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STATE OF NEW JERSEY  
COUNTY OF MORRIS  
TOWNSHIP OF CHATHAM  
REGULAR MEETING

IN THE MATTER OF  
The Application of:

TRANSCRIPT OF  
PROCEEDINGS

NEW CINGULAR WIRELESS PCS LLC  
(AT&T) 63 BUXTON ROAD, BLOCK: 62,  
LOT: 105 APPLICATION NO.:  
13-62-105,

- - - - - X  
TOWNSHIP OF CHATHAM MUNICIPAL BUILDING  
401 Southern Boulevard  
Chatham, New Jersey 07928  
February 20th, 2014  
117:30 p.m.

B E F O R E:  
BOARD OF ADJUSTMENT  
TONY VIVONA, CHAIRMAN  
KATE KENNY, VICE CHAIR  
JON WESTON, BOARD MEMBER  
GLEN L. NELSON, BOARD MEMBER  
WILLIAM STYPLE, BOARD MEMBER  
STEPHEN H. SHAW, ESQ., BOARD ATTORNEY  
JOHN K. RUSCHKE, P.E., BOARD ENGINEER  
ROBERT MICHAELS, P.P., BOARD PLANNER  
BRUCE A. EISENSTEIN, CONSULTING ENGINEER  
KALI TSIMBOUKIS, BOARD SECRETARY

A P P E A R A N C E S:  
PINILIS, HALPERN, LLP  
ATTORNEYS FOR THE APPLICANT  
BY: JUDITH A. FAIRWEATHER, ESQ.

HEROLD LAW, P.A.  
ATTORNEYS FOR THE OBJECTORS  
BY: ROBERT F. SIMON, ESQ.

GINA M. LAMM, CCR/RPR, Court Reporter

Job No. CS1799976

1 CHAIR VIVONA: Okay. Next calendar  
2 would be 13-62-105. New Cingular Wireless PCS,  
3 LLC, AT&T, 63 Buxton Road.

4 At this point I'm going to  
5 relinquish the chair to our vice chair, Ms. Kenny.

6 MS. FAIRWEATHER: Good evening.

7 VICE CHAIR KENNY: Good evening.

8 How are you?

9 MS. FAIRWEATHER: I'm good; thanks.

10 How are you?

11 VICE CHAIR KENNY: Good.

12 MS. FAIRWEATHER: Judy Fairweather  
13 on behalf of AT&T. I would like, Madam Chair, to  
14 start with my radio frequency engineer, Yvan  
15 Joseph, who has already been sworn in, and I will  
16 remind him he's still under oath. There were many  
17 questions last time regarding other existing  
18 structures within the search ring. And, so, Yvan  
19 is here to testify about those structures.

20 VICE CHAIR KENNY: Great.

21 MR. JOSEPH: Again, my name is Yvan,  
22 spelled, Y-V-A-N. Last name, Joseph, J-O-S-E-P-H.

23 MS. FAIRWEATHER: Okay, Yvan, let's  
24 start marking exhibits. I believe we are up to  
25 A-21.

1 MR. SHAW: There may have been  
2 something else.

3 MS. FAIRWEATHER: We had O-1 and  
4 O-2. And A-20 was propagation maps. Coverage  
5 maps, I'm sorry.

6 MR. SHAW: We actually moved up  
7 since A-21. We had some other documents; a  
8 transcript A-26.

9 MS. FAIRWEATHER: Okay. A-26. Oh,  
10 Yvan, let's talk about this. So, you have A-20,  
11 which was your coverage map for the proposed site,  
12 correct, with the overlays?

13 MR. JOSEPH: That is correct.  
14 Previously I had presented AT&T's existing service  
15 in and around Chatham, and I presented several  
16 overlays showing AT&T existing coverage, along  
17 with the proposed coverage.

18 MR. SHAW: Can you talk a little bit  
19 closer into the microphone. It's hard for people  
20 to hear.

21 MR. JOSEPH: I'm sorry.

22 MS. FAIRWEATHER: Oh, much better.

23 MR. JOSEPH: Okay. And I presented  
24 an overlay showing AT&T's coverage from the  
25 proposed Buxton Road water tank.

1           Since that meeting there has been  
2 some developments. There was an inquiry as to  
3 some facility in Summit, since that -- since our  
4 last meeting, actually it was the Town of Summit  
5 has released a bid on a piece of property located  
6 at 3 Constantine Road -- 3 Constantine Place.  
7 Excuse me. So, I am incorporating that, because  
8 AT&T is currently bidding on that piece of  
9 property to place antennas on a proposed 150 foot  
10 monopole structure. Worst case, we might get 140  
11 feet, because other companies are also bidding on  
12 that.

13                   VICE CHAIR KENNY: Just for the  
14 public, do you know what street that -- what  
15 neighborhood that's in? What street that's off,  
16 the Constantine Road? What area of Summit that  
17 is?

18                   MS. FAIRWEATHER: You're going to  
19 show us, correct?

20                   MR. JOSEPH: That's near --

21                   MS. FAIRWEATHER: You're going to  
22 show it, correct?

23                   MR. JOSEPH: Yeah, it's near --  
24 there is like a water --

25                   MR. SHAW: It's off Passaic Avenue.

1 VICE CHAIR KENNY: Off Passaic?

2 MR. JOSEPH: Right. There is a DEP  
3 station, like a recycling station. It's right  
4 behind that.

5 VICE CHAIR KENNY: Oh, okay. Right.  
6 Okay.

7 MR. JOSEPH: So, we actually had  
8 inquired with the Town of Summit about that  
9 location and they were not interested. And just  
10 recently they released a bid for a monopole  
11 structure and pumping station just behind that.

12 AT&T is bidding on that. We haven't  
13 yet been awarded. We have no lease. But because  
14 we have an intent to go there, I am going to show  
15 you the coverage from that location, and how it  
16 links to our facility in Chatham.

17 MR. EISENSTEIN: Yvan, can I ask  
18 you, is that the site you have labeled A-90 on the  
19 grid I have?

20 MR. JOSEPH: That's correct.  
21 Previously in my last presentation I showed it as  
22 an existing search grid. Since we did not have a  
23 lease, and we did not have a property tied down,  
24 locked down to this date --

25 MS. FAIRWEATHER: And the bid hadn't

1     been released yet.

2                   MR. JOSEPH:   The bid had not been  
3     released.   Since the bid has been released and we  
4     have a location and an address, I will be showing  
5     the coverage from it.   Okay.   So, again, this was  
6     a representation of AT&T.

7                   MS. FAIRWEATHER:   Hold it closer  
8     Yvan.   When you hold it really close it's good.

9                   MR. JOSEPH:   Okay.   This is a  
10    representation of AT&T's existing coverage in  
11    around Chatham.   And this was representation of  
12    the coverage from the water tank.   Okay.   And this  
13    map represents the coverage that AT&T would  
14    obtain, if they were able to place antennas at the  
15    proposed Summit pumping station, at a height --  
16    minimum height of 140 feet.   So --

17                   MR. SHAW:   Is that a new sheet?

18                   MS. FAIRWEATHER:   So, we would be up  
19    to A --

20                   MR. SHAW:   A-26 would be the -- with  
21    Summit proposition?

22                   MS. FAIRWEATHER:   A-26 will call it  
23    the Summit bid site.

24                   MR. JOSEPH:   What this shows is that  
25    we have a portion of the Town of Summit that is

1 filled by this tentative -- tentative facility.  
2 However, it doesn't reach far enough into parts of  
3 New Providence. And, also, the Town of Chatham,  
4 specifically, we are still left with the gap along  
5 River Road for approximately .85 miles. We also  
6 are left with a gap for half a mile on Passaic  
7 Street, and half a mile on Springfield, and in  
8 total we still have approximately a mile worth of  
9 unserved area that AT&T would still need to  
10 serve. So, again, I just want to make it clear,  
11 that AT&T is bidding on a proposed location in the  
12 Town of Summit, and this is how it would effect  
13 the Town of Chatham and surrounding areas. It  
14 would cover some parts of Summit. However, it  
15 would not reach over the ridge. And I can show  
16 you, again, there would not impact any of the  
17 areas of Chatham just northwest of the ridge where  
18 Buxton Road water tank is located.

19 MS. FAIRWEATHER: Okay next.

20 MR. JOSEPH: Now we were asked to  
21 look at several other properties. Specifically  
22 there was a water tank located at 8 Longwoods  
23 Avenue in Chatham Borrow. We did go out and visit  
24 this site. Actually one of the -- there was some  
25 issues with the site even if we were able to

1 locate on it. First of all, the water tanks were  
2 approximately 8 feet high, and they did not clear  
3 the trees. So -- and a parcel of land where it  
4 was -- was a bit tight, it was also a residential  
5 neighborhood. I don't believe it would have any  
6 significant gain to our network by placing our  
7 antennas there. However, I did prepare a coverage  
8 exhibit from that location, assuming that we would  
9 get approximately 100-foot height.

10 MS. FAIRWEATHER: And this is now  
11 27, and we are going to call that the Chatham  
12 Borrow water tank.

13 MR. JOSEPH: I am going to leave the  
14 Chatham --

15 MS. FAIRWEATHER: You mean the New  
16 Providence.

17 MR. JOSEPH: The New Prov -- I'm  
18 sorry, the Summit and the Chatham existing  
19 service, just so you can see how everything plays  
20 with each other. So, this represents the coverage  
21 from this water tank, a series of three water  
22 tanks, located at 8 Longwoods Avenue. The ground  
23 elevation at those water tanks are approximately  
24 429 feet, which is over 50 feet lower than our  
25 proposed Buxton Road water tank. However, the

1 problem with this water tank is that Buxton Road  
2 ridge blocks some of the areas of River Road, and  
3 can still leave a gap along River Road in some of  
4 these areas between New Providence and Chatham.  
5 So, I don't believe this is a suitable replacement  
6 for our 63 road -- I'm sorry, 63 Buxton Road  
7 facility that we are proposing.

8           Next, we were asked to look at a  
9 facility located at 556 Morris Ave., which is the  
10 Merk facility. Ground elevation there is  
11 approximately 236 feet. There are only buildings  
12 there. The highest building is -- the tallest  
13 building we approximated to be about 60 feet. One  
14 thing about the site is it's actually a quarter  
15 mile away from the existing AT&T facility. So, I  
16 don't believe it to serve this area. However, I  
17 did propagate that.

18           MS. FAIRWEATHER: Let the record  
19 show that the Merk site would be A-28. A-27 was  
20 the Chatham Borough water tank.

21           VICE CHAIR KENNY: Where is that  
22 other facility that you're referring to?

23           MR. JOSEPH: I'll give you the  
24 address in a second. That's the Merk  
25 Pharmaceutical facility located at 556 Morris Ave.

1 and I estimated the coverage -- the highest  
2 building there to be about 60 feet. And this  
3 would be the coverage, which would be actually  
4 redundant coverage, as we have a site, NYCWMJ3217,  
5 a quarter mile away. Our antennas there are  
6 approximately 98 feet. So, this would just be  
7 providing redundant coverage and wouldn't add  
8 anything to AT&T's existing network.

9 VICE CHAIR KENNY: The address of  
10 that?

11 MS. FAIRWEATHER: Merk?

12 MR. JOSEPH: Merk is 556 Morris --

13 VICE CHAIR KENNY: No, the other  
14 one.

15 MR. JOSEPH: Oh, the address of the  
16 other one.

17 VICE CHAIR KENNY: Well, I'm just  
18 trying to get an idea of where it is.

19 MR. JOSEPH: Sure. I'm sorry.

20 MR. SHAW: It's another AT&T site.

21 MR. JOSEPH: AT&T has a facility the  
22 call time is NYCWNJ327, called Summit 3. That  
23 address is 3 Watchung Avenue, Chatham Borough, and  
24 we are located on a power tower there -- actually,  
25 I'm sorry, the height there is 107 feet where AT&T

1 has existing antennas. So, placing a facility on  
2 any of the buildings at the Merk Pharmaceutical  
3 Center wouldn't provide any benefit to AT&T  
4 network.

5 Next, we were asked to look at the  
6 facility, the Lucent facility, located at 600  
7 Mountain Ave., New Providence. There were a  
8 series of low buildings, but there was an existing  
9 water tank to the back of the property. However,  
10 that actual water tank is approximately 250 feet  
11 from an existing tower, where AT&T currently has  
12 antennas at already.

13 First let me show you the coverage  
14 from that one.

15 MS. FAIRWEATHER: And let the record  
16 show that A-29 we will label Lucent.

17 MR. JOSEPH: Again, this property is  
18 located at 600 Mountain Ave. in New Providence. I  
19 estimated that the water tank was about 120 feet.  
20 Ground elevation of 250 feet. And this site, like  
21 I said, was 250 feet from AT&T existing site. And  
22 it's toward the bottom of the map. You can barely  
23 see it. It's NYNYNJ0357. The address of that  
24 facility is 600 Mountain Ave., also on the same  
25 property in New Providence and AT&T is located on

1 a lattice tower at 95 feet.

2 Again, that facility, assuming that  
3 we could get on the water tank, does nothing to  
4 improve the coverage that we're trying to gain in  
5 and around the area of Chatham. So, I don't  
6 believe this as a good alternative to our 63  
7 Buxton Road proposal.

8 MS. FAIRWEATHER: Next.

9 MR. JOSEPH: Okay. Next, we look at  
10 the series of JCPL power lines, which run along  
11 River Road, in and out of Chatham Borough -- the  
12 Township of Chatham and New Providence. There are  
13 approximately five power towers in the gap that  
14 AT&T is trying to serve. However, there is some  
15 issues. Actually, in the past, AT&T has  
16 investigated these facilities. I plotted two of  
17 them, which have a possibility of being co-located  
18 on. The first -- the first, I don't have the  
19 actual JCPL structure number. However, I have the  
20 coordinates. If you want me, I can provide the  
21 coordinates of that facility. One of the issues  
22 we have with that location, is, it's seems -- it's  
23 in a wetlands --

24 MS. FAIRWEATHER: Yeah, but why  
25 don't -- let's not even get into that. Can you

1 show us where on the map it would be.

2 MR. JOSEPH: It would be down here.

3 MS. FAIRWEATHER: And down here  
4 means where? Just describe that for the --

5 MR. JOSEPH: I'm sorry, towards the  
6 border of the Chatham/New Providence line, by the  
7 Passaic River. Right, the Passaic River. Right  
8 there. But, basically, it's around, if you know  
9 where the fire station is on River Road, it's in  
10 that vicinity. The issue with that particular  
11 property is that --

12 MS. FAIRWEATHER: I am sorry, you  
13 want to just show the propagation map.

14 MR. JOSEPH: I don't have a  
15 propagation map --

16 MS. FAIRWEATHER: Oh, I'm sorry, for  
17 that one.

18 MR. JOSEPH: Because of the wetlands  
19 issue it would not be a feasible solution.

20 MS. FAIRWEATHER: You know what, you  
21 have the 4 JCPL.

22 MR. JOSEPH: I have three -- two of  
23 the other properties that we looked at. There is  
24 JCPL tower on Union County property, which I do  
25 have the prediction for.

1 MS. FAIRWEATHER: And you have two  
2 out of the four possible JCPL.

3 MR. JOSEPH: Two out of five.

4 MS. FAIRWEATHER: Two out of the  
5 five. Well, one is green acres so, it doesn't  
6 count. But, in your opinion, would the coverage  
7 of the JCPL, in the row that it's in, would the  
8 coverage vary whether you were on tower No. 1,  
9 tower No. 2, tower No. 3, or tower No. 4?

10 MR. JOSEPH: The coverage varies  
11 slightly. And I chose the two that were closest  
12 to the Buxton Road water tank.

13 MS. FAIRWEATHER: Okay, the two that  
14 would give us the best coverage if we could go on  
15 them?

16 MR. JOSEPH: That is correct.

17 MS. FAIRWEATHER: Okay. Perfect.

18 MR. JOSEPH: One of them, again, is  
19 on Union County property. We have contacted them  
20 and had no response.

21 MS. FAIRWEATHER: Okay, let's just  
22 go to the propagation. What should I call this?  
23 We're going to call this A-30. It's JCPL what --

24 MR. JOSEPH: Tower No. 3. I have  
25 the coordinates.

1 MS. FAIRWEATHER: Okay. We can call  
2 it tower No. 3. And just describe into the  
3 record, please, where tower 3 is.

4 MR. JOSEPH: Okay. Tower 3 is  
5 basically at the intersection of Passaic Road and  
6 River Road toward the entrance of the sewerage  
7 treatment plant. So, again, we -- that property  
8 where the tower is located belongs to Union  
9 County.

10 MS. FAIRWEATHER: Yeah, and let's  
11 just go onto the coverage of it. What is the  
12 coverage, in your professional opinion, in regards  
13 to the coverage?

14 MR. JOSEPH: So, the coverage at  
15 that site, does fill in the gap along River Road.  
16 However, it does nothing to get beyond the ridge  
17 where the 63 Buxton Road water tank is located.  
18 And it still leaves gaps in coverage to the  
19 northwest of Chatham, particularly along Fairmont  
20 Ave. and the residents -- and the residents in and  
21 around that area.

22 MS. FAIRWEATHER: Okay. Then let's  
23 go to the other JCPL tower. And we are going to  
24 call that A-31. And what tower do I label that?  
25 Do we have another name for it other than JCPL?

1 MR. JOSEPH: This for me was tower  
2 No. 4 out of the 5.

3 MS. FAIRWEATHER: Okay. So, we'll  
4 call it JCPL.

5 MR. JOSEPH: And this is located on  
6 the sewerage treatment property. The water  
7 treatment property.

8 MS. FAIRWEATHER: Okay. Hold on one  
9 second. I have to write it out. And the other  
10 tower we called the one just before?

11 MR. JOSEPH: Tower 3 out of 5.

12 MS. FAIRWEATHER: Tower 3. Okay.  
13 Tower 4. Okay. Talk about the coverage --

14 MR. EISENSTEIN: Excuse me, what is  
15 the exhibit No.?

16 MS. FAIRWEATHER: Oh, I'm sorry, Dr.  
17 Eisenstein, Exhibit 31 --

18 MR. JOSEPH: A-31.

19 MS. FAIRWEATHER: A-31 is JCPL tower  
20 No. 4. And exhibit No. 30 is tower No. 3 that he  
21 just did.

22 And, Yvan, can you explain -- show  
23 us on the map where this tower is located.

24 MR. JOSEPH: Okay. This is --  
25 actually at this sewerage treatment plant in the

1 parking area of the sewerage treatment plant, and,  
2 again, this provides similar coverage to the  
3 previous tower. We have reached out to this  
4 particular location --

5 MS. FAIRWEATHER: I know but let's  
6 just go over the radio frequency part of it.

7 MR. JOSEPH: Okay. Again, it's very  
8 similar to previous, which is that it does provide  
9 coverage along River Road. However, it does  
10 nothing to reach over the ridge. Again,  
11 specifically along Fairmont Ave. And it doesn't  
12 fill in any of the gaps that we have in coverage  
13 on the northwest portion of the ridge in Township  
14 of Chatham.

15 MS. FAIRWEATHER: Okay. Great.  
16 Let's move on then to your next area of what we  
17 were supposed to provide. You're finished with  
18 the exhibits and structures, correct?

19 MR. JOSEPH: Correct.

20 MS. FAIRWEATHER: Okay.

21 MR. JOSEPH: Okay. And I was asked  
22 to provide a copy of the search ring, which I  
23 believe you have.

24 MS. FAIRWEATHER: We will mark the  
25 search ring as A-32. And, Yvan, since the search

1 ring is small, and I'm going to hand one to Dr.  
2 Eisenstein, and a copy to the board, can you flip  
3 over and explain and show people where the search  
4 ring is, using that map, so we all have an idea of  
5 it.

6 MR. JOSEPH: Sure. I have a marker.  
7 I can mark it as well.

8 MS. FAIRWEATHER: Sure. Okay. Go  
9 ahead Yvan.

10 MR. JOSEPH: Again, the search ring  
11 objectives --

12 MR. SHAW: And what is the sheet  
13 that we're referring to, again, for the record.

14 MS. FAIRWEATHER: It's the base  
15 sheet A-20 without the overlays.

16 MR. JOSEPH: And if you see on the  
17 handout the search ring is essentially towards the  
18 area of the Chatham on the ridge, and also be able  
19 to provide coverage to River Road, Passaic, and --  
20 I'm sorry, Passaic Street, and also the area of  
21 New Providence and Summit, which currently were  
22 unserved by AT&T existing facilities in and around  
23 the township.

24 MS. FAIRWEATHER: Okay. And next we  
25 were supposed to supply. Anything else or are you

1 almost done?

