Campanelli speaking.

MR. CAMPANELLI: Thank you.

MAYOR DONNO: However, we can't --
(Whereupon, all speaking at the same time.)

MR. DIPIETRO: I am saying the attorney for the town is appalling to the residents right now because he is defying us the ability

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to have our representatives speak on our behalf.

VILLAGE ATTORNEY FARRELL: No. Your representative spoke on your behalf at the last hearing.

MR. DIPIETRO: Exactly. And now we have new people here who would like to hear what he has to say.

VILLAGE ATTORNEY FARRELL: He indicated that at the last hearing he would not be speaking at this hearing, and that he was going to submit his evidence into record.

MR. CAMPANELLI: I did not say that.

VILLAGE ATTORNEY FARRELL: And now -- yes, you did.

MR. CAMPANELLI: I did not say that. I said --

VILLAGE ATTORNEY FARRELL: You did.

MR. CAMPANELLI: I have additional clients now. I have additional information.

MR. DIPIETRO: Are you guys just going to approve this shit? Like seriously.

VILLAGE ATTORNEY FARRELL: Sir, you are really getting out of line right now. I expect

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2 a little more --

3 MR. DIPIETRO: You are offensive.

4 VILLAGE ATTORNEY FARRELL: How am I
5 being offensive?

6 MR. DIPIETRO: You are absolutely
7 offensive.

8 VILLAGE ATTORNEY FARRELL: I am trying
9 to keep control of the meeting.

10 MR. DIPIETRO: I own one of the larger
11 properties in this village.

12 VILLAGE ATTORNEY FARRELL: Okay.

13 MR. DIPIETRO: I pay the most taxes.
14 Okay? Right? And you sitting here telling me
15 that I am out of line?

16 VILLAGE ATTORNEY FARRELL: You are --

17 MR. DIPIETRO: Give me a break. Give me
18 a break.

19 MAYOR DONNO: Please.

20 MR. CAMPANELLI: Respectfully, when
21 notice --

22 (Whereupon, all speaking at the same
23 time.)

24 MR. CAMPANELLI: Andrew Campanelli,
25 Campanelli and Associates, P.C., 1757 Merrick

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Avenue, suite 204, Merrick, New York.

I read the public notice. The public notice indicated that last Thursday's public meeting was to address ten specific nodes, which I addressed at the last meeting.

Today, according to the public notice, there are ten different nodes, involving ten different clients, and now, based upon the submissions that ExteNet submitted --

And the only reason I couldn't get the full submissions by ExteNet is because they weren't able at the Village Hall. And I served a FOIL request and a substantial portion of the file was missing.

Now that I have the opportunity to review the file, now I can address the actual submissions that are in the public record.

I'm not looking for an hour. I'm looking for ten minutes.

MAYOR DONNO: First of all, I don't agree with your statement, because I sat with you, and we went through those files, and you never said anything to me about anything being missing at all. We sat here together.

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MR. CAMPANELLI: I didn't --

Go ahead. I am listening.

MAYOR DONNO: Okay. I don't mind you speaking. I just don't want you selling, and that concerns me.

MR. CAMPANELLI: Selling what?

MAYOR DONNO: Well, I am just going to leave it at that.

MR. CAMPANELLI: Okay. I don't need to cell anything.

I need to create a record. I need to get evidence in the record to represent my clients' interests. I need ten minutes.

MAYOR DONNO: We are here Mr. Campanelli because we need to hear from our residents.

I am sure that you have spoken to your clients, and they all understand what your concerns are.

I need to hear -- our Board needs to here what their concerns are. We all have our concerns, and we want to hear their concerns, also. That's very important to us.

So I know what you are saying. I heard you on Thursday. I know all about the reports.

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I know all about the records.

As I said Thursday, I have been to umpteen workshops and conferences on this, and I am going to one up in Albany in a couple of weeks.

So I am not without any knowledge of this stuff. I understand. I have read. I have looked through. I have got a computer. I know how to use it. So I understand that.

My concern is our residents, my residents, not you and what you are saying.

I understand that you want to make a record, but we have a decisions that we need to make, and we are working with our consultants.

We have been working with our consultants since 2016, and they have helped us formulate our Code. I think we are probably one the first villages in this area that did this.

And I am thankful to our attorney for helping us with that and giving us that direction.

So you know, we know what we need. We know that they are not ready yet. We are not

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2 ready to make any decisions, but it is
3 important for us to hear them. That's
4 important to me.

5 MR. CAMPANELLI: I understand.

6 MAYOR DONNO: Not to hear, you know,
7 your -- "This isn't true and that isn't true."

8 We are going to learn that, and our
9 residents are not stupid, and they are
10 certainly looking at the facts, and they are
11 looking at the research so they know what is
12 there and what is not there.

13 So I really take offense to you telling
14 me or the rest of this Board that we don't know
15 what we are talking about. We understand them.
16 We know what is there and what is not there.

17 MR. CAMPANELLI: Miss Mayor --

18 MAYOR DONNO: So we may not be sitting
19 up here disagreeing with them right now, but
20 believe me, we haven't made this decision.

21 And whatever decision we make or have to
22 make, we are not making it lightly, and we are
23 going to do a lot more research into this
24 before we make any decision with the help of
25 our consultants who are up in Albany and down

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2 here.

3 MR. CAMPANELLI: Miss Mayor, no way did
4 I ever indicate or even intimate or suggest
5 that I don't believe that you know what you are
6 doing.

7 I would submit that I have spent a lot
8 more time studying the Telecommunications Act
9 of 1996 than most attorneys I know.

10 I am not here advocating for any other
11 interests in the least. I am advocating on
12 behalf of forty of your resident and homeowners
13 who retained my services to assist them in
14 presenting their opposition to this
15 application.

16 And if this application is going to --
17 whatever this Board may decide, if for whatever
18 reason this Board sees fit to deny the
19 application, it is necessary for me to make
20 sure that I create a proper record so that it
21 would not only withstand challenge if it was
22 challenged in federal court, but to minimize
23 the likelihood that it would be challenged, and
24 to make sure that the evidence has sufficient
25 evidence based upon which this Board can make

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the determinations.

So my goal tonight is to submit physical evidence because any decision rendered by this Board must be based on substantial evidence.

And it is exceedingly difficult to try to do that in three minutes, especially with the submissions given by ExteNet.

And I didn't mean to say that the Board the Village was concealing anything.

For the record, when I was here last time, part of the file apparently was taken to FOIL review by somebody because they weren't here. The propagation maps were not here.

I am not saying anything improper was done, but you could not get access to the propagation maps. They weren't here.

I am not saying anything was improper. I am not even suggesting that.

MAYOR DONNO: If anyone had the propagation maps, it was me, and --

VILLAGE ATTORNEY FARRELL: You know what, there is a lot of time being wasted right now.

MR. DIPIETRO: Can we just give him ten

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minutes?

VILLAGE ATTORNEY FARRELL: Well, now he has already exhausted his time.

The bottom line is, ExteNet did not go line by line through every exhibit that they presented to us. If you would like to submit your evidence as a packet and give a synopsis of a packet, we will be happy to accept it, but we are not going to sit here and listen to you go page by page through every exhibit that you are presenting to the Board.

MR. DIPIETRO: Can we give him five minutes? I mean, I'm not paying him at all.

VILLAGE ATTORNEY FARRELL: I understand.

MEMBER OF THE PUBLIC: I am not paying him at all.

VILLAGE ATTORNEY FARRELL: I understand. I know, but you are doing a great job advocating for him, I must say.

MR. DIPIETRO: I just want to hear the facts because I am one of the highest paying taxpayers in the village.

VILLAGE ATTORNEY FARRELL: I understand.

MR. DIPIETRO: And every time cut me

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2 off, you are offending me. I want to move at
3 this point. With regard to the Board process,
4 I really just want to sell my house and get the
5 fuck out of here. All right? You offend me.

6 MAYOR DONNO: Excuse me. You know what?
7 Everybody really has been --

8 MR. DIPIETRO: Let him speak for ten
9 minutes for crying out loud.

10 Can you do it? I think you can.

11 MAYOR DONNO: You have been interrupting
12 this entire meeting.

13 MR. DIPIETRO: You guys are not
14 listening. This is a major issue for the
15 residents. You say you want to hear the
16 residents speak. Here are the residents
17 speaking.

18 And I am just saying it, you know,
19 without any color. Right? Without any blah,
20 blah, blah. Right?

21 This guy has something to say. Let's
22 hear it. Okay?

23 You let them speak. They stood up there
24 and they talked their bullshit, and we sat here
25 and listened to them for fifteen minutes

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talking about nothing. Okay.

So let's hear him. If you think he is going to say nothing, let's hear him saying talk about nothing, as well.

MAYOR DONNO: I just gave him the floor. I gave him some time to speak.

MR. DIPIETRO: Okay. Just let him submit his exhibits for crying out loud.

MAYOR DONNO: All he needs to do is give them to us.

MR. CAMPANELLI: Okay, if you are going to be like that. I am going to submit two documents.

MR. DIPIETRO: I would like to hear it.

MAYOR DONNO: Well, you are --

MR. DIPIETRO: I would like to hear it.

MEMBER OF THE PUBLIC: Yeah, we'd like to hear it.

MEMBER OF THE PUBLIC: We would all like to hear it.

(Whereupon, all speaking at the same time.)

MR. DIPIETRO: Does everyone in the room want to hear it?

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MEMBER OF THE PUBLIC: We all want to hear it.

MEMBER OF THE PUBLIC: I want to hear it.

MEMBER OF THE PUBLIC: I would like to hear what he has to say.

MS. SIEGEL: I would like to hear it. Jane Siegel, 7 Rock Hollow.

(Whereupon, all speaking at the same time.)

MR. DIPIETRO: So let's hear it.

MR. CAMPANELLI: It is the Board's decision. It is their hearing. I am just an attorney.

MAYOR DONNO: Make it quick.

MR. CAMPANELLI: I am going to submit a memorandum in opposition. It is forty-two pages. I wasn't going to go through the whole thing tonight.

I am also going to submit some exhibits into evidence. They are Exhibits A through M.

Some of the most critical exhibits are professional opinion letters from real estate brokers, who are not just licensed in this

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area, but they have thirty to forty years experience selling homes in Manhasset.

