

ULSTER COUNTY LEGISLATURE

KENNETH J. RONK, JR. Chairman
JAMES F. MALONEY, Vice Chairman
MARY BETH MAIO, Majority Leader
HECTOR S. RODRIGUEZ, Minority Leader
VICTORIA A. FABELLA, Clerk



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MINUTES

SEPTEMBER 20, 2018

REGULAR MEETING & PUBLIC HEARING

7:00 PM

MEETING CALLED TO ORDER BY CHAIRMAN: 7:15 PM

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENT MEDITATION:

ANNOUNCEMENTS

SEPTEMBER SESSION THEME: Childhood Cancer Awareness

FIRE EVACUATION PLAN

PLEASE NOTE THAT IN THE EVENT OF AN EMERGENCY THE FIRE DEPARTMENT HAS REQUESTED THAT LEGISLATORS AND ALL OTHERS MOVE AT LEAST ONE BLOCK AWAY FROM THE COUNTY OFFICE BUILDING IN ORDER NOT TO IMPEDE THE FIREFIGHTERS IN THEIR DUTIES

CELL PHONES

Please silence cell phones for the duration of the Public Hearing and Session.

MICROPHONES

Please be reminded to use your microphones when speaking so that you are recorded for the official record.

ROLL CALL: Present: 21 Absent: 2 (Fabiano, Petit)

Note: Legislator Petit arrived at 8:53 PM. Legislator Roberts left at 9:38 PM.

7:25 PM - **CALL OF THE PUBLIC HEARING BY CLERK:** On Proposed Local Law No. 20 Of 2018, A Local Law Requiring Restaurants And Fast Food Service Establishments Provide Plastic Beverage Straws Solely Upon Request

PUBLIC COMMENT:

There were (8) speakers signed up for public comment.

1. Beth Hanigan, Town of Ulster: Ms. Hanigan spoke in support of Proposed Local Law No. 20 of 2018.
2. Jim Calvin, Valatie: Mr. Calvin representing the New York Association of Convenience Stores spoke in opposition of Proposed Local Law No. 20 of 2018 – not customer friendly or convenient.
3. Sebastian Pillitteri, Kingston: Mr. Pillitteri representing The Riverkeeper spoke in support of Proposed Local Law No. 20 of 2018.
4. Alex Stier, Kingston: Mr. Stier is the owner of Home Plate Deli and a convenience store in Shokan who spoke in opposition of Proposed Local Law No. 20 of 2018 – puts more work on small business and is not cost effective.
5. Jorden Christensen, Farmingdale: Mr. Christensen representing Citizens Campaign of the Environment spoke in support of Proposed Local Law No. 20 of 2018.
6. Iris Marie Bloom, Stone Ridge: Ms. Bloom representing New Paltz Climate Action Coalition and Coalition against Pilgrim Pipeline New York spoke in support of Proposed Local Law No. 20 of 2018. Ms. Bloom suggested an amendment providing only eco-friendly straws upon request.
7. Miriam Strouse, New Paltz: Ms. Strouse spoke in support of Proposed Local Law No. 20 of 2018.
8. Christina DeMaio, Clintondale: Mr. DeMaio opposed Proposed Local Law No. 20 of 2018 - expressing more important issues are at hand.

Motion by Legislator Litts, seconded by Legislator Donaldson to adjourn the public hearing. All in favor.

PUBLIC HEARING ADJOURNED: 7:40 PM

BIRTHDAYS:

Legislative Employee, Nettie Tomshaw, September 24th
Legislator James Maloney, September 26th
Chairman Kenneth J. Ronk, Jr., September 26th

MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING

Majority Leader Maio motioned, seconded by Minority Leader Rodriguez to dispense with the reading of the minutes of the previous meeting. All in favor.

COMMUNICATIONS FROM:

Ulster County Chairman
NYACS, James Calvin
Minority Leader Hector Rodriguez
Legislator Tracey Bartels

Legislator Laura Petit

Legislator Lynn Archer
Legislator Kathy Nolan
Senator John J. Bonacic, 42nd District
UC Charter Revision Commission, Rod Futerfas

NYS Agriculture and Markets
NYS Assembly Member, Kevin A. Cahill
UC Finance Department

UC Office of the District Attorney
UC Personnel Department
UC Purchasing Department
UC Tourism Department
UC Planning Department
UC Attorney's Office
UC Economic Development Alliance (UCEDA)
Concerned Citizens
UCRRA, Tim Rose Exec. Director
County News

Press Release, Human Rights Law
Letter, Proposed Local Law No. 10 of 2018
UC Fire Training Center Informational Mtg.
Letter, Palisades Interstate Park Commission,
Preserve Tillson Lake
Letter, Hudson River Estuary Program –
Regional Plan for River Access Grant, Town of
Esopus
Grand Opening, River-to-Ridge Trail 9/8/18
American Beauties – Plastic Bags
(2) In Support of Preserving Tillson Lake
UC Charter Revisions to Section C-10 and
Ballot Proposition County-wide Referendum
Inclusion Viable Agricultural Land Response
Receipt of Letter DEC Adopt New Measures
Survey UC Residents Attending Community
College Other Than UCCC
(2) Notifications Receipt of Correspondence
UC Civil Service Examination Announcements
Dir. Of Purchasing Order of Succession
Trending, September 2018
Planning Seminar Series 10/9/18
County Litigation, August 2018
Ellenville Million Update 9/5/18
(3) FOIL Request / Response
2019 Budget & Tipping Fee Schedule
Vol. 50, No. 17 & 18

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COMMUNICATIONS (continued):

UC Regional Chamber of Commerce

Bond Schoeneck & King

Central Hudson

Catskill Mtn. RR Co. Inc, President E. Hunt

Peter Baker

UC Prevention Council, Chair Stacey Rein

Tom Kadgen LWV

UC Traffic Safety Board

UC Fire Advisory Board

Catskill Forest Association

Teresa Carter, Latham NY

Marybeth Mills, Big Indian

UC SPCA

The Arc Ulster-Greene NY

Catskill Mtn. Railroad, Pres. Ernst Hunt

Ribbon Cutting, Palizzata 9/6/18 4:30 PM

Ribbon Cutting, Middle Way School 9/6/18

Play For You Freedom Fitness Classic 9/22

Grand Opening, Bank of Greene County 9/22

Ribbon Cutting, Herzog's Design Center 9/27

Humphrey Empire Corp. UC Court House Ent.9/26

Central Hudson, Notice Impending Negotiation

August 2018 Brochure

Work Completed Near Westbrook Lane

Letter, Res. No. 362 Vote, Track Removal

From Chandler Dr. to Downs St. Kingston

(2) In Support of CMMR Rails and Trails

U&D Rail & Bus Tour, Historic Corridor, 11/3

More Research Needed - Marijuana in NYS

Times Herald Record Editorial - Ethics

Commission Referendum

Attendance Sheet 9/10/2018

Minutes, June 27, 2018

Brochure, Summer 2018

Letter To The Editor, Catskill Mtn. RR

In Support of Local Law No. 20 of 2018

Brochure, Paw Prints, Fall 2018

Brochure, Insight Vol. 3 No. 1

Letter, Request To Postpone Res. No. 362

COUNTY EXECUTIVE COMMUNICATIONS:

(2) Veto Messages, Res. Nos. 282 & 210

Dated 7/17/2018

Veto Message, Res. No. 331 Dated 9/13/18

Reappointment, UCCC Board of Trustees,

Anna M. Brett, Term Expires 6/30/25

UC Corporate Compliance Committee Mtg.

Minutes, 5/23/2018

Family Court Renovation Update 9/4/18

Budgetary Transfers, August 2018

Media Advisory, Human Rights Law Signing

Appointment, UCCC Board of Trustees,

Deborah Briggs, Term Expires 6/30/2025

MEMORIALIZING LETTERS:

Ulster County Legislators

Palisades Interstate Commission - Preserve
Tillson Lake
USACE Costal Storm Risk Mgmt. Study-
Request 90-Day Extension Comment Period

COMMITTEE REPORTS:

DATE:

Economic Development, Tourism, Housing,
Planning & Transit
Energy & Environment
Law Enforcement and Public Safety
Laws and Rules, Governmental Services
Legislative Programs, Education & Community Services
Public Health and Social Services
Public Works and Capital Projects
Ways and Means

July 30, 2018
August 2, 2018
August 7, 2018
August 13, 2018
August 14, 2018
July 30, 2018
August 2, 2018
August 7, 2018
August 14, 2018

PRESENTATIONS:

Chairman Kenneth J. Ronk Jr. recognized District 1 Legislator, Mary Wawro to present a Pride of Ulster County Award to Zachary Swart in recognition of being named an Ambassador for St. Baldrick's Cancer Research Foundation. Zach is just one of five ambassadors to represent thousands of children touched by childhood cancer. Joining Zachary were his parents, Nancy and Tom Swart.