2 MR. JOSEPH: I was also asked to  
3 quantify the coverage from the 63 Buxton Road  
4 facility. In its entirety, the coverage that AT&T  
5 would receive from that facility, is 6.3 square  
6 miles total. Total 6.3 square miles of coverage  
7 that AT&T would have at that facility, 2.93 -- I'm  
8 sorry, 2.94 square miles of that coverage, or 47  
9 percent would be in Chatham Borough. And the  
10 remainder of that coverage would be outside of --

11 MS. FAIRWEATHER: You mean Chatham  
12 Township.

13 MR. JOSEPH: Chatham Township.  
14 Excuse me. Would be outside of Chatham Township.  
15 And the gap that we're left with, again, after --  
16 assuming that we would get that facility located  
17 at the Summit water pumping station, we would  
18 still be left with 1 mile square -- one square  
19 mile worth of gap, and .85 miles along Rive Road,  
20 half mile on Passaic Street, half a mile on  
21 Springfield as well.

22 MS. FAIRWEATHER: I believe you're  
23 finished. Was there anything else? I'm sorry.

24 MR. JOSEPH: Oh, yeah. They also  
25 asked us to provide the A50 coverage maps.

1 MS. FAIRWEATHER: Oh, I forgot about  
2 that. Yes. All right. So, we're going to mark  
3 that -- I thought we were done. We're going to  
4 mark that as A-33, and we're going to call it the  
5 850 megahertz coverage map, correct?

6 MR. JOSEPH: That is correct.

7 MS. FAIRWEATHER: Okay.

8 MR. JOSEPH: And what this shows, is  
9 what is expected at the 850 megahertz range, the  
10 signal travels a little bit further. And we have  
11 a little bit more coverage in and around the area.  
12 However, that frequency band alone is not  
13 sufficient enough to handle the amount of  
14 customers that AT&T has currently in its network.  
15 And also the way the phones work, is that the  
16 phone choose open or free channel. And, so, we  
17 can't control which channels, whether it's 850 or  
18 1900 that the phones go on. So, all of our  
19 designs are naturally designed for worse case,  
20 assuming that a customer comes into 1900, and also  
21 has to hand off into 1900, from either 850 or 1900  
22 itself.

23 MS. FAIRWEATHER: And, Yvan, under  
24 our license with the FCC we have to provide  
25 coverage all the way to 1900 because it's part of

1 license area?

2 MR. JOSEPH: That is correct.

3 MS. FAIRWEATHER: Okay. Thank you.

4 Now, am I finished with you now?

5 MR. JOSEPH: I think that's it, yes.

6 MS. FAIRWEATHER: I'm finished with

7 Yvan now.

8 VICE CHAIR KENNY: Thank you. Is  
9 there anything else before I open it up to the  
10 board?

11 MS. FAIRWEATHER: No, he is  
12 finished.

13 VICE CHAIR KENNY: Dr. Eisenstein do  
14 you have any comments first before we hear from  
15 the board members?

16 MR. EISENSTEIN: Well, going back to  
17 the original base map, they have a gap in  
18 coverage. It's an odd situation in that on the  
19 original base map, the proposed site, which they  
20 label 29 -- actually, could you help me out. Go  
21 back to your existing coverage. Existing  
22 coverage.

23 MS. FAIRWEATHER: All right, that  
24 was A-20, correct?

25 MR. JOSEPH: Yeah, the first one.

1 MS. FAIRWEATHER: The first one.

2 But I think you just took it off. You just have  
3 to give us a moment.

4 MR. JOSEPH: The ones we just took  
5 off.

6 MS. FAIRWEATHER: The ones we just  
7 took off. I think it's -- I think it's part of  
8 A-20.

9 MR. SHAW: A-20 I believe.

10 MR. JOSEPH: Distinguishing AT&T  
11 coverage.

12 MR. EISENSTEIN: And that's without  
13 990.

14 MR. JOSEPH: That's without 990 and  
15 without the Buxton Road water tank.

16 MR. EISENSTEIN: Okay. Do you have  
17 one that has the existing coverage with 990?

18 MR. JOSEPH: I have it as a separate  
19 overlay. I can put on.

20 MS. FAIRWEATHER: Which number was  
21 that?

22 MR. JOSEPH: That was the first one,  
23 26 I believe. Again, this is the Summit tentative  
24 site.

25 MR. EISENSTEIN: Right. So, so,

1 what I was starting to say, this is an odd  
2 situation in that on their existing coverage there  
3 is a prong of coverage at a fairly good level that  
4 runs through the proposed site. So, when I heard  
5 the comments, as I did from the neighbors in that  
6 area, they also stated that they had existing --  
7 is that T-Mobile ring tone? So, they all stated  
8 that they had coverage without the new site and  
9 that's absolutely correct. Because, if you look  
10 at the top, you can point to it, Yvan, right along  
11 there, there is a bond of strong coverage. And  
12 the gap area, with or without N90, is to the south  
13 of the proposed site. Looking down from the ridge  
14 into the valley. So, the question comes, when you  
15 put a proposed site in you can cover a valley area  
16 from the top looking down, or you can cover the  
17 valley area from the bottom looking up. What you  
18 can't do, is, you can't go from the bottom of the  
19 valley up above the ridge because then it just  
20 gets blocked completely. And when I look at the  
21 propagation map from the JCPL site by itself, and  
22 I am sorry, I lost track of your labels, but one  
23 of those was just a propagation from the JCPL No.  
24 4. Do you remember which one? You don't have to  
25 put it up. Tell me the exhibit No.

1 MR. SHAW: That's A-31.

2 MR. JOSEPH: A-31.

3 MR. EISENSTEIN: By itself that's  
4 A-31.

5 MR. JOSEPH: That's correct.

6 MR. EISENSTEIN: You'll see that the  
7 propagation stops dead at the ridge. And whenever  
8 you see that kind of just abrupt ending of a  
9 propagation map then you know that there's a ridge  
10 there and nothing is getting over that. The  
11 consequences that -- that from the JCPL No. 4, you  
12 don't get to any of those white areas that are  
13 north of the ridge. Whereas, from the proposed  
14 site, which they labeled W-1129, again, I can't  
15 remember the --

16 MS. FAIRWEATHER: A-20.

17 MR. EISENSTEIN: A-20 was the  
18 composite coverage from 1129?

19 MS. FAIRWEATHER: Oh, no. No.

20 MR. JOSEPH: It was the previous.

21 MR. EISENSTEIN: I don't think I  
22 have it in coverage. One of the ones that I have,  
23 which is the fourth slide. Just as an aside, you  
24 can put it on the record, or not, but this is just  
25 really just for the board members, I have been

1 doing this now for about 20 years, and every  
2 single time I talk to one of the radio frequency  
3 engineers I tell them to number their slides. I  
4 would flunk a student in my class that turned in a  
5 deck of slides without numbers on them. Because I  
6 numbered it by hand so it's No. 4. All right.  
7 There is your composite coverage from 1129, and it  
8 covers that white area in there to the north. So,  
9 if you're looking at a trade-off between the JCPL  
10 No. 4 and site 1129, the differences I see, is  
11 that area to the north, which would be uncovered  
12 from JCPL No. 4, but is covered with the proposed  
13 site 1129. And, you know, essentially there's  
14 your difference.

15           So, in summary, from my point of  
16 view, they have a gap in coverage. Either of  
17 these two sites. The other sites I sort of ruled  
18 out. Actually I didn't even bother to look at the  
19 propagation. I don't know why to be honest with  
20 you. I don't know why they bothered to propagate  
21 something which is 250 feet from your existing  
22 site. It's implicative coverage. No one would  
23 could recommend that. But in any way case, I  
24 ruled that out. So, if you just look at JCPL No.  
25 4 compared to 1129, the difference between them is

1 the coverage to the north, which you can't get  
2 from a site down in the valley. That's the  
3 comment that I would have on this.

4 VICE CHAIR KENNY: Any board  
5 members, any questions?

6 THE BOARD: No.

7 VICE CHAIR KENNY: No? Okay. Well,  
8 we appreciate you going to all that work to look  
9 at alternates. Because I think that was important  
10 for us, for the public, just to see what else was  
11 out there.

12 MS. FAIRWEATHER: Sure.

13 MR. SHAW: Just for my eyeball  
14 comparison could I just see what the map looks  
15 like with the A-26 propagation?

16 MS. FAIRWEATHER: The summit bid  
17 site alone, with what we have?

18 MR. SHAW: Yeah.

19 MS. FAIRWEATHER: Sure.

20 MR. SHAW: I just want to get a  
21 perception as to how much of that has changed --

22 MR. JOSEPH: So, again, this is a  
23 representation of the proposed facility at the  
24 water pumping station in the Town of Summit, along  
25 with the existing AT&T sites in and around the

1 town.

2 MS. FAIRWEATHER: Show it to him  
3 before the Summit.

4 MR. SHAW: How does that map then  
5 look to compared to A-20.

6 MR. JOSEPH: This is A-20, which is  
7 the existing gap in service. So, we get more  
8 coverage to the south.

9 MS. FAIRWEATHER: And then as you  
10 remember, Yvan already testified that N90 was a  
11 site we were trying to get, but at the time when  
12 we were here two months ago, Summit had not gone  
13 out to bid yet. So, since they went out to bid we  
14 consider it more solid than waiting for a bid,  
15 even though we haven't been awarded it. So -- go  
16 ahead.

17 VICE CHAIR KENNY: What is the  
18 timing for that? Do you know?

19 MS. FAIRWEATHER: Yes, I do.

20 VICE CHAIR KENNY: When you expect  
21 to hear from them.

22 MS. FAIRWEATHER: I can actually  
23 tell you everything about it. There were two  
24 tower companies that bid on it, and Verizon and  
25 AT&T. So, the tower will be built. It will be

1 built at 150 feet. Because that's what the specs  
2 were. And, because Verizon and AT&T both bid,  
3 obviously they both want it. So, it will not  
4 matter who wins the bid. If the power company  
5 wins the bid, they build the tower; AT&T and  
6 Verizon go on it.

7 And what Yvan did, is, he took the  
8 worse case scenario. If we were the second bidder  
9 to Verizon, which hopefully we're not, we were be  
10 at 140 feet instead of 150 feet. So, he did it  
11 with us being a second bidder. So, in reality,  
12 the governing body is supposed to award it in the  
13 first week of March at their March meeting, to one  
14 of the four, and hopefully the tower will be built  
15 by the fall.

16 MR. SHAW: And would the 150  
17 significantly increase what the coverages are that  
18 you've delineated there?

19 MR. JOSEPH: It wouldn't be a  
20 significant difference from 140 to 150 feet.

21 VICE CHAIR KENNY: And you would  
22 build in fall meaning you would get on in late  
23 fall or --

24 MS. FAIRWEATHER: Yeah, hopefully.  
25 It depends on who wins the bid and how quickly

1 they build it.

2 VICE CHAIR KENNY: Okay. Okay.  
3 Should we open it to the public? Okay. So, we  
4 are going to open it up to the public. Just so --  
5 I know you guys know all this, but you're just  
6 only asking question based on the testimony we  
7 heard here tonight. And if you can come up, I  
8 think both microphones are working, and announce  
9 your name and address, and you can spell your last  
10 name also. And just try to keep it as succinctly  
11 as possible. Okay. I see one hand raised. Okay.  
12 The floor is your's.

13 MR. SIMON: Mr. Joseph, good  
14 evening. Again, for the record, Rob Simon from  
15 Herold law on behalf of Brad and Katie Weissberger  
16 11 Huron Drive in Chatham.

17 First -- first of all, all the  
18 exhibits and information, including the search  
19 ring that you supplied to the board this evening,  
20 was that filed with the board at least ten days  
21 prior to today's date?

22 MR. JOSEPH: No.

23 MR. SIMON: I would just ask for  
24 housekeeping purposes, and as Mr. Fairweather  
25 mentioned, they went through the testimony in the

1 exhibits incredibly quickly. Nothing was on file.  
2 And we checked at least ten prior to the board  
3 meeting. So, we would respectfully ask, although  
4 we'll try to handle as many of the questions as  
5 possible right now, that in the -- if it becomes  
6 necessary for Mr. Joseph to return to answer some  
7 questions, once the public has a full and fair  
8 opportunity to review all these exhibits in  
9 conjunction with the testimony, we just ask that  
10 that accommodation be provided to the public, if  
11 necessary.

12 MS. FAIRWEATHER: Absolutely. All  
13 Mr. Simon has to do is call me, at least a few  
14 days before so that -- and I'll make sure Yvan  
15 keeps the night clear for his questions.

16 MR. SIMON: And, certainly, as a  
17 courtesy to Ms. Fairweather, as I always do for  
18 all applications, if it turns out that there will  
19 be no need for additional questions, I would  
20 provide that courtesy as well.

21 MS. FAIRWEATHER: Great. Thank you.

22 MR. SIMON: Either way.

23 Mr. Joseph, the N90 property, the  
24 one that you're talking about that is bid on, do  
25 you know what zone that property is in?

1 MR. JOSEPH: No, I don't.

2 MR. SIMON: And you answered  
3 Mr. Shaw's question about the difference between  
4 propagation at 150 and at 140. You said it  
5 wouldn't be significant. What additional coverage  
6 would be provided by being at 150 as opposed to  
7 140 in terms of what additional roads would be  
8 covered?

9 MR. JOSEPH: Basically the edges of  
10 the existing -- the edges of the proposed  
11 coverage, that I have shown, would just buffer out  
12 just a little bit. It wouldn't significantly  
13 affect -- well, it wouldn't affect any of the  
14 roads along River Road. Just basically along the  
15 edges you'll see just pushed out slightly. But it  
16 would not be a significant change from what you  
17 see here.

18 MR. SIMON: And did you actually  
19 propagate it or are you just surmising?

20 MR. JOSEPH: No, I propagated at 150  
21 and 140 and I proposed this is a --

22 MS. FAIRWEATHER: Okay. You  
23 answered perfectly.

24 MR. SIMON: You can go on if you  
25 like.

1 MS. FAIRWEATHER: No.

2 MR. SIMON: With regard to the  
3 Chatham Borough water tank that you mentioned,  
4 A-27, you said it would, even with that coverage,  
5 it would still leave gaps along Rive Road. Can  
6 you put that up, No. A-27, please.

7 So, referencing A-27, can you just  
8 identify for the board what gaps would still  
9 remain along River Road, if any? Can you identify  
10 those on that exhibit, please.

11 MR. JOSEPH: Yes, exactly. There  
12 would still remain a gap towards the intersection  
13 of Passaic Street and River Road down to where the  
14 gap ends, existing.

15 MR. SIMON: And roughly how many  
16 linear feet is that?

17 MR. JOSEPH: That's about foe eighth  
18 miles.

19 MR. SIMON: So, less than a mile?

20 MR. JOSEPH: Just less than a mile,  
21 yes.

22 MR. SIMON: Now, as with the Huron,  
23 the subject application propagation as well as  
24 this propagation, Dr. Eisenstein, at the last  
25 meeting, talked about the difference between

1 negative 85 and some power that's a little weaker  
2 along the edges of that, what I'll call the sea of  
3 green as you get into the white. So that as you  
4 slowly move away from sea of green toward the  
5 white, the coverage will become weaker, correct?

6 MR. JOSEPH: Yes, it will.

7 MR. SIMON: And, so, it appears to  
8 me just looking at what is A-27.

9 MR. JOSEPH: This is A-27.

10 MR. SIMON: Okay. That River Road  
11 is .8 miles linearly, where it's not in the green,  
12 but it's in the white. But it's pretty close to  
13 the green. Can you, based on your review of this  
14 application, in your propagation, can you  
15 identify, for the board, approximately what signal  
16 strength River Road would be at with A-27.  
17 Whether it's negative 86 -- so, if it's in the  
18 white --

19 MR. JOSEPH: This is AT&T's design  
20 criteria --

21 MR. SIMON: I understand what the  
22 design criteria is negative 85 --

23 MS. FAIRWEATHER: Whoa, let him  
24 finish. You asked him a question. Let him finish  
25 what he was saying, please.

1 MR. JOSEPH: This is at AT&T's  
2 design criteria of neg. 85 DBM.

3 MR. SIMON: I completely understand  
4 that. My question to you, is that; the portion of  
5 River Road, that is in the white, as depicted on  
6 A-27, what strength is that area in, based on  
7 A-27? Is it negative -- so, clearly -- let me --  
8 I understand what you're going to say, like in  
9 every other application, that's outside the design  
10 standard. I know that that's the answer. My  
11 question is a follow-up question; which is: How  
12 far outside the design criteria; is it negative  
13 86? Is it negative 87? Is it negative 88? Is it  
14 negative 89? Based on the fact that it's right  
15 outside that sea of green. What is it?

16 MS. FAIRWEATHER: And do you know?

17 MR. JOSEPH: No. All I know, is,  
18 it's outside. And just as you're mentioning that  
19 it could be negative 86, it could also go the  
20 opposite, meaning that the way the propagation,  
21 and the way the signals travel, it does fluctuate.  
22 So, just as you're proposing that the coverage  
23 might be further in, it can also be further back.  
24 But anything outside right now I am showing to be  
25 outside of AT&T design criteria.

1 MR. SIMON: Do you have the ability  
2 back at your office, or through your propagation  
3 tooling to let this board and the public know what  
4 signal strength River Road would be, at A-27?

5 MS. FAIRWEATHER: Madam Chair, I'm  
6 going to object to him requiring us to do another  
7 propagation map, which is -- which does not meet  
8 our criteria, when the testimony has already been  
9 given that these maps are an average. So,  
10 depending upon the day or the time, it's an  
11 average of the coverage. Half the time it's  
12 better than neg. 85, half the time it's not. So,  
13 to go out and prove that there isn't neg. 85 is  
14 not relevant to this application. Because AT&T  
15 designs to neg. 85. We've produced all the maps  
16 required. I am objecting to having to produce  
17 another one showing that we don't have neg. 85  
18 coverage.

19 MR. SIMON: I'm not asking them,  
20 respectfully to show another map. I'm just asking  
21 them -- because they know the number. They know  
22 that the sea of green is negative 85 or stronger.  
23 They know exactly what that average number is.  
24 Exactly; on average. So, therefore, all I'm  
25 asking is that for the white area that's along

1 River Road what's the average signal strength  
2 based on A-27.

3 MS. FAIRWEATHER: But Madam Chair it  
4 doesn't work that way. Yvan, can you -- can you  
5 average out no coverage?

6 MR. JOSEPH: No, it's outside the  
7 design criteria.

8 MR. SIMON: It's not no coverage  
9 it's --

10 VICE CHAIR KENNY: Correct?

11 MR. SIMON: No, that's the --

12 VICE CHAIR KENNY: You're proposing,  
13 Mr. Simon, that it's like a .87 or .88, is what --  
14 you're kind of wondering whether it's just below.

15 MR. SIMON: That's exactly correct.  
16 Thank you.

17 MS. FAIRWEATHER: And the testimony,  
18 Madam Chair, is the further you get away from  
19 green, the lower and lower it goes, and you would  
20 have to stand there with a phone and measure.

21 There's no reason to measure. Our application  
22 before the board is based upon our standards.

23 Your expert has said that our standard is  
24 reasonable. To go out and make us measure where  
25 we don't have neg. 85 coverage and have

1 insufficient coverage is irrelevant. Because our  
2 standard is neg. 85. I know he's going to --

3 VICE CHAIR KENNY: I get it. I  
4 don't feel any need for it. I don't know if any  
5 other board member feels the need for it. I  
6 personally do not. So, I don't think the board  
7 feels any need for that information.

8 MR. SIMON: With regard to all these  
9 facilities that you provided testimony for  
10 tonight, you just looked at existing structures,  
11 correct?

12 MR. JOSEPH: That is correct.

13 MR. SIMON: Did you do any type of  
14 analysis as to whether you were, you being AT&T,  
15 would be able to construct a freestanding  
16 structure monopole or otherwise, at those  
17 locations?

18 MR. JOSEPH: No.

19 MR. SIMON: Okay. Do you have any  
20 idea, whatsoever, whether, within those locations,  
21 that constructing a freestanding monopole would be  
22 conditionally permitted, based on the zoning  
23 ordinance of those particular municipalities in  
24 those particular zones?

25 MR. JOSEPH: It would be irrelevant

1 because --

2 MS. FAIRWEATHER: But -- I'm gonna  
3 just stop you here. Do you look at about anything  
4 as a radio frequency engineer?

5 MR. JOSEPH: No, I work with a site  
6 development team which does that portion.

7 MS. FAIRWEATHER: Right. So, do you  
8 have any idea of zones?

9 MR. JOSEPH: I don't know what zones  
10 there are.

11 MS. FAIRWEATHER: Okay.

12 MR. SIMON: Is there going to be a  
13 separate witness that's going discuss site  
14 acquisition?

15 MS. FAIRWEATHER: No, there's not,  
16 but I will have a planner here.

17 MR. SIMON: Okay. So, other than  
18 the planner there will be no testimony as to  
19 particular zones in the surrounding area?