They have stated their professional opinions, having examined each of these proposed sites, that, on average, the facilities next to homes that are proposed by ExteNet would, on average, reduce the value of the adjacent homes by approximately twenty percent, which on average, 3.4 million dollar home, obviously translates to a loss of in excess of \$600,000 per home, per node.

And this type of evidence, as related in the brief, was found by the U.S. Court of Appeals for the Second Circuit to constitute substantial evidence of reduction in property value.

So I am giving you hard evidence. I'm not just saying it is the opinion of a layperson. It is hard evidence.

Equally probative and equally substantial evidence are letters of aesthetic impact from the homeowners.

As I mentioned last time, and again, these are for each of the nodes, including the

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2 nodes tonight, where each of the homeowners
3 detail from their own personal perspective the
4 adverse aesthetic impacts they will suffer,
5 once again, because these are the precise types
6 of evidence the federal court says are
7 acceptable.

8 And finally, once again, the adverse --
9 the visual impacts submitted by ExteNet are
10 entirely defective because they are not taken
11 from the homeowners' property.

12 Lastly, or third, or second, the
13 gentleman from ExteNet said the maps from
14 Verizon were not reliable online because, he
15 said, it is not perfect. There are some gaps.
16 He misses the point entirely.

17 Under the Telecommunications Act of
18 1996, you must -- you must grant this
19 application, even if it violates your code, if
20 ExteNet establishes that Verizon suffers from a
21 significant gap in person wireless services and
22 that their installations are the least
23 intrusive means of remedying that gap.

24 What Verizon's maps show is there are no
25 significant gaps in service. It is not saying

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it is perfect coverage. It is not saying it is seamless. You don't have to guarantee Verizon seamless.

The law says, if, and only if, they can prove there are significant gaps in wireless coverage are you then required to grant this application.

Thank you for your time.

MAYOR DONNO: I do think that we said that at the very beginning, that, at least, Mr. Tagliaferri --

MEMBER OF THE PUBLIC: Well done.

MR. CAMPANELLI: Thank you.

I am just going to hand in my documents. I made copies, one for each Board member and counsel for the Board.

MAYOR DONNO: Are there any other questions from the residents?

(Whereupon, all speaking at the same time.)

MS. BECHTOLD: I would like to say something. Ruth Bechtold.

You had mentioned at the beginning that there were five jurisdictions that had -- that

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we were thirty percent of the nodes that they were proposing from the five jurisdictions.

I came in late, and I apologize, but what were the different jurisdictions, and what have they been doing in reference to the construction of nodes in their villages?

TRUSTEE CLINTON: Mr. Lambert?

MR. LAMBERT: Okay. The five jurisdictions are Munsey Park, which has one node that was approved, Munsey Park.

You have Plandome, which has ten nodes -- eleven nodes being proposed. The meeting for their decision is November.

MAYOR DONNO: It is November.

MEMBER OF THE PUBLIC: Eleven nodes? I thought it was ten.

MR. LAMBERT: It is actually -- there was one that we thought that was going to be if Plandome Manor, but is actually across the street from the actual line, so that will be --

MEMBER OF THE PUBLIC: All right.

MR. LAMBERT: There is sixteen nodes in the Town of North Hempstead. Right now, they are reviewing the application. They have not

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set any type of next steps as of yet.

MS. BECHTOLD: I'm sorry.

MR. LAMBERT: Sixteen nodes in North Hempstead.

MEMBER OF THE PUBLIC: The Town of North Hempstead?

MR. LAMBERT: The Town of North Hempstead, yes.

MEMBER OF THE PUBLIC: Where is that? The Town of North Hempstead?

MS. BECHTOLD: We are all part of the Town of North Hempstead.

MR. LAMBERT: Well, it is just --

MAYOR DONNO: It is in an unincorporated area.

MR. LAMBERT: It is Port Washington.

MEMBER OF THE PUBLIC: Port Washington?

MR. LAMBERT: Yes. So sixteen nodes there.

The Town is still reviewing. We have not set any type of next steps as of yet.

There are eighteen nodes being proposed in the Village of Flower Hill, which they denied our application a few weeks ago, and now

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we are in litigation.

TRUSTEE CLINTON: Litigation or arbitration?

MR. LAMBERT: Well, a complaint was filed, and they have thirty days to respond. So the judge hasn't been -- hasn't told us what to do next.

MS. BECHTOLD: Just a clarification, you are suing them for denying the request?

MR. LAMBERT: There is was an FCC complaint. We filed a complaint, yes.

MAYOR DONNO: Yes, sir.

MR. GABRIELLI: Joseph Gabrielli, 189 Circle Drive.

I was just curious. What is the process after this meeting?

So you get more information. Do we have another public hearing?

MAYOR DONNO: If necessary, we can have another public hearing.

What we need to do is get more information from them because they certainly haven't satisfied our concerns.

MR. GABRIELLI: So there will be another

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public hearing, and then the Board votes?

MAYOR DONNO: Not necessarily another public hearing.

We are working, as I said, with our consultant. We need to gather all of the information and, of course, everything that we have gotten from the last two public hearings.

If we feel that we should have another public hearing, if there are changes in, you know, what we find, then we will certainly reach out to the community again.

You know, we are hoping to extend it, so that we don't need -- we are on a shot clock. We are on a timeline.

MR. GABRIELLI: We are on a time line. What is it, sixty days?

MAYOR DONNO: And that sixty days or ninety days started a while ago.

VILLAGE ATTORNEY FARRELL: Yes. We are in an extension period right now. There will be a further extension period that we are negotiating with the applicant at this point.

MAYOR DONNO: We are certainly not -- we are not comfortable with the information that

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we have.

MR. GABRIELLI: So how long do you think it would take for them -- I guess, how long is it going to take to get the information back? What is the time frame; a month, three months, two years?

VILLAGE ATTORNEY FARRELL: I think it is closer to probably two months before we get anything kind of resolved at this point, but --

TRUSTEE O'NEILL: So we don't have a deadline. Right now, we don't have a deadline?

VILLAGE ATTORNEY FARRELL: The shot clock is technically up next Tuesday, but we have already spoken with ExteNet and discussed some of the sites, and we have discussed --

TRUSTEE O'NEILL: So it is still open ended.

VILLAGE ATTORNEY FARRELL: We have discussed the open issues, and we are talking about a further extension of the tolling agreement at this point.

MR. DIPIETRO: Can they end the tolling agreement at any point in time given the shot clock?

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VILLAGE ATTORNEY FARRELL: No. That's what a tolling agreement does. It stops the shot clock.

MR. DIPIETRO: So how long is the tolling agreement?

VILLAGE ATTORNEY FARRELL: It ends on October 21st, but we already have an agreement in principle to extend that to sometime in December, but we haven't finalized the details of that.

MR. DIPIETRO: Thank you.

MEMBER OF THE PUBLIC: I thought they said whatever information the contractor requested, they don't feel that that is missing.

Wasn't that what you said during the last meeting? Whatever the different levels that you want information on, they said that's actually not necessary.

VILLAGE ATTORNEY FARRELL: They agreed to provide that information.

MEMBER OF THE PUBLIC: They did?

VILLAGE ATTORNEY FARRELL: They did have a little bite of a debate after the meeting or

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2 during the meeting, but they agreed that they
3 will provide it. They just don't think it is
4 necessary because they believe that the other
5 frequencies -- I believe that what they said
6 was the other frequencies would have worse
7 coverage than the frequency that they provided,
8 but they are going to provide that additional
9 information.

10 MEMBER OF THE PUBLIC: Can you give us a
11 bullet point of what you are asking and what
12 you are discussing, so we are aware of what
13 points are sort of being discussed?

14 VILLAGE ATTORNEY FARRELL: I mean --

15 MEMBER OF THE PUBLIC: I know we asked
16 for -- they didn't say actually yes or no to
17 anything.

18 VILLAGE ATTORNEY FARRELL: At this
19 point, that's like seven hours of public
20 hearing worth of information.

21 MEMBER OF THE PUBLIC: So whatever our
22 consultants --

23 VILLAGE ATTORNEY FARRELL: So what our
24 consultant has asked for, anything that has
25 come up during the course of the meeting.

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You know, I am sure the applicant is going to want to take a look at Mr. Campanelli's submission and address some of the issues in there.

MEMBER OF THE PUBLIC: Okay.

VILLAGE ATTORNEY FARRELL: I am know there are some real estate broker opinions about property values. They may want to take an opportunity to look at those and address those. So there will be more information coming.

MEMBER OF THE PUBLIC: But we will get information when --

VILLAGE ATTORNEY FARRELL: The Board will receive the information and the Board will review the information.

MS. TAKAHASHI: Can I ask why this hearing -- the mail that we received, it said -- it was addressed to resident. It wasn't to Mr. and Mrs. Takahashi.

VILLAGE ATTORNEY FARRELL: Because not everyone that owns the house necessarily lives there. If people rent the house -- we don't want you to throw it away. We want you to open

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the mail and see what is there.

VILLAGE CLERK MALMAN: If I don't have the correct name, it will return it to me. If I write "resident," it will be delivered to the house regardless of --

MS. TAKAHASHI: Really? I have gotten every single mail --

VILLAGE CLERK MALMAN: Right, but I --

MS. TAKAHASHI: Why don't you certify it?

VILLAGE CLERK MALMAN: I do these -- I sent it to the whole village. So in order to make sure, if someone moved and I don't have the right address -- if I put "To Resident," they will deliver it to that house. They won't mail it back to me.

I want to make sure that whoever is living there will get it, and I don't get them all returned to me.

MS. TAKAHASHI: Because I almost threw it away.

MS. ESTEPOPOLOUS: Joy Estepopolous, 7 Luquer.

Isn't it true that Verizon has hard data

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that they are not providing us?

I want to be clear on this because the presentation that ExteNet is giving I don't believe actually includes hard data that Verizon has access to and that they can provide to really give us a real true picture of what gaps in coverage are, if any.

VILLAGE ATTORNEY FARRELL: Well, that's what the propagation maps do, but I will let the applicant -- they have submitted propagation maps to us to show gaps in coverage, but I will let the applicant address that.

MR. LAMBERT: Yes.

TRUSTEE O'NEILL: Can I ask, by a show of hands, who has Verizon? Who has Verizon cellular service?

(Whereupon, all speaking at the same time.)

MS. SIEGEL: I am ready to drop them.
Jane Siegel, 7 Rock Hollow.

MEMBER OF THE PUBLIC: Because of this.

MS. SIEGEL: Just because of this.