Chairman Kenneth J. Ronk Jr. recognized District 7 Legislator Brian Woltman, Legislative Members of the Ulster County Soil and Water Conservation District Board, District 16 Legislator Tracey Bartels and District 17 Legislator James Delaune, to present a Pride of Ulster County Award to The Mount Academy Team, in recognition of earning First Place in the 2018 National Conservation Foundation (NCF) - Envirothon, held at Idaho State University. This international environmental education competition is for high schoolers sponsored by the National Association of Conservation Districts (NACD). Winning team members include Tasha Barron, Vincent Compy, Daniela Barth, Eva Meier and their Coach Neal Horning.

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PUBLIC COMMENT:

There were (17) speakers signed up for public comment.

1. Stephanie Rinza, Stone Ridge: Ms. Rinza, in business for 35yrs., spoke in support of the County utilizing the Town of Ulster fire training center on Ulster Landing Road instead of at SUNY Ulster.
2. Laura Cunningham, Stone Ridge: Ms. Cunningham, opposing the Fire Training Center at SUNY Ulster, provided for the record a preliminary ecological assessment prepared by Hudsonia, a nonprofit institute in Annandale, NY.
3. Tim Guinee, Stone Ridge: Mr. Guinee a leader and mentor for former VP Al Gore's Climate Reality Project and Chair of the Hudson Valley and Catskill Chapter spoke in support of banning plastic bags in Ulster County.
4. Tildy Davenport, Stone Ridge: Mrs. Davenport opposes having a Fire Training Center at SUNY Ulster.
5. Kate Reese Hurd, High Falls: Ms. Reese Hurd provided a handout discussing the effects of wireless radiation.
6. Alex Stier, Kingston: Mr. Stier, owner of Home Plate Deli and a convenience store in Shokan, noted as a small business person the ban on plastic bags is confusing with too many variables.
7. Sebastian Pillitteri, Kingston: Mr. Pillitteri representing The Riverkeeper spoke in support of Proposed Local Law No. 10 of 2018.
8. Larry Roth, Phoenicia: Mr. Roth asked that Resolution No.362 be postponed allowing the public and Legislature time for further review.
9. Shaniqua Bowden, Kingston: Ms. Bowden, Outreach Coordinator for the Kingston Land Trust, spoke in support of track removal - Resolution No. 362.
10. Ted Griesse, Kingston: Mr. Griesse with the Kingston Land Trust spoke in support of Resolution No. 362.
11. Greg Shaheen, Kingston: Mr. Shaheen signed up but did not speak.
12. Fernando Salazar: Mr. Salazar Pastor of the Mission Church in Kingston spoke in support of Resolution No. 362.
13. Iris Marie Bloom, Stone Ridge: Ms. Bloom representing New Paltz Climate Action Coalition and Coalition against Pilgrim Pipeline New York and a member of the Marbletown Environmental Conservation Commission opposes having a Fire Training Center at SUNY Ulster. Ms. Bloom is also in favor of banning plastic bags.

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14. Laura Hartmann, Town of Ulster: Ms. Hartmann expressed concern with E&M Mgmt., owner of multiple apartment complexes, having a monopoly in Ulster County. She expressed concern with conditions, lease renewals and threats of eviction among other things.
15. Miriam Strouse, New Paltz: Ms. Strouse would like the County to revisit UCRRA practices/policy on plastic recycling – now accepting less plastic.
16. Nick Mercurio, Rosendale: Mr. Mercurio spoke in support of Resolution No. 362.
17. Cindy Bell, Ruby: Ms. Bell representing the LWV Mid-Hudson Region, opposed legislative changes within the UC Charter Ethics Board makeup.

Please Note: Complete content of the public comment period can be heard on the Ulster County Legislative Website.

Legislative Clerk Fabella made the following announcement:

Please be advised for the purpose of being entered into the official record, there have been three veto messages filed with our office:

- 1) Dated August 14, 2018, filed with our office on August 15, 2018 Regarding Resolution No. 210 which is adopting the Cat Trapping Notification Law
- 2) Dated August 14, 2018, filed with our office on August 15, 2018 Regarding Resolution No. 282 which is adopting the Law Clarifying Budget Modification After Adoption
- 3) Dated and filed with our office on September 13, 2018 Regarding Resolution No. 331 which is Amending the Make-up of the Ethics Board

Legislator Donaldson motioned, seconded by Legislator Joseph Maloney, to reconsider Resolution No. 331.

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 4 NOES: 17
(Ayes: Legislators Donaldson, Greene, Joseph Maloney, Rodriguez)
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

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**RESOLUTION NOS: 275, 283, 285, 337, 349 – 360, 362 – 379; 265 & 279 – WITHDRAWN;
361 – OCTOBER INTRODUCTION; 212, 281, 324, & 329 – POSTPONED; 348 – DEFEATED**

Resolution No. 212 – Setting A Public Hearing On Proposed Local Law No. 16 Of 2018, A Local Law Regarding Campaign Finance Reform in Ulster County, To Be Held On Tuesday, October 9, 2018 At 6:05 PM

POSTPONED IN COMMITTEE

Resolution No. 265 – Requesting That The New York State Assembly And New York State Senate Introduce Legislation Amending New York Public Authorities Law Article 8, Title 13 G, Section 2050-t (3) To Include Recycling Material

WITHDRAWN BY SPONSOR

Resolution No. 279 – Setting A Public Hearing On Proposed Local Law No. 19 Of 2018, A Local Law Amending Local Law 4 Of 2015 (A Local Law Regulating The Use Of Polystyrene Foam Disposable Food Service Ware By Food Service Establishments In Ulster County), To Amend Penalties And Provide Certain Exemptions, To Be Held On Tuesday, October 9, 2018 At 6:10 PM

WITHDRAWN BY SPONSOR

Resolution No. 281 – Establishing A Policy To Prohibit The Use Of Public Funds To Place The Likeness Or Name Of Elected Officials On All Promotional And Informational Signage On County Owned Property

POSTPONED IN COMMITTEE

Resolution No. 324 – Repealing Resolution No. 24 Of 2018, Establishing A Policy To Prohibit The Use Of Public Funds To Place The Likeness Or Name Of Elected Officials On Public Service Announcements, Non-Commercial And Non-Political Advertising By Ulster County

POSTPONED IN COMMITTEE

Resolution No. 329 – Adopting Proposed Local Law No. 13 Of 2018, Establishing The Ulster County Electrical Licensing Board And Providing For The Qualifications, Examination, Licensing And Regulation Of Electricians In Ulster County, New York

POSTPONED IN COMMITTEE

Resolution No. 348 – Urging Governor Cuomo And The New York State Senate To Approve The Appointment Of Hilary Smith To The Olympic Regional Development Authority (ORDA) Board In Accordance With Chapter 60 Of The New York State Laws Of 2012

DEFEATED IN COMMITTEE

Resolution No. 361– Setting A Public Hearing On Proposed Local Law No. 21 Of 2018, A Local Law Regarding Campaign Finance Reform in Ulster County, To Be Held On Tuesday, November 13, 2018 At 6:00 PM

OCTOBER INTRODUCTION

A motion was made by Majority Leader Maio, seconded by Minority Leader Rodriguez, to move Resolution Nos. 366, 368 and 379 out of the Non-Consent and into the Consent Agenda. All in favor.

First Reading

275 Amending The Rules Of Order To Permit Memorializing Resolutions

Consent

349 Confirming An Appointment To The Ulster County Arson Task Force Board

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

350 Confirming Appointment Of Member To The Ulster County Community College Board Of Trustees

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

351 Setting A Public Hearing On Naming A County-Owned Asset To Be Held On Tuesday, October 9, 2018 At 6:00 PM

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 352 Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – Next Step Digital, LLC – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 353 Approving The Execution Of A Contract Amendment Causing The Aggregate Amendment Amount To Be In Excess Of \$50,000.00 Entered Into By The County – AssetWorks LLC – Information Services**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 354 Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Gateway Community Industries, Inc. – Department Of Mental Health**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Nolan)
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 355 Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – The Research Foundation For The State Of New York On Behalf Of SUNY New Paltz’s The Benjamin Center–Legislature**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

**356 Authorizing The Chairman Of The Ulster County Legislature To Accept
A Governor's Traffic Safety Committee Grant – Ulster County Sheriff**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Woltman)
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

**357 Authorizing The Chairman Of The Ulster County Legislature To Accept
A Governor's Traffic Safety Committee Grant – Ulster County Sheriff**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Woltman)
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

**358 Authorizing The Chairman Of The Ulster County Legislature To
Execute An Agreement And Any Amendments Thereto, With The New
York State Division Of Homeland Security And Emergency Services
For FY18 State Homeland Security Program (SHSP) – Amending The
2018 Ulster County Budget - Emergency Communications / Emergency
Management**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