20 MS. FAIRWEATHER: No, just the  
21 planner.

22 MR. SIMON: Thank you.

23 In one of the exhibits you  
24 mentioned, or one of the sites you looked at,  
25 there was a mention of wetlands issues and so

1 therefore would not be a viable solution. What do  
2 you mean by that?

3 MR. JOSEPH: One of the towers, one  
4 of the JCPL towers, specifically the one near the  
5 Chatham fire department was in a wetlands or  
6 DEP --

7 MS. FAIRWEATHER: And, Yvan, do you  
8 even know that for sure? Did you do any wetlands  
9 delineation?

10 MR. JOSEPH: Oh, did not. We just  
11 --

12 MS. FAIRWEATHER: Someone just told  
13 you that, correct?

14 MR. JOSEPH: Correct.

15 MR. SIMON: Which tower was that?

16 MR. JOSEPH: I have coordinates, if  
17 you want.

18 MR. SIMON: Sure. Thank you. Or  
19 you can just give me an approximate location where  
20 it is. Whatever is easier for you.

21 MR. JOSEPH: Sure. It's  
22 approximately towards where the river runs between  
23 the border of Chatham Township and New Providence.  
24 Basically right here.

25 MR. SIMON: Right here

1 identifying -- what are you referring to? Which  
2 exhibit, A-27?

3 MR. JOSEPH: I'm referring to the  
4 base map.

5 MS. FAIRWEATHER: Which is A-20.

6 MR. SIMON: A-20 --

7 MR. JOSEPH: Again, that's toward  
8 this loop right here.

9 MR. SIMON: The loop right by the  
10 big "P" in Passaic?

11 MR. JOSEPH: That would be accurate.

12 MR. SIMON: Now, you said coverage  
13 from Buxton Road is 6.3 square miles total. I  
14 believe at the last hearing you talked about  
15 coverage being 2.2 square miles. What's the  
16 difference?

17 MR. JOSEPH: That's not what I said.  
18 I said the gap -- the gap was 2.2 square miles.

19 MR. SIMON: Okay. So, when you say,  
20 "today" tonight, when you said the coverage from  
21 Buxton Road is 6.3 square miles total, that's not  
22 reflective of the gap that you're going to be  
23 covering by this application, correct?

24 MR. JOSEPH: That's the total  
25 coverage from that facility.

1                   MR. SIMON: Answer my question. So,  
2 the gap that you're going to be covering, from  
3 this application allegedly, is 2.2 square miles,  
4 correct?

5                   MR. JOSEPH: That's correct.

6                   MR. SIMON: Thank you.

7                   When you say the frequency band for  
8 850 megahertz, I'm referring to A-33, that alone  
9 it's not sufficient to handle customers. Will it  
10 be able to handle phone customers; voice?

11                   MR. JOSEPH: Well, the way the band  
12 is situated, is; data and voice. And that section  
13 alone is not sufficient enough to handle the  
14 amount of customaries AT&T currently has in its  
15 network.

16                   MR. SIMON: So, your testimony is  
17 that 850 megahertz, that is not sufficient for  
18 AT&T to handle voice?

19                   MR. JOSEPH: To handle its entire  
20 network.

21                   MR. SIMON: I didn't ask that  
22 question. I asked to handle voice.

23                   MR. JOSEPH: Both; voice and data  
24 network.

25                   MR. SIMON: But answer the question,

1 sir. Voice alone.

2 MR. JOSEPH: No; voice and data.

3 MR. SIMON: Sir, just answer the  
4 question.

5 MS. FAIRWEATHER: Maybe --

6 MR. JOSEPH: I said, no. Voice and  
7 data.

8 MR. SIMON: What do you mean by  
9 that, sir?

10 MR. JOSEPH: You asked if it's  
11 sufficient enough to cover voice. I said, "No,  
12 it's not sufficient enough to cover voice. It's  
13 not sufficient enough to cover data." The answer  
14 is, "No."

15 MR. SIMON: Independently?

16 MR. JOSEPH: Combined,  
17 independently, it's not sufficient.

18 MR. SIMON: Okay. When you talked  
19 about from a -- and this is based on  
20 Dr. Eisenstein asking you some questions, from  
21 JCPL No. 4, you don't get to the white areas over  
22 the ridge. Can you show me, show the public what  
23 those white areas are, and identify them, please,  
24 for the record.

25 MR. JOSEPH: So, these are areas,

1 residential area, just north and west of Fairmont  
2 Ave. and also along Southern Boulevard, in and  
3 around the township -- actually all contained  
4 within the township. Along Lafayette, northwest  
5 of Fairmont Ave. and along just east of Southern  
6 Boulevard.

7 MR. SIMON: Are those municipal  
8 roadways, or county roadways or state roadways?

9 MR. JOSEPH: Those probably  
10 secondary and tertiary streets as well.

11 MR. SIMON: And how many lanes in  
12 each direction are those roads?

13 MR. JOSEPH: I don't know.

14 MR. SIMON: You identified the  
15 search ring. How is the search ring determined?  
16 And why is it not bigger?

17 MR. JOSEPH: Because that's the area  
18 of need that AT&T was looking, in order to be able  
19 to cover this portion of New Jersey, specifically  
20 around Chatham, New Providence and Summit  
21 Township.

22 MR. SIMON: You didn't participate  
23 in determining the size and scope of the search  
24 ring, correct?

25 MR. JOSEPH: No, I didn't.

1 VICE CHAIR KENNY: Who did?

2 MR. JOSEPH: That would come from  
3 directly from AT&T.

4 VICE CHAIR KENNY: The search ring,  
5 the size of the search ring was decided by --

6 MR. JOSEPH: Right. This actual  
7 search ring has been around for over ten years.  
8 We have been here before and the need still  
9 remains.

10 MR. SIMON: And you don't need  
11 additional capacity for the 850 megahertz,  
12 correct?

13 MR. JOSEPH: I'm sorry.

14 MR. SIMON: You do not need  
15 additional capacity at 850 megahertz? You  
16 presented 850 megahertz propagation. This  
17 application doesn't involve additional capacity at  
18 850 megahertz, does it?

19 MR. JOSEPH: I'm not sure how to  
20 answer because --

21 MS. FAIRWEATHER: Well ask him  
22 questions back so you understand.

23 MR. JOSEPH: Right. Because AT&T  
24 needs both frequencies in order to be able to  
25 handle the amount of customers in its network

1 right now.

2 MR. SIMON: Do you need --

3 MR. JOSEPH: I'm not exactly sure --

4 MR. SIMON: At 850 megahertz do you  
5 need additional capacity? Or do you have  
6 sufficient capacity right now?

7 MR. JOSEPH: No, we do not. That's  
8 why we have the 1900 spectrum. We do not have  
9 sufficient capacity at the 850 megahertz.

10 MR. SIMON: So that with just the  
11 phone calls, not with data, just the phone calls,  
12 you need more than just the 850 megahertz?

13 MR. JOSEPH: We need more for both  
14 because the way the phones operate, is, it's all  
15 seen as data, whether someone is talking on it or  
16 someone is on their I-phone, or whether they are  
17 on their tablet. The system recognizes all data.  
18 So, the more data usage, the less the phone  
19 capacity is. The more phone capacity is, the less  
20 data usage. So, the system sees it all right now.  
21 It's all digital. It sees it all as data.

22 MR. SIMON: I'll ask it a different  
23 way. I'm sorry, I must have misstated it. The  
24 cellular license at 850 megahertz is traditionally  
25 what most people would generally operate on when

1 they're using their cell phones, correct?

2 MR. JOSEPH: No, that's not correct.

3 MR. SIMON: So, your testimony is  
4 that most of the calls in this particular area  
5 would not be operating on the 850 megahertz band?

6 MR. JOSEPH: Again, it would depend  
7 on the network. It would depend on the site. It  
8 would depend what channels are available for that  
9 particular facility at the time.

10 MR. SIMON: Other than the N90 bid  
11 that you're discussing, is there any other pending  
12 contemplated applications by any other carriers?

13 MR. JOSEPH: Not that I'm aware of.

14 MR. SIMON: And when you presented  
15 this testimony, and you reviewed this application,  
16 did you take into consideration any possibility of  
17 putting a cell phone signal booster in a car that  
18 are readily available?

19 MR. JOSEPH: No, I didn't.

20 MR. SIMON: And you talked about  
21 propagation tools. And you talked about the  
22 model. Do you know what the clutter type was or  
23 the terrain data?

24 MR. JOSEPH: Off the top of my head,  
25 no.

1 MR. SIMON: Have you provided that  
2 to the board as part of this application?

3 MR. JOSEPH: No, I haven't.

4 VICE CHAIR KENNY: Dr. Eisenstein,  
5 is that something we need?

6 MR. EISENSTEIN: Usually it's not  
7 something that I need, but it -- I have been  
8 asking, recently, that they provide that. Just so  
9 the record is complete. He did identify the tool  
10 that he used. It's called a force at haul.  
11 Probably what you should do, is, as a supplement,  
12 provide a sheet that indicates what parameters you  
13 set for the propagation model. And that would  
14 include, amongst other things, what Mr. Simon is  
15 asking you, both the clutter and the type of --  
16 type of antenna, the -- all the other details that  
17 would go into the assumption there.

18 VICE CHAIR KENNY: Is that okay to  
19 do that?

20 MR. JOSEPH: For our particular  
21 site?

22 MS. FAIRWEATHER: Mm-mm.

23 MR. JOSEPH: Yes.

24 MR. EISENSTEIN: No, no, for the  
25 propagation tools. This is data for the tools.

1                   MR. JOSEPH: Well, the sites use the  
2 antenna specifications.

3                   MR. EISENSTEIN: Yes, I understand.  
4 But when you code that into the propagation tool,  
5 you have to code in the antenna type, the height,  
6 the frequency, the clutter type, all this data  
7 goes in there. So, what we need is a sheet that  
8 says, "This is how we set the tool".

9                   MR. JOSEPH: Sure. No problem.

10                  MR. WESTON: Okay. I'll be the one  
11 to crack here. I am, obviously, the only one in  
12 the room who does not know what clutter type is.  
13 What does that mean?

14                  MR. JOSEPH: Sure. Clutter type is  
15 just basically the attenuation factor in  
16 particular areas. For example, this area is sort  
17 of swampy. So, what the tool knows that there is  
18 a certain an attenuation factor to the radio  
19 signal in this particular area. If it's  
20 residential or it's forested or it's urban, each  
21 particular area has a different -- effects the  
22 signal a different way. Whether it's the terrain,  
23 the hill itself. So, each area has a different  
24 clutter factor.

25                  MR. EISENSTEIN: And, again, just so

1 the record is complete let me try and answer that.  
2 The system knows from the United States geological  
3 survey where the hills and rivers and swamps and  
4 everything else. You don't put that in. What the  
5 United States geological survey does not know, is  
6 the density of housing, the existence of tall  
7 buildings. For example. So, there are various  
8 kind -- they're called -- that's called clutter,  
9 because that's the old terminology from radio  
10 frequency and radar propagation. So, you have to  
11 enter something that tells the tool what kind of  
12 clutter you have there, how dense the houses are,  
13 whether they are brick houses, whether they're  
14 aluminum siding. All this affects the propagation  
15 signal. So, that's entered by the operator. And  
16 it's usually, when you look at certain maps that  
17 they have, they will tell you what the clutter  
18 type is that you enter for a particular area. So,  
19 obviously, it would be different in Southern New  
20 Jersey than it would be, let's say in the area of  
21 Newark or Jersey City, where you have much denser  
22 clutter in there.

23 MR. WESTON: Okay. Thank you  
24 everybody.

25 MR. SIMON: Mr. Jos -- I'm sorry,

1 Mr. Weston. Mr. Joseph, with regard to, there was  
2 a comment about one of the sites that you were  
3 going to look at, was Green Acres, and that  
4 doesn't count. Do you know why?

5 MR. JOSEPH: Because we wouldn't be  
6 able to build on the green acres property.

7 MS. FAIRWEATHER: Again, Yvan, did  
8 you say that or did the attorney say that?

9 MR. JOSEPH: Actually the attorney  
10 did.

11 MS. FAIRWEATHER: Do you know  
12 anything about green acres, Yvan?

13 MR. JOSEPH: I know it's very  
14 difficult to build on green acres properties.

15 MR. SIMON: Okay. So the record is  
16 clear, it was the attorney who made the comment,  
17 and not you, right, Mr. Joseph? You don't have  
18 any independent knowledge about building on green  
19 acres properties, correct?

20 MR. JOSEPH: Over my last 16 years  
21 of designing radio networks I have never built a  
22 facility on green acres parcel.

23 MR. SIMON: Have you attempted to  
24 contact NJDEP green acres and submit an  
25 application --

1 MR. JOSEPH: No.

2 MR. SIMON: And with regard to the  
3 different sites with existing structures that you  
4 have testified to this evening, have you looked at  
5 the proposed propagation, if those sites were  
6 provided in combination, and not just N90 plus  
7 another site, but N90 plus the water tower plus  
8 the JCPL? In other words, do them in combination  
9 so to achieve the desired level of coverage; have  
10 you looked at that?

11 MR. JOSEPH: Yes, I did.

12 MR. SIMON: Okay. I don't believe  
13 that your testimony involved combining three or  
14 four of those proposed sites together. I think  
15 they looked at N90 plus this. N90 plus that. But  
16 not in combination; N90 plus the water tower plus  
17 the JCPL site, correct?

18 MR. JOSEPH: That's what I did do.  
19 I showed N90 plus at least one other existing  
20 network.

21 MR. SIMON: But I'm saying did you  
22 do a propagation of N90 plus two others, or N90  
23 plus three others?

24 MR. JOSEPH: No.

25 MR. SIMON: Have you done any type

1 of analysis of combining let's say N90 with  
2 alternate technologies whether it's DAS or other  
3 forms of alternate technologies of which you might  
4 be aware?

5 MR. JOSEPH: No.

6 MR. SIMON: Why not?

7 MR. JOSEPH: Well, what other  
8 technologies are you referring to?

9 MR. SIMON: Let's start with DAS.

10 MR. JOSEPH: Okay normally a DAS,  
11 which stands for --

12 THE BOARD: Could you explain what  
13 that is.

14 MS. FAIRWEATHER: Yeah, hold it up.  
15 Hold up the thing.

16 MR. JOSEPH: Sure. DAS stands for  
17 distributed antenna system. These are networks  
18 that are typically found in buildings in small  
19 clusters where they have small antennas, multiple  
20 small antennas. The downside of that is that you  
21 would have to build many, many, many more base  
22 stations in order to fill a gap from a DAS type  
23 system. Typically they're found in buildings, in  
24 areas like hospitals, schools.

25 MR. SIMON: Are you aware of

1 municipalities trying to cover a certain portion  
2 of roadways using alternate technologies?

3 MR. JOSEPH: Sure.

4 MR. SIMON: And that happens across  
5 the United States, correct?

6 MR. JOSEPH: Sure.

7 MR. SIMON: I have nothing further  
8 at this time subject to my comments stated  
9 earlier. Thank you.

10 VICE CHAIR KENNY: Thank you. We  
11 have a few more comments.

12 MR. SHAW: Questions.

13 VICE CHAIR KENNY: Oh, that's  
14 correct.

15 MS. PETERSON: Yes, Christina  
16 Peterson, 37 Huron Drive.

17 Do you intend to show any other  
18 method other than the propagation maps to  
19 demonstrate significant gap in coverage?

20 MR. JOSEPH: Any other maps?

21 MS. PETERSON: Any other method  
22 other than the propagation map.

23 MR. JOSEPH: No.

24 MS. PETERSON: And do you have any  
25 members of the communities represented by those

1 gaps to testify on your behalf to testify that  
2 they are experiencing a significant gap?

3 MS. FAIRWEATHER: I'll handle that.  
4 That's a legal question. No, we do not. That's  
5 not part of our proofs from a legal standpoint in  
6 front of the board or under municipal land use  
7 law. So, no, we will not.

8 MS. PETERSON: Okay. As an RF  
9 engineer, are you aware that the US 9th District  
10 Court of Appeals has ruled that an RF propagation  
11 map is not sufficient to establish a significant  
12 gap in coverage?

13 MS. FAIRWEATHER: I'm going to  
14 object here. She's supposed to ask questions on  
15 what he testified to. He's an RF engineer. Not  
16 an attorney who reads circuit court opinions. If  
17 she has a question for him, that's fine. If she  
18 wants to do her own proofs afterwards, that's  
19 fine.

20 VICE CHAIR KENNY: Okay.

21 MS. PETERSON: Well, my question is,  
22 then, the only plan for demonstrating a  
23 significant gap in coverage from your perspective  
24 is this propagation map, which is theoretical.

25 MR. JOSEPH: Yes and the town

1 consultant has stated that it is sufficient enough  
2 to prove a gap in coverage.

3 MS. PETERSON: Is AT&T's design  
4 criteria that there be no dead spots in coverage?  
5 You keep talking about AT&T's design criteria but  
6 the Telecommunications Act says that you are not  
7 guaranteed coverage free of small dead spots. And  
8 it seems like that what you're trying to propose  
9 here is an area free of dead spots. You're  
10 showing little tiny spaces that aren't covered by  
11 the one, and that to me does not seem to define a  
12 significant gap. AT&T's design criteria, I'm sure  
13 is a lofty goal, but I would argue that it's not a  
14 significant gap.

15 MS. FAIRWEATHER: And that's okay.  
16 You can disagree with him. He's given testimony  
17 after testimony that that's the design criteria,  
18 and that's what he's designing for, and, of  
19 course, you can disagree with him.

20 MS. PETERSON: Okay, I disagree.

21 MR. GREEVE: My name is Ray Greeve.  
22 G-R-E-E-V-E. Can you show that map again, where  
23 there is --

24 VICE CHAIR KENNY: Sorry, I need  
25 your address too.

1 MR. GREEVE: 610 River Road.

2 Can you show that map again where  
3 there is just a lack of coverage on River Road.  
4 You're describing that area as of the inner -- the  
5 inner section of Passaic and River Road up to like  
6 a mile down that road, you said?

7 MR. JOSEPH: Yes.

8 MR. GREEVE: I'm here for, really,  
9 kind of a different reason, but I happen to live  
10 exactly on that stretch, and I happen to have  
11 AT&T, and I work from home, and my cell phone  
12 works night and day, data, calls. So, my question  
13 is: What's your definition of lack in coverage?  
14 It's working perfectly fine.

15 MS. FAIRWEATHER: And, again, he's  
16 already explained that AT&T designs at neg. 85,  
17 and that the coverage zone there, varies. It  
18 varies, depending upon weather. It's 50 percent  
19 of the time it's correct. Fifty percent of the  
20 time it's not. So, he's already explained it.  
21 Actually this is his second night here explaining  
22 the same thing.

23 MR. GREEVE: Okay. Well, for the  
24 record, let us show it's not 50 percent yes and 50  
25 percent no. It's 100 percent yes, everyday, every

1 night. I work from home, I have AT&T. Come to my  
2 house.

3 MR. SHAW: But what we're really  
4 talking about right now is testimony. So, later  
5 on you will have to say this under oath.

6 MR. GREEVE: Okay. Fine. I'm not  
7 familiar with this process, so, forgive me.

8 MR. SHAW: Your comments, you should  
9 restate them later on.

10 MR. GREEVE: Happy to do it.

11 MR. SHAW: You can comment then and  
12 we can have it as sworn testimony.

13 MR. GREEVE: The question, is, do  
14 you guys talk to other cell phone providers who  
15 have towers in that area already?

16 MR. JOSEPH: Directly, no.

17 MR. GREEVE: Because you said you  
18 both bid of something in Summit, and it doesn't  
19 really matter who gets it because you're both  
20 going to share the tower, is that correct?

21 MS. FAIRWEATHER: Yes. Summit went  
22 out to bid on what we call raw land. There's no  
23 tower there. So, the township wants to --

24 MR. GREEVE: No, my question is,  
25 just; are you guys talking to each other and

1 helping each other with the tower allowing each  
2 other to be on there or not.

3 MS. FAIRWEATHER: I can answer that.  
4 Every carrier has what they call co-location  
5 agreements with each other. So that if AT&T owns  
6 a tower and one of the other carriers wants to  
7 come on, they can. They're co-location  
8 agreements. And if another carrier has a tower  
9 and AT&T wants to go on, yes, they have  
10 co-location agreements.

11 MR. GREEVE: Okay. So, the answer  
12 is yes?

13 MS. FAIRWEATHER: Yes.

14 MR. GREEVE: So, there is, on River  
15 Road, T-Mobile built a tower, it's right now on  
16 Esternay, and that would cover your gap on River  
17 Road my guess is; because it's right in that area.

18 VICE CHAIR KENNY: That's a  
19 temporary tower. It's a temporary tower.

20 MR. GREEVE: Right. It's temporary  
21 and then it goes back on JCPL tower, right? So,  
22 why can't you go on that JCPL tower if TMobile is  
23 on that tower as well?