TRUSTEE O'NEILL: For the record, it is

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a majority of the people.

(Whereupon, all speaking at the same time.)

TRUSTEE O'NEILL: Who here does not have Verizon?

(Whereupon, all speaking at the same time.)

TRUSTEE O'NEILL: So in the audience, it is one, two, three, four, five, six, seven --

MEMBER OF THE PUBLIC: Not even six.

TRUSTEE O'NEILL: Who has had problems with their service, with their Verizon service?

VILLAGE ATTORNEY FARRELL: Well, it is not really for a show of hands to decide that, Pat.

TRUSTEE O'NEILL: But I am curious.

VILLAGE ATTORNEY FARRELL: I don't want the record to show us considering something that is not really in our expertise to consider.

TRUSTEE O'NEILL: I understand.

VILLAGE ATTORNEY FARRELL: It is really -- Verizon has to -- Verizon and ExteNet have to present us with the data.

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You know, I understand people don't have problems with coverage. There are a variety of reasons for that.

Verizon is saying and ExteNet are saying different. It is up to them to prove their case.

Unfortunately, if they have service, that doesn't mean there is not a significant gap in coverage.

TRUSTEE O'NEILL: Understood.

VILLAGE ATTORNEY FARRELL: I just want that clear on the record.

MEMBER OF THE PUBLIC: I have absolutely no problem with the coverage.

VILLAGE ATTORNEY FARRELL: I understand that. I think that's the general consensus.

MEMBER OF THE PUBLIC: Otherwise, I wouldn't keep it.

MAYOR DONNO: Mr. Lambert, can you answer the question?

MR. LAMBERT: What is the question?

Do you mind repeating that, because there were a few things that happened between the question and now. Do you mind repeating

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2 the question?

3 MEMBER OF THE PUBLIC: There was hard
4 evidence, you said --

5 MS. ESTEPOPOLOUS: Does Verizon have
6 actual hard data --

7 MEMBER OF THE PUBLIC: Is Verizon
8 holding it back?

9 MS. ESTEPOPOLOUS: -- and they are
10 holding back information and not giving it.

11 MR. LAMBERT: We are --

12 MS. ESTEPOPOLOUS: No. Verizon, not you
13 and not the test that you did. Not ExteNet.
14 Verizon themselves.

15 As far as the information that I know is
16 that Verizon has actual hard data that they can
17 provide about gap service.

18 MR. LAMBERT: Well, the coverage map
19 that we showed was one frequency. we are
20 requesting the other bands, propagation maps
21 for those, so we can hand them over to Al.

22 MEMBER OF THE PUBLIC: The propagation
23 map that you showed us is from Verizon,
24 correct?

25 MR. LAMBERT: What?

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MEMBER OF THE PUBLIC: The propagation map that you showed us, that is from Verizon, yes?

MR. LAMBERT: That's Verizon, yes.

We didn't do the analysis initially. It is their service. It is their proprietary information. They base their modeling on that, and what they give to us is what they have --

MEMBER OF THE PUBLIC: And the other three frequencies will be from Verizon.

MR. LAMBERT: Verizon frequencies, yes. And the drive test data we did provide to Al already.

MEMBER OF THE PUBLIC: It was provided by you or Verizon?

MR. LAMBERT: It is all Verizon's information.

MEMBER OF THE PUBLIC: For the record.

MR. LAMBERT: Yes. For the record, it is all Verizon's data.

MEMBER OF THE PUBLIC: That's not what you said in the last meeting.

MR. LAMBERT: Last meeting, there was a question on -- I'm sure there is information

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2 out there that is proprietary for Verizon
3 that --

4 MEMBER OF THE PUBLIC: That's what you
5 said at the last meeting, that that was
6 proprietary information.

7 MR. LAMBERT: Some of the information is
8 and some of the information they are giving us.

9 So that information that we have that we
10 are acquiring or that we are trying to get from
11 them, we will give to Al.

12 I mean, you know, this is a private
13 company. They do have -- there is competition
14 out there from other companies, so there is
15 proprietary information that they have. So
16 yes, they do have proprietary information.

17 MAYOR DONNO: Yes.

18 MS. OWEN: Hi. Elizabeth Owen, 1270
19 Plandome, node 40.

20 I have a technical question. I don't
21 understand really the architecture of the
22 antenna, but I did see a sheet in the file on
23 our node.

24 So I don't know if people are focusing
25 on this, but in the antenna, there is three

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2 series of radio transmitters. There is the
3 700, which shows the RF emissions, that
4 green-blue little person schematic. And then,
5 there is also, in the antenna proposed, a 7.5
6 DBI is right -- omnidirectional. But there is
7 also an AWS and a PCS.

8 So there is different frequencies, all
9 megahertz.

10 Does the antenna run 24/7? That's a
11 question.

12 And then, is the emissions additive?
13 Because you provided 700, but there is also the
14 AWS and the PCS transmitters within one
15 antenna.

16 So I don't know about other people's
17 antennas, but --

18 MR. LAMBERT: Yes. All antennas are
19 running the same three frequencies, and they
20 are additive.

21 And even when that happens, it is still
22 below -- it is one percent. It is below.

23 The testing was done on those three
24 frequencies. On the MPE report that was
25 provided, it shows that it is looking at all

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three frequencies that we are running on that antenna. All the antennas are the same.

MEMBER OF THE PUBLIC: Okay.

MAYOR DONNO: Yes, sir.

MR. NAVO: Avi Navo, 199 Circle Drive.

I don't want to rehash what everyone else said, but just a different thing just about your company.

MR. LAMBERT: Sure.

MR. NAVO: Will you disclose any current litigation that is outstanding or arbitration? Just to give a flavor of what is outstanding right now.

MR. LAMBERT: Well, Lake Success, we are in mediation with Lake Success right now.

Flower Hill, we just filed a complaint a few weeks ago, so they haven't responded to that complaint yet, as far as I know.

MR. DIPIETRO: Is there any against your company?

MR. LAMBERT: Those are all complaints that we filed.

MR. DIPIETRO: I know, but is there any outstanding litigation against ExteNet?

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2 MR. LAMBERT: Not that I know of.

3 Do you know of anybody?

4 MR. WASHINGTON: I'm not aware of any
5 outstanding litigation regarding the
6 development of our small cell facilities that
7 is filed against us.

8 We have filed complaints around the
9 country against municipalities where we feel we
10 were denied inappropriately.

11 MR. DIPIETRO: You said forty-three.

12 MR. WASHINGTON: No.

13 MR. DIPIETRO: I couldn't hear you.

14 MR. WASHINGTON: Oh, I'm sorry. I will
15 attempt to speak louder. I guess I am coming
16 down with the mayor's voice issues.

17 MAYOR DONNO: I hope not.

18 MR. WASHINGTON: There are no suits that
19 I am aware of that have been filed against us
20 regarding the deployment our small cell
21 facilities.

22 We have litigation around the country
23 where we felt that we were inappropriately
24 denied the right to place our small cell
25 facilities.

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MR. DIPIETRO: How many?

MR. LAMBERT: How many what?

MR. DIPIETRO: How many suits have you filed against Villages.

MR. WASHINGTON: That I don't know. I do not have that number.

MR. DIPIETRO: Ten, twenty, thirty, forty, fifty.

MR. WASHINGTON: I do not have that number.

MR. DIPIETRO: I mean, it is three here, right?

MR. LAMBERT: Well, Long Island, there is two currently right now.

I don't know about other states. There is nothing in Virginia, nothing in Connecticut, nothing in Rhode Island right now, the states that I am aware of. There is nothing in Maryland.

So the states that I have jurisdiction over, only the ones in Long Island right now.

MR. DIPIETRO: Thank you.

MAYOR DONNO: There are some states -- because in my research, there are some states,

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and I am not quite sure how many, that have decided to deem ExteNet or companies like ExteNet as a utility, which means they can just come in and do what they want.

We can't stop our utilities from doing that. So we are not one of those states right now, but there is about twenty of them, I think.

MR. WASHINGTON: Twenty one.

MAYOR DONNO: Twenty-one?

MR. TAGLIAFERRI: Well, Pennsylvania just --

MAYOR DONNO: Okay. That may be the way New York might be headed. We don't know.

MR. NAVO: Just while I have the mic, one more question. This may be a question more for the Board.

Does Verizon play any part in the application process?

It seems to me it is just odd that just ExteNet would be standing here. I would think that you guys would also want Verizon really standing shoulder to shoulder with you.

Do they submit anything or are they --

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It is kind of like -- it seems like an odd process if only the company that Verizon is kind of asking to contract with -- you know, that they don't play any part, that they don't submit any documents, nothing.

MAYOR DONNO: Nothing. We don't have anything. No.

MR. DIPIETRO: For the record, in the last meeting, this gentleman -- I don't remember your name -- did say sometimes they do participate in litigation. Sometimes they don't. That's all we got.

MAYOR DONNO: Honestly, as far as I know from the other villages, they have not been a participant.

And I would assume -- I probably shouldn't say it, but I would assume it is because they are contracting with ExteNet to come in, and there is also another carrier company on Long Island which is called Castle Crown, I believe --

MR. LAMBERT: Crown Castle.

MAYOR DONNO: Crown Castle, which is similar to ExteNet. They provide the shrouds

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and the nodes, and the carriers come in and contract with them.

MR. NAVO: So could Verizon -- I don't know if they have the infrastructure, but Verizon has the ability to put these shrouds and nodes themselves, couldn't they?

MAYOR DONNO: I don't know. I would assume not.

MR. NAVO: Because would they still go through the Board though?

If Verizon chose to -- I don't know if they can do at that at all, but would that go through the same proceedings?

VILLAGE ATTORNEY FARRELL: Yes.

MR. LAMBERT: Yes.

MR. NAVO: Because they are a utility.

VILLAGE ATTORNEY FARRELL: No. They would have to come through the Board. Wireless communications facilities are not public utilities in New York, so they would have to come through the Board.

MR. DIPIETRO: It is state by state.

MAYOR DONNO: Yes, sir.

State your name.

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MR. KATTAN: Eric Kattan, 21 Circle Drive.

My only question is, are these tests -- given that you are incentivized to do this project, and so is Verizon, the fact that all of the data we get is from either Verizon or you seems like a conflict of interest to me.

Is there a way for a third party to conduct the driving test and the reception test to show that there is really a need?