**359 Amending Capital Project No. 519 – UCLEC Energy Upgrades To
Complete A NYSERDA Flex Tech Energy Study – Department Of Public
Works**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(1 Abstention: Legislator Litts)
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 363 Authorizing The Chairman Of The Ulster County Legislature To Enter Into An Agreement With Westchester County For The Tech Hire Employment Program For Young Adults – Department Of Employment And Training**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 364 Authorizing The Chairman Of The Ulster County Legislature To Execute The Empire State Trail Work Agreement With The Office Of Parks, Recreation, And Historic Preservation And The New York State Department Of Transportation For North Putt Corners Road Improvements In New Paltz**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 365 Authorizing The Chairman Of The Ulster County Legislature To Execute A Grant Agreement With The New York State Office For The Aging For The Implementation Of The National Council On Aging's Aging Mastery Program – Office For The Aging**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

- 366 Establishing Capital Project No. 491 SUNY Ulster – Facilities Master Plan And Amending The 2018-2023 Capital Project Fund - SUNY Ulster**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

368 Establishing Capital Project No. 493 SUNY Ulster – Door Replacement Plan And Amending The 2018-2023 Capital Project Fund - SUNY Ulster

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

370 Amending Capital Project No. 505, Wolven Bridge Replacement, For Anticipated Engineering Costs – Amending The 2018 – 2023 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

372 Amending Capital Project No. 507, Horsenden Pavement Overlay, For Anticipated Engineering Costs – Amending The 2018 – 2023 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

374 Amending Capital Project No. 508, Fantinekill Bridge Replacement, For Anticipated Engineering Costs – Amending The 2018 – 2023 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

376 Authorizing The Ulster County Commissioner Of Finance To Accept Redemption Offers Relative To Payment Of Real Property Taxes In The 2016 In Rem Foreclosure Proceeding – Finance

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

377 Authorizing The Conveyance Of County-Owned Properties To The Original Owners – Department Of Finance

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

378 Accepting The Accounting Of Unpaid School Taxes For The 2018-2019 School Year, Directing Payment To The School Districts And Directing Re-Levying Pursuant To Real Property Tax Law – Department Of Finance

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

379 Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement For The Sharing Of Information Relating To Short-Term Rental Properties With The Town Of Woodstock – Department Of Finance

ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0
(Legislator Petit arrived at 8:53 PM)
(Absent: Legislator Fabiano)

Non-Consent

**283 Adopting Proposed Local Law No. 10 Of 2018, A Local Law Promoting
The Use Of Reusable Bags And Regulating The Use Of Plastic
Carryout Bags And Recyclable Paper Carryout Bags**

Legislator Bartels motioned, seconded by Legislator Greene, to change the effective date of Proposed Local Law No. 10 of 2018 from April 22, 2019 to July 15, 2019.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 15 NOES: 6
 (Noes: Legislators Gerentine, Litts, Lopez, Maio, James
 Maloney, and Roberts)
 (Legislator Petit arrived at 8:53 PM)
 (Absent: Legislator Fabiano)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 15 NOES: 7
(Noes: Legislators Gerentine, Litts, Lopez, Maio, James
Maloney, Roberts, and Ronk)
(Absent: Legislator Fabiano)

**285 Adopting Proposed Local Law No. 15 Of 2018, A Local Law Amending
Local Law No. 2 Of 2006 (A Local Law Adopting A County Charter
Form Of Government For The County Of Ulster, State Of New York)
And Amending Local Law No. 10 Of 2008 (A Local Law Adopting An
Administrative Code For The County Of Ulster, State Of New York), To
Create Term Limits For Certain Ulster County Elected Officials**

Legislator Rodriguez motioned, seconded by Legislator Heppner, to amend the general election date in Section 6. Effective Date. from November 6, 2018 to November 5, 2019.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 2
(Noes: Legislators Donaldson and Petit)
(Absent: Legislator Fabiano)

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 14 NOES: 8
(Noes: Legislators Collins, Donaldson, Gerentine, Greene,
Nolan, Petit, Roberts, and Woltman)
(Absent: Legislator Fabiano)

**337 Establishing A Policy To Prohibit The Use Of Recording Devices By
Elected Officials And Personnel Of The County Of Ulster Without All-
Party Consent**

Legislator Rodriguez motioned, seconded by Legislator Archer, to refer the Resolution back to the Laws and Rules, Governmental Services Committee.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 12 NOES: 10
(Noes: Legislators Gerentine, Haynes, Litts, Lopez,
Maio, James Maloney, Roberts, Ronk, Wawro, and
Woltman)
(Absent: Legislator Fabiano)

REFERRED BACK TO LAWS AND RULES, GOVERNMENTAL SERVICES COMMITTEE

**360 Authorizing Preliminary Planning And Design Costs For The Flex Tech
BOND Energy Study, In And For The County Of Ulster, New York, At A
Maximum Estimated Cost Of \$31,000.00, And Authorizing The
Issuance Of \$31,000.00 Bonds Of Said County To Pay The Cost
Thereof**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 21 NOES: 0
(1 Abstention: Legislator Litts)
(Absent: Legislator Fabiano)

- 362 Adopting and Issuing A Negative Declaration Under 6 NYCRR Part 17 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For Interim Public Safety Improvement Project-Track Removal Along The Former Ulster & Delaware Corridor In Kingston**

ADOPTED BY THE FOLLOWING VOTE:

AYES: 15 NOES: 7
(Noes: Legislators Donaldson, Greene, Lopez,
Joseph Maloney, Petit, Roberts, and Wawro)
(Absent: Legislator Fabiano)

- 366 Establishing Capital Project No. 491 SUNY Ulster – Facilities Master Plan And Amending The 2018-2023 Capital Project Fund - SUNY Ulster**

MOVED TO CONSENT

- 367 Authorizing The Development Of A Facilities Master Plan At The Ulster
BOND County Community College Campus At SUNY Ulster, In And For The
County Of Ulster, New York, At A Maximum Estimated Cost Of
\$175,000.00, And Authorizing The Issuance Of \$175,000.00 Bonds Of
Said County To Pay The Cost Thereof**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Fabiano)

- 368 Establishing Capital Project No. 493 SUNY Ulster – Door Replacement Plan And Amending The 2018-2023 Capital Project Fund - SUNY Ulster**

MOVED TO CONSENT

- 369 Authorizing The Door Replacement At Various Facilities At The Ulster
BOND County Community College Campus At SUNY Ulster, In And For The
County Of Ulster, New York, At A Maximum Estimated Cost Of
\$306,000.00, And Authorizing The Issuance Of \$306,000.00 Bonds Of
Said County To Pay The Cost Thereof**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 21 NOES: 0
(Legislator Roberts left at 9:38 PM)
(Absent: Legislator Fabiano)

- 371
BOND** **Authorizing The Issuance Of An Additional \$10,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The Wolven Bridge On Zena Road, In And For Said County**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 21 NOES: 0
(Legislator Roberts left at 9:38 PM)
(Absent: Legislator Fabiano)

- 373
BOND** **Authorizing The Issuance Of An Additional \$10,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Engineering Costs (Phase II) For The Reconstruction Of Horsenden Road, In And For Said County**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 21 NOES: 0
(Legislator Roberts left at 9:38 PM)
(Absent: Legislator Fabiano)

- 375
BOND** **Authorizing The Issuance Of An Additional \$10,000.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Cost Of The Replacement Of The Fantinekill Bridge, In And For Said County**

ADOPTED BY THE FOLLOWING LONG ROLL CALL VOTE:

AYES: 21 NOES: 0
(Legislator Roberts left at 9:38 PM)
(Absent: Legislator Fabiano)

- 379** **Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement For The Sharing Of Information Relating To Short-Term Rental Properties With The Town Of Woodstock – Department Of Finance**

MOVED TO CONSENT

MEETING ADJOURNED IN MEMORY OF: Read by Legislator Wawro.

Veronica I. Sommer, Accord, NY
Joan H. Wilson Aumand, Kingston, NY
Kathleen E. Gallagher, Port Ewen, NY
R.G. Douglas Ley, Wallkill, NY
Frederick R. Schmersahl, Saugerties, NY
Walter W. Bartsch, Gardiner, NY
Anna H. Kelley, Port Ewen, NY
Mary G. Tomaseski, Saugerties, NY
Barbara M. Fescue, Highland, NY
Rafael Danger, Kingston, NY 100 Yrs.
Philip H. Chase, Southern Pines, NC
Alma M. Frederick, Bothel, WA 101 Yrs.
Joseph M. Heidcamp, Saugerties, NY
Ronald B. Deak, Saugerties, NY
Elisabeth J. Deak, Saugerties, NY
Marlene Jennings, Long Island, NY
George Martinez, Wallkill, NY

Yvonne Sill, Kingston, NY
Charles Berryann, Sr., Mount Tremper, NY
Richard M. Bach, Saugerties, NY
Raymond H. Ritter, Rosendale, NY
Eileen D. Hoffman, Lake Katrine, NY 100 Yr
William J. Fitzgerald, Connelly, NY
Barbara Engel, Weybridge, VT
Helen Person, Saugerties, NY 102 Yrs.
Rose A. Irvine, PhD, New Paltz, NY
Joan Kistingner, Saugerties, NY
Jean K. Hays, Abilene, TX
Suzanne B. Kurman, Accord, NY
Gary F. Cramer, St. John, Virgin Islands
Warren J. Yetter, Kingston, NY
James J. Donahue, Naples, FL
Dominick M. Lindy Palladino, Highland, NY

Motion by Legislator Litts, seconded by Legislator Minority Leader Rodriguez to adjourn Legislative Session. All in favor.