24 MR. JOSEPH: Which JCPL tower are  
25 you referring to?

1 MR. GREEVE: The one that -- well,  
2 there's two actually now. There is one right on  
3 River Road. And there is one that's like to the  
4 right of Esternay.

5 MR. JOSEPH: Well, we looked at,  
6 again, the draw of JCPL towers that run along  
7 River Road. And we identified two, which have a  
8 higher probability of being able to be built.  
9 That's the one at the sewerage treatment. And the  
10 one at the -- entrance to the sewerage treatment  
11 at the corner of Passaic, pretty much just off of  
12 River Road. All the other towers are south --  
13 furthest tower was the one by the fire station.  
14 So, I'm not exactly sure which tower you're  
15 referring to.

16 MR. GREEVE: You drove from the fire  
17 station?

18 MR. JOSEPH: If you're talking about  
19 further south than the fire station, that's into  
20 an area that has existing coverage already, and  
21 wouldn't help us.

22 MR. GREEVE: Well, I live about a  
23 mile from the intersection of River Road and  
24 Passaic.

25 MR. JOSEPH: So, you live towards

1 the area that is green right now.

2 MR. GREEVE: I don't know.

3 MR. JOSEPH: You said a mile. Here  
4 is the intersection of River Road and Passaic.  
5 The distance from here, I have a map.

6 MR. GREEVE: Where's the fire house  
7 on here?

8 MR. JOSEPH: I don't know exactly,  
9 but this scale is a mile. So, a mile would be  
10 into the green. You live in the green. And  
11 that's why you have service, sir.

12 MR. GREEVE: Okay. So, if you, on  
13 the edge of where it is green and it goes into  
14 white, if there is a tower, JCPL tower -- there's  
15 two JCPL towers.

16 MR. JOSEPH: We looked at those.

17 MR. GREEVE: And T-Mobile is using  
18 them. I guess eventually now they have something  
19 on Esternay. When you put something there you  
20 don't have coverage a mile eastward?

21 MR. JOSEPH: Yes. And what we did,  
22 again, I picked the two --

23 MR. GREEVE: Well, if it's, yes, and  
24 T-Mobile is using it why can't you?

25 MS. FAIRWEATHER: Whoa, whoa, whoa,

1 you asked him a question and he's giving you his  
2 answer. Let him finish, please. Go ahead.

3 MR. JOSEPH: Again, I picked the  
4 best tool out of all those towers that would  
5 serve. Meaning, if I picked that other tower, all  
6 I am going is shifting the coverage. And, yes, it  
7 would provide coverage along River Road there, but  
8 as I demonstrated that facility would not -- would  
9 not pass the ridge, regardless of which one of  
10 these towers we use, and we reviewed it with the  
11 town consultant as well.

12 MR. GREEVE: You just identified  
13 that there is only one piece missing and that's  
14 the one mile stretch on River Road.

15 MS. FAIRWEATHER: Wait. I'm going  
16 to interject here. He has given testimony that he  
17 is trying to cover above the ridge and down here.  
18 He's showing all the propagation maps. And he's  
19 already testified that that line of power won't go  
20 over the ridge and give coverage up in Chatham  
21 where we also need it. So, it's not -- and he's  
22 testified that it's not just River Road. So, he  
23 has given testimony that it doesn't work. You may  
24 disagree with him but that's the testimony he has  
25 given.

1 MR. GREEVE: So, my question is  
2 this: If there is a mile stretch on River Road  
3 that's not having coverage, and you put an AT&T  
4 antenna on one of those JCPL towers that are right  
5 near Esternay, it would cover the 1 mile on River  
6 Road, that's your --

7 MR. JOSEPH: It could.

8 MR. GREEVE: Okay. Thank you.

9 MS. PETERSON: 37 Huron Drive,  
10 Christina Peterson. How do we get the copies of  
11 the exhibits?

12 MR. SHAW: You can come to the  
13 building. You can look at the overlays. They are  
14 kept here, I believe. Yes?

15 MS. FAIRWEATHER: Yes. We leave  
16 them.

17 MR. SHAW: In addition, there is,  
18 vice chair and I were just talking, would it be  
19 possible, as with the earlier overlay maps, which  
20 you provided, so we can -- if you can do this last  
21 series of photographs also.

22 MS. FAIRWEATHER: Okay. Sure we can  
23 get that to you.

24 MR. SHAW: Okay. So, the answer to  
25 that, is, that in addition to that there will be

1 paper copies of the overlays that they will  
2 prepare and you can come to the office and inspect  
3 them, and you can probably obtain copies if you  
4 pay for the reproduction costs are.

5 MS. PETERSON: Thank you.

6 Did you have a to look at or  
7 consider the Merk facility in Summit, which has an  
8 existing high tower?

9 MS. FAIRWEATHER: Yes, he already  
10 testified to that.

11 MR. JOSEPH: There was a quarter  
12 mile from an existing site and --

13 MS. FAIRWEATHER: That's okay. He  
14 said a lot tonight.

15 MS. PETERSON: Thank you.

16 MR. SIMON: I just want to ask a  
17 follow-up question.

18 VICE CHAIR KENNY: Okay. Go ahead.  
19 In terms of your recent testimony, Mr. Joseph, in  
20 terms of those customers that are driving and  
21 living within the area that you claim is covered  
22 at 850 megahertz, are you aware of any complaints  
23 by any customers who already receive, what I'll  
24 call sea of green, 850 megahertz of coverage, that  
25 their coverage is not adequate?

1 MR. JOSEPH: I don't have that the  
2 trouble ticket for complaint records.

3 MR. SIMON: Are you aware of any  
4 whether you have the records or not?

5 MR. JOSEPH: No. Me personally, no.

6 MR. SIMON: And with regard to the  
7 search ring, just as a follow-up, you didn't  
8 perform any type of investigation or due diligence  
9 with regard to searching for an appropriate site  
10 relative to this application, correct? In other  
11 words, you didn't send out letters to any property  
12 owners, or do any type of investigation? You  
13 personally.

14 MR. JOSEPH: No, not me personally.  
15 I am the radio frequency engineer.

16 MR. SIMON: Thank you.

17 VICE CHAIR KENNY: Other questions?

18 MR. SARLE: George Sarle, S-A-R-L-E  
19 18 McKay Lane. You did go through proposed sites  
20 for the towers, and in the end you still have not  
21 covered the whole area. So, what would be the  
22 plan to then find another area to be able to cover  
23 those areas that are in New Providence and Summit  
24 that were not covered?

25 MR. JOSEPH: The plan would be to

1 place antennas on the proposed water tank.

2 MR. SARLE: But even with that it  
3 didn't cover the whole zone there. There is still  
4 white areas. What's going to happen with those  
5 areas?

6 MS. FAIRWEATHER: That's not the  
7 right one. I rolled up the right one. If there  
8 are any additional -- I'm sorry --

9 MR. JOSEPH: That's the water tank.

10 MS. FAIRWEATHER: I know, I know, I  
11 know, I'm sorry.

12 MR. SARLE: You don't have to lay it  
13 out. I get it.

14 MS. FAIRWEATHER: Yes, if there are  
15 any additional gaps eventually AT&T would have  
16 to --

17 MR. SARLE: Would you say your goal  
18 would be to cover every area? There is some small  
19 areas now in the township that if you don't put on  
20 the tower, which everybody is here, because it can  
21 impact what we see and live with everyday, and  
22 those few people that are in that area could  
23 search another carrier, is that correct? Or is it  
24 your goal that everybody has to have AT&T?

25 MR. JOSEPH: I can't speak for other

1 carriers. I can only speak for AT&T.

2 MR. SARLE: Are those other areas  
3 supplied by other carriers?

4 MR. JOSEPH: I don't know.

5 MR. SARLE: Are they likely? In  
6 your opinion are they likely?

7 MR. JOSEPH: No.

8 MR. SARLE: Those people have no --  
9 those white areas have no service?

10 MR. JOSEPH: You asked me if they're  
11 likely, and I said, "No."

12 MR. SARLE: All right. Well, that  
13 remains my question, is: Does everybody have to  
14 have AT&T? I have AT&T. I drive through that  
15 area all the time. I don't drop things on my  
16 phone. So, there is a question, as, you know, how  
17 strong does strong need to be. And then I think  
18 we got away, and maybe we're back to it, the  
19 impact of what you're proposing on that town,  
20 we're here because it's impacting what we see and  
21 what we live with.

22 VICE CHAIR KENNY: We're just taking  
23 questions right now.

24 MR. SARLE: All right. That I think  
25 is the important issue.

1                   VICE CHAIR KENNY: But feel free, at  
2 the end, to provide any comments that you would  
3 like.

4                   MR. SARLE: Well, if it gets to the  
5 point where it's approved and then we're going  
6 back to that, but I have had that happen before.

7                   VICE CHAIR KENNY: Well, you would  
8 have an opportunity to make any comments before a  
9 vote is made. This is just -- it's testimony.  
10 Question. Testimony. It's just to keep things  
11 moving forward.

12                   MR. SARLE: Fine. Thank you.

13                   THE PUBLIC: Excuse me, he asked to  
14 see a map and it didn't go up.

15                   VICE CHAIR KENNY: Oh, I thought he  
16 said he didn't need to see it.

17                   THE PUBLIC: No, I think he said --

18                   MR. SARLE: Well, if somebody else  
19 would like to see it.

20                   VICE CHAIR KENNY: Okay, well, why  
21 don't we get the questions and then would you  
22 mind, at the end --

23                   MS. FAIRWEATHER: Not at all.

24                   VICE CHAIR KENNY: Okay. But we'll  
25 do it at the end, one by one, so everyone can

1 follow it. Okay, sir. Hi, how are you?

2 MR. LOTFY: Hi. My name is Lotfy,  
3 L-O-T-F-Y 14 McKay Lane.

4 My question for you, sir, when you  
5 looked at the water tower on Chatham Borough you  
6 said that there's a problem with the tree over  
7 there. How big is the problem -- how much a  
8 problem is the tree going to cause?

9 MR. JOSEPH: The signal will -- the  
10 tree will block the signal from propagating.

11 MR. LOTFY: So, can I ask you that  
12 if I am standing here, and let's say where exit  
13 sign is, is antenna, and this is covered by trees,  
14 does that mean I am not going to get any signal,  
15 is that correct?

16 MR. JOSEPH: No, that's not correct.

17 MR. LOTFY: So, how is the tree  
18 going to impact the signal?

19 MR. JOSEPH: Well, the distance you  
20 are --

21 MR. LOTFY: No, I am just giving you  
22 an example.

23 MR. JOSEPH: And I am giving you an  
24 example back. The distance that you are, you're  
25 telling me it's right there, it would not. But

1 when we're talking about a quarter of a mile, half  
2 a mile, mile or so, it definitely would impact and  
3 it would shrink the coverage significantly.  
4 Basically it would block the coverage.

5 MR. LOTFY: Okay. Did you happen to  
6 drive on River Road where area opposite to where  
7 that proposed antenna on the Buxton water tower,  
8 did you happen to drive over there or just stand  
9 on River Road and look up there try to see where  
10 the tower is in the area of River Road and --

11 MR. JOSEPH: I have been up and down  
12 River Road and Buxton Road, if that's your  
13 question.

14 MR. LOTFY: And could you see that  
15 water tower from there?

16 MR. JOSEPH: From River Road?

17 MR. LOTFY: Yes.

18 MR. JOSEPH: Actually, no.

19 MR. LOTFY: Okay. If you go down to  
20 New Providence the area that you propose is going  
21 to be covered, and you look over there, can you  
22 see the water tower? Can you see River Road?

23 MS. FAIRWEATHER: You know, that's  
24 not part of the testimony.

25 MR. JOSEPH: That has nothing to do

1 with what I have --

2 VICE CHAIR KENNY: We need to ask --

3 MR. LOTFY: This is a question. He  
4 is very critical because he is stating that the  
5 trees are going to impact the signal. If you  
6 can't see the tower, and there's all obstruction,  
7 how can the signal is going to propagate from that  
8 and then down to where the road is?

9 VICE CHAIR KENNY: Could you answer  
10 that?

11 MR. JOSEPH: Yes, I can. The  
12 distance is pretty much this; the water tank,  
13 let's say I'm the antenna, that water tank, the  
14 trees are above the water tank. So, the signal  
15 will not get there.

16 MR. LOTFY: The trees are above the  
17 water tank?

18 MR. JOSEPH: Yes, they are. So,  
19 when we place our antennas we place them above the  
20 tree line.

21 MR. LOTFY: So, it will be above the  
22 water tank?

23 MS. FAIRWEATHER: No, wait, wait. I  
24 think you're talking about two water tanks.

25 MR. JOSEPH: I said when we place

1 our antennas --

2 MS. FAIRWEATHER: The Buxton water  
3 tank it's not going to be above. We thought you  
4 were asking about the other water tank.

5 MR. LOTFY: No, I'm talking about  
6 Buxton -- the trees are covering --

7 MR. JOSEPH: You said Chatham  
8 Borough.

9 MS. FAIRWEATHER: Oh, it's not --  
10 oh, I'm sorry, we thought -- we thought you were  
11 talking about Chatham Borough.

12 MR. JOSEPH: I thought you mentioned  
13 Chatham Borough.

14 MR. LOTFY: What you said initially.

15 MR. JOSEPH: Excuse me then. I was  
16 confused. I thought you referenced the Chatham  
17 Borough water tank and not the Township of Chatham  
18 water tank that we're talking about. Which one  
19 are you referring to?

20 MR. LOTFY: Of course the proposed  
21 site.

22 MR. JOSEPH: Okay. The proposed  
23 site, that water tank is above the tree line. Our  
24 original proposal --

25 MR. LOTFY: I have pictures actually

1 here. I can show the board how the water tower  
2 looks down from River Road if -- if --

3 MR. JOSEPH: But that's from River  
4 Road.

5 MR. SHAW: When the time comes for  
6 you to present your objections, you can present  
7 those photographs.

8 MR. LOTFY: Okay. I have still show  
9 the board that is something that exists. And if  
10 you want to go walk by yourself and take a look,  
11 at least you can have a better idea about how the  
12 signal can be transmitted over there.

13 VICE CHAIR KENNY: Okay. Thank you.

14 MR. LOTFY: And one more thing. You  
15 said that there's no difference between 140 and  
16 150 height when you get proposed tower --

17 MR. JOSEPH: I didn't say there was  
18 no difference.

19 MR. LOTFY: You said no significant  
20 difference was not going to bother showing  
21 propagation maps, right?

22 MR. JOSEPH: I said it wasn't  
23 significant.

24 MR. LOTFY: So, it wouldn't bother  
25 showing propagation maps, so, you don't think it

1 would affect anything?

2 MR. JOSEPH: I don't believe there  
3 will be a significant difference.

4 MR. LOTFY: What is substantial  
5 significance?

6 MR. JOSEPH: Significant meaning  
7 that it would not cover, it would not do anything  
8 to River Road. It would not do anything to these  
9 areas that we're trying to cover.

10 MR. LOTFY: Okay. But other parts?

11 MR. JOSEPH: No, it wouldn't be a  
12 significant increase.

13 MR. LOTFY: As you said before, this  
14 is just an approximation now, because there's a  
15 lot of factors that come into play when there's  
16 actual antenna put in, is that correct?

17 MR. JOSEPH: I'm sorry, I didn't  
18 understand.

19 MR. LOTFY: When the actual antenna  
20 is put in place, if it's put in place, there's no  
21 comparison in any other place, there are other  
22 factors that can change the propagation map, can  
23 make it really strength, or bigger than what look  
24 like on the map.

25 MR. JOSEPH: Well, again, this is a

1 simulation based on a known tool which --

2 MS. FAIRWEATHER: And in your  
3 opinion is it fairly accurate?

4 MR. JOSEPH: It's fairly accurate,  
5 yes.

6 MS. FAIRWEATHER: Okay. Thank you.

7 MR. LOTFY: Okay. So, probably like  
8 have you ever thought of waiting until you put --  
9 you get the antenna on Summit and see what it look  
10 like, and if you're going actually need that or  
11 not?

12 MS. FAIRWEATHER: And, Yvan, you  
13 haven't done that because your propagation from  
14 the Summit is fairly accurate with the tools you  
15 used, correct?

16 MR. JOSEPH: That is correct.

17 MS. FAIRWEATHER: And in your  
18 opinion in 16 years that's the tools you've used  
19 and relied upon and have been very accurate,  
20 correct?

21 MR. JOSEPH: That is correct.

22 MR. LOTFY: Okay. All right. Thank  
23 you.

24 VICE CHAIR KENNY: And just to  
25 follow up on that, after the tower is up, does

1 AT&T do something to match the actual signal with  
2 their propagation maps?

3 MR. JOSEPH: Well, AT&T continuously  
4 drives their network throughout the year. And  
5 that data is actually used to help model the tool  
6 be more accurate.

7 VICE CHAIR KENNY: So, you do  
8 compare the actual signal to the propagation?

9 MR. JOSEPH: Exactly. The drive  
10 that they do is compared to the tool to make sure  
11 that the tool is functioning right.

12 VICE CHAIR KENNY: Okay. Other  
13 questions? Okay.

14 MR. BRENNAN: Jim Brennan, One  
15 McElroy. Can you put the layover of the proposed  
16 Summit site that's out for bid, and the Union  
17 County, the tower that's on the Union County  
18 property, down by the river, at the corner of  
19 River Road and Passaic Avenue property. And if  
20 those two in concert cover most of the white area  
21 that's south of the ridge that you're trying  
22 cover.

23 VICE CHAIR KENNY: Could you say  
24 that one again one more time.

25 MR. BRENNAN: The summit site that's

1 up for bid, and the overlay of the tower that's on  
2 the Union County property, down in New Providence,  
3 on the corner of River Road and Passaic Avenue.

4 MS. FAIRWEATHER: Okay. Good. Go.

5 MR. BRENNAN: Not the power -- not  
6 the JCPL tower by the firehouse. The one that's  
7 down by River Road and Passaic Avenue.

8 MS. FAIRWEATHER: We got it.

9 MR. SHAW: A-30.

10 VICE CHAIR KENNY: A-30 is JCPL  
11 tower 3?

12 MR. JOSEPH: Yeah, that's correct.

13 MS. FAIRWEATHER: Yup.

14 MR. SHAW: A-26 is Summit.

15 MR. BRENNAN: I guess the only  
16 question I have, I just wanted to see them  
17 over-layed like that. Both of those locations,  
18 there really aren't any residences around, and  
19 there aren't any homeowners that would really be  
20 infringed upon. I guess it's a question on your  
21 opinion of that. But would you say that that's  
22 accurate?

23 MR. JOSEPH: There is less residents  
24 in that area.

25 MR. BRENNAN: All right. Thank you.

1 MR. SIMON: Just a follow-up. Do  
2 you know when you say less residents in that area,  
3 are you talking about the area that's in the  
4 white, based on A-30?

5 MR. JOSEPH: No, he's talking about  
6 River Road.

7 MR. SIMON: River Road, No. 3?

8 MR. JOSEPH: Right. Yeah, he's  
9 talking, yes, the tower at River Road and Passaic.

10 MR. SIMON: Right. When you say  
11 there is less residents, do you know how many?

12 MR. JOSEPH: No.

13 MR. SIMON: Do you know how many  
14 homes?

15 MR. JOSEPH: Not off the top of my  
16 head.

17 MR. SIMON: Okay. Thank you.

18 VICE CHAIR KENNY: Tower No. 3 is  
19 the one in the wetlands?

20 MR. JOSEPH: No.

21 MS. FAIRWEATHER: It's irrelevant.  
22 It doesn't provide coverage.

23 MR. SHAW: Well, it provides  
24 coverage --

25 MR. BRENNAN: What we're looking at

1 now is not the wetlands tower, correct?

2 MR. JOSEPH: No. I didn't propagate  
3 the wetlands.

4 MS. FAIRWEATHER: Now, remember, his  
5 testimony was it doesn't come over the ridge.  
6 There isn't any coverage up here. All it does is  
7 cover down here. It doesn't go over the ridge.  
8 It doesn't give you coverage he went over block by  
9 block in the --

10 VICE CHAIR KENNY: So, the light  
11 green that we're seeing over the ridge is --

12 MS. FAIRWEATHER: The white spots?

13 MR. JOSEPH: It would still be  
14 unserved.

15 VICE CHAIR KENNY: No, the light  
16 green. It's coming from what tower?

17 MR. JOSEPH: It's coming from the  
18 existing network. It does nothing to get beyond  
19 the ridge.

20 VICE CHAIR KENNY: Okay. And I just  
21 would like to see the base with the Buxton  
22 coverage with the N90, the Summit one, that's out  
23 there.