Not by one of you that would actually benefit from -- but can you retain and can the Village demand that to show that there is a need by a third party that is not incentivized and there is no conflict of interest.

MR. LAMBERT: The data that Verizon or any of carriers use to create their information, the large data sets, is proprietary information, and I don't think they would just hand it over to just a driving test.

MR. KATTAN: No, but a driving test. Could a third party company with an antenna check the service?

MR. WASHINGTON: I think that the

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Village already has hired a third person, a party to do just that, to verify the information, and that is why they have requested additional information, and that's why we are going back and having that additional dialogue with Verizon.

MR. KATTAN: To verify the information or conduct the test?

Because, again, it is just like a smoking company showing me research that smoking is not healthy.

You are incentivized and Verizon is incentivized.

At least I would ask --

MAYOR DONNO: I understand what you are saying but I would assume that -- you know, I guess I shouldn't say that.

VILLAGE ATTORNEY FARRELL: It is a -- no. I will take over.

MR. KATTAN: After that, ExteNet and Verizon are --

Just to add to that, before you comment, they showed the map of Verizon that is not reliable, and they said we quoted that for

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2 sales purposes.

3 So that shows, when the interest is
4 aligned with the sales people, they present one
5 map. That, to me, is conflict of interest,
6 right there, presented by this firm.

7 MAYOR DONNO: I hear what you are saying
8 and I understand.

9 I am going to let John speak, but just
10 to throw it out there, that's why we have
11 consultants.

12 I mean, our consultants are going to be
13 asking those questions and looking. It is not
14 the first time they have done this.

15 It is -- you know, they are very well
16 known for what they do. They are very well
17 respected for their advocacy, and they have
18 worked with us since 2016. And so far, you
19 know, I think we are a little bit ahead of the
20 game.

21 So I will let John finish.

22 MR. TAGLIAFERRI: Well, just to say, the
23 applicant will provide the reports, the drive
24 test data, and the maps and such, and we will
25 review them for completeness.

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2 But if we see issues, we will question
3 the parameters that they used to provide the
4 data, you know, the signal strength that was
5 used, the watts per channel. There is a whole
6 criteria that we go through that we will ask
7 them to provide the data.

8 MR. KATTAN: But still, the data will
9 come from them.

10 MR. TAGLIAFERRI: From them, right.

11 TRUSTEE CLINTON: Is there an
12 independent agency out there that would
13 fact check the data?

14 MR. TAGLIAFERRI: Not that I know of. I
15 mean, we do that. I don't know of an
16 independent drive test company.

17 TRUSTEE CLINTON: But you do it.

18 MR. TAGLIAFERRI: We would look to make
19 sure all of the numbers add up, because they
20 can be manipulated. It is a model.

21 MEMBER OF THE PUBLIC: Can you verify
22 those numbers are actually produced -- He
23 mentioned proprietary information for Verizon
24 versus nonproprietary information from Verizon.

25 Are there reports that are produced,

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actual data, actualized.

MR. TAGLIAFERRI: That is what --

MEMBER OF THE PUBLIC: From a
statistical --

MR. TAGLIAFERRI: That's what they are
attesting to.

MEMBER OF THE PUBLIC: But is it
verified? And will someone make a statement
and say this is actually verified by a third
party --

MR. TAGLIAFERRI: Well, we will verify
it.

MEMBER OF THE PUBLIC: -- and we will
take liability for it, et cetera, et cetera?

MR. TAGLIAFERRI: They will provide the
data, and we will look at it and look at the
parameters.

MEMBER OF THE PUBLIC: So the answer is
no.

MR. TAGLIAFERRI: No. No. Basically, I
mean, we have done this all over the country,
and we have seen -- we have worked extensively
with Verizon and their signals.

MEMBER OF THE PUBLIC: Understood.

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Thank you. Appreciate it.

MR. TAGLIAFERRI: And we are looking to make sure everything adds up.

MAYOR DONNO: Yes.

MS. SIEGEL: Jane Siegel, 7 Rock Hollow Road.

I wasn't here the last meeting, and I want to say that pole number 21 is directly across the street from my house, and that my view from my living room and my front steps is going to be directly at that pole.

And I moved here -- we moved here about five years ago and we moved here because of the beauty of this neighborhood. I walk the neighborhood. I love the fact that there is not one street light in our neighborhood.

And now we are introducing things like this to be in front of our homes. I mean, it is -- I have never seen anything more offensive.

And when they talk about the value of the neighborhood -- I am a real estate attorney. My husband is a real estate broker. There is no question about the fact that this

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2 is going to have a direct impact on the value
3 of my home, and I do care about that, and I
4 care about everyone else's value in this room.

5 But I want to just put on the record
6 that I absolutely object to this going forward.

7 MAYOR DONNO: Yes.

8 MR. SPERBER: Elliot Sperber again from
9 139 Circle.

10 So I think there has been a lot of
11 questions and good arguments, and you guys have
12 a lot of information that you are trying to
13 find and uncover. Obviously, this is a lot of
14 work and we definitely appreciate that.

15 One thing that I am kind of -- as I
16 think about all of the arguments, if you kind
17 of wiggle it down, you can get all of the data
18 and get kind of engrossed with all of these
19 papers and data and studies, but there is a
20 couple of things you can't get data from,
21 because it is unknown.

22 That is the real estate values, the
23 aesthetic impact, how it impacts our view, and
24 potential buyers.

25 So I guess I am curious on the process,

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because you can get all of that information and kind of get back to the exact same point, which was --

I mean, you could have polled everyone and said, "Answer these two questions," and we will always be left with that unknown.

So if we get all of this information and we ask all of these questions, we are still probably still going to be left back with this.

All of the residents hate it because they think it looks ugly. Everyone is concerned about home values. No one can predict what is going to happen with home values, but there is anecdotal evidence that it is going to be bad.

I guess I am trying to understand what the process is.

Are those data points valid reasons to say we don't approve of this?

And then, is there any other concerns that you guys would face that maybe are not as clear?

So do we want to avoid -- is the process to go through and look at everything, and let's

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say you come to the conclusion that those reasons are enough, the home values and the anesthetics is enough, that we don't like it, we turn it down.

They are going to then sue because --

VILLAGE ATTORNEY FARRELL: Not necessarily.

MR. SPERBER: Not necessarily, but that seems to be the precedent, that they will most likely sue.

MEMBER OF THE PUBLIC: That doesn't mean they are going to win.

MR. SPERBER: Well, that's what I am asking.

Is the question then, they would -- whether there is a precedent whether they would or not, is it an exercise in futility.

TRUSTEE DESOUSA: If they win, we will lose control of it.

MR. SPERBER: If they win the lawsuit --

TRUSTEE DESOUSA: We lose control of it.

MR. SPERBER: They do whatever they want?

TRUSTEE DESOUSA: And we also have to

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pay for our litigation.

VILLAGE ATTORNEY FARRELL: I don't want to get into ballparking odds in litigation.

MR. SPERBER: Sure.

VILLAGE ATTORNEY FARRELL: I do enough of it to know that, when you go to court, it is always fifty-fifty.

MR. SPERBER: Okay.

VILLAGE ATTORNEY FARRELL: You know, if you get a crazy judge, you could win. If you get a crazy judge, you could lose.

MR. SPERBER: Okay.

VILLAGE ATTORNEY FARRELL: It really -- it is hard to estimate what a court would say.

Their burden is to show that there is a significant gap in coverage and that the system that they are proposing will fill that gap and it is the minimum amount necessary to fill the gap in coverage.

MR. SPERBER: And that can supercede aesthetics, home value, all of the concerns that we have?

VILLAGE ATTORNEY FARRELL: That is generally what the case law is saying.

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2 MR. SPERBER: And then, the next
3 question, I guess, is, is there a cost concern
4 to going through the legal process that would
5 prohibit a decision, or that's something we
6 would --

7 VILLAGE ATTORNEY FARRELL: We can't -- I
8 wouldn't advise the Board to answer that
9 question, because we are not to going to make
10 decisions on a special permit application based
11 on what it would cost the Village.

12 MR. SPERBER: Okay.

13 VILLAGE ATTORNEY FARRELL: If it is a
14 bad application, the Village is going to vote
15 its conscience and deny it.

16 MR. SPERBER: Okay. That's what I was
17 asking.

18 VILLAGE ATTORNEY FARRELL: I don't want
19 to speak for them, but I don't want to --

20 MR. DIPIETRO: Can we just address the
21 issue that was brought up in the last meeting
22 when -- I think it was Matt, sorry -- addressed
23 the fact that taxes, you know, be it a twenty
24 percent tax to the Village --

25 TRUSTEE CLINTON: No, I didn't say that.

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But I do the budgets, and I am very conscientious about the fiscal condition of village.

MR. DIPIETRO: Yeah. That's just a question though.

TRUSTEE CLINTON: It would be -- you know --

MR. DIPIETRO: There would be a cost.

VILLAGE ATTORNEY FARRELL: There would be a cost, and it would be more than was budgeted for this year, significantly.

MR. DIPIETRO: So it would be an increase in the tax budget.

TRUSTEE CLINTON: Not necessarily, but it is -- you know, we are in good fiscal condition, but at some point, it could be a burden. And legal costs have been a burden to the Village in the past and could be in the future.

MEMBER OF THE PUBLIC: That's my question.

MR. SPERBER: But that wouldn't impact what you guys are going to decide. You guys are going to decide what you are going to

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decide.

MAYOR DONNO: Right now, that's not there.

MR. SPERBER: Okay. And then the last question is, is there an appeals process beyond just the first legal proceedings?

Is this the type of thing that this could be basically dragged out for a long time through various appeals processes?

MAYOR DONNO: I don't know.

VILLAGE ATTORNEY FARRELL: It could be. Anything is possible.

MEMBER OF THE PUBLIC: How is it that Lake Success ended up in arbitration?

Are you suing in the Supreme Court? Where are you suing? How is it that they are in arbitration?

MEMBER OF THE PUBLIC: Mediation.

MEMBER OF THE PUBLIC: Mediation? Is that through the Supreme Court, or no.

MR. WASHINGTON: No. There was a complaint filed with the Federal District Court, and the judge recommended mediation.

MEMBER OF THE PUBLIC: So you file in

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the federal court?

MR. WASHINGTON: Yes.

MEMBER OF THE PUBLIC: I think in the last meeting, they also said Lake Success was amenable to some portion of the proposed plan.