—

MEETING ADJOURNED: 9:47 PM

NEXT MEETING:

The next Regular Meeting of the Ulster County Legislature will be held on **October 16, 2018 at 7:00 PM** in the Legislative Chambers, Sixth Floor, Ulster County Office Building, 244 Fair Street, Kingston, New York.

Resolution deadline is **Wednesday, September 26, 2018 at 12 Noon.**



Hudsonia

a nonprofit institute

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Phone: (845) 758-7053
Fax: (845) 758-7033

www.hudsonia.org

Preliminary Ecological Assessment of the Proposed County Fire Training Facility Site in the Town of Marbletown, Ulster County, New York

Erik Kiviat PhD

Hudsonia

Prepared for Kathy Casey

Stone Ridge, New York

27 July 2018
Corrected 1 August 2018

At the request of Kathy Casey, Hudsonia performed a preliminary ecological assessment of the proposed Ulster County Fire Training Facility site at the campus of SUNY Ulster, Town of Marbletown, Ulster County, New York. Hudsonia is a non-advocacy, nonprofit institute for research and education in the environmental sciences. Hudsonia does not support or oppose land development projects; rather we collect data and observations from field studies, review remote imagery and environmental documents, identify potential impacts on biological resources, and make recommendations for reduction or mitigation of impacts as appropriate.

I spent about 1:40 hours at the site on the morning of 17 July 2018. I also reviewed the Full Environmental Assessment Form Part 1 ("EAF") and selected maps. The site proposed for intensive development constitutes about 1.5 acres (EAF). The surrounding landscape includes the rest of the SUNY Ulster campus, residences, wetlands, woods, and fields. The EAF is confusing with regard to the actual Fire Training Center (FTC) construction site vs. the larger SUNY Ulster campus; I refer to the "site" as the 1.5 acre FTC location.

Soils

The EAF states that the 1.5 acre site is underlain by Stockbridge Farmington soil 40%, Volusia gravelly silt loam 40%, and Canandaigua silt loam 20%, and that 60% of the site is underlain by "poorly drained" soils. Field observations, however, indicate that the site is on old fill, probably the result of grading land and filling wetland to create a substrate suitable for athletic fields. Thus the soil should be classified as a udorthent (cut and fill material). Old wetland fill such as this may be unstable and lack bearing strength for construction, and could settle differentially causing a building and infrastructure to sink or shift. The applicant should provide current, onsite soils data to explain actual soil conditions and how the building and infrastructure design will take those into account.

It is unclear when the wetland fill was placed. Fill edges roughly two to three feet high are conspicuous around the edges of much of the site, except where it blends into the adjoining mowed area and athletic fields. If grading of the site occurred after the effective date of section 404 of the federal clean water act, the filling could have been a federal wetland violation.

There do not appear to be permanent athletic facilities on most of the site. Was recreational development avoided because of a soil drainage problem, or because of uneven subsidence of the fill material, or for another reason?

The northwestern end of the development site encompasses fifteen square plots, each perhaps 30 feet on a side, that show on 2013 and 2016 Google Earth images. These plots were grown with grass and forbs about two feet tall at the date of my visit. The applicant should explain the origin of these unusual features: were they garden plots, experimental plots, features designed for stormwater infiltration, or something else? Do they indicate any adverse conditions such as poor drainage following storms or snowmelt?

Wetlands

Tree-dominated swamp adjoins the site on the northwest, and probably around most of the northeast and southwest sides as well. EAF E2hii asks if any wetlands adjoin the project site; the answer should be “Yes” (not “No” as currently stated). The wetland appears to be connected to a stream system thus is probably federally regulated.

Construction and operation of the site are very likely to result in pollution of the wetland by silt, nutrients, and petroleum hydrocarbons from soil erosion and parking lot runoff. Dumping of organic materials (grass clippings?) that has already occurred, and potential future organic pollution of wetland around the site edges, could create conditions for breeding of the northern house mosquito (*Culex pipiens*) that is the principal bird-to-human vector of West Nile virus.

How will stormwater be treated and infiltrated to avoid degradation of the wetland? How will sedimentation into the wetland be prevented? It should be noted that standard techniques such as stacked bales and filter fabric silt fences do not prevent fine soil particles from escaping a construction site despite statements often made in land use proposals.

Stormwater

EAF D2e asserts that the area of soil disturbance will be less than one acre but a plan of the proposed facilities (including parking) suggests that most of the 1.5 acre site will be disturbed when construction access, equipment turnaround, and materials storage, etc., are accounted for. The applicant needs to present a detailed construction plan to allow determination of the exact area of disturbance.

Wastewater

EAF D2e asserts that no liquid waste will be generated. Won't there be liquid waste from bathrooms in the facilities? Will this waste be routed to a campus sewage treatment system or treated in a separate septic system?

Dumps

I observed several small dumps around the edges of the site, containing metal, concrete, organic matter, and other materials. The dumps should be checked for hazardous materials, cleaned up, and the metals recycled. Dumping of organic matter, and anything else, should be stringently avoided in the wetland edges.

Plants

Diverse native and nonnative plants occur spontaneously around the margins of the site; I observed more than 55 species including several sedges (*Carex* spp.). The scope of my survey did not include identifying all the plants, and there could be species of conservation concern. A thorough survey should be conducted on the site and the adjoining habitats to discover if there is any rare plant in need of conservation.

There are some large trees (up to 24 inches or more in diameter) at the edges or just outside the edges of the site. For example, there is a ca.-24 inch swamp white oak at the old stone wall on the southwestern margin. Trees 12 inches or greater in diameter, and ideally trees of all smaller sizes as well, should be preserved and protected from construction damage for their biodiversity value. The applicant should agree to identify, mark, and protect all such trees, on or off the site. Dead trees, and trees with cavities, of any size should be protected as potential bat roosting and nursery habitat (see below). Only dead or live trees that present a hazard should be removed.

Wildlife

EAF E2o refers to two bat species, endangered and threatened, respectively, Indiana bat and northern long-eared bat. What is the basis for this mention- have these species been detected on or close to the site? Or is the mention based on the presence of these bats at the Rosendale hibernacula nearby? Has a bat survey been conducted at the site?

Northern long-eared bat and Indiana bat hibernate in the Town of Rosendale (e.g., http://www.dec.ny.gov/docs/wildlife_pdf/nlebtowns.pdf). Indiana bat hibernates in the area just north of Rosendale, within 2.5 miles of the Fire Training Center site. Northern long-eared bat hibernates in Rosendale, presumably in the same place as Indiana bat. New York State Department of Environmental Conservation (DEC) guidance requires (<http://www.dec.ny.gov/animals/106090.html>) that all “snag and cavity trees” be left uncut except where cutting is necessary to protect human life and property. Other DEC bat conservation guidance may apply to the proposed project.

Protecting bats requires more than adhering to the guideline for seasonal tree cutting mentioned in the EAF. Construction and operating noise and night lighting, or other effects, could disturb bats at their roost or nursery trees. Trees suitable for bat roosting (e.g., dead trees with loose bark, live trees of certain sizes and species with suitable bark features) should be protected from felling or construction disturbance. Although these two bats roost in many kinds of trees, shagbark hickory may be especially important. The site margins should be surveyed for shagbark of any size, and any shagbarks found should be protected.

During the period of my visit, two male wood thrushes sang strongly close to the site both east and west. This is not a rare bird in our region but it is classified by the DEC as a Species of Greatest Conservation Need because of a declining population (and wood thrush song is an iconic feature of the northeastern forests). The applicant should address potential impacts to the wood thrushes, including maintaining a visual and noise screen between construction and their habitats. Breeding songbirds such as the wood thrush may be sensitive to increased human activity at the site.

Conclusions

Based on the EAF, the Fire Training Center proposal might seem relatively low-impact. However, a number of important environmental issues are not addressed or are incompletely addressed in the EAF, and the information about soils is inaccurate.