24 MS. FAIRWEATHER: Okay which --

25 MR. SHAW: A-26.

1 MS. FAIRWEATHER: He knows.

2 VICE CHAIR KENNY: If you could do  
3 it one by one. Start with the base and then add  
4 one and then add the other on top.

5 MR. JOSEPH: So, this is existing  
6 AT&T network. This is with the Summit property.  
7 And this is with the Buxton water tank.

8 VICE CHAIR KENNY: Okay. And, now,  
9 just one more, if you would, take that Buxton off  
10 and put on the tower 4, the A-31. Okay. Thank  
11 you.

12 MR. JOSEPH: This was -- this  
13 doesn't change.

14 VICE CHAIR KENNY: Yeah.

15 MR. BRENNAN: Can I ask one more  
16 question. So, the proposed gap, what if you,  
17 under this configuration, how much of the gap  
18 would you say is closed, that you're concerned  
19 with? How much additional coverage, if you're  
20 looking at all the white area and all of the  
21 underserved areas that you think, if this were the  
22 solution, how much of the coverage would this --  
23 coverage issues would this solve?

24 MR. JOSEPH: It wouldn't -- it  
25 wouldn't cover -- it wouldn't help on the other

1 side of the ridge.

2 MR. BRENNAN: I understand but --

3 MS. FAIRWEATHER: Okay. I'm going  
4 to stop it here. We've showed the difference in  
5 coverage. This is speculative. This is a tower  
6 that we have no control over. It's also in an R-2  
7 residential zone. So, you are -- you are looking  
8 in and going after and going after, taking tenants  
9 from one residential tower and sticking in, in  
10 another residential tower in another town. His  
11 testimony is that it doesn't cover the gap.  
12 That's what his testimony is.

13 VICE CHAIR KENNY: I think we'll  
14 wrap it up right here and take a quick break. Is  
15 there any questions pertaining to this expert,  
16 feel free, or forever hold your peace.

17 MR. SARLE: I just have one last  
18 question. George Sarle, 18 McKay Lane. What  
19 about the areas that are white now that are not  
20 going to be covered you're using. I still want to  
21 know, there's always going to be gap and you can't  
22 get everything, can you?

23 MR. JOSEPH: The areas -- the gaps  
24 will be --

25 MR. SARLE: At some point you have

1 to give it up and say, we can't get it all. And  
2 what you're gaining on the other side of the ridge  
3 is quite small by putting the tower there.

4 MR. JOSEPH: After the Buxton Road  
5 facility we would have gaps towards Mountain Ave.  
6 towards the south. But we would be approaching  
7 the town from the New Providence to fill these  
8 gaps.

9 VICE CHAIR KENNY: Okay.

10 MR. SIMON: One last one.

11 VICE CHAIR KENNY: You said that  
12 already. No, go ahead, last question.

13 MR. SIMON: Other than the other  
14 sites that you've testified to this evening, have  
15 you, or are you aware of anyone at AT&T looking at  
16 any other alternate sites in the surrounding area,  
17 whether it's Berkeley Heights, New Providence,  
18 Summit, Chatham Borough, Chatham Township?

19 MS. FAIRWEATHER: I'm going to  
20 object here, because he testified to every  
21 existing structure that we looked at within his  
22 search ring he said would cover the search area.  
23 I'm not going to have him testify to all  
24 structures they looked at for other search rings  
25 for other areas.

1 MR. SIMON: Just in connection with  
2 this application; I just want to know if he looked  
3 at any other sites.

4 MS. FAIRWEATHER: Are there any  
5 other sites in this application that we haven't  
6 discussed about covering this area?

7 MR. JOSEPH: No, I have not.

8 MS. FAIRWEATHER: No, that's good,  
9 thank you.

10 VICE CHAIR KENNY: Okay. Any other  
11 questions? Okay. Any other questions from the  
12 board after hearing from the public? Okay. I'm  
13 going to propose we take a quick break. What will  
14 we do after break?

15 MS. FAIRWEATHER: After break we're  
16 going to have our expert in regards to FCC  
17 compliance, come up and talk about it, talk about  
18 the site, whether it complies. He is an expert on  
19 safety, which with the many concerns, even though  
20 we know that the board cannot consider health  
21 aspects of it, because it's below the standards  
22 allotted by the FCC. We offer him for any  
23 questions that the board or the public may have,  
24 and definitely acknowledge that this isn't  
25 consideration for the board because the FCC has

1 jurisdiction over it, which I'm sure Mr. Shaw will  
2 confirm, but we still have him here for questions.

3 VICE CHAIR KENNY: Okay. Very good.  
4 We're going to take a short break and then  
5 reconvene.

6 (A recess was taken.)

7 MS. FAIRWEATHER: Next witness is RC  
8 Petersen and Associates.

9 VICE CHAIR KENNY: Okay. We're  
10 going to continue. We are going to get started  
11 again. We had a question about the public, and  
12 others, being able to listen to the meeting CD,  
13 past meetings or the minutes. The written minutes  
14 are not on the website yet. But they will be on  
15 the website, meaning the transcript from this  
16 portion of the application.

17 MR. SHAW: Rather than having our  
18 transcribing secretary listen to the tape and  
19 prepare minutes from what she's listened to, what  
20 the applicant is going to do, is, just provide us  
21 with a copy of the stenographic transcript, that  
22 you see being taken here. And what the board will  
23 be doing, is -- excuse me. And what the board  
24 will be doing is formally adopting the transcript  
25 as the minutes of the meeting. Once we have

1 adopted the transcript minutes of the meeting,  
2 they will be posted on the website, like all the  
3 other minutes of the board's meeting. So, that  
4 that will also be information available to the  
5 general public.

6 VICE CHAIR KENNY: If you want a CD,  
7 which is the audio, that you can call the land use  
8 office which is Kali, and there is a charge of \$10  
9 for that, to have a CD that you can go home and  
10 listen to at your leisure.

11 MR. SHAW: Or you can come here and  
12 listen to it.

13 VICE CHAIR KENNY: Oh, right. Or  
14 you can listen to it in the office, if you want.  
15 So, those are your options. Okay. Are we ready?

16 MS. FAIRWEATHER: Yes. Next.

17 With the application the requirement  
18 was to submit what we call an EMF report. An EMF  
19 report is the amount of energy that a site gives  
20 off. And they do an analysis -- someone does an  
21 analysis, compares it to the state law and the  
22 federal law, and then reports whether or not it's  
23 in compliance. Your report, the report that was  
24 submitted with my application was done by  
25 Mr. Petersen. I have him sitting next to me now.

1 So, I will have him state his name, give his  
2 address, get sworn in, and then give his  
3 credentials.

4 MR. PETERSEN: My name is Ronald  
5 Petersen, P-E-T-E-R-S-E-N. Address is 170 Fair  
6 view Drive, Bedminster, New Jersey. I'm a  
7 consultant doing business as RC Petersen  
8 Associates.

9 MS. FAIRWEATHER: Okay. Raise your  
10 hand. Raise your right hand. You haven't been  
11 sworn in yet.

12 VICE CHAIR KENNY: Do you swear to  
13 tell the truth, the whole truth, and nothing but  
14 the truth so help you God?

15 MR. PETERSEN: Yes, I do.

16 MS. FAIRWEATHER: Okay, Ron, give us  
17 your credentials, please.

18 MR. PETERSEN: Well, my background  
19 is in electrical engineering and electro-physics.  
20 I have bachelor of science and a master of science  
21 from what was Brooklyn Poly-Technic Institute, now  
22 is NYU Poly-Technic Institute. I retired from  
23 Bell Labs in Murray Hill about 13 years-ago. I  
24 worked there for a little over 40 years. The last  
25 30 years as manager of the wireless and optical

1 technology safety department, which had corporate  
2 responsibility for all safety issues associated  
3 with radio frequency emitting devices, lasers, and  
4 other devices. I also belonged to a number of  
5 committees that developed standards, safety -- for  
6 safety levels, safe exposure levels, and also for  
7 the measurement and assessment of exposure to  
8 radio frequency energy. I chaired the committee  
9 that at the time they developed the current  
10 American National Standard for safety levels of  
11 radio frequency energy. I'm executive secretary  
12 of that committee now. I chaired an international  
13 committee that develops standards for the  
14 assessment of human exposure to electric magnetic  
15 and electro magnetic field. I served two terms on  
16 the national council in radiation protection and  
17 measurements, which is a nonprofit corporation  
18 chartered by congress to investigate and  
19 disseminate information in the general public  
20 interest. I belong to a number of other  
21 committees and I have been active in a number of  
22 projects over the years. But I'm still currently  
23 involved with the standard setting committees.

24 VICE CHAIR KENNY: Okay. I think  
25 we'll accept him as an expert.

1 MS. FAIRWEATHER: Okay. Ron, can  
2 you talk about the energy output from this site  
3 and how it complies with New Jersey and the FCC  
4 guidelines.

5 MR. PETERSEN: Yes. We were  
6 provided with the information we would need from  
7 AT&T, the number of -- the number of antennas, the  
8 make and model, the height of the antennas, the  
9 number of radio channels that are coupled in to  
10 each antenna, and so forth, and from that we can  
11 calculate what the -- what the maximum exposure  
12 would be at any point where the public would have  
13 normal access, in the vicinity of the site itself.

14 The model we use is very  
15 conservative. All the uncertainties are included  
16 to add up the -- in the positive direction,  
17 meaning it maximizes the signal trend. The values  
18 we come up with are far higher than what the  
19 actual values would be.

20 Carry that out for this particular  
21 site, and we find that anywhere the public would  
22 have access, the limits -- the levels would be  
23 less than 2 percent of the FCC safety guidelines.  
24 And that would occur at a level of 16 foot above  
25 grade, which would be outside the windows of a

1 two-story home, for example. The levels inside of  
2 the homes would be a lot less. And because of the  
3 attenuation of building material, including glass.

4 So, based on that, we included all  
5 the antennas from AT&T, plus there is two land  
6 mobile antennas on the tower now. And we also  
7 included that. So, with all of it together it's  
8 less than 2 percent of the FCC safety criteria for  
9 exposure with the general public.

10 VICE CHAIR KENNY: Now, does it  
11 matter whether you're in a backyard nearer the  
12 antenna versus closer to your house? Is it the  
13 same number?

14 MR. PETERSEN: No, it's very uneven.  
15 If you were to walk through the neighborhood with  
16 something that measures the signal strength, and  
17 gives you it as a percentage of the FCC  
18 guidelines, you'd find out that it increases,  
19 decreases, and at some point it just continually  
20 decreases. The levels tend to be lower close to  
21 the tower. Because the energy is propagated in a  
22 fairly narrow beam in a vertical plane like the  
23 horizon. So, for houses that are close to the  
24 site, most of the energy goes over the top of  
25 them. As you get out further, you know, you're

1 sort of in the beam then, but the power density  
2 decreases the further away you get.

3 So, any -- what we're saying, is,  
4 that anywhere you can go, normally in homes or  
5 walking around, the signal strength would be less  
6 than 2 percent of the FCC guidelines.

7 And in actuality we made  
8 measurements of a lot of these sites. We find  
9 that the actual levels are anywhere from three to  
10 ten times lower than what we predict. Usually  
11 it's at least ten times lower. And in many places  
12 in Metropolitan areas, for example, background is  
13 usually dominated by FM radio broadcast or other  
14 services.

15 VICE CHAIR KENNY: Okay. So, I'm  
16 just looking at your -- your report in table 1.  
17 So, where is that number? I don't see the number  
18 you're talking about.

19 MR. PETERSEN: Oh, it's on table 1.

20 VICE CHAIR KENNY: Or if you tell me  
21 what the limit is.

22 MR. PETERSEN: Oh, the limit, yeah,  
23 that's in there too. The limit, it depends on the  
24 frequency. At 700 or 750 megahertz, it's about --  
25 I'll give you a number; it's 470 microwatts per

1 square centimeter of exposure. At 850 it's about  
2 570. And at 1900 it's 1000 microwatts per square  
3 centimeter. But that's in the table here toward  
4 the end, in the annex B. Unfortunately, it's --  
5 it's in -- yeah, if you look at -- if you look at  
6 FCC, where it says, "public", it says the power  
7 density or the safety limit is F over 1.5. So,  
8 the frequency is -- if you put in the frequency  
9 divide by 1.5.

10 VICE CHAIR KENNY: Table -- table --

11 MR. PETERSEN: Yeah, it's table B-1.

12 VICE CHAIR KENNY: But is it table 1  
13 first page?

14 MS. FAIRWEATHER: B-1.

15 MR. PETERSEN: Table B-1 in the  
16 annex.

17 VICE CHAIR KENNY: Okay.

18 MR. PETERSEN: There's a lot of  
19 other ones in there too besides the FCC. There  
20 are different limits for occupational exposures or  
21 exposure of the public.

22 VICE CHAIR KENNY: Okay. I got it.  
23 Okay. So, is the applicant -- is your number that  
24 you were talking about the 2 percent number, is  
25 that on a chart somewhere?

1 MR. PETERSEN: Is it --

2 VICE CHAIR KENNY: In a chart.

3 MR. PETERSEN: Yes, it's in the  
4 table -- table 2. It's 1.6. But I rounded up two  
5 percent.

6 VICE CHAIR KENNY: Okay. I would  
7 just like, you know, because there's a lot of us  
8 here that aren't familiar with this. So, I  
9 wondered if we could just, you know, start simple.  
10 That's why I'm asking for, if we could just look  
11 at the numbers, it might help us. So, looking for  
12 table 2. Okay.

13 MR. PETERSEN: Yeah.

14 VICE CHAIR KENNY: I see. Okay the  
15 first one --

16 MR. PETERSEN: What table 2 shows is  
17 that it lists all the AT&T services: The LTE,  
18 which is the 750 megahertz band; the GSM 50, and  
19 UMS, the 850 megahertz band, and the 1900  
20 megahertz band. And it shows you what the maximum  
21 power density is. And what we do, is, we take  
22 that, and we take that as a percentage of the  
23 guidelines, because you just can't add the power  
24 densities together because the limits are  
25 different at different frequencies. So, if you

1 take a percentage of it, like in the last two  
2 columns on the right, you can add all of that up,  
3 and you can get what the total signal strength  
4 would be, as a percentage of the FCC guideline.  
5 And that's exactly what we did there.

6 VICE CHAIR KENNY: Okay.

7 MS. FAIRWEATHER: So, the FCC, out  
8 of a hundred percent that would be allowable, AT&T  
9 is at 1.6 percent?

10 MR. PETERSEN: Yes.

11 VICE CHAIR KENNY: Okay. So, the  
12 question I have, and probably the public has, is,  
13 this number seems small compared to what the  
14 permitted level is. How did they come up with the  
15 permitted level? And how often is that reexamined  
16 for safety, given the updated scientific  
17 information that we get?

18 MR. PETERSEN: Okay. That's two  
19 questions. The safety limits are developed by a  
20 standards committees or other commissions. In the  
21 United States the limits were developed by a -- it  
22 was originally an American National Standards  
23 Institute Committee that was first established in  
24 1959. Now it evolved, and now it's a committee of  
25 the Institute of Electrical Electronic Engineers.

1 It's a large committee of scientists. It's 120  
2 something people on the committee, that developed  
3 the last set of safety limits, and the background  
4 of these people are everything from life  
5 scientists to engineers, to epidemiologists. And  
6 what they do, is, they go through all the  
7 scientific literature, they evaluate it and they  
8 make assessments and come up with a limit that you  
9 would definitely want to prevent exposure at. And  
10 then they add safety factors. Internationally  
11 it's the International Commission on Radiation  
12 Protection, which is affiliated with the World  
13 Health Organization. They operate the same way.  
14 It's a committee of experts that evaluate the  
15 literature, deliberate, and come out with exposure  
16 limits.

17 This is an ongoing process. They  
18 are living documents. The latest American  
19 National Standard was published in 2006. The  
20 committee is now in the process of continuing the  
21 literature review and re-evaluating the standard  
22 to see if any changes are necessary. And that  
23 standard has been -- was first -- in its  
24 initial -- the way it is now, was first adopted in  
25 1982. It was revised slightly in 1991. And it

1 was published again in 2005, with an extensive  
2 literature, but no changes. Because the initial  
3 standard years ago was so conservative that, you  
4 know, nothing has happened to change it. The same  
5 with the International Commission of Non Ionizing  
6 Radiation Protection. Both of these groups, the  
7 two standards are in harmony with one another for  
8 the general public. The international one and the  
9 American National Standards Institutes, as I say.

10           The other thing that's important, is  
11 that there are groups throughout the world, of  
12 scientific bodies, that continually evaluate the  
13 literature and deliberate. And these would  
14 include: Health Canada, the Health Council of the  
15 Netherlands, the Health Protection Association of  
16 the UK, and the World Health GNF project. There  
17 are numerous bodies likes this, that do go through  
18 the science, issue reports occasionally.

19           Since 2004 there is over 100 of them  
20 that have been issued by groups such as this, both  
21 the federal, and others. And the bottom line is  
22 that the levels -- the bottom line, is, that if  
23 the exposures are less than the safety limits,  
24 then there's no convincing evidence that there's  
25 any harm.

1           The only thing that's still in  
2     debate a little bit, is the actual use of the cell  
3     phone itself. Not the base stations. Exposure  
4     for cell phone is far higher than anything from  
5     the base station, but it's still a safe level  
6     compared with the standards.

7           So, this is an ongoing process. Not  
8     only by the standards committee, but by the whole  
9     world scientific committee -- community. And the  
10    federal and agencies that keep track of all this.  
11    So, it's just -- it's been going on for quite  
12    awhile and it's so much -- there's so much in the  
13    literature that supports this, that I doubt if  
14    they are going to change.

15           The effort now is not an effort, but  
16    the questions that come up now, is, do we really  
17    need lower -- a lower tier for the larger safety  
18    factor for the public or is just one level, as the  
19    old standard was, adequate for everybody. And  
20    that's never going to change. But there is a lot  
21    of people that think it should. And --

22           VICE CHAIR KENNY: So, there's no  
23    truth that the standards in Europe are lower than  
24    they are in the United States?

25           MR. PETERSEN: Well, most of the

1 countries use the International Commission of Non  
2 Ionizing Radiation Protection Limits, NIRP. There  
3 are some countries, Belgium, for example, had  
4 lower limits. Now they just raised them. They're  
5 not quite as high as NIRP, but there are some --  
6 some areas that have lowered their limits for,  
7 mainly because of pressure I guess, and concerns.  
8 But when you really look at the literature, and  
9 you look what the scientific community is saying,  
10 there is really no reason for it. The NIRP or the  
11 international commission limits, those of the  
12 American National Standards Institute, those of  
13 Health Canada, which are based on the US, they  
14 have large safety factors, which it's -- a lot of  
15 the problem is they read a lot in the popular  
16 press. And, you know, if you go on the internet  
17 you can find any position you want on either side  
18 of the issue. But if you look through some of the  
19 bodies, such as the Health Canada, and other ones  
20 that Health Council of Netherlands, that do  
21 frequent reviews of the literature, and find they  
22 all have the same bottom line that if it meets the  
23 standard then it's safe.

24 VICE CHAIR KENNY: Okay. Any other  
25 questions? Dr. Eisenstein, any questions?

1 MR. EISENSTEIN: No, I would just  
2 comment that I read through Mr. Petersen's report,  
3 he used -- and let me just confirm this, you used  
4 the FCC OET65 bulletin to do your calculations?

5 MR. PETERSEN: Yeah. Sort of. We  
6 use the bulletin mainly for the safety guidelines.  
7 But, yeah, we use it. It's a three space  
8 transmission formula.

9 MR. EISENSTEIN: Just so the board  
10 understands this; all these committees and papers,  
11 the people are called to testify before the FCC.  
12 And the FCC is the one that sets the standard for  
13 the United States, the congress has authorized the  
14 FCC to have that authority. And the FCC sets the  
15 standards in consultation with these technical  
16 committees. The FCC also published a standard --  
17 not a standard but a protocol for evaluating the  
18 effect of antennas that's summarized in their  
19 bulletin, which is called OET65. And when someone  
20 like Mr. Petersen does his calculations, if you're  
21 in conformity with those guidelines then you're in  
22 conformity with the FCC regulations. And I have  
23 looked through his calculations. And I agree with  
24 them.

25 The maximum exposure, no matter

1 where you would be standing, no matter how far  
2 from the antenna, at a height of 16 feet off the  
3 ground, according to his report is 1.6 percent,  
4 and at 6 feet off the ground would be 1.3 percent,  
5 somewhat lower. So, that's 1.3 percent of what  
6 the FCC has set as a standard, which would set it  
7 a thousand times lower than what they thought  
8 would be harmful. So, they define a level where  
9 it's harmful, they go down a thousand-fold from  
10 that, and that's where they set the standard. And  
11 there's is 50 times below that. So, it's a huge  
12 margin of error.