MR. WASHINGTON: I don't want to characterize that litigation. It is currently in mediation. I think it would be inappropriate to have --

MEMBER OF THE PUBLIC: I am just mentioning something you stated in the last meeting, sir.

MR. WASHINGTON: I don't believe that I stated that.

MEMBER OF THE PUBLIC: Yeah, you did.

MEMBER OF THE PUBLIC: I actually read that that was the case, that some nodes were approved and some nodes --

MEMBER OF THE PUBLIC: I actually read it online.

MR. LAMBERT: True. Some nodes were approved and some weren't.

MAYOR DONNO: Lake Success denied nine and approved four. They have thirteen. And

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then they were ordered into by the judge --
(Whereupon, all speaking at the same
time.)

MEMBER OF THE PUBLIC: So they weren't
vehemently opposed to the entire thing.

MAYOR DONNO: I'm sorry?

MEMBER OF THE PUBLIC: They weren't
vehemently opposed to the whole thing, so there
was a reason for mediation.

MEMBER OF THE PUBLIC: My question is,
you said we lose control if we lose. What
control are you speaking of? What control do
we have now?

TRUSTEE DESOUSA: Well, we can put a lot
of restrictions on certain things. We can ask
them to do certain things.

MEMBER OF THE PUBLIC: But they can
reject all of that.

TRUSTEE DESOUSA: What was that?

MEMBER OF THE PUBLIC: They could reject
all of that.

TRUSTEE DESOUSA: They could.

MEMBER OF THE PUBLIC: So we don't have
any control yet, right?

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VILLAGE ATTORNEY FARRELL: Just so you know, that's not true.

MEMBER OF THE PUBLIC: Before going through the legal process --

MEMBER OF THE PUBLIC: Well, I want to know what --

MEMBER OF THE PUBLIC: -- we can have some sort of compromise.

(Whereupon, all speaking at the same time.)

TRUSTEE DESOUSA: One person at a time. The court reporter can't take it all down.

MS. SIEGEL: Jane Siegel.

The four nodes that were approved in Lake Success, were those on commercial properties? Because they do have commercial property in Lake Success.

MR. LAMBERT: They are all in the right of way, as well.

MS. SIEGEL: Right of way doesn't explain anything.

Does that mean it is residential, in front of a residential property, or might they have been in front of some commercial property,

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the ones they approved?

MR. LAMBERT: They are on Lakeview Road for the most part.

MEMBER OF THE PUBLIC: Lakeville Road.

MR. LAMBERT: Lakeville Road, for the most part.

(Whereupon, all speaking at the same time.)

MR. LAMBERT: Lakeville Road. Lakeville Road. It is not commercial. It is just a main through way.

MEMBER OF THE PUBLIC: There is a golf course and a school there.

(Whereupon, all speaking at the same time.)

MR. DIPIETRO: It is less residential.

MR. LAMBERT: It is a less residential conduit for mainly transportation. So Lakeville Road.

MAYOR DONNO: Let's just say, you know, we don't know what the outcome is going to be.

MEMBER OF THE PUBLIC: But we don't have that to offer because we are completely residential.

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MAYOR DONNO: Unless you put them all on the golf course.

MS. KIELLINOWICZ: That's the problem. With the golf course --

Kristen Kiellinowicz,
K-I-E-L-L-I-N-O-W-I-C-Z.

The yellow area -- I am referring to the map that you showed prior. I wasn't here last week, so I missed probably a lot of conversations.

But what I am getting at, lot of the area that you showed on the map, it is yellow, and that coverage is ninety percent or maybe ninety-nine percent of the golf course.

Do we really need this type of system to increase our cellular to Verizon service.

MR. LAMBERT: The proposal isn't on the -- it is directed away from the golf course.

MS. KIELLINOWICZ: Another pole that you suggest to install is at node 23, 54 Papermill Road, which is directly across from my house.

I am up on the hill. 54 Papermill Road is way below me, at least fifteen to twenty

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feet, at least, right?

So I already have three existing poles on my property, two in the back, one on the side. And now, I am going to face the front of this street looking at that pole?

And I am sure, if you going to install something on that pole, with your service, three or four other carriers going to come in, and that's it.

It is an open door. There is no denial that somebody else is going to come in, and they going to install it, and I am -- my bedrooms -- I will be on the level of the boxes.

Now, our neighborhood is not a commercial neighborhood. If we were in the commercial neighborhood, I could see this 4G network because that will increase and help the companies to provide better service, I think, with -- commercial.

With residential, there is no need for it. I used to have Verizon service for years. The reason I left, because it was too expensive. It was ridiculous.

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I own a business. I do a lot of bookkeeping, and I had to cut down. Not that I had to cut down, I just didn't want to.

So I am with T-Mobile. T-Mobile gives me a great service.

And I am in this neighborhood for twenty-one years in this house. In the neighborhood of Manhasset, I am thirty-eight years, all right, all together.

I don't think there is need for this, unless you are in the Village, and perhaps -- even the Village, the commercial stores don't need that type of service.

MR. LAMBERT: Thank you.

MS. KIELLINOWICZ: Right?

And I am very much concerned about, not only the looks, but the safety, the safety, and I will be looking directly on that pole, which I think is absurd.

MAYOR DONNO: Thank you.

MS. KIELLINOWICZ: Thank you.

MAYOR DONNO: Anyone else?

MEMBER OF THE PUBLIC: Are there any of these nodes in our neighborhood now?

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MR. LAMBERT: Not owned by ExteNet systems, no.

MEMBER OF THE PUBLIC: But there are?

MR. LAMBERT: I haven't seen any owned by Crown Castle.

MEMBER OF THE PUBLIC: Are there any nodes in the neighborhood?

MAYOR DONNO: No. This is the first. Yes, sir.

MR. KATTAN: Eric Kattan, 21 Circle Drive.

You said that this plan is covering the entire five towns, correct? That's why --

MAYOR DONNO: The five municipalities.

MR. KATTAN: I'm sorry.

MR. LAMBERT: Let me correct the comments about covering. They are --

MR. KATTAN: Laid out.

MR. LAMBERT: The network overlaps with the five municipalities.

But for instance, half of Flower Hill is being covered by the nodes in Flower Hill because they have a macro site a little down the road.

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2 So the only -- the eighteen nodes only
3 cover maybe forty-five percent of -- maybe
4 less, I'm not quite sure, but a lot less than a
5 hundred percent of the entire Village of Flower
6 Hill.

7 MR. KATTAN: Sure.

8 MR. LAMBERT: So the idea of coverage of
9 the entire five jurisdictions, that's not quite
10 accurate.

11 TRUSTEE CLINTON: So it would enhance
12 the coverage of the five jurisdictions.

13 MR. LAMBERT: So for those individuals
14 who live within the contour of the five
15 jurisdictions, and, theoretically, that would
16 also help the micro sites, because it is a big
17 network. Macro sites and small cells work
18 together.

19 So if macro sites are being loaded up,
20 the small cells would offload that traffic, and
21 those macro sites will actually perform better.

22 So indirectly, it would help the other
23 residents of other parts of the communities and
24 beyond the five, because the macro sites would
25 actually be performing better.

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MR. KATTAN: So the Village of Flower Hill who rejected your permit and if that stands, would there be any change of the current plan?

Would you need more here or in order to satisfy the coverage need?

If they say, the eighteen nodes, you can't put them there, does that have any implication to the amount of nodes you would need specifically here?

I mean, I don't care if --

MR. LAMBERT: No. The design right now, geographically, we can't just add nodes in there because they would be too close.

MR. KATTAN: But would it achieve the significant coverage that we are mandated to with those not being here?

MR. LAMBERT: It would definitely hurt the performance of the entire network.

MR. KATTAN: So isn't better to just wait until you see what the result is there before we go on to something that you just now said would be hurting the coverage?

Shouldn't we wait until we see the

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2 results of what is happening with Flower Hill
3 before we grant a permit to something that is
4 going to be --

5 MR. LAMBERT: The nodes still have to,
6 you know, be up to perform what they need to
7 perform for the area.

8 MR. KATTAN: You just said it would hurt
9 the design.

10 MR. LAMBERT: The entire network would
11 have performance issues. If we could figure
12 out a way around it -- we are still going
13 through a process by which permits are out
14 there, and that is -- the permit has to be
15 voted on at some point in time.

16 MR. KATTAN: Let me ask you this way.

17 If you couldn't put the eighteen nodes
18 in Flower Hill, just a fact, would this design
19 be different in order to achieve a better
20 optimal coverage?

21 MR. LAMBERT: The nodes that are
22 currently on the other sites would still be
23 going forward.

24 MR. KATTAN: The way they are?

25 MR. LAMBERT: The way they are, yes.

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MS. SIEGEL: Jane Siegel, 7 Rock Hollow.

So you are saying there would be no need to reconfigure it to get maximum coverage that you are actually looking for?

MR. LAMBERT: Well, we would like to reconfigure it.

I mean, if that happens, there could be a few things could happen. They could reapply for nodes within Flower Hill and change and see if we can get the permit through.

There could be a situation where Verizon says, "We will just deal with what we have and move on forward."

I mean a lot of situations could come out of that. We don't know. We have not talked about it until the situation comes up. There could be various different possibilities of responses.

MR. KATTAN: No, but if you just said -- I'm sorry, but to the point of -- of ma'am here -- I'm sorry, I don't know your name. If you say that, if you can't put the antennas there, you would want to change what you are going to do here, why are we not waiting to see

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what is going to happen there?

Because if they are going to deny you,
then what is --

MR. LAMBERT: We will still move forward
with this. We will still move forward with
Plandome, Plandome Manor --

MR. KATTAN: But you said it is not
optimal.

MR. LAMBERT: We will still --

MR. KATTAN: You said it was not
optimal. You said you would want to change
this plan.

So why go through all of this trouble
for a plan that you don't even know is optimal,
that we won't even get optimal service, when
waiting on another village that has denied you,
and you are in litigation?

MR. LAMBERT: Well, those who are in
distance of the nodes will get the coverage
that Verizon wants.

The whole network will perform as a
whole network.

MS. SIEGEL: You have heard from the
people here. Everybody is satisfied with their

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coverage as it is. So --

MR. LAMBERT: Okay. Thank you.

MAYOR DONNO: State your name for the record.

MR. OWEN: Conrad Owen, 1270 Plandome, again.