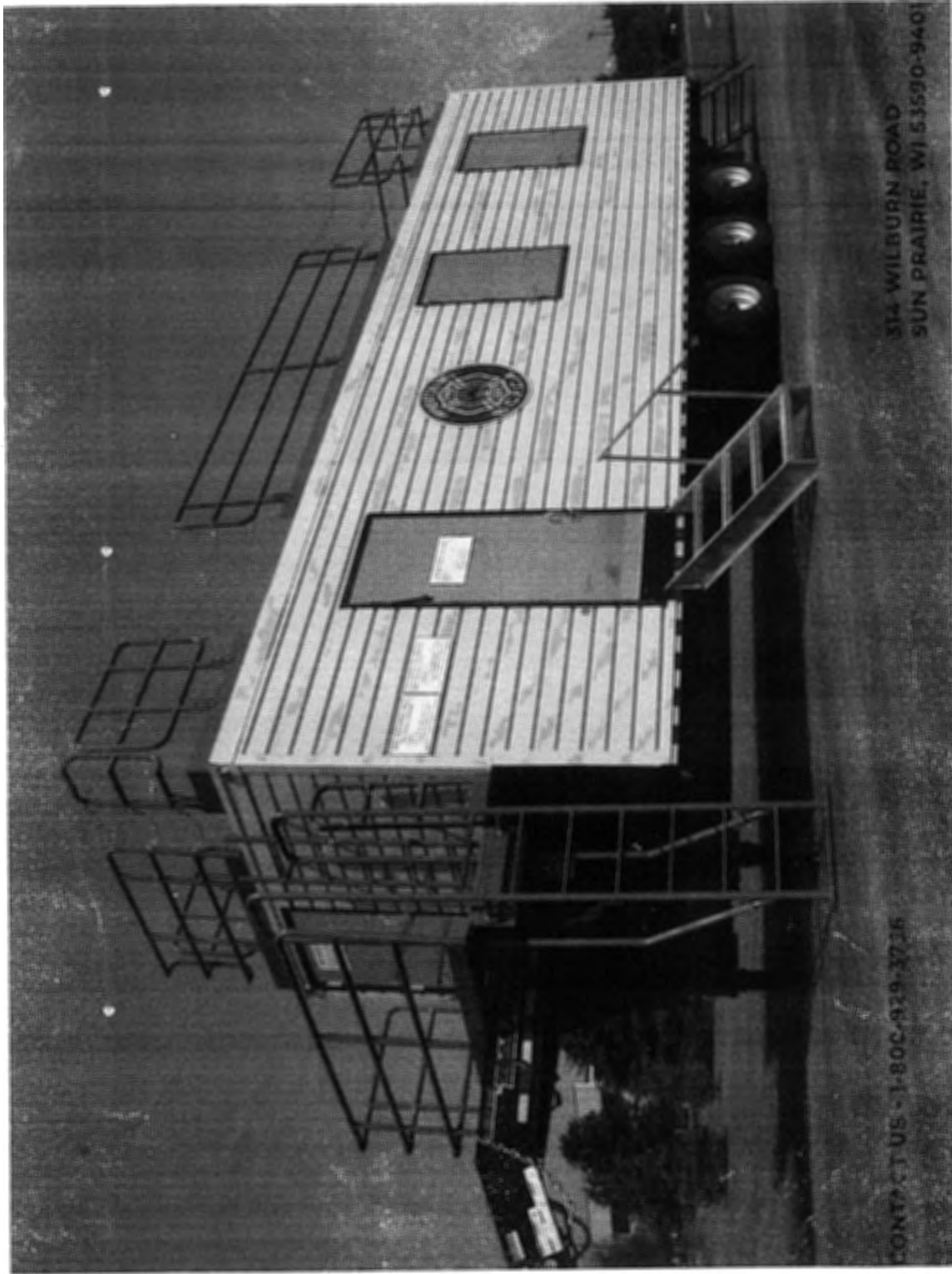
-The soils information in the EAF is out of date, and the 1.5 acre site is partly or entirely underlain by old wetland fill. This material could be unstable for construction and may require special engineering for stormwater infiltration.

-Stormwater may carry sediment, nutrients, petroleum hydrocarbons, and other pollutants into the bordering wetland. Soil disturbance onsite likely will exceed one acre, and a stormwater management plan addressing infiltration and wetland protection is needed for local environmental reasons even if not required by the DEC.

-Dumps around the margins of the site should be analyzed for possible hazardous substances, and the dumped materials removed and recycled.

-The plants of the site edges are diverse. A thorough survey should be conducted to determine if there are plant species of conservation concern. Construction will disturb these site margins.

-More information is needed to understand the basis for mention of an endangered and a threatened bat species in the EAF. The trees bordering the site should be managed as potential bat roost and nursery habitat. Other potential impacts to bats should be avoided.



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SUN PRAIRIE, WI 53590-9401

Letter to the Editor, 7/19/18

Wireless/WiFi/EMF radiations scramble our internal biological VGCC messaging systems

RULE OUT the 5G and electronic meter rollouts

It's not only we humans who've got escalating health woes nowadays. France just reported bird counts down by 30%. Germany reported alarming drops in insects. What's happening? Though pesticides are pointed to, they're not acting alone. At the **AutismOne** gathering in Chicago, May 2015, many-times honored researcher, Martin Pall, laid out for the layperson the biological pathways pesticides and toxins activate that lead to pathology. *Further, he showed that wireless/WiFi/EMF radiation does much the same.* It activates the Voltage-Gated Calcium Channel VGCC mechanism. Please don't glaze over: **this is incredibly important.** *This awesome regulatory mechanism – in animals, too – is the key messaging agent within and between bodily systems.* So maybe we shouldn't be surprised that our WiFi data-transmissions are keying into these VGCCs, wreaking havoc with their communications. Through wonderfully-crafted **longterm** studies from 1960 to 1997, the Russians verified that wireless/EMF radiation causes *cumulative* health impacts – cognitive, reproduction, cardiac, etc. (see Hecht's *Health Implications, Brochure 6*). After 3-5 years, conditions begin, *becoming irreversible* after 10 years. Yet here, we don't get the *longterm* connection between our escalating 3G/4G exposures and our escalating health woes. But **now that we know** the VGCC mechanism that explains the connection, it's time to wake up, regroup, downsize, retool, not grave-dig deeper with more highly-toxic wireless radiations. Time to **RULE OUT** 5G and electronic metering, and **RULE IN** fiber optics – *it's speed of light fast, safe and not hackable.*

Kate Reese Hurd
High Falls NY

Canaries in the Mine

Letter to the Editor, August 2018

Wireless/WiFi/EMF radiations trigger the production of beta-amyloid in the brain, fueling the genesis of Alzheimer's Disease

Destruction of our Human Inheritance

Our ability to acquire and wield concepts takes us far beyond the condition of merely responding to our perceptions and experiences. But with the escalation of Alzheimer's – beginning in young adults now – we're witnessing the destruction of our cognitive inheritance and future potential. Please let us ask, why? For my part, I must continue to bring this new knowledge forward: our wireless/WiFi devices are the root of these misfortunes. While we love having information magically appear on our devices, it's not magic and not harmless. The wireless radiation that transmits this data triggers the brain's regulatory VGCC mechanisms – the Voltage-Gated Calcium Channels – giving rise to the amyloid protein found in the brains of Alzheimer's patients and regarded as key to the condition (see *5G: Great Risk...*, Ch. 3, by Dr. Martin Pall). This amyloid appears to be a primitive immune response meant to surround and remove invaders. The move is to try to stop amyloid build up with drugs. But why not believe the brain? *It is being invaded:* by destructive wireless radiations and the resulting damage; and the brain can't get rid of all the amyloid. I think we'd better wise up while we have sound minds to wise up with. Alzheimer's is overtaking us, and it will come on even faster if 5G wireless radiates from telephone poles 24/7. Please call your representatives in Washington and Albany to say NO to 5G and 'smart' grid wireless infrastructures. And do keep those wireless devices away from your head and body, and especially away from children, the growing fetus and the elderly. Thank you.

Kate Reese Hurd
High Falls NY

Canaries in the Mine

Ulster County Legislature, September 20, 2018

Provided: Sept. '18 Letter to the Editor – *Destruction of our Human Inheritance*; 4b-ii – federal bills, 4b-iii – state bills; 4b-iv, 4b-v, 4b-vi – letters of request to U.S. Senators; updated 7., 6g., Folder Contents list; 10e. – today's full comment (*shortened for the comment period*).

Good evening. I'm Kate Reese Hurd, here again to take some more steps with you concerning wireless radiations and our biology. I hope you're making headway with the folders I brought for you in July. I'd like to point out that these extremely voltage- and frequency-sensitive calcium-based regulatory mechanisms in our cells – the Voltage-Gated Calcium Channels – *use the same frequency-tuned principles as our wireless devices do, sending and receiving signals. Exactly this* enables wireless devices to scramble our VGCC signals and impede their functions – in the *heart*, in *reproduction*, in the *sleep/wake cycle*. **In the brain, this abnormal triggering of the VGCCs leads to a vicious cycle of the amyloid protein buildup that's involved in the genesis of Alzheimer's** (see doc 6f.). The World Health Organization just announced that one in three university students suffers from a mental health condition. **Because the VGCCs oversee the production and use of all of the neurotransmitters and many of the hormones, one can easily understand that the primary cause of the exponential rise in cognitive and emotional disorders is the exponential rise in 24/7 wireless radiation.** (See the **Index** in document 6b. for the wide scope of frequencies, exposure parameters and health effects – these are but the tip of the iceberg, of the mountain of research done.)

If you're attentive, you'll hear news of very real impacts from WiFi *finally getting out* (see over). The article *The Nation* magazine brought out in March (**documents 3a. and 3b.**) revealed that people expressed concerns that brain cancer seemed to set in as a result of cell phone use, *right in the first decade or so*. When a multi-million dollar study showed there **was** trouble the industries launched a 'campaign of doubt.' **We've been stuck in a Big Tobacco style deception and deliberate addiction cycle ever since. But the research is clear.** Document 6g. details how research is muddled, creating doubt when there isn't any.