13 Now, Mr. Petersen talks about them  
14 tweaking the levels. I mean it's -- you're  
15 talking about very small differences in changes.  
16 They debated correctly so they debated.

17 I was going to ask you one other  
18 question. The Committee on -- and Tomar, has that  
19 now been absorbed into the standards institute,  
20 not your voice?

21 MR. PETERSEN: No, it's still a  
22 committee of the engineering and EMBS; Engineering  
23 and Biology and Medicine Society of IEEE.

24 MR. EISENSTEIN: So, that's a group  
25 which is comprised of well over a hundred experts

1 that study this all the time, this committee on  
2 radiation. It's my understanding of the  
3 literature and I read this extensively, is there  
4 is absolutely no effect from any electromagnetic  
5 signals that are below the thresholds that have  
6 been established. Absolutely no effect.

7 And primarily the signals that we  
8 are talking about here, are lost compared to FM  
9 radio stations, television stations, satellite  
10 broadcast, the GPS satellites that are coming  
11 down. If you actually went out there and measured  
12 radio levels, as we have done many times, you find  
13 that these lights that are above your head are  
14 enormous emitters of electromagnetic radiation,  
15 your fluorescent lights in your house, your  
16 refrigerator, all of those things are enormous  
17 emitters, well in excess of anything that is  
18 coming out of the tower.

19 And as Mr. Petersen pointed out, if  
20 there is any concern, I don't have a concern. But  
21 if I were to be concerned I would be more  
22 concerned with the handheld, which is pressed  
23 directly against your head than the tower. The  
24 radiation from the handheld is much, much higher.

25 The other thing to keep in mind, and

1 I know from most of the people that are laymen in  
2 this, you hear the word radiation, and as an  
3 engineer we differentiate, very strongly, between  
4 what's known as ionizing radiation and non  
5 ionizing radiation, as Mr. Petersen used the term  
6 a couple of times.

7 Ionizing radiation is dangerous at  
8 any level. We don't talk about levels of energy  
9 with ionizing radiation. Those are things like  
10 X-rays, gamma rays, high doses of ultra violet,  
11 those are ionizing radiation. There is absolutely  
12 no doubt that they are dangerous. And they are  
13 dangerous at almost every level and they're  
14 cumulative, which is the other bad part about  
15 them.

16 With non ionizing radiation, we're  
17 talking about the effects, the damage they can do  
18 to the human body, is caused by heat. So, if you  
19 take something like your microwave oven, which  
20 operates the same frequencies we're talking about  
21 here, but is operating at a thousand watts, for  
22 example, or 700 watts microwave oven, everyone  
23 understands that's dangerous. Very dangerous.  
24 And that's because of the heat that was being  
25 used. And it causes enormous damages. When you

1 start going down from there, you scale down from  
2 the 1000 watt microwave oven, scale down by 1000,  
3 and you're down to a 1 watt device, scale down by  
4 another 1000, and you're down to a milliwatt, a  
5 thousandth of a watt, it's hard to imagine that a  
6 milliwatt, a milliwatt is going to cause any  
7 heating effects. You're down a millionfold from  
8 your microwave oven, but you've heard testimony  
9 that the signal strength we're talking about are  
10 minus 85 DBM.

11 To give you what that number is,  
12 start with the milliwatt that I just told you  
13 about, a million times below your microwave oven,  
14 and go down five billionths below that, that's  
15 what negative 85 DBM is. The five billionths of a  
16 milliwatt. So, you're down so far that from my  
17 point of view as an engineer, this is power levels  
18 that I used to teach my students were too low to  
19 use. They were useless power levels. They were  
20 so low that they couldn't be detected. But  
21 because of the advances we've made in signal  
22 processing and computers, which is really what is  
23 inside a cell phone, you're able to use these  
24 powers now in order to extract the signal from it.  
25 But these are infinitesimal powers. These are

1 well below what you're going to get from other  
2 sources that you're much closer to, in terms of  
3 exposure.

4           So, you know, I have read these  
5 reports. I read Mr. Petersen's report. And, by  
6 the way, he did an excellent job of summarizing  
7 the literature towards the end of there. I  
8 haven't seen that before.

9           VICE CHAIR KENNY: Yeah, I agree.  
10 Okay. Any other questions from the board? Okay.  
11 Any questions from the public? Remember your name  
12 and address, please.

13           MS. MESSING: Caleigh Messing, 60  
14 Buxton Road. What else is emitted besides  
15 electromagnetic fields? Are there also like pulse  
16 radio frequencies that don't necessarily change  
17 the heat of cells but just the constant battering  
18 have any impact?

19           MR. PETERSEN: It almost looks like  
20 a -- it is modulated but it's modulated in a  
21 strange way. It's not pulsed like a radar. When  
22 you go out and measure it you can't tell it's  
23 anything but a continuous wave over a narrow  
24 frequency band. But, no, that's -- that's --  
25 there's -- there has been concern, years and

1 years-ago and this whole issue first arose about  
2 radars which were pulsed and that pulsed signals  
3 may have a different effects. But, no, it's not  
4 like that at all.

5 MS. MESSING: Okay. Isn't that --  
6 isn't that what the scientists are just starting  
7 to look at though now? The International  
8 Association of Firefighter, they're protesting  
9 having cell antennas on the fire stations, because  
10 they say the information out there is just  
11 inconclusive, they just don't know yet?

12 MR. PETERSEN: Well, they may feel  
13 that way. But that's certainly not what the  
14 scientific community says.

15 MS. MESSING: But, as you said  
16 before, on the internet you can always find  
17 scientists who will say anything on either side of  
18 the coin. So, can you say definitively there's no  
19 doubt anywhere that this is perfectly safe?

20 MR. PETERSEN: Are you saying; can  
21 you prove it's safe?

22 MS. MESSING: Yes.

23 MR. PETERSEN: No, you can't prove a  
24 negative and you can't prove something doesn't  
25 exist. All's you can do is look at the

1     overwhelming weight of the scientific evidence and  
2     make a decision based on that.  And that's what's  
3     done.  And that's what has been done.  And, by the  
4     way, since around 1996 or '7, almost the majority  
5     of the work that's been done in a laboratory and  
6     epidemiology studies have been involved with  
7     mobile telephones.  Because everybody has one and  
8     everybody is exposed to one.  So, it's not like  
9     they've ignored that whole technology.  That is  
10    what the real focus has been, and that's what the  
11    science says, that right now it complies with the  
12    standards and the safety limits and there's no  
13    evidence of any convincing evidence that there's  
14    any harm whatsoever.

15                   MS. MESSING:  Okay.  I just know,  
16    you know, over years, standards have changed.  
17    They -- you know, at one point it's no longer safe  
18    as the studies come out.  And this technology has  
19    been changing, from what I understand, over the  
20    years, that we really don't have studies of the  
21    technology that you're using today, hasn't been  
22    around the people living under that technology for  
23    20 years, to see if anything was developed.

24                   MR. PETERSEN:  But the fact that  
25    there's no evidence that the different types of

1 modulations that are used for mobile telephone  
2 have any have impact whatsoever. It's just a  
3 signals trend. That sort of supports the fact  
4 that a lot is known. And, again, as I mentioned,  
5 both the IEEE and the international standards are  
6 living documents. They're always in review, and  
7 they're always looking at the new science to make  
8 sure that there is nothing that comes along. And  
9 if there is, we'd be the first to know about it.

10 MS. MESSING: Okay. Thank you.

11 MR. GREEVE: Ray Greeve, 610 River  
12 Road. I assume you're being paid by AT&T.

13 MR. PETERSEN: Am I what?

14 MR. GREEVE: You're being paid by  
15 AT&T I assume.

16 MR. PETERSEN: I'm a consultant,  
17 yes.

18 MR. GREEVE: Do you think that I can  
19 find an expert that says contrary?

20 MS. FAIRWEATHER: I'm going to  
21 object. I'm sorry, I'm going to object. Because  
22 this is about the topic that we're doing. I don't  
23 want an attack on my witness. I'm sorry.

24 VICE CHAIR KENNY: I agree. You  
25 have to ask a question of the testimony or the

1 topic that is at hand.

2 MR. GREEVE: Okay. All right.

3 VICE CHAIR KENNY: But you can save  
4 that comment for end when we have open, you know,  
5 comment part. This is just questions of testimony  
6 that's been given.

7 MR. GREEVE: Okay. Thank you.

8 MS. PETERSON: Christina Peterson 37  
9 Huron Drive. For the record, I am also an  
10 electrical engineer from the University of  
11 California, Irvine. Bachelor of Science,  
12 long-term employee of AT&T, and member of both Eta  
13 Kappa and Tau Beta Pi Engineering Electrical  
14 Engineering Honor Society.

15 With respect to the experts, why is  
16 it that, and I am reading from [www.cancer.gov](http://www.cancer.gov),  
17 that a component of the world health organization,  
18 the international agency for research on cancer,  
19 has concluded that -- has classified radio  
20 frequency fields as possibly carcinogenic to  
21 humans. So, you have the non ionizing radiation  
22 saying it's not, but you have the cancer experts  
23 saying it might be. And you have the government  
24 saying that --

25 MR. PETERSEN: Could I address that

1 one first and then ask me the next one?

2 MS. MESSING: Sure.

3 MR. PETERSEN: Yeah, the  
4 International Agency on Research and Cancer  
5 deliberated two years-ago, looked at epidemiology  
6 studies, mainly associated with the use of cell  
7 phones. And they look for brain tumors, gliomas  
8 oligoastrocytomas, things of that sort. They  
9 found out of 33 or so well done studies, they  
10 found two that suggest there may be association.  
11 Not evidence that causation, but there may be  
12 association. So, just like with coffee, talcum  
13 powder, pickled vegetables, they assigned it the  
14 same category, 2B, which is a possible carcinogen.  
15 Not the probable. But, you know, that the  
16 evidence is just -- but right after that the world  
17 health organization came out with an opinion on  
18 that. And a large -- something called the  
19 interphone study was completed in a number of  
20 countries in Europe and they found nothing. So,  
21 there is, you know, it's still going to be a --  
22 it's still going to be listed as a 2B carcinogen.  
23 But the evidence is very weak. And, again, a lot  
24 of things that you use in life are the same  
25 category.

1 MR. NELSON: Is the roam phone in  
2 your house the same frequency as a cell phone?  
3 The roam phones, portable phones in your house.

4 MR. PETERSEN: Ohm, they operate on  
5 different frequencies, but, yeah, some operate up  
6 in the higher. They operate --

7 MR. EISENSTEIN: It's the same  
8 frequency band. It's the same frequency band for  
9 all practicality.

10 MR. PETERSEN: Some of them work at  
11 2450, and, you know. But, yeah, and that's a good  
12 point, because a large study done in Australia  
13 where they looked at exposures in the home, from  
14 all kinds of devices, and linkage from microwave  
15 oven, and sitting near a wireless router, we're  
16 almost ten percent of their guidelines, and, you  
17 know, we're talking about something that's far  
18 less than that. So, you know, it's a lot of  
19 things that life.

20 MS. MESSING: Again, the government  
21 is quoted here as saying more research is needed  
22 because cell phone technology, and how people use  
23 cell phones is changing rapidly. So, I mean I  
24 hear you're on a lot of committees and yet, you  
25 know, here is cancer.gov telling us that more

1 research is needed.

2 MR. PETERSEN: Well, I don't think  
3 any scientific body is going to say, we're  
4 finished now, we don't have to do anything else  
5 ever. Research is research. And the researchers  
6 is a living for a lot of people. And if there is  
7 some little hint of something, then they'll pursue  
8 it, and that's what's been done forever. And it  
9 works. And, you know, a lot of times there will  
10 be a study that reports something, and then when  
11 you try and do a followup study or try and  
12 replicate it, sometimes in the own researcher's  
13 lab they can't replicate it. But these things are  
14 always ongoing.

15 But, again, the majority of the  
16 studies, and there's over a hundred of them that  
17 have been done since 2004, bottom line is, if it  
18 meets the standard, it's safe.

19 MS. MESSING: Thank you.

20 MR. GREEVE: Ray Greeve, 610 River  
21 Road. This is a very residential neighborhood,  
22 right. I mean there is a lot of families,  
23 children, babies. Is there -- what's the  
24 difference on radiation for adults versus children  
25 or babies.

1           MR. PETERSEN: They have two sets of  
2 limits. One is for occupational exposure and then  
3 to address the age in infirmed children and  
4 everybody else they add another safety factor of  
5 five X's. They reduce it further. That's what  
6 the FCC limits are that we use. So, we assume  
7 that this is what pertains to children. For  
8 adults they could be exposed at a higher level as  
9 they are in a workplace could be without harm.  
10 So, there is nothing that I am aware of that  
11 indicates that children are more sensitive to  
12 radio frequency energy, other than the size,  
13 because depending on size with respect to the  
14 frequency may absorb more energy in an adult.

15           MR. GREEVE: Okay. Thank you.

16           VICE CHAIR KENNY: Any other  
17 questions from the public? One more.

18           MS. VON RYDINGSVARD: Ursula Von  
19 Rydingsvard, V-O-N R-Y-D-I-N-G-S-V-A-R-D, 610  
20 River Road. If there was a possibility of being  
21 able to place these towers in a place that was  
22 less residential, would that be preferable in your  
23 opinion in terms of any health affects that we  
24 might not know about?

25           MR. PETERSEN: I'm here to show that

1 this particular site complies with the FCC  
2 guidelines and any New Jersey limits and  
3 regulations. That's just a matter of personal  
4 choice. And, you know, you should ask the planner  
5 or somebody that. Again, I'm here to say that, or  
6 to show that, that the site will comply with FCC.

7 MS. VON RYDINGSVARD: So I  
8 understand that this site complies but we had  
9 other maps that showed that there were other  
10 possibilities that were a lot less residential.

11 MS. FAIRWEATHER: I know, I'm going  
12 to object here. The planner is probably the right  
13 person to ask. He is here on compliance for FCC,  
14 and it complies and he's given his opinion what  
15 that is.

16 VICE CHAIR KENNY: Am I correct in  
17 saying you can't comment on the other site because  
18 you haven't looked at them? I mean she's  
19 asking -- she's not really asking a planning  
20 question. She's asking a safety question about a  
21 less residential area. So --

22 MS. VON RYDINGSVARD: I would just  
23 think that you might have some type of opinion on  
24 whether, based on some evidence that we don't know  
25 about yet, something that may come up in the

1 future, that less a residential area might be  
2 beneficial.

3 MS. FAIRWEATHER: I guess, Ron, the  
4 question is do you find problems with it in a  
5 residential neighborhood. I guess the flip of it,  
6 which is just like the positives of it.

7 MS. VON RYDINGSVARD: Yeah, is it a  
8 possibility of people being less exposed? Would  
9 that be preferential?

10 MR. PETERSEN: As I mentioned, that  
11 the weight of the evidence, is, that if it's below  
12 the safety guidelines it's safe. So, it shouldn't  
13 really matter where it is.

14 MS. VON RYDINGSVARD: All right  
15 that's kind of a non answer.

16 MR. PETERSEN: In fact if you look  
17 at hospitals. Look at the roof of Overlook  
18 Hospital. It's covered with antennas.

19 MS. VON RYDINGSVARD: Yeah, but we  
20 don't live under there.

21 MR. PETERSEN: No, no, you don't.  
22 But there are sick people in there. And they're,  
23 you know, they're exposed.

24 MS. VON RYDINGSVARD: Yeah, but  
25 they're not living there day in and day out with

1 kids running around.

2 VICE CHAIR KENNY: Any other  
3 questions from the public? Okay. Any other  
4 questions from the board or the experts about  
5 anything that was raised? Okay.

6 You have another?

7 MS. FAIRWEATHER: I have my engineer  
8 that I could start, Madam Chair. He's ready to  
9 go.

10 VICE CHAIR KENNY: I think we have  
11 another half an hour, right? Let's keep pushing  
12 through.

13 MS. FAIRWEATHER: See, you only have  
14 to sit through two and three quarters meetings to  
15 be heard.

16 This is my -- for the board, this is  
17 my civil engineer that's going to explain the site  
18 plans and what's proposed.

19 Okay, have a seat for a second.

20 Your name, please.

21 MR. GUALTIERI: Antonio Gualtieri,  
22 G-U-A-L-T-I-E-R-I.

23 MS. FAIRWEATHER: Toni, give us your  
24 educational -- oh, you have to get sworn in first.

25 VICE CHAIR KENNY: Do you swear to

1 tell the truth, the whole truth and nothing but  
2 the truth so help you God?

3 MR. GUALTIERI: I do.

4 MS. FAIRWEATHER: Educational  
5 professional background.

6 MR. GUALTIERI: Bachelor's of  
7 Science from Rochester Institute of Technology,  
8 and I am a licensed professional engineer in the  
9 State of New Jersey amongst three or four others.

10 MS. FAIRWEATHER: And you are with  
11 the firm of Tectonic?

12 MR. GUALTIERI: Correct.

13 MS. FAIRWEATHER: And you're  
14 responsible for the plans before the board this  
15 evening?

16 MR. GUALTIERI: Correct.

17 MS. FAIRWEATHER: Okay. Tony, can  
18 you please explain what we have proposed. Before  
19 we do, are those the plans that were submitted to  
20 the board that are on your board behind you?

21 MR. GUALTIERI: Yes.

22 MS. FAIRWEATHER: And what's the  
23 revision date of those plans, please?

24 MR. SHAW: Just for the moment, we  
25 do accept him as an expert.

1 MS. FAIRWEATHER: Oh, I'm sorry, you  
2 have to say that. I just went on.

3 VICE CHAIR KENNY: Yeah, for the  
4 record, you are accepted as an expert.

5 MS. FAIRWEATHER: For the record,  
6 you accept him as an expert engineer.

7 Toni, what's the revision date of  
8 those plans, please? I know, now you have to go  
9 to them. Take your microphone.

10 MR. GUALTIERI: All right. The  
11 drawings that were prepared, they are dated 7/24  
12 of 2013. Rev. 0.

13 MS. FAIRWEATHER: I believe they  
14 were marked into evidence. And I'm not -- I mean  
15 marked in as exhibits and I'm not sure what their  
16 numbers are. So, Mr. Shaw, would it be okay, as  
17 he's referring to them, if he refers to the sheet  
18 number?

19 MR. SHAW: Yeah, that would be fine.

20 MS. FAIRWEATHER: Okay. So, Toni,  
21 what sheet number are you looking at first?

22 MR. GUALTIERI: Okay. And just for  
23 the record, these are the same drawings that were  
24 submitted they're just mounted for presentation  
25 purposes. All right. So, I'll start with sheet

1 No. Z01. And this is an overall plot plan and  
2 setback map that shows the actual water tank  
3 location and the property and the adjoining  
4 properties. On this drawing there is also a  
5 setback map that shows the water tank and the  
6 property lines and the setbacks from that. What I  
7 put up here is drawing Z02. Again, dated 7/24  
8 2013. Rev. 0. On this drawing we have a site  
9 detail plan, which is a blow up of the area,  
10 showing the water tank, the proposed antennas that  
11 are grouped in a cluster of three around the water  
12 tank, and the ground equipment that we are  
13 proposing, in this location here.

14 We also have some fencing details on  
15 what we're proposing around the ground equipment.  
16 And the ground equipment here interconnects with  
17 the antennas via coax cables. The cables are  
18 going to be run underground, come up the tank,  
19 around the tank, to the antennas. As we bring the  
20 cables up the tank they will be enclosed in a  
21 cover, and they'll be painted to match the  
22 existing structure.

23 Moving on to drawing Z03 dated 7/24  
24 2013 rev 0. On the elevation sheet we represent  
25 the tank. Tank elevation. And we also show the

1 antennas. We are not proposing the antennas to be  
2 above the tank level. So, they will be below.  
3 The height of the tank is 105 feet from grade.  
4 The center line of our antennas are at 101 AGL.  
5 The antennas are about 4 feet in height. Again,  
6 everything is going to be painted to match the  
7 existing structures.

8           On this drawing I also showed the  
9 two existing antennas that are on that tank, and  
10 they are protruding above the water tank. On the  
11 elevation as well we show the existing fencing  
12 that's around the water tank property, and we are  
13 also adding an additional fence to kind of give a  
14 little bit more shielding to the equipment. And  
15 that's again proposing an 8-foot high stockade  
16 fence to kind of give a little bit more visual  
17 protection.

18           On the antenna plan this is a  
19 blowup, and in order to -- for the cell carrier to  
20 meet their objective the antennas are positioned  
21 to be able to cover and radially emit the signal  
22 outward around the structure.

23           I have drawing Z04, again, dated  
24 7/24 2013 rev. 0. And here we have a  
25 miscellaneous grouping of details. The antenna --

1 the antennas are detailed given height, width and  
2 depth. Actual installation details on how the  
3 antenna is going to be attached to the tank, and  
4 how we are proposing to take the cables from the  
5 ground-mounted-equipment, underground, up  
6 alongside the tank, up to the antenna level and  
7 then wrapping to the antennas. So, we have those  
8 details shown here. And we have some clearances  
9 and attachment details as well.