Please correct me if I am wrong. The contract is actually for a fixed number of nodes; is that correct? Yes or no?

MR. LAMBERT: The current contract is for a fixed number of nodes.

MR. OWEN: If you lose some in Lake Success and you don't get everything you want in Flower Hill -- you have one in Munsey Park. I know you asked for a lot more than that.

MR. LAMBERT: Just one.

MAYOR DONNO: They just asked for one.

MR. OWEN: So to fulfill your contract, the one that you don't get in Lake Success has to be put somewhere else.

So that goes to this gentleman's point. Maybe he is missing information.

The reality is, you go to other villages and you sue them because you don't get all of

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nodes that you want.

If for some reason your mediation, or whatever you call it, if you don't get them all, the reality is you have to hit the next people really hard, right?

MR. LAMBERT: No.

MR. OWEN: It is in your contract -- I will see if I can find it in the contract, but my guess is either you have a very significant penalty -- maybe Verizon says, "You know what? You only got sixty percent of what we wanted. We are not going to do this." Especially if everyone in Plandome Manor cancels their service.

So that's one thing you have to take into consideration to some extent. This is a sequence of timing as to being unsuccessful elsewhere and getting to us.

There is a contract that says, I have to build fifty-eight or sixty-six. If I don't get it from you, I have to get it from you.

MEMBER OF THE PUBLIC: That's why we wound up with twenty.

MR. LAMBERT: I don't agree with the

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statement, but that's a different conversation.

MEMBER OF THE PUBLIC: I have one more comment.

(Whereupon, all speaking at the same time.)

MEMBER OF THE PUBLIC: Do you have factual evidence to support that?

MEMBER OF THE PUBLIC: I have a question.

MR. DIPIETRO: Do you have factual evidence of a contract that you are willing to support that with, that statement? You said you don't agree.

MR. LAMBERT: I don't agree --

MR. DIPIETRO: You agree with the fact that you have a certain number of nodes you are contracted to install.

MR. LAMBERT: Yes.

MR. DIPIETRO: So then that doesn't make any sense to me.

MR. LAMBERT: What can happen afterwards is dependent on a lot of variables. I mean, the sales people get together and renegotiate contracts. I mean, a lot of things can happen.

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2 MR. DIPIETRO: And I am saying --

3 MR. LAMBERT: I'm not a salesperson, so
4 I don't deal with the sales contracts.

5 MS. CUNEO: Can I ask one additional
6 question?

7 Nancy Cuneo.

8 How is it possible that Munsey Park
9 would only get one node?

10 I mean, think about the number of houses
11 compared to the number of houses we have.

12 MAYOR DONNO: That's all they were asked
13 for.

14 MS. CUNEO: But why?

15 TRUSTEE DESOUSA: They are covered by a
16 macro site.

17 MS. CUNEO: Okay. They have -- okay. I
18 am sure you have done your due diligence.

19 MAYOR DONNO: I think they do have --

20 MEMBER OF THE PUBLIC: There is a macro
21 site in the Village of Munsey Park?

22 MAYOR DONNO: At the Congregational
23 Church, there is towers.

24 MEMBER OF THE PUBLIC: At the church?

25 MAYOR DONNO: Yes. That's called a

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2 macro site.

3 MEMBER OF THE PUBLIC: Okay. Thank you.

4 MEMBER OF THE PUBLIC: So they have more
5 macro sites to cover --

6 MEMBER OF THE PUBLIC: They have one
7 macro site.

8 MEMBER OF THE PUBLIC: They have more
9 macro sites, so they only needed one node.

10 MEMBER OF THE PUBLIC: There is sixteen
11 in Port Washington.

12 (Whereupon, all speaking at the same
13 time.)

14 MR. NAVO: Avi Navo, 199 Circle Drive.

15 If we wanted to, as residents, write
16 letters to Verizon or whatever, is it worth
17 while? Is there a contact?

18 You know, I just don't even know what to
19 do with that, but if we wanted to speak up,
20 instead of just to ExteNet, but to Verizon, how
21 do we facilitate that?

22 MAYOR DONNO: I can't answer that, but I
23 certainly -- I mean, I would certainly think
24 you could or you should.

25 MEMBER OF THE PUBLIC: We should all

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2 cancel our service.

3 (Whereupon, all speaking at the same
4 time.)

5 MR. LAMBERT: We can't speak to Verizon,
6 but --

7 MEMBER OF THE PUBLIC: We can write a
8 letter.

9 MAYOR DONNO: Absolutely. I don't know
10 if it will do any good, but -- it is like us
11 contacting PSEG.

12 MEMBER OF THE PUBLIC: If we all say we
13 are going to drop Verizon Fios and Verizon,
14 then there is no point to put antennas.

15 MAYOR DONNO: But then somebody else
16 will come in.

17 MEMBER OF THE PUBLIC: Until they
18 present, then --

19 MEMBER OF THE PUBLIC: It could be
20 three.

21 MAYOR DONNO: We will get another
22 carrier in.

23 MEMBER OF THE PUBLIC: Well, we have
24 gone along this long without these nodes in our
25 vicinity.

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Maybe we should be -- if all else fails, and the Board reject the application, and then they sue us, perhaps in mediation, we could agree on putting up one site, maybe, you know, at the science museum or at the golf course, and then it would, you know, be a way to mediate and resolve it.

MEMBER OF THE PUBLIC: It is not with these guys. It is with Verizon.

MEMBER OF THE PUBLIC: You don't know.

VILLAGE ATTORNEY FARRELL: You mean one macro site?

MEMBER OF THE PUBLIC: Yes.

VILLAGE ATTORNEY FARRELL: That is a 150 foot pole or tower, and I don't know if the golf course will allow it, and it the county certainly will not allow it on the science museum property.

MAYOR DONNO: Well, you can't. That's a preserve.

VILLAGE ATTORNEY FARRELL: It is park land. It is --

MR. LAMBERT: People who don't like the tower, this will be 150-foot --

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MEMBER OF THE PUBLIC: Put it right on the road level.

(Whereupon, all speaking at the same time.)

TRUSTEE O'NEILL: ExteNet doesn't provide the towers.

MR. LAMBERT: They don't construct them.

TRUSTEE O'NEILL: They only are in the node business.

MEMBER OF THE PUBLIC: They don't sell towers. It would be a different company.

TRUSTEE O'NEILL: So that wouldn't be part of the mediation.

(Whereupon, all speaking at the same time.)

TRUSTEE DESOUSA: Does ExteNet own or maintain any macro sites?

MR. LAMBERT: No.

(Whereupon, all speaking at the same time.)

MEMBER OF THE PUBLIC: Say that again about the macro sites.

MAYOR DONNO: Does ExteNet own or maintain any macro sites?

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MR. LAMBERT: They actually don't.

MAYOR DONNO: They are just small cell carriers.

MEMBER OF THE PUBLIC: Okay.

MEMBER OF THE PUBLIC: I just had another question.

MAYOR DONNO: Hold on a second.

MEMBER OF THE PUBLIC: I am Valerie --

MEMBER OF THE PUBLIC: I'm sorry.

MAYOR DONNO: I am just going to remind you to speak one at a time.

MEMBER OF THE PUBLIC: I am just thinking, if ExteNet does not provide a tower, could we somehow reach out to Verizon and say like, what else can you offer? Can we have a macro site?

Maybe like -- there is an old cemetery which we border. You know, if you put 100-foot in a cemetery, there is nothing around, no live people that are going to complain.

VILLAGE ATTORNEY FARRELL: Yes, but the people who have placed or who put their loved ones there may complain there is a cell tower and cell equipment. And churches are not going

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to --

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: Churches are not going to allow it.

Anyway, that's beyond the scope -- a macro site is beyond the scope of what we are considering tonight.

What we are considering tonight and from Thursday are what is proposed before the Village Board, which are the 20 small cell nodes as part of the distributed antenna system, and that is it.

We can't go back and forth about contacting Verizon and discussing the macro site. This doesn't impact their application at this point.

So we have to just consider what is being presented to the Board.

MAYOR DONNO: Yes?

MS. VITAKIS: RG Vitakis.

It was just said that we can't put any of the antennas in the science museum because it is a nature preserve.

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MAYOR DONNO: It is park land.

MS. VITAKIS: But there are three proposed towers around the nature preserve. I mean, to me, it seems like the same thing. You are circling the nature preserve with these antennas.

MEMBER OF THE PUBLIC: Number 14 Rock Hollow Road is nature preserve. It is part of the science museum.

MEMBER OF THE PUBLIC: It is on the science museum property.

MEMBER OF THE PUBLIC: So the nature preserve is being preserved --

MEMBER OF THE PUBLIC: In the right of way, you might say, but it is the science museum.

(Whereupon, all speaking at the same time.)

MEMBER OF THE PUBLIC: They are more concerned about the nature preserve than about people. Safety of the people, not about the nature preserve.

MR. DIPIETRO: I was just wondering. You know, I know you guys mentioned before

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2 about the process with regard to updates with
3 the community and whatnot, but I was wondering
4 if there, you know, is any way to petition the
5 Board of Trustees for us to get continual
6 updates on what is being decided over the
7 two-month period that you guys talked about, so
8 that we could be generally informed about where
9 the process is going.

10 MAYOR DONNO: Again, first of all, we do
11 have our new website. So we are trying to put
12 whatever we can on that website to keep the
13 residents updated.

14 We are going to be working with our
15 consultant. Not all of it will be out in the
16 open because we have got to do some discussion.

17 MR. DIPIETRO: Understood.

18 MAYOR DONNO: You know, it is --

19 MR. DIPIETRO: So what do you anticipate
20 with regard to the update process and, you
21 know, how it would be --

22 MAYOR DONNO: Well, certainly, we have
23 every intention of being as transparent as
24 possible to the community and making sure that
25 the community understands, you know, what we

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are doing.

MR. DIPIETRO: So the decision won't happen before we are informed about what is going on.

MAYOR DONNO: No. You will absolutely know -- no. You will know when it is time for us to make that decision.

TRUSTEE O'NEILL: Our trustee meetings are public and it is once a month, and it is a regularly-scheduled meeting. So you certainly can come to the meetings, because it is discussed in the public. We don't discuss behind closed doors.

MR. DIPIETRO: Understood.

MAYOR DONNO: Our minutes are on the website. Our agendas are on the website.

MR. DIPIETRO: I understand.

There is -- you know, it seems like a slot clock is on. It is two months.