What can we do? Federal and state bills are set to drive the rollout of *more* wireless radiation: near-range, 24/7, 5G (see in the new documents 4b-ii and 4b-iii). → **This is not compatible with the continuance of life on earth.** In the 1996 Telecom Act Docket (93-62, see 4b-ii, p. 5), the FCC stated that they've been reluctant to preempt state and local regulations promoting bona fide health and safety objectives. **With knowledge of the VGCC mechanism we have absolutely bona fide objectives.** The FCC guidelines are taken as a consensus of other agencies' health and safety views. **But the NEW non-industry research consensus is that wireless radiations are driving our modern epidemics.** Our U.S. Senators can place a **HOLD** on legislation. **They must also rein in the FCC**, because it has now *terminated* all reluctance to preempt state and local governments (see the other side of page here). We must all ask for this immediately. I'm sharing my letters to them with you (documents 4b-iv, 4b-vi; see 4b-v. also). It appears that state senators can place holds on state bills, too.

→ Wireless is not the only way to transmit data. While being extremely fast, **fiber optic internet service** is also safe for health and storm-resilient. 5G wireless has neither of these fine qualities. We will rue the day we ever went down that road if we go there.

Wrapping up: This material might feel burdensome; but the burden we will all soon face **will be huge** if we don't come to terms with this grave situation. *How you grapple with it will perhaps be the most important thing you'll ever do on behalf of your people.*

Thank you.

Kate Reese Hurd (P.O. Box 331, High Falls NY 12440, kreehu@gmail.com)

Here is an example of news of important WiFi health impacts finally getting out, July 17, 2018:

<https://www.thriveglobal.com/stories/36755-bad-luck-cannot-explain-more-cancers-in-young-adults-and-teens>.

The FCC – after a poorly-publicized posting of its proposed ruling and a grossly foreshortened 2-week public comment period this month (September 2018) – is set to vote on **September 25** to put into effect its ruling **that would further preempt local governments**.

Here is a brief summary on the imminent FCC proposal (from <https://www.smartcitiesdive.com/news/fcc-to-vote-on-proposal-streamlining-5g-infrastructure-rules/531569/>):

- The Federal Communications Commission (FCC) will vote on a plan that will help states pass laws streamlining approval and deployment of technology to facilitate 5G networks, commissioner Brendan Carr announced Tuesday during a speech in Indiana.
- The proposal, which will be voted on at the agency's Sept. 25 meeting, would reform laws that were designed for macro-cell installation and adapt them for the smaller micro-cells that broadcast 5G. According to the FCC, the plan would save \$2 billion in unnecessary fees.
- It would also implement a federal law to blocks municipal rules that would prohibit deployment of wireless service, and would only allow municipalities to charge fees on small cell deployments limited to covering the municipality's costs. The plan would also require approval or disapproval of applications to attach small cells to existing structures within 60 days and to applications to build new poles within 90 days, and places "modest guardrails" on rules like aesthetic reviews that may slow down service.

Also see "U.S. Conference of Mayors Will Sue FCC If They Eliminate Municipal Control Over Small Cell Tower Placement" at <https://www.activistpost.com/2018/09/us-conference-of-mayors-sue-fcc-eliminate-local-control-over-5g-small-cell-tower-infrastructure-installation.html>. Local control, which is largely restricted already, would be restricted even further. As the announcement indicates, *this is to speed the pending state level legislative restrictions into place, overriding local governments*. The **National Association of Counties** also opposes the FCC proposal.

→ 5G **does not** and **never can** provide the health-and-environment safe and storm-resilient broadband service we need now and into the future. And if the epidemic-scale health effects from wireless/WiFi/EMF exposures are allowed to continue and escalate, it is doubtful we will even exist and function well enough to enjoy 5G for long, and won't get to a 6G 'upgrade' either. That's extremely cost-ineffective.

It's great that elected officials want to help us all get broadband service. And to that end, it's good to know that there are already many **fiber optic broadband communities**. It is inspiring. *Wireless broadband is not necessary*. **SUNY Ulster** offers technical classes on installing fiber optics.

→ I'll email you a document that lists numbers of such communities, as well as citing action in our region – we must protect these initiatives.

Here is a web page with a good overview on these developments: <https://ilsr.org/the-fiber-future-is-cooperative-policy-brief-on-rural-cooperative-fiber-deployment/>. Clearly, this is **the American way** to provide broadband, including and most particularly in rural areas. And see Christopher Mitchell's research, talks and writings on community fiber optics: https://ilsr.org/search_gcse/?q=christopher%20mitchell%20fiber%20optics.

August 2018

Letter to our United States Senators, requesting and imploring a HOLD on all pending wireless and 5G wireless legislation and laying out the compelling reasons for this.

Dear U.S. Senators,

The reason for my contact with you is my concern over the 5G wireless bills that are being passed and that are pending in the Senate and House. I implore you – all of you – **to place a hold** on taking any further steps in this grievous project of 5G.

A hold needs to be placed because **NEW** information is coming out about the health and environmental effects of wireless/WiFi/EMF/5G radiations. This new information needs time to register fully, especially with you who serve us in Congress. We all need to give it our complete understanding, so that we make the right decisions at this critical juncture, before rolling out 5G and electronic metering ‘smart’ grid technology.

The new information is basically this:

It is now known that our wireless/WiFi/EMF radiations are erratically triggering the **Voltage-Gated Calcium Channel messaging systems** in our bodies. *These extremely voltage- and frequency-sensitive calcium-based information-delivery mechanisms function along the same frequency-tuned principles that our wireless devices do.* And here is the key fact: the scrambling of our VGCC messaging systems by human-generated wireless radiations is now understood to be driving our modern epidemics: **infertility, Alzheimer’s, cancers, autism, insomnia, ADHD, neuropsychiatric conditions, depression, heartbeat arrhythmias, and more.** The nature of the impacts depends upon which body system is interfered with and what the parameters of the exposures are – and the ‘smarter’ the WiFi, the more harmful it is.

We are seeing that the **costs** of these epidemics are huge and escalating already, even without the flood of 24/7 near-range radiation that 5G wireless would add. It’s said that **Alzheimer’s** is expected to hit 1 out of 3 elderly ten years from now (1 out of 5 now) and cost us more than the entire defense budget. We have to ask: why? why all the Alzheimer’s? and why now? Answer: abnormal activation of the brain’s VGCCs gives rise to the amyloid beta production that is involved in the genesis of Alzheimer’s, as Dr. Pall explained.* We are in very grave danger with what we are doing to our internal messaging systems. This puts our lives in peril.

There’s a large amount of legislative activity pushing 5G as the solution to our need for universal broadband now, all unwittingly going down the wrong path. At first, *safe, wired and fiber optic* infrastructures were pointed to in bills for broadband service, but now no more. The shift toward solely wireless is shocking, swift and strong. As regards law-making, in light of our VGCC situation what must be addressed is this: we cannot protect our health and our environment from the destructive impacts of these radiations unless the mistakes committed in the 1996 Telecom Act are corrected. Congress and the President put the FCC in charge of health and environmental safety standards for wireless radiations; and the FCC refers to evaluations of health risks made by other agencies and institutes, who also refer to the international SCENIHR Committee, whose systemic faults rely on *non-objective industry-sponsored consensus-making*. This is how standards protocols end up being completely faulty. The bills speeding 5G all take these faults further. **Only independent research should ever be considered and relied upon for such crucial standards-making.****

For these reasons, I implore all of you in Congress to place a hold on every bill that promotes wireless and 5G infrastructures. The auctions of new spectrum bands mandated in S-1682, to prepare for opening the 5G floodgates, must not begin. We need time to come to our senses. I am sincerely hoping for your willingness to learn about this issue – about this VGCC messaging that is required for the continuance of life on earth – and to bring every one of your colleagues along, too, to help us all toward safety in every way you can.

Truly,

[A deeply concerned U.S. Citizen]

**[And Congress needs to rein FCC in to accord with this independent research, to *protect* our health and our entire biosphere.]

*[In March, many-times honored scientist, Dr. Martin Pall, brought out a **master research summary document based on over 20,000 independent studies: 5G: Great risk for EU, U.S. and International Health! Compelling Evidence for Eight Distinct Types of Great Harm Caused by Electromagnetic Field (EMF) Exposures and the Mechanism that Causes Them**; 53 pp. (see on the Web). Note that he uses the word “cause.” He has solid grounds for doing so. His letter to California Governor Jerry Brown lays out the VGCC mechanism and the consequences of non-action: Pall, Martin Ltr to Gov Brown 092317 (see on the Web). Dr. Pall examined the 2015 SCENIHR Report in his *5G: Great Risk*. SCENIHR – Scientific Committee on Emerging and Newly Identified Health Risks.]

4b-vi.