10 The other thing that I wanted to  
11 touch base on, is, we are, you know, from a  
12 maintenance perspective, these sites do get  
13 visited for regular maintenance because it is  
14 computer equipment at the base that needs  
15 maintenance as time goes on, monthly; ten days  
16 they go out there. And if there is an alarm that  
17 gets tripped internally then a technician would  
18 come out and deal with that issue.

19 MS. FAIRWEATHER: Yeah, Toni, let's  
20 talk about that. These sites are monitored 24/7  
21 at the AT&T hub by an alarm. The alarm is a  
22 silent alarm that gets sent immediately to hub if  
23 the door is open, if there's a temperature change?

24 MR. GUALTIERI: Correct.

25 MS. FAIRWEATHER: Okay. I have no

1 other questions. This is the quickest witness I  
2 have.

3 VICE CHAIR KENNY: I am sure that we  
4 have some questions. Okay.

5 If we go to Z02. So, if we could  
6 just talk about the equipment cabinet. Oh, it's  
7 down near the compound plan. Can you talk about  
8 that a little bit? Let's see, I am looking for  
9 sizes. Just, you know, if you can go over the  
10 sizes, the materials, and see -- we actually --  
11 our site visit we weren't able to get in on the  
12 site. So, we can only look from the outside and  
13 it was sort of pointed out to us where the  
14 equipment was going to be, but a little bit hard  
15 to visualize. So, if you could try to be as  
16 detailed as possible in terms of what that's going  
17 to look like.

18 MR. GUALTIERI: Okay.

19 VICE CHAIR KENNY: Well, what's  
20 going to be there really. I guess if the fence is  
21 up you're not going to see it. But just so we  
22 could go over what is going to be in that -- on  
23 that pad.

24 MR. GUALTIERI: Okay. Well, when  
25 you did the site visit you approached the site

1 either from Buxton Road up through here. I don't  
2 believe you came up the driveway and across the  
3 back. So, you approached the site through the  
4 front yard here.

5 VICE CHAIR KENNY: I think they  
6 looked through that back way. Yeah, we did walk  
7 around there.

8 MR. GUALTIERI: Okay. There is --  
9 there's an existing 10-foot wide utility easement  
10 that exists currently, and it's up along the  
11 driveway and across the back of the property.  
12 That is because it is a land-locked piece of  
13 parcel. So, the utility company, in order to be  
14 able to get in there and do the maintenance on the  
15 water tank, that's the access. We intend to use  
16 the same path of access for maintenance purposes.  
17 During construction, and that exists as well at the  
18 site visit, we were proposing a path through the  
19 front yard to be able to, you know, bring  
20 equipment in, small construction equipment, to be  
21 able to do the ground install and the antenna  
22 work. And then we would restore that back to its  
23 original condition when we're all said and done.  
24 We are not looking to cut down any trees, some  
25 minor vegetation, along the front, where the gate

1 is. We are going to be removing, putting back  
2 what size will be replaced. You know between your  
3 transplanted and removed some of the shrubbery,  
4 you may get some stuff that doesn't retake. So,  
5 that's the approach from a construct-ability  
6 standpoint here. When you got to the equipment,  
7 when you guys are out here, and you saw the gate,  
8 if you come down this line, this row here towards  
9 the back, we we're looking to tuck the equipment  
10 in the back here. There is an existing stockade  
11 fence that comes around these two areas, and then  
12 the rest is chain link. These are both chain link  
13 and stockade.

14 MS. FAIRWEATHER: And so go to the  
15 size of the compound, the size of the equipment  
16 cabinets.

17 MR. GUALTIERI: Okay. Let's see  
18 here, the equipment, the best way that I could --  
19 and there is many measurements here for all the  
20 cabinets and different cabinets have different  
21 uses. This is electronic computer equipment.  
22 There's computer cards for communication back and  
23 forth. The actual sizes are all listed. And, you  
24 know, sizes of 32 X 48 by 84, it's a size of a  
25 refrigerator, if you want to visualize it that

1 way. So, there's --

2 MS. FAIRWEATHER: Those inches,  
3 right; inch 32 inches, 48 inches?

4 MR. GUALTIERI: Correct. So,  
5 there's a couple of battery cabinets here that  
6 provide temporary backup power to the equipment.

7 MS. FAIRWEATHER: And how large are  
8 they?

9 MR. GUALTIERI: They are 32 inches X  
10 48 inches X 84 inches in height. There is also a  
11 power plant cabinet, that basically provides the  
12 power needs for the equipment, and that's 32  
13 inches X 48 X 84 inches in height, and there are  
14 two proposed UMTS cabinets, that's where the  
15 majority of computer equipment is going to be  
16 stored, 32 inches X 40 inches X 72 inches in  
17 height. We also need utilities; power and  
18 telephone, to be able to tie the system back into  
19 other systems and back into the grid. So, there's  
20 an existing utility pole within the compound area  
21 that gets fed aerially to this site. Actually the  
22 pole line comes across and over. We are not  
23 coming aerially to our site. We are going to come  
24 down the pole. We're going to trench across and  
25 bring that power to our site. So, we want to

1 minimize the visual impact of what we are doing on  
2 the site. So, like I said, from the existing  
3 utility line, we are bringing it to our site, but  
4 we need to take that and do something with the  
5 power telephone. So, there's a power and  
6 telephone box. There's a power panel that you  
7 would have in your house to be able to pull the  
8 different circuits that you need and the same  
9 thing from the telephone. So, we have a telephone  
10 tie in, and we have a power tie in.

11 MS. FAIRWEATHER: And what's the  
12 dimensions of the compound that all this equipment  
13 is going to be in?

14 MR. GUALTIERI: All right. We are  
15 proposing a 10-foot wide X by 7 feet long compound  
16 area fence.

17 MS. FAIRWEATHER: And the equipment  
18 would sit in that 10 X 17 area?

19 MR. GUALTIERI: Correct.

20 MS. FAIRWEATHER: Okay. Great.  
21 Thank you.

22 MR. GUALTIERI: Okay. There's one  
23 more piece of equipment -- two more pieces of  
24 equipment that are in that -- in that area.

25 MS. FAIRWEATHER: I'm sorry, I

1 thought you were done.

2 VICE CHAIR KENNY: I feel like  
3 you're using different words than what's on the  
4 plans here. This is like unit strut frame, per  
5 cells. So, when you talk about like telephone or  
6 electric panels there.

7 MR. GUALTIERI: Right. If you look  
8 here, it says, "Proposed telpo board." That's the  
9 telephone tie in.

10 VICE CHAIR KENNY: Okay.

11 MR. GUALTIERI: Okay. And to telpo  
12 is like an industry lingo for telephone pole.  
13 "Proposed electric panel." And, again, when it's  
14 mentioned here on, when construction drawings get  
15 put together all the stuff will be detailed out.  
16 So, when it goes to building permit all this  
17 information will be on there tie-in connections  
18 and everything else. There are proposed radio  
19 heads, RH unit, that are called, and they are on a  
20 frame as well, and they help to communicate back  
21 and forth between the antennas and the equipment.  
22 And there's also a per cell cabinet that's 24 X  
23 24; 24 inches X 24 inches X 30 inches in height.

24 MS. FAIRWEATHER: And what's the per  
25 cell cabinet for?

1 MR. GUALTIERI: It's just an  
2 additional piece of equipment that's needed, I  
3 believe it's for the telephone transition.

4 VICE CHAIR KENNY: And is all this  
5 encased in something, I guess?

6 MR. GUALTIERI: These are -- these  
7 are actual --

8 VICE CHAIR KENNY: Separate units?

9 MR. GUALTIERI: They're cabinets.  
10 They're weather proof cabinets. And all this  
11 stuff is electronic. So -- and we show all the  
12 doors, the door swings and how the technician  
13 would go in and be able to access this stuff.  
14 Everything is locked. There's special keys to  
15 open up the cabinets that the technicians have.  
16 So, they'll go in. They'll open it. They're all  
17 electronic. They're not cheap. So, they are  
18 being protected as much as they can. Everything  
19 is alarmed. If one of these cabinets get opened a  
20 silent alarm gets sent, somebody comes out.

21 VICE CHAIR KENNY: So, it looks like  
22 the door swings open there, that's locked, and  
23 each individual --

24 MR. GUALTIERI: Each individual  
25 cabinet is locked.

1 MR. SYPLE: Do they emit noise? Do  
2 they buzz? Do they hum? Like a refrigerator, do  
3 they make noise?

4 MR. GUALTIERI: This is electronic  
5 equipment. And with any electronic equipment,  
6 like your laptop, it does generate some heat. So,  
7 there are some fans that are on the doors that  
8 kick on when the temperature raises above a  
9 certain level, to cool it down.

10 VICE CHAIR KENNY: Okay.

11 MR. MICHAELS: I have some questions  
12 madam chair.

13 VICE CHAIR KENNY: Yes, please.

14 MR. MICHAELS: Did I understand you  
15 correct, so, is there going to be two gates into  
16 the overall compound that surrounds the water  
17 tower?

18 MR. GUALTIERI: We're not looking to  
19 change the path of egress in and out of the water  
20 tank. These gates exist today.

21 MR. MICHAELS: I don't recall. I  
22 saw the gate on the lower right side.

23 MR. GUALTIERI: Here the stockade  
24 fence is put right in front. This is not a gate.  
25 This is an actual stockade fence. This is -- this

1 was put in, if you need to get a major piece of  
2 equipment in here to do any work on this water  
3 tank, this would allow a truck to come in here.

4 MR. MICHAELS: Okay. So, that's not  
5 going to be a permanent gate.

6 MR. GUALTIERI: No. The gate that's  
7 here, we're going to utilize this during  
8 construction, to be able to access this through  
9 the front yard, get our equipment in here to do  
10 the construction and then we're going to restore  
11 everything back to its original condition.

12 MR. MICHAELS: You showed an  
13 elevation it shows stockade fence. Is that going  
14 to be placed around the entire water tower or just  
15 two sides?

16 MR. GUALTIERI: No. What I'm  
17 showing here on this plan I show all the existing  
18 stockade fence. There's -- there's stockade fence  
19 along the two sides and in front of the existing  
20 gate that's there. We are proposing a new  
21 stockade fence inside that area, to kind of  
22 provide any, you know, like with any stockade  
23 fence you do see some through the gaps. So, we  
24 are providing another piece of enclosure inside  
25 here.

1 MR. MICHAELS: Okay. So, my  
2 question was the other two sides, whether chain  
3 link fence, you're not proposing to put any  
4 additional stockade fencing around that chain link  
5 fence?

6 MR. GUALTIERI: No, we are  
7 definitely not. And if you go to the site and you  
8 take a look, it makes sense why there's no need  
9 for any stockade fence. Because it drops off  
10 pretty well.

11 MR. MICHAELS: I understand one  
12 side. I was wondering on the left side adjacent  
13 to --

14 MR. GUALTIERI: This, if you look at  
15 the aerial map, I believe this is all --

16 MR. MICHAELS: Right on the other --  
17 the one to the left of that.

18 MR. GUALTIERI: Well, one is a  
19 slope-down. The other one is very heavily wooded.

20 MR. MICHAELS: To the left side?

21 MR. GUALTIERI: Do you have an  
22 aerial?

23 MS. FAIRWEATHER: No, we don't have  
24 the aerial with us.

25 MR. MICHAELS: Adjacent to lot 3?

1 MS. FAIRWEATHER: No, we don't have  
2 the aerial with us because the planner didn't  
3 bring it.

4 MR. MICHAELS: I think it may show  
5 on the cover sheet. No. Actually on sheet Z1 I  
6 see a side of your -- that side of the compound  
7 around the water tank abuts the rear yard of lot  
8 3.

9 VICE CHAIR KENNY: What page is that  
10 again?

11 MR. MICHAELS: On page Z1; 01.

12 MR. GUALTIERI: Let me just, for the  
13 record, correct that there is stockade fence, and  
14 it's not shown on this plan. There is stockade  
15 fence along lot 3. So, there is a third section  
16 of stockade fence. We have stockade fence here,  
17 stockade fence here, and here. The only piece  
18 that only has -- and, again, there's stockade  
19 fence and wire mesh. The only section that does  
20 not have a wooden fence on it, is this section  
21 here. And this is a pretty steep slope.

22 MR. MICHAELS: I understand that. I  
23 understand that. On sheet Z03 it shows an  
24 electric motor mounted on the utility pole. Yeah,  
25 there is a utility pole shown on that elevation on

1 sheet Z3, and it says, "Approximate location of  
2 proposed AT&T electric motor." What is the  
3 purpose of that?

4 MR. GUALTIERI: I believe this is  
5 shown in error. And I will take a look at this.

6 VICE CHAIR KENNY: Oh, I see.  
7 Proposed -- okay.

8 MR. GUALTIERI: I'm not aware that  
9 we're proposing, at this site, anything that would  
10 require this installation for this site.

11 MR. MICHAELS: Okay. My comment was  
12 that why is it above the -- above the fence line.

13 MR. GUALTIERI: Yeah, and that's why  
14 it doesn't make sense here because we are trying  
15 to conceal as much as we can. So, I'm surprised.  
16 For this installation this would not be an  
17 applicable use.

18 MR. MICHAELS: Okay. I think that's  
19 all the questions I have.

20 MR. NELSON: This shows electric  
21 motor reference. What sort of an electric motor?

22 MR. GUALTIERI: We will not need it  
23 for this -- for this site.

24 MR. MICHAELS: Oh, I'm sorry, I do  
25 have one other question. So, as far as -- you

1 identify that within the compound there is a  
2 battery back up. Is that in the event of power  
3 failure?

4 MR. GUALTIERI: That's correct.

5 MR. MICHAELS: And for how long  
6 would that battery backup be able to power the  
7 site?

8 MR. GUALTIERI: I believe it's for  
9 eight hours.

10 MR. MICHAELS: Are there any plans  
11 for any other type of power backup?

12 MR. GUALTIERI: At this site we are  
13 proposing a generator plug, like we do on many  
14 sites, in the case of an emergency that would need  
15 battery backup past that point, and this is deemed  
16 a critical site for a tragedy that happens near  
17 here, and they need to mobilize a generator, they  
18 will mobilize the generator, and plug it in.

19 MR. MICHAELS: Okay. So, a  
20 generator is not permanently located at the site,  
21 that would be transported to the site to provide  
22 power backup?

23 MR. GUALTIERI: And to generate a  
24 plug is if there is a catastrophe that happens in  
25 the area, this is a vital site for emergency

1 services to be able to communicate and the public  
2 to communicate them, they will bring portable  
3 generator and plug it in to be able to run after  
4 the eight hours.

5 MR. MICHAELS: Thank you.

6 MR. SHAW: Is there a size for the  
7 portable generator?

8 MR. GUALTIERI: Portable generators  
9 that all the carriers deploy are basically one  
10 size because they don't know if it's, you know,  
11 how long they need to be there. So, it's one  
12 size. And I believe it's on the back of a trailer  
13 hitch. They move the thing out. It's definitely  
14 not going to be the generator that you would wheel  
15 out of your garage at your house. Because they  
16 are from a workability standpoint, if they're  
17 mobilizing a generator, they're probably  
18 mobilizing a generator for an immediate need, and  
19 it has got to probably keep running for a long  
20 time.

21 MR. SHAW: So, do you know what the  
22 size is?

23 MR. GUALTIERI: I don't. And a lot  
24 of times they have contracts with generator  
25 providers that they'll, as soon as they are

1 called, they dispatch, and go. So, if it's a  
2 small generator that they have that day, that's  
3 what they'll bring here. If it's a larger one.  
4 They just need to bring power, generate power to  
5 this site, if there is a need.

6 VICE CHAIR KENNY: It will fit  
7 through the opening that's there, the one that's  
8 used for maintenance?

9 MR. GUALTIERI: It could be pulled  
10 up and plugged in. Again, depending on the size  
11 of the generator that is available at the time and  
12 the need to be able to plug it in.

13 VICE CHAIR KENNY: So, it may not  
14 fit through the existing gate?

15 MR. GUALTIERI: No, it will fit  
16 through the gate because most of them are trailer  
17 mounted. They have to be portable. They have to  
18 be movable. It's not on a truck bed. It's on a  
19 truck bed or a hitch that they attach and they  
20 wheel in.

21 MR. NELSON: Your plug would be in  
22 the cabinet area or where the utility pole and the  
23 proposed electric meter?

24 MR. GUALTIERI: It would -- no, our  
25 generator plug would be at the proposed electric

1 panel area.

2 MR. NELSON: Okay.

3 MR. GUALTIERI: So, put it in, flip  
4 a switch over to generate power, have a transfer  
5 switch right there, and kick in that way. But,  
6 again, that's on -- if you need power beyond the  
7 eight hours and there is a vital need for this  
8 site to have a generator because there is an  
9 emergency happening in that area.

10 VICE CHAIR KENNY: And that would be  
11 what we call noisy, correct? Generators generally  
12 make noise?

13 MR. GUALTIERI: But if you have that  
14 kind of situation here --

15 VICE CHAIR KENNY: I understand. I  
16 just want to make sure.

17 MR. SYPLE: How unique is this  
18 design? Is there a power tower designed nearby  
19 that could be looked at or is this truly unique?

20 MR. GUALTIERI: No, this is a  
21 standard telecommunications installation.

22 MR. SYPLE: Does there happen to be  
23 one in the nearby community?

24 MS. FAIRWEATHER: You want a water  
25 tank one? We can get you a list? Do you know any

1 off the top of your head, Toni?

2 MR. GUALTIERI: Not near here.

3 MS. FAIRWEATHER: Yeah, I know, not  
4 here. We'll get you absolutely some type of list.  
5 I think if you look at most water tanks when you  
6 drive by, you can see them, but we'll give you a  
7 list of AT&T ones.

8 VICE CHAIR KENNY: And the A detail  
9 on the 02, is that for the gate for the compound?

10 MR. GUALTIERI: That's correct.  
11 These fence details are for this new installation.

12 VICE CHAIR KENNY: And that's just  
13 esthetics you said?

14 MR. GUALTIERI: Just to provide  
15 additional visibility into what's going on here.

16 VICE CHAIR KENNY: Okay. Could you  
17 just talk briefly about the covers for the  
18 antennas and just what they are made out of and  
19 the paint matching. I guess the placement you  
20 mentioned needs to be -- I notice it's not exactly  
21 equal in three parts. Kind of looks like two are  
22 across from each other, and one is on the other  
23 side in between those two.

24 MR. GUALTIERI: Right. And they're  
25 placed based on the coverage objectives that AT&T

1 has, kind of radiate out. Those are the design  
2 criteria that we had received from them for this  
3 site.

4 VICE CHAIR KENNY: So, two going  
5 over the ridge and then one is --

6 MR. GUALTIERI: You have to ask the  
7 RF engineer on that, on that piece.

8 VICE CHAIR KENNY: Ask who?

9 MR. GUALTIERI: The radio frequency  
10 engineer.

11 MS. FAIRWEATHER: Yeah, but you can  
12 tell her where they're placed on the tank.

13 MR. GUALTIERI: Yeah. No. She asked  
14 the question on why were they placed there.

15 MS. FAIRWEATHER: Oh, no, that's  
16 Yvan again.

17 VICE CHAIR KENNY: But looking at it  
18 if that's the corner then they are placed to go --  
19 two are going over, you can't see on Z1.

20 MS. FAIRWEATHER: You want to go  
21 ahead do the questions for him because Yvan is  
22 coming back next month.

23 VICE CHAIR KENNY: Okay. Yeah.  
24 Could you just talk about the antenna covers and  
25 matching the paint and things like that.

1 MR. GUALTIERI: Sure. If you go  
2 back to drawing Z 004, I show the actual antenna  
3 sizes, details, to kind of represent what's there.  
4 The antennas, they have electronics in them and  
5 the covering, it's, you know, could be a couple  
6 different pieces of material that are in there,  
7 but they're all radio frequency friendly so the  
8 signal could get through there. The covering,  
9 whether it's a fiberglass or non metallic cover,  
10 basically it's a waterproofing to keep the  
11 electronics inside, you know, contained. And  
12 these are paintable. We paint them all the time  
13 to match adjoining surfaces. We can have -- we  
14 can paint them any color that needs to be painted.