MAYOR DONNO: Right. Well, we are --

MR. DIPIETRO: It is more of a condensed process than a general forum, I guess.

MAYOR DONNO: As I said, and we always with everything -- not quite sure everyone

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2 reads it, but we have always tried to be as
3 transparent as possible with everything that we
4 have done.

5 So we welcome people to our meetings,
6 and now that we have got the new website -- I
7 know the last one was, you know, difficult to
8 navigate, but the new website should be much
9 easier, and we are trying to keep it as
10 informative as possible.

11 MR. DIPIETRO: Okay. Thank you.

12 MEMBER OF THE PUBLIC: Just a process
13 question.

14 If this is denied, you are only denying
15 this application insofar as it is for Verizon's
16 request right now, but if --

17 MAYOR DONNO: Well, it is ExteNet.

18 MEMBER OF THE PUBLIC: But it is because
19 of Verizon's subcontracting with ExteNet.

20 MAYOR DONNO: Correct.

21 MEMBER OF THE PUBLIC: If AT&T reached
22 out to them in a month from now, they could
23 just reapply.

24 In terms of a denial, they would submit
25 a new permit application on behalf of another

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provider in the future potentially?

MAYOR DONNO: That's interesting.

VILLAGE ATTORNEY FARRELL: Yes.

(Whereupon, all speaking at the same time.)

VILLAGE ATTORNEY FARRELL: The bottom line is yes. If something changes, if they have a pole that is proposed here, and they decide to relocate it, it would have to be an amended application, and we would have to consider that separately at another public forum.

So it would be -- you know, the same would be true if AT&T came in with Crown Castle. They would have to come here. If ExteNet came back with T-Mobile, they would have to come back here.

MEMBER OF THE PUBLIC: So but the grounds for denial that you guys have been talking about are largely technical, and so, eventually -- it seems very problematic because unless there are certain standards -- if you can rely on your aesthetic standards --

MEMBER OF THE PUBLIC: You can.

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MEMBER OF THE PUBLIC: If you can. I don't know.

I'm not clear on the grounds for denial, and I don't know if we want to go into that here or not, but it seems to me -- I know the deficiency in the application was one thing, but are there other grounds we can rely on in terms of everyone's concerns here?

I don't know how much of that is relevant or applicable to your decision making or not. I don't know if you can speak to that, but --

VILLAGE ATTORNEY FARRELL: I mean, I think we kind of went through it.

It is a significant gap in coverage. It is aesthetics. That's really it.

The FCC has kind of, you know, put the clamps on us as to what we can consider, and until something changes at the FCC, you know, there is --

You know, they have made it harder. The current FCC has made this process harder. They have put harder timelines and harder dates on the municipality to consider these

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like this is going to go away whether or not
this is denied.

VILLAGE ATTORNEY FARRELL: That's a fair
statement.

TRUSTEE CLINTON: They have sort of
outlined a response that may or may not be
effective, but they have suggested that it
needs to be specific. It needs to be well
articulated. It needs to be reasonable, and it
needs to be legitimate.

MEMBER OF THE PUBLIC: Right.

TRUSTEE CLINTON: So that's -- and we
have gotten some great feedback from the
village on those items, including the signage
which is, you know, sort of new this meeting.

MAYOR DONNO: I am just looking for --
somebody had mentioned at the last meeting that
there is a law. Perhaps any of you would like
to take a look at it. I haven't read it yet.

It is called the Middle Class Tax Relief
and Job Creation Act and within that law -- I
think it was signed within the Obama
administration.

MR. TAGLIAFERRI: Section 6409.

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2 MAYOR DONNO: Section 6409.

3 MR. TAGLIAFERRI: Section 6409.

4 MAYOR DONNO: Kind of what is happening
5 within these states is that they are trying to
6 take the local zoning authority away from us.

7 And it is happening with a lot of stuff.
8 So it is, you know, something that we are up
9 against.

10 But you know, we are going to fight for
11 what we think is best for the community.

12 MR. DIPIETRO: I just have one thing.

13 So in Florida, they were trying to --
14 you know, there was this big Zika scare in
15 different villages and whatnot and what the
16 residents there did was they filed a federal
17 injunction to block them releasing mutant
18 mosquitos.

19 I know this is way off base, but is
20 there a way for us to, basically, block this or
21 delay this with a federal injunction? Maybe
22 that is the process?

23 MAYOR DONNO: You mean in just Plandome
24 Manor?

25 MR. DIPIETRO: Exactly.

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MAYOR DONNO: It is something to think about.

VILLAGE ATTORNEY FARRELL: I don't know that we can get an injunction.

MR. DIPIETRO: If I were to file it as a resident myself, could I get one?

VILLAGE ATTORNEY FARRELL: I wouldn't advise you on that, regardless. You would have to consult your own attorney.

But knowing the standards for obtaining an injunction, you know, you would have to establish a likelihood of success on the merits. And sitting here today, I don't know that we can make that -- hit that burden.

MR. DIPIETRO: Okay. But it is definitely a possibility that we should explore.

VILLAGE ATTORNEY FARRELL: It is something that can be looked at, certainly.

MR. DIPIETRO: Thank you.

As a Board and as our attorney, I would hope you would explore that.

VILLAGE ATTORNEY FARRELL: Sure.

MR. DIPIETRO: Thank you.

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MAYOR DONNO: Any other questions?

MS. ESTEPOPOLOUS: Joy Estepopolous, 7 Luquer.

They are proposing a node literally right across the street from me in front of my house.

A couple questions that I have.

First of all, in terms of the aesthetics, it is not in keeping with anything at all on Luquer, which we talked about last session. There is absolutely no above-ground structures on all of Luquer, all the way down.

I am curious to ask ExteNet, in terms of Port Washington as a region, how many nodes are being proposed there in the Port Washington location?

MR. LAMBERT: Sixteen.

MS. ESTEPOPOLOUS: Sixteen. Which is a far larger area than Plandome Manor is.

MR. LAMBERT: Again, I am going to try to reiterate this.

It is not about covering an entire municipality. The coverage map just happens to overlap certain municipalities.

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The purpose of it isn't to say, "Oh, I want to cover all of Munsey Park," or "I want to cover all of this or that for this contour."

Now, the bigger network, the macro sites, the small cells, ideally, Verizon covers -- in all of them, covers as much as they possibly can with infrastructure that they have.

But the sixty-six nodes that this larger contour is made of is just designed to cover the coverage gap that exists, that just happens to overlap with certain parts of certain jurisdictions.

The purpose of is not to -- all sixty-six nodes to cover all of Munsey Park, all of Flower Hill, all of, you know, Plandome Manor, all of Plandome.

That's not the purpose, and I am sorry if I gave you that impression. That's not what the purpose --

MEMBER OF THE PUBLIC: What is the purpose then?

MEMBER OF THE PUBLIC: What is the purpose.

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(Whereupon, all speaking at the same time.)

MEMBER OF THE PUBLIC: This is a contradiction to what you were initially saying.

You were saying that the purpose of all of these nodes is to give proper coverage supposedly that is lacking.

MR. LAMBERT: Right, within the area that is lacking.

We saw the map there. The dark bluish area, that bluish area overlays different municipalities, but the blue area doesn't cover all five municipalities.

It is just, they cover that dark blue area, which I showed in one of those initial maps. That is where the service is.

There are macro sites and other existing -- macro sites that are present and around all of these jurisdictions that do impact the larger network. So I don't want to suggest --

TRUSTEE CLINTON: The question of the disparity between Port Washington and Plandome

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Manor was brought up at the last meeting, and the response was, there is a macro site in Manorhaven that covers a good portion of Port Washington.

MR. DIPIETRO: But also, the gentleman that was here in the last meeting who --

MR. LAMBERT: Chris.

MR. DIPIETRO: Chris, yes. He was very eloquent in what he was displaying.

Also, he mentioned that the range of cell nodes isn't that far and, therefore, local coverage. So like this is one thing I haven't been able to put together at all. So --

MR. LAMBERT: Okay.

MR. DIPIETRO: Your explanation, as eloquently as you have been saying it, is that it happens to be with a broader network.

Chris, who happens not to be here tonight, was saying a very different thing at the last meeting with regard to the range of the cell nodes having to do with our coverage in our local areas and the vicinity that they cover.

MR. LAMBERT: Yes. It is both.

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MR. DIPIETRO: But it is both is like garbage. Right?

So what is the actual purpose of putting twenty nodes in Plandome Manor?

Outside of this general network thing. Because Chris, who happens not to be here tonight --

And I am Mike DiPietro, 15 Luquer, for your record.

Chris said an entirely different thing in the last meeting. Right? And I am -- you know, he is not here to defend himself, and I am --

MR. LAMBERT: Right.

MR. DIPIETRO: I am just wondering the differentiation -- because you guys work together, right?

MR. LAMBERT: Yes.

MR. DIPIETRO: You guys are partners in crime. Right?

MR. LAMBERT: He is the RF engineer.

MR. DIPIETRO: Okay. and he understands this very specifically, and you are a public relations person.

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2 MR. LAMBERT: And --

3 MR. DIPIETRO: He doesn't happen to be
4 here tonight.

5 BUILDING INSPECTOR BUTT: You said that.

6 MR. DIPIETRO: The question is, why do
7 you guys differ on this?

8 MR. LAMBERT: We don't differ. It is
9 both.

10 The nodes -- roughly, the range is 500,
11 600 feet, depending on the situation. That is
12 part of a larger network that also is -- sixty-
13 six nodes are part of a larger network.

14 MR. DIPIETRO: You guys are color
15 blasting, you know, with the red, right?

16 MR. LAMBERT: I showed that, yes.

17 MR. DIPIETRO: That doesn't show like
18 all sixty-six nodes, and how like the whole
19 thing becomes red.

20 It is just, you know, this is going to
21 give you better coverage is your explanation.

22 MR. LAMBERT: Well, tonight, I did
23 present one of the first maps.

24 MR. DIPIETRO: I'm sorry I missed it.

25 (Whereupon, all speaking at the same

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time.)

MEMBER OF THE PUBLIC: It is online, I think.

MR. LAMBERT: I'm sorry. That did have all sixty-six nodes, and I will also submit this one.

VILLAGE CLERK MALMAN: It is not online yet.

(Whereupon, all speaking at the same time.)

MR. LAMBERT: There is also a Cam Z, which is a Google Maps file, which I also gave to the Village to put online, or at least a link to download it. You need Google Earth to reload it, but that shows also the coverage area.