A letter to one of our U.S. Senators who sits on the Commerce Committee; the Alzheimer's Task Force; Autism, Cancer, Diabetes, Lyme, Heart Disease, etc., Caucuses, requesting that they join together to place a HOLD on all pending wireless and 5G wireless legislation

August 29, 2018

U.S. Senator Edward Markey,
Member of the Commerce Committee, Co-Chair of the Alzheimer's Task Force, member of the Autism Caucus
255 Dirksen Senate Office Building
Washington D.C. 20510

RE: Alzheimer's and other escalating epidemics are now recognized as being fueled by wireless radiation.

Please will you consider placing an immediate HOLD on all 5G wireless and 'smart grid' bills, together with your colleagues in the Senate.

Dear Senator Edward Markey,

I'm reaching out to you because of your position on the Senate Commerce Committee – my Senators do not serve on it – and because of the special interest you've shown in the escalating health issue of Alzheimer's by becoming a Co-Chair of the Task Force for this condition. We need your fine energy and ability to take action with this, because critical NEW information has come out that involves Alzheimer's and all of our modern epidemics at the deepest levels. It's critical to consumer and environmental protection and cyber-security also.

In my concise one-page letter to Senators Kirsten Gillibrand and Chuck Schumer (you'll find a copy here), I've laid out what this new information is. And I've requested action on this: the placing of a hold on every piece of legislation pertaining to the rollout of wireless infrastructure, 5G wireless and the 'smart' grid also. I'd like to ask if you would consider coming together with them on this. We are forgetting that wireless is not the only way to transmit data. *Fiber optics is extremely fast but also safe for human health and storm-resilient.* These features are of *permanent* benefit to us. A wireless infrastructure has neither of these fine attributes. 5G wireless is an terribly unwise choice for supplying universal broadband service. In the folder here, you'll see that I've inventoried the Senate and House bills in document number 4b-ii. (The email version has active links. 4b-iii shows the NY bills.)

Especially those of you who serve on the Alzheimer's Task Force and the Autism Caucus could help us greatly if you would form a coalition to take this matter up as strongly as you can and call this hold on legislation. I'd like to point up how *extremely* voltage- and frequency-sensitive the calcium-based regulatory mechanisms in our cells are – the Voltage-Gated Calcium Channels. And this is key: they use the same frequency-tuned principles as our wireless devices do, sending and receiving signals. Exactly this enables wireless devices to scramble our VGCC signals and impede their functions – in the nervous system and the DNA (**in the fetus, too**), in the heart, in reproduction, in the sleep/wake cycle. A quick study of the Folder Contents list and the Index in document 6b. will show you the scope of these serious troubles. **In the brain, this abnormal triggering of the VGCC regulatory mechanisms leads to a vicious cycle of the amyloid beta production that's involved in the genesis of Alzheimer's** (see document 6f.). Our cognitive functions are continually being damaged by wireless radiations.

Many-times honored scientist, Dr. Martin Pall, has brought together a mountain of research (over 20,000 studies) into a master research summary document: *5G: Great risk for EU, U.S. and International Health! Compelling Evidence for Eight Distinct Types of Great Harm Caused by Electromagnetic Field (EMF) Exposures and the Mechanism that Causes Them* (53 pp.), posted on the Web in March. Dr. Pall has solid grounds for using the word 'cause.' In his letter to California Governor Jerry Brown, Dr. Pall laid out the VGCC mechanism and the grave consequences of non-action (see document 1.). I hope that you and your colleagues can quickly understand that a rollout of 5G wireless (and of 'smart grid' technology) **is not compatible with the continuance of life on earth.**

In the 1996 Telecom Act, Docket 93-62 (see document 4b-ii, p. 5), the FCC stated that they've been reluctant to preempt state and local regulations promoting bona fide health and safety objectives. **With knowledge of the VGCC mechanism, we have absolutely bona fide objectives.** The FCC guidelines are taken as a consensus of other agencies' health and safety views. **But the NEW non-industry consensus is that wireless radiations are driving our modern epidemics.** We must press for sanity. A hold in the Senate is necessary, immediately.

Please will you learn about this and come together with colleagues in the Senate to steer us all toward safety. We who are already afflicted by wireless radiation, as the 'canaries in the mine' of this, would be enduringly grateful.

Truly,

(A deeply concerned citizen)

A letter to United States Senators on the Senate Commerce Committee laying out several important local issues questions that needed to be asked and answered in their oversight hearing with the FCC on August 16, 2018

August 14, 2018

Dear Senator:

I respectfully ask you to query FCC Commissioners at Thursday's hearing with the following questions related to wireless communications, and to refuse to accept fluff replies.

Senator, you may believe that increasing telecommunications facilities will improve or harm our society.

In either case, I trust that you recognize that matters of public rights-of-way should remain in local control.

Wireless technologies threaten our privacy, cybersecurity, energy resources, environment and health.

We need an FCC that safeguards the public's life, health and property – not the telecom corporations that it is authorized to regulate.

Will you please present and require substantive answers to the following questions to FCC Commissioners:

1. Existing and proposed 5G infrastructure will bring close-range radio frequency (RF) exposure to the American public. What in-house expertise does the FCC have that **qualifies** it to execute its statutory duty to set protective, longterm, chronic and cumulative low-intensity radiation exposure limits for the American public? [What expertise does it have to seek and evaluate critical health research objectively?]

→ What national imperative necessitates existing and proposed rule-making that **exempts new 5G transmitters from environmental, health and safety compliance review**?

2. Proposed and existing FCC rules and rule-making would **remove long held democratic processes** such as public hearings and neighborhood notification regarding the installation of new telecom facilities.

→ What is the relevant national imperative that necessitates this proposed gutting of democracy?

3. Proposed FCC rule-making calls for **removing a municipality's right to enact a moratorium** for any reason regarding the installation of telecom facilities. Extreme weather events now routinely occur around the country--wildfires, hurricanes, flash floods, mudslides, drought. What national imperative necessitates eliminating a municipality's right to protect itself and its citizens by enacting a moratorium to allow expert, professional engineers to evaluate and certify safety of a particular region (including for weather catastrophes) **BEFORE** installing hundreds of pounds of electronic gear on its utility poles?

→ What relevant national imperative necessitates this proposed prohibition of moratoria and gutting of democracy?

4. Proposed FCC rule-making calls for **removing a municipality's right to charge a fair leasing fee** for telecom corporations that access its public right-of-ways. Public right-of-ways are public property. Leasing them (typically around \$1500/year per right-of-way) provides income for a municipality's general fund, which pays for road repairs and other basic services.

→ What relevant national imperative necessitates this proposed gutting of democracy and elimination of a municipality's right to generate income from leasing its property?

5. Availability of energy impacts commerce, transportation and science. According to a paper published by IEEE,* **wireless infrastructure consumes at least ten times more energy than wired technologies.**

→ What national imperative necessitates deploying new wireless infrastructure?

Thank you.

Sincerely,

[Concerned local citizens and their governments]

*Baliga, Jayant, et al, "Energy Consumption in Wired and Wireless Access Networks," *IEEE Communications Magazine*, June, 2011. [The letter was composed by S.R., a concerned citizen in Woodstock NY.]

FEDERAL wireless and 5G bills, pending July 2018

For our survival, we must use *wired* and *fiber optic* delivery for broadband, *not wireless*

→ **Fiber Broadband Association:** <https://www.fiberbroadband.org/page/new-york-145>, select your state for info.

Search for pending state/federal bills, in committees, or by bill number: <https://legiscan.com>

U.S. SENATE MEMBERS: <https://www.senate.gov/senators/contact>

U.S. HOUSE MEMBERS: <https://www.congress.gov/search?q=%7B%22source%22%3A%22members%22%7D>

Bills and status change.
→ Sign up for **alerts** and see **votes** at bill sites.
Check committee **hearings**.

SENATE:

We must finally correct this 1996 bill to protect health and environment.

Senate S-652 (S-652) PASSED Signed into law, 2/8/96. **"The Federal Telecom Act of 1996"**

FCC fact sheet summary of Section 704 of the 1996 Telecom Act:

"2. **Exceptions:** b. Procedures for Ruling on Requests to Place, Construct or Modify Personal Wireless Service Facilities. **Section 704(a)** also requires a State or local government to act upon a request ... within a reasonable time. Any decision to deny a request must be made in writing and be supported by substantial evidence contained in a written record. 47 U.S.C. §332(c)(7)(B)(ii), (iii). c. **Regulations Based On Environmental Effects of RF Emissions Preempted.** **Section 704(a)** ... expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. 47 U.S.C. §332(c)(7)(B)(iv). ... 3. **Federal Guidelines Concerning RF Emissions:** **704(b)** requires the FCC to prescribe and make effective new rules regarding the environmental effects of radio frequency emissions, which are under consideration in *ET Docket 93-62*,¹ within 180 days of enactment of the 1996 Act. 4. Use of Federal or State Government Property: a. **Federal Property Section 704(c)** requires ... fair, reasonable and nondiscriminatory basis, property, rights-of-way and easements under their control, for the placement of new *spectrum-based* telecommunications services. b. **State Property Section 704(c)** ... requires the FCC to provide technical support to States to encourage them to make property, rights-of-way and easements under their jurisdiction available for the placement of new spectrum-based telecommunications services. 5. Definitions 'Personal *wireless* services' include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. 47 U.S.C. §332(c)(7)(C)(i). Sponsor: Larry Pressler, SD, 3/30/1995. Cosponsors: 0. [¹ *Docket*, p. 5 below]

Senate S. Res.242 / H. Res.521 BOTH APPROVED "A resolution expressing the sense of the Senate about a strategy to deploy fifth generation mobile networks (5G networks) and next-generation wireless and wired technologies to promote economic development and digital innovation throughout the United States" "... and continue participation in global efforts to create standards for 5G networks."