15 VICE CHAIR KENNY: Anybody else?  
16 No? Experts. John.

17 MR. RUSCHKE: Do you have a copy of  
18 my October 14th letter? Did you review that or do  
19 you have a copy?

20 MR. GUALTIERI: No, I did, I just  
21 don't have it here with me.

22 MR. RUSCHKE: Well, basically my  
23 comments revolved around providing more specific  
24 details regarding, like you gave testimony today  
25 that the conduit from the existing utility pole,

1 the service cabinets on the ground, you should  
2 show that location, show the limit of disturbance,  
3 and make sure that the site plans clearly  
4 illustrate, you know, what the amount of the  
5 disturbance that's going to occur. Again, with  
6 the -- you seem to imply that you're going to go a  
7 different direction and outside of the existing  
8 easement to access. So, that should be shown on  
9 the drawings. So we get an appreciation of what  
10 is the actual total limit of disturbance, frankly  
11 because then I know how to permit you. Are you  
12 lot grading or are you just soil erosion sediment  
13 control. So, for the agencies that issue the  
14 permits, so we need those details in order to  
15 accurately know exactly what, you know, the extent  
16 of the disturbance that's going to occur on the  
17 site. You mentioned that there will be fans. Can  
18 you put in testimony what the decibels will be at  
19 the equipment and at the property line. Because  
20 it is only 5 feet away from the property line.

21 MR. GUALTIERI: Yes. We can provide  
22 that to you.

23 MR. RUSCHKE: Yes, just those  
24 specifics.

25 MR. GUALTIERI: Yeah, we can

1 definitely provide that.

2 MR. RUSCHKE: And the one suggestion  
3 I had was is it appropriate to add some additional  
4 landscaping or you feel that there is enough  
5 buffering here, just to mitigate the site?

6 MR. GUALTIERI: The property is  
7 owned by American Water. And American Water is in  
8 a business of supplying water. And they do not  
9 allow any vegetation within their properties. I  
10 am surprised that there was actually a couple of  
11 small trees here. They probably haven't gotten  
12 around to doing their maintenance. But they will  
13 not allow any vegetation and we represent American  
14 Water nationally, and we never include any  
15 vegetation in there because that's there take on  
16 it.

17 MR. RUSCHKE: And that's fine for  
18 them but is there adequate shielding on that so  
19 you don't see the equipment. That's fine that  
20 that's their policy but what can you do to shield  
21 the equipment?

22 MR. GUALTIERI: Well, I think we've  
23 done a pretty good crack at it here. You have  
24 chain link fence on three sides. You have  
25 stockade fence on three sides. And an additional,

1 we're putting together a pretty tight, you know,  
2 board-on-board system to be able to, you know,  
3 continue to hide that. The cabinet, you know,  
4 the color, it's a beige color on the cabinets.  
5 It's not like it's a color that's going to pop and  
6 stand out.

7 MR. RUSCHKE: There was reference to  
8 the proposed motion sensor light and safety  
9 signage. Where are they going to be installed?

10 MR. GUALTIERI: Okay. Every one of  
11 these sites gets safety signage. And the safety  
12 signage details is shown on the gate where it's  
13 going to go. It goes right on the gate so people  
14 know right off the bat before you walk in it's  
15 safety signage. And the safety sign itself has --  
16 and there are two signs that get put on there.  
17 It's an identifier that it is an AT&T site,  
18 emergency phone number, and then it gives the RF  
19 notice on, you know, stay away, so forth.

20 MR. RUSCHKE: That's going to be  
21 inside the compound?

22 VICE CHAIR KENNY: What sheet is  
23 that?

24 MR. GUALTIERI: Okay. If you go  
25 back to drawing Z04, detail 1, Z04, RF notice

1 sign, these are the two signs that are going to be  
2 on the gate of our --

3 MR. RUSCHKE: Inside the compound?

4 MR. GUALTIERI: Yes, inside the  
5 compound.

6 MR. RUSCHKE: And the motion sensor  
7 light?

8 MR. GUALTIERI: Okay, the motion  
9 sensor light, most maintenance work gets done  
10 during normal operating business hours, but from  
11 time-to-time an alarm goes off a technician comes  
12 out here, and it's dark, what we can do on this  
13 site, usually we install a motion sensor. So, as  
14 the technician walks up to the site, the site  
15 illuminates. We can change that to a timer, where  
16 the technician comes in. So, it's a timer, 30  
17 minute timer, 60 minute timer, that is on while  
18 he's working there. It's really for his safety to  
19 provide some ambient light so he can work on the  
20 electronics.

21 MS. FAIRWEATHER: And that's in case  
22 of an emergency in the evening, correct?

23 MR. GUALTIERI: Correct.

24 MS. FAIRWEATHER: Because the  
25 maintenance is done Monday through Friday during

1 normal business hours once a month?

2 MR. GUALTIERI: Correct.

3 VICE CHAIR KENNY: And how would  
4 that timer work? He just turns it on when he  
5 arrives or --

6 MR. GUALTIERI: Yeah, he walks up to  
7 it, turns it on, and then the timer runs down and  
8 then goes off.

9 VICE CHAIR KENNY: And that's on the  
10 outside of the fence?

11 MR. GUALTIERI: No, that would be  
12 within this area here. Within the equipment area.  
13 So, it gives some light to be able to work. It's  
14 usually mounted on, again, usually mounted on the  
15 power panel facing the equipment. Gives him some  
16 ambient light to be able to work on stuff.

17 MR. SHAW: So, it does not have  
18 animals running by and --

19 MR. GUALTIERI: Well, that's why I  
20 am recommending, here, for this application,  
21 instead of having a motion sensor, putting it on a  
22 timer. And we can change that. And to address  
23 the questions that were asked earlier, these are  
24 drawings that were put together from a zoning  
25 perspective. All the details that were asked,

1 will be on the construction set that we file for  
2 construction building permit, it will have all  
3 those details on here.

4 VICE CHAIR KENNY: But you do agree  
5 to change the light from sensor to a timer and  
6 detail the temporary easement on the plans?

7 MR. GUALTIERI: Yeah, we can show  
8 that here. We're going to show that information  
9 on the construction drawings. We can show that  
10 here.

11 MS. FAIRWEATHER: And I have a  
12 question. John, do you want these revised to show  
13 disturbance and things like that or are you okay  
14 with it on the construction drawings? Let's just  
15 make sure what -- make sure we have everything we  
16 need.

17 MR. RUSCHKE: Well, my preference is  
18 to have them revised just so that the board knows  
19 and the public knows regarding the amount of  
20 disturbance that is going to occur.

21 MS. FAIRWEATHER: We'll do that.  
22 Anything else besides the amount of disturbance  
23 and the timer, anything else you want on it?

24 MR. RUSCHKE: Just refer to my  
25 letter.

1                   VICE CHAIR KENNY: It was the noise  
2 of the fan.

3                   MR. RUSCHKE: Given that testimony,  
4 you know, in the past, you know, carriers have  
5 provided the cabinets, and identified that for us.  
6 You know, the decibel at the cabinet and then gave  
7 testimony regarding 5 feet away.

8                   MS. FAIRWEATHER: Got it.

9                   MR. MICHAELS: Excuse me, I also  
10 thing that if you're going to be revising the  
11 plans you should also revise it so that it's clear  
12 that the stockade fence is on that third side.  
13 Because I don't thing these plans are clear as to  
14 that. And that electric motor, if it's not going  
15 to be there it should be removed from the plans.

16                   MS. FAIRWEATHER: And we'll make  
17 sure that the plans get in ten days before the  
18 next hearing.

19                   VICE CHAIR KENNY: I think that's a  
20 good stopping point. Unless we had some questions  
21 from the board or anyone else. I think we'll hold  
22 off -- should we hold off on the public because I  
23 think that way --

24                   MR. SHAW: I would think we ought to  
25 let him finish his direct testimony.

1 MS. FAIRWEATHER: He's done.

2 MR. SHAW: Oh, he's done. Well --

3 VICE CHAIR KENNY: Maybe one or two  
4 and then we'll open up the next meeting with, you  
5 know --

6 MR. SHAW: Well, he'll be back the  
7 next meeting.

8 MS. FAIRWEATHER: Right and he's  
9 going to submit revised plans.

10 VICE CHAIR KENNY: I just, you know,  
11 I want to give everyone time to speak, but we only  
12 have ten minutes left, and we all have to be to  
13 work tomorrow. So -- okay. Can she ask one  
14 question and then you can question --

15 MR. SIMON: Yeah, no, I'd rather  
16 not. I have a lot of questions to ask him, plus  
17 I'd rather wait to see the revised plans because  
18 that might limit the questions.

19 VICE CHAIR KENNY: Okay.

20 MS. LOFTY: I just have a quick  
21 question.

22 VICE CHAIR KENNY: Okay. Go ahead.

23 MS. LOFTY: Ola Lofty, L-O-T-F-Y 14  
24 McKay Lane. I have two questions. First on the  
25 decibel level. I just want to inquire if the

1 information you're going to be providing regarding  
2 the noise as it relates to the fans. Will you  
3 also be providing the noise level as it relates to  
4 monthly maintenance? So, for instance, on a  
5 monthly basis when you go in there and do certain  
6 maintenance, will you be bringing in a generator  
7 to test the generator plug? Will you be doing  
8 anything else over and above the regular operating  
9 standards for the operation of tower?

10 MR. GUALTIERI: No, no. We are  
11 definitely not going to bring a generator here to  
12 work. A generator is only on an emergency basis  
13 after the eight hour battery backup is exhausted  
14 and AT&T, or there's a need to bring this site  
15 back up during an emergency.

16 MS. LOFTY: So, the noise levels for  
17 the monthly maintenance should be the same on a  
18 regular basis?

19 MR. GUALTIERI: It's a technician  
20 with a small tool box that walks up and works on  
21 electronics.

22 MS. LOFTY: Okay. As it relates to  
23 the antennas you mentioned they're 4 feet high.  
24 How far off of the tower do they project and how  
25 wide are they?

1 MR. GUALTIERI: Okay. Because of  
2 different frequencies the antennas are two  
3 different sizes. And if you go to drawing 2 Z4,  
4 they are all 50.91 inches in height. Matter of  
5 fact, here, they are all the same, 11.85 inches  
6 wide, 7.1 inch deep. The antenna mounting pipe is  
7 6 inches off the face of the tank. And that's  
8 usually approximately three -- about a 3-inch pipe  
9 and then the antenna gets attached to that.

10 MS. LOFTY: Would it be possible for  
11 them to bring in an actual picture of how this  
12 would look? Because I'm sure --

13 MS. FAIRWEATHER: Actually we are.  
14 That's our planner. He's my last witness. He'll  
15 have photo sims of everything.

16 VICE CHAIR KENNY: Well, do you do a  
17 close-up and then also what it will look from the  
18 ground?

19 MS. FAIRWEATHER: He does it from  
20 approximately 6, 7, 4, 5 different places around.  
21 He tries to take photos. I'm looking at him,  
22 while he's looking for guidance -- around the  
23 area, yes.

24 VICE CHAIR KENNY: Okay.

25 MS. LOFTY: One last question as it

1 relates to antennas. You applied for this permit  
2 exception before about ten years ago. And at that  
3 point you were going to put your antennas a  
4 certain height. This application has raised the  
5 height of the antennas based on the fact that  
6 trees have grown since then. Is there still a  
7 possibility, since the trees have not reached  
8 their maximum height, that after you put these  
9 antennas on, you'll raise them above the height of  
10 the tower?

11 MS. FAIRWEATHER: We can't do  
12 anything without board approval. We cannot  
13 change --

14 MS. LOFTY: That's true but you have  
15 already constructed it, it's there, so it's now  
16 just an extra variance to raise it even higher and  
17 make it even more of an eyesore for the  
18 neighborhood.

19 MS. FAIRWEATHER: I have been  
20 representing AT&T for 17 years. I have never gone  
21 back to a water tank or any structure that we have  
22 ever gone, to raise them because of trees. That's  
23 all I can tell you. I can just tell you --

24 MS. LOFTY: I understand but ten  
25 years ago it was at a certain height. That is no

1 longer feasible and that's why you raised the  
2 height. So, were you to get the permit 10 years  
3 go, you would have had to raise it now in order to  
4 get the same sort of exposure.

5 MS. FAIRWEATHER: I can't comment on  
6 whether or not what the height was ten years ago.  
7 So, everything you're asking is speculative. The  
8 only thing that I can tell you, is, that in 17  
9 years I have never gone back to raise something  
10 because of the tree height. Toni, have you ever,  
11 in -- how many years have you been doing this?

12 MR. GUALTIERI: Twenty-two.

13 MS. LOFTY: I respect your opinion  
14 on that. But ten years ago the height that you  
15 applied for would not work today. That's what  
16 your expert said. So, had you applied it ten  
17 years ago, you wouldn't be in a now to raise it,  
18 and there could still be a possibility that you'll  
19 want to raise it even more. That's all.

20 MS. FAIRWEATHER: Okay.

21 MS. LOFTY: Thank you.

22 VICE CHAIR KENNY: We have time for  
23 one more.

24 MS. MESSING: Caleigh Messing, 60  
25 Buxton Road. Have you looked at the electricity

1 capacity for that area, on our street, the  
2 electric you use. I don't know if you're aware  
3 but we have constant surges and brown-outs. We  
4 lose our power on a regular basis. Not even from  
5 the storms. Which, if you're looking at the  
6 storms, last year, with Super Storm Sandy we lost  
7 it for ten days. The year before, with the ice  
8 storm, we lost it for almost a week. We lose our  
9 power all the time in between. So, if you're  
10 going to be bringing in these generators, it's  
11 going to be very noisy, have you looked at whether  
12 the extra energy that you're going to be drawing  
13 will impact the rest of the homes on our street?

14 MR. GUALTIERI: Let me answer your  
15 question this way. We're -- we're going to  
16 bring -- we're going to request to bring power to  
17 this site. No different than any other applicant  
18 looking to bring power. So, we're going to go to  
19 the utility company and say, we need to bring this  
20 type of service here, based on the equipment  
21 consumption, and the utility company is either  
22 going to provide that power to us here, or they're  
23 going to upgrade their line or system to get us  
24 that power here. That's what is normally done for  
25 these types of applications. Even residential

1 applications.

2 MS. MESSING: I would imagine as we  
3 build houses on our street the electricity company  
4 has hooked up electricity. But yet will still  
5 don't have adequate electricity for the houses  
6 that are there currently. So, if the electric  
7 company says -- have you actually measured to see  
8 if you're in agreement with if the electric  
9 company says, yes, there's enough power?

10 MR. GUALTIERI: I can't answer that  
11 question because I don't work for the utility  
12 company that provides power to this area. We  
13 would request a meter at this location that we are  
14 going to pull power from. And it's up to the  
15 utility company to bring us power to that spot.  
16 No different than anybody else moving into the  
17 neighborhood to be able to bring that. So, if  
18 they have to upgrade a transformer, two  
19 transformers down the line to do that, that's what  
20 they have to do as part of that service.

21 MS. MESSING: Okay. Well, I mean  
22 they haven't done it for us on our street. You're  
23 saying you're no different than the houses.  
24 There's not anybody on our street and I guess on  
25 Huron also, I don't know about Kincaid, we have

1 power surges all the time. This year alone both  
2 of my furnaces, I have two zone heating, both of  
3 them blew because of power surges. We have  
4 brownouts. So, you know, I don't know if you've  
5 looked into that.

6 But I also have a question on the  
7 maintenance, on the monthly maintenance. How many  
8 people come? What are trucks like? You know,  
9 what will we -- what should we be expecting if  
10 this passes?

11 MR. GUALTIERI: Okay. Maintenance  
12 is done monthly. And it's a technician, in a  
13 vehicle, could be a small pickup truck, could be a  
14 regular car, that's marked, identifies who they  
15 are. And, again, they would bring a small tool  
16 box, depending on its maintenance. They're not  
17 coming to do major work. They're coming to do  
18 maintenance, and just take a look and make sure  
19 that the equipment is running the way it's  
20 intended to run.

21 MS. MESSING: Okay so they leave  
22 their car on the street, which is already narrow,  
23 and at a curb?

24 MR. GUALTIERI: Well, and we do  
25 designate that on the drawings, where we are

1 proposing for AT&T to have -- for them to be able  
2 to park their cars on the street.

3 MS. MESSING: Okay. Because it is a  
4 narrow residential street, as everybody  
5 probably --

6 VICE CHAIR KENNY: Yeah, I believe  
7 we'll have testimony from the planner about that.  
8 Will the emergency access of emergency vehicles  
9 all that with cars parking on the street?

10 MR. GUALTIERI: It's not like he's  
11 abandoning his car. He's here on property.

12 VICE CHAIR KENNY: No, but it's a  
13 very narrow street and you really can't park on  
14 both sides. So, if you're -- like, for example,  
15 I'm sure it's snow covered and it's very narrow,  
16 if you need to get fire or ambulance up there, and  
17 cars are parked there, he's not the only one  
18 parking on the street. People have, you know,  
19 company over at various times. So, I think that  
20 is something that we are going to need to hear  
21 about. Make sure that the safety vehicles can,  
22 you know, if there's room for them to come in and  
23 turn around and get back out.

24 MS. MESSING: Right now there isn't  
25 even room for two cars to pass on the street

1 without somebody having to go up a driveway. So  
2 right now if you did have to park on the street  
3 nobody would be able to get by. No one.

4 MS. FAIRWEATHER: My question is:  
5 When you talk about emergency and how, do they do  
6 it now? You have a public road where they have  
7 access. I don't understand.

8 VICE CHAIR KENNY: In my mind, it's  
9 just more use. So, they have the water company  
10 going there now for maintenance and you're going  
11 to have another person going in there for  
12 maintenance.

13 MS. FAIRWEATHER: Let's talk about  
14 the maintenance. It's approximately once month  
15 and how long is he there for?

16 MR. GUALTIERI: Fifteen minutes to  
17 45, depending on what they need to do. They're  
18 working with electronics, maybe pulling a card out  
19 and slipping another card in, making sure  
20 everything is, you know, bug free, and there's  
21 nothing in the cabinets, everything is working,  
22 lights are doing what they need to do.

23 MS. FAIRWEATHER: And it's Monday  
24 through Friday during the course of the business  
25 day, correct?

1 MR. GUALTIERI: Correct.

2 MS. FAIRWEATHER: It's not in the  
3 evenings where people would be parked. It's not  
4 on weekends where people may have company or be  
5 parked?

6 MR. GUALTIERI: Correct.

7 VICE CHAIR KENNY: I still think it  
8 would be a good idea for you to put on the record  
9 that there -- it will not impede fire or ambulance  
10 to get the residents.

11 MS. FAIRWEATHER: Sure. I can do  
12 that.

13 VICE CHAIR KENNY: It is a narrow  
14 street and I think there is some concern about  
15 that. So, just put it on the record and then --

16 MS. FAIRWEATHER: You got it.

17 VICE CHAIR KENNY: -- it will be  
18 there.

19 MS. MESSING: Do we have any  
20 resources with electricity? I mean just, you  
21 know, that generators, if we're going to have an  
22 issue with the power and that generator is kicking  
23 on and makes noise all the time.

24 MR. GUALTIERI: We're not having a  
25 generator on site.

1 MS. MESSING: You have a battery  
2 backup for 8 hours, that's not a generator? It  
3 doesn't make noise?

4 MR. GUALTIERI: No.

5 VICE CHAIR KENNY: I don't know, I  
6 guess the only thing, is, on your own call the  
7 electric company. I don't know.

8 MS. MESSING: We have. We have  
9 documented it. We have called it. I have  
10 actually given out the phone number for the power  
11 company to everybody on my street, and implored  
12 them to constantly call every time our power goes  
13 out, to make noise. But we are a small street.  
14 And I guess we're a low priority. And they  
15 haven't done anything to upgrade our power.

16 VICE CHAIR KENNY: Yeah. Okay.  
17 Thanks. So, we'll continue at the next meeting,  
18 which is March 20th.

19 MR. SIMON: Madam Chair, just quick  
20 -- Ms. Fairweather mentioned that the planner is  
21 going to bring some photos of the look of the  
22 antennas, the tower, on the directional or  
23 otherwise, can that be provided at least ten days  
24 prior, just so the public has an opportunity to  
25 review them?

1 MS. FAIRWEATHER: Sure. I think  
2 they've already been provided. But if they  
3 haven't been, I absolutely will, sure.

4 MR. SIMON: I mean there has been  
5 some site photos, but I have to tell you, I don't  
6 believe there's any photos of how the antennas are  
7 going to look on the tower.

8 MS. FAIRWEATHER: I'll check. I'll  
9 check and make sure that they're submitted. I  
10 thought they were. But I'll check.

11 MR. SHAW: Before everyone leaves,  
12 this matter will be adjourned and carried to the  
13 next meeting without any further notice, to March  
14 20th. Also, if you could provide us with an  
15 additional letter granting an extension for  
16 action.

17 MS. FAIRWEATHER: Yes, sir.

18 VICE CHAIR KENNY: Okay. Thank you.

19 (Meeting concluded.)

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C E R T I F I C A T E

I, GINA MARIE VERDEROSA-LAMM, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the deposition of said witness(es) who were first duly sworn by me, on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

\_\_\_\_\_  
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