MR. DIPIETRO: My question is, why was Chris talking about the range not being that far? Right? That's why the other stuff is not going to bother our homes. And why are you talking about the general, you know, stability of the network? What is the difference? Like, I mean, it was a very big difference.

(Whereupon, all speaking at the same

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time.)

MR. LAMBERT: I am not quite understanding the question. I apologize.

It is both. I mean, it affects -- it is a network, as well as it provides coverage to those who are in the immediate vicinity of the node. I mean, it does both.

MAYOR DONNO: Mr. DiPietro, let me just -- we are going to take one more question, and then end this, because we seem to be going around in a circles.

MR. DIPIETRO: Sure. I'm fine.

MAYOR DONNO: I just want to say, we are not done with the studies that we need to get from them, and I think a lot of that are questions that this Board has.

You know, Matt has mentioned it and Pat has mentioned it. Why do we have twenty? We want to know, why do we need that coverage? Why do we need the coverage here? They need to prove that to us.

MR. DIPIETRO: Sure.

MAYOR DONNO: So a lot of what everyone is saying, we already, with our consultants,

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are saying. We need more information here.

MR. DIPIETRO: I agree.

MAYOR DONNO: I mean, we are not ready yet. We are in discussion to extend it. We are not ready to make a decision. We are nowhere near making a decision. This is important to us.

MR. DIPIETRO: Understood.

MAYOR DONNO: So please. I don't know that we are going to settle anything. We are just kind of going around in a circle at this point.

MR. DIPIETRO: No, I know. I just wanted to put out there --

MAYOR DONNO: No. I understand.

MR. DIPIETRO: -- the fact that Chris, who happens not to be here said something very different.

MAYOR DONNO: I understand.

(Whereupon, all speaking at the same time.)

TRUSTEE CLINTON: Mr. DiPietro -- I agree, by the way. It is inconsistent, and it is in conflict. It is either part of a network

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as a result of a big algo or it is local coverage, but it can't be both.

MR. DIPIETRO: Thank you.

MR. LAMBERT: It is both.

MAYOR DONNO: One more.

MS. ESTEPOPOLOUS: Joy Estepopolous, 7 Luquer.

Thank you for your hard work, firstly and lastly.

But I do think the aesthetics -- in the last meeting, the attorney for ExteNet also reiterated that, that that is a reason that can be challenged. The aesthetics and the property value are really, really, really key here in this village that we all cherry picked to live in.

And you know, literally, some people -- it is a destination where people are looking for a home to live in Plandome Manor. We love our surroundings. We have love our neighbors. We love the aesthetics of our home. That's why we selected --

I wrote a whole letter on it. That's why we selected to live here.

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So I think in terms the aesthetics and the property value, that that should be a key for making a determination here, because it will not only affect the people where the node is being specifically placed, but it will affect Plandome Manor as a whole, because when the word gets out, people are not going to be apt to want to buy a home in this location with twenty nodes all around.

It is going to affect all homes, not just the twenty homes, but the twenty homes in particular.

And in my particular case, literally every vantage point of my home, I will be seeing this 30-foot node, from every room in my entire house, from my living room, my dining room, my bedroom, my side yard, my driveway. There is no escaping it.

So the aesthetics have to be taken into consideration in terms of legality and the property value and the value as a whole for the Village.

MAYOR DONNO: Thank you.

MS. ESTEPOPOLOUS: Thank you.

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VILLAGE CLERK MALMAN: We did put up a lot of information on the website, a lot of the studies that were discussed, and as we get more information, we will continue to put it up.

So you can go PlandomeManor.com. There is a link right at the top to the page where all of the information is provided.

MEMBER OF THE PUBLIC: One last thing.

MAYOR DONNO: Sure.

MEMBER OF THE PUBLIC: The lawyer here from ExteNet said that everything has to be specifically articulated in what Joy was mentioning to have a defense or have any case or any fight against the small nodes being put all around.

So I want to ask you, as the Board, are you the ones that are going to present individual -- representing everybody that is so against this with the super-detailed articulated reasons why I can't look out my window anymore and just have a feeling of joy or --

Are you the ones that are going to do that, or are you going to ask for all the

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1 residents to provide that as proof as more
2 definite, concrete proof?

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4 Because at the last meeting, he said you
5 will definitely lose if any mention of health
6 is mentioned. You will lose.

7 MAYOR DONNO: Well, we know that that's
8 definitely not allowed.

9 MEMBER OF THE PUBLIC: Right. It is not
10 allowed.

11 MAYOR DONNO: We can't deny anything on
12 health.

13 MEMBER OF THE PUBLIC: Are you going to
14 solicit residents to come forward with their
15 specific, detailed, articulated detail of why
16 it is so distasteful to each person and how
17 they would be affected personally with the real
18 estate values?

19 MAYOR DONNO: Well, I think that's why
20 we are having the public hearings.

21 MEMBER OF THE PUBLIC: But --

22 MAYOR DONNO: Let me also assure you
23 that Ed and I and the Board members and Al have
24 been out and we have seen every location that
25 they plan on --

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MEMBER OF THE PUBLIC: Right, but I only found out about this at a local bus stop a week before this happened, and I never heard of it.

(Whereupon, all speaking at the same time.)

VILLAGE CLERK MALMAN: We sent out e-mails and letters, and it was on the website.

MEMBER OF THE PUBLIC: It is not aggressive enough for something as important as this.

(Whereupon, all speaking at the same time.)

MAYOR DONNO: It has also been in the newspapers.

MEMBER OF THE PUBLIC: And I had read those articles, but to get the specific detail that he is saying that you need to win this, to present a concrete case of having actual -- a reason to stand on. Otherwise, it is out the window.

So like is there any -- are you going to solicit more people to get interested? Do you know what I mean?

MAYOR DONNO: Everyone is certainly

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welcome to -- we have got a file of letters.
That is why we are having public hearings.

You know, we are certainly out there
talking to our neighbors. We all live here.
So you know -- and most of us are affected by
these poles, also.

So you know, it is not that we are not
asking for input.

MEMBER OF THE PUBLIC: Okay. But it is
up to you then to present it to them.

MAYOR DONNO: Yes. Well, with the help
of our consultants and our attorney.

And you know, the Board has to make this
decision, but we are not doing it alone. We
are doing it with your input, and we are doing
it with our consultants and our attorney and,
you know, whatever other information that we
can use, you know, to help us along with this
process.

I meet with the mayors of the other
villages monthly. So we are certainly aware of
what is going on, what their input is.

You know, as I said, I have been to
workshops up in Albany. I am going up to one

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2 again. We have had workshops down here.

3 It is not that we are just doing this
4 with no knowledge or no input at all. We are
5 all very concerned about what is going on, and
6 we certainly are concerned with how it is
7 affecting all of you.

8 MEMBER OF THE PUBLIC: Okay.

9 MS. SIEGEL: I'm sorry. What was your
10 name?

11 MR. WASHINGTON: Larry.

12 MS. SIEGEL: I'm sorry. Jane Siegel, 7
13 Rock Hollow.

14 Larry, what you said before was -- what
15 you said was you would have to articulate --
16 I'm trying to clarify this, because I don't
17 think -- do you mean that you need the Village
18 to articulate a design?

19 MR. WASHINGTON: They have to -- the
20 standard has to be reasonable. It has to be
21 stated. It has to be -- and it can't result --
22 it can't result in a blanket prohibition.

23 So -- but what the FCC has said is that
24 the local government can look at aesthetic
25 issues within a certain reasonable, articulated

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2 parameter. For example, if I say --

3 MS. SIEGEL: What does that mean?

4 MR. WASHINGTON: Okay. If I say that I
5 like blue and you like red, and I say that
6 that -- because my personal preference is blue,
7 that's not sufficient.

8 A reasonable person would say there has
9 to be something more substantive than that. It
10 has to go into showing a coherent plan that
11 makes sense.

12 MAYOR DONNO: I am going to adjourn the
13 meeting.

14 So I do thank everyone for coming in,
15 for staying until after 10:30 and for your
16 input.

17 Please feel free to contact the Village.
18 Come in and take a look at all of the
19 applications, the applications that apply to
20 you.

21 If you would like -- you know, Randi
22 gets lonely during the day, so come in. We do
23 have our -- although Randi is leaving us
24 soon -- well, not leaving forever. She is
25 getting married in a couple weeks.

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MEMBER OF THE PUBLIC: Congratulations.

MAYOR DONNO: She will be on a vacation.

We have Marie. So be gentle.

Anyway, I do thank everyone for coming.

If you want to call the Village, you know,
write a letter, e-mail, you know, we all get
the e-mails and read them. So please feel free
to do that.

We will try to be as transparent as
possible and let you know what the process is.
Right now, we are not making that decision.

Again, thank you all for coming out. I
appreciate it.

I do need a motion from the Board to
close the public hearing on the special use
permit application submitted by ExteNet Systems
for a distributed antenna system in twenty
locations throughout the Village of Plandome
Manor, and leave the record open for the
submission of any additional information
requested by the Board or its expert.

TRUSTEE DESOUSA: Motion.

MAYOR DONNO: Can I have a second?

TRUSTEE CLINTON: Second.

1 MAYOR DONNO: All in favor?

2 TRUSTEE O'NEILL: Aye.

3 TRUSTEE DESOUSA: Aye.

4 MAYOR DONNO: Aye.

5 TRUSTEE CLINTON: Aye.

6 TRUSTEE BAYDAR: Aye.

7 MAYOR DONNO: Thank you.

8 Can I have a motion to adjourn the
9 regular meeting?

10 TRUSTEE DESOUSA: Motion.

11 TRUSTEE CLINTON: Second.

12 MAYOR DONNO: All in favor?

13 TRUSTEE O'NEILL: Aye.

14 TRUSTEE DESOUSA: Aye.

15 MAYOR DONNO: Aye.

16 TRUSTEE CLINTON: Aye.

17 TRUSTEE BAYDAR: Aye.

18 MAYOR DONNO: Thank you.

19 (TIME NOTED: 10:37 P.M.)

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CERTIFICATION

I, COURTNEY BIONDO, a Notary Public in and for the State of New York, do hereby certify that the foregoing is a true and accurate transcription of my stenographic notes.

I further certify that I am not employed by nor related to any party to this action.

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of October, 2019.



COURTNEY BIONDO

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