Senate sponsor: Sen. Roger Wicker, Mississippi, 8/2/17. Co-sponsors: Brian Schatz, HI; Cory Gardner, CO; Margaret Hassan, NH; Jerry Moran KS; Gary Peters, Mich. House sponsor: Rep. Susan Brooks, 9/15/17. Co-sponsors: Debbie Dingell, Mich; Mimi Walters, CA; John Delaney, MD.

STATUS: Both approved. Senate Committee on Commerce, Science and Transportation, 8/12/17, and House Subcommittee on Communications and Technology (Energy and Commerce) 9/15/17

Senate S-19 PASSED 8/3/17 "Mobil Now" "the Making Opportunities for Broadband Investment and Limiting Excessive and Needless Obstacles to Wireless Act." Sponsor: John Thune, SD. Co-sponsor: Clarence Nelson, FL. Senate Committee on Commerce, Science and Transportation.

STATUS: → HOUSE, 8/4/17: "Held at desk" (Does HR4987:Title VII: Mobile Now" achieve much the same?)

Senate S-88 PASSED 8/3/17 "The DIGIT Act" "Developing Innovation and Growing the Internet of Things Act" [IoT] "(Sec. 2) This bill expresses the sense of Congress that policies governing the Internet of Things (IoT) should maximize the potential and development of ... *connected and interconnected devices* to benefit businesses, governments, and consumers. // (Sec. 4) The Department of Commerce must convene a working group ... [and] steering committee [to] (1) ... identify [inhibitions to] IoT development ... improve coordination among federal agencies with IoT jurisdiction ... (5) consult with nongovernmental stakeholders. // ... advise the working group about laws, budgets, spectrum needs, individual privacy,

security, small business challenges, and any international proceedings or negotiations affecting the IoT. **Within 18 months after enactment ... the working group must report** its findings and recommendations (Sec. 5) The FCC must: (1) *seek public comment* on the IoT's spectrum needs, regulatory barriers, and growth with licensed and unlicensed *spectrum*....” [Note: *an all-out interconnected IoT lays us wide open to cyber-threats.*] Sponsored by Deb Fischer, NE, 1/10/17. Co-sponsors: Cory Booker, NJ; Cory Gardner, CO; Brian Schatz, HI. Senate Committee on Commerce, Science and Transportation.

STATUS: → HOUSE, 8/11/17, House Subcommittee on Communications and Technology (Energy and Commerce) [Compare House HR-686 “The Digit Act” 1/24/17.]

Senate S-3157 “A bill to streamline siting processes for small cell deployment” “(7) PRESERVATION OF LOCAL ZONING AUTHORITY.—” “(iii) ... Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify a personal wireless service facility shall be— “(I) in writing; and (II) supported by *substantial evidence contained in a written record*. ... (iv) **ENVIRONMENTAL EFFECTS OF RADIO FREQUENCY EMISSIONS.—***No State or local government or instrumentality thereof may regulate the placement, construction, or modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that the facilities comply with the [FCC] Commission’s regulations concerning such emissions.* Sponsor: John Thune, SD, 6/28/18. Co-sponsor: Brian Schatz, HI. STATUS: Senate Committee on Commerce, Science and Transportation, 6/28/18.

Senate S-1988 “The SPEED Act.” “Streamlining Permitting to Enable Efficient Deployment of Broadband Infrastructure Act of 2017 or the SPEED Act” “This bill *exempts* certain broadband infrastructure project actions, ... *from environmental review requirements under the National Environmental Policy Act of 1969*. // ... the Government Accountability Office to study and report ... how Congress and the FCC can address such challenges and **reduce delays**.” Sponsor: Roger Wicker, MS, 10/19/17. Co-sponsors: Catherine Cortez Masto, NV; Jerry Moran, KS; Pat Roberts, KS. STATUS: Senate Committee on Environment and Public Works, 10/19/17.

Senate S-1682 “AIRWAVES” “Advancing Innovation and Reinvigorating Widespread Access to Viable Electromagnetic Spectrum Act” “*This bill requires the FCC to complete auctions during each of the next three calendar years that will grant new broadcast licenses for specified frequency spectrum bands. ... [and] allocate 10% of proceeds ... to expand wireless infrastructure in rural areas....*” [No health impact review.] Sponsor: Cory Gardner, CO, 8/1/17. Co-sponsors: 8. STATUS: Senate Committee on Commerce, Science and Transportation, 8/1/17.

S-742 “Community Broadband Act” “A bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes.” Also see HR-4814. S-742 Sponsor: Cory Booker, NJ. Co-sponsors: 5. STATUS: Senate Committee on Commerce, Science and Transportation, 3/28/17.

HOUSE:

House HR-3994 PASSED 7/23/18 “Access Broadband Act” “This bill requires the Department of Commerce to establish the Office of Internet Connectivity and Growth within the National Telecommunications and Information Administration ... [to] connect with communities ... share best practices and effective strategies ... track construction and use of any broadband infrastructure built using federal support. // ... report annually.... // ... consult with any agency offering a federal broadband support program ... to streamline the application process.... Sponsored by Paul Tonko, NY, 10/6/17. Co-sponsors: 17. House Committee on Energy and Commerce/ STATUS: → SENATE, 7/24/18 Senate Committee on Commerce, Science and Transportation.

House HR-4881 PASSED “Precision Agriculture Connectivity Act” Sponsor: Robert Latta, OH, 1/25/18. STATUS: → SENATE, 7/24/18. [Using wireless in agriculture.]

House HR-4986 PASSED 3/6/18 “Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 or the RAY BAUM'S Act” “” **“TITLE VII—MOBILE NOW”** ... Identifying 255 megahertz, *Millimeter wave*

spectrum, 3 gigahertz spectrum, facilities deployment... broadband infrastructure deployment, ... Amendments to the **Spectrum Pipeline Act of 2015** ... **National plan** for unlicensed spectrum, **Spectrum challenge prize**, Wireless telecommunications tax and fee collection fairness, Rules of construction, Relationship to **Middle Class Tax Relief and Job Creation Act of 2012**.... " House sponsor: Marsha Blackburn, TN, 2/8/18. Co-sponsor: Greg Walden, OR. House Committee on Energy and Commerce/, House Committee on Transportation and Infrastructure, House Committee on Oversight and Government Reform, 2/8/18.

STATUS: → SENATE, 3/7/18.

H. Res.521 APPROVED 9/14/17 – see **S. Res.242** above. Also see **H. Res.687**, **H. Res.690**, **H. Res.691**.

House HR-3388 PASSED 9/6/17 **"SELF DRIVE Act"** **"Safely Ensuring Lives Future Deployment and Research In Vehicle Evolution Act"** Sponsor: Robert Latta, OH. 7/27/17. Co-sponsors: 29.
STATUS: ?

H. Res.53 APPROVED 1/13/17 **"Expressing the sense of the House of Representatives that in order to continue aggressive growth in the Nation's telecommunications and technology industries, the United States Gov't should 'Get Out of the Way and Stay Out of the Way'."** Sponsor: Robert Latta, OH.
STATUS: Approved. House Subcommittee on Communications and Technology (Energy and Commerce).

House HR-6032, "SMART IoT Act" **"The State of Modern Application, Research, and Trends of IoT Act."** Sponsor: Robert Latta. OH, 6/7/18. Co-sponsors: 18.
STATUS: reported out of House Committee on Digital Commerce and Consumer Protection, 6/13/18. "Ordered to be reported by voice vote," House Committee on Energy and Commerce/, 7/12/18.

House HR-5093 "Measuring the Economic Impact of Broadband Act" "... **Bureau of Economic Analysis (BEA)** of the **Department of Commerce** to assess, and submit a report regarding, the effects on the U.S. economy of the deployment and adoption of broadband Internet Protocol-based transmission services.... [It] **must (1) consider employment [etc.]...**; **and (2) consult with other government agencies, businesses, rural and urban Internet service and telecom. infrastructure providers, and consumer and community organizations."** [*no health assessment*]
Sponsor: Ro Khanna, CA, 2/26/18. Co-sponsors: Brian Fitzpatrick, PA; Anna Eshoo, CA; Ryan Costello, PA.
STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 3/2/18.

House HR-4847, "Broadband Deployment Streamlining Act" would streamline processes to locate or modify communications on public lands and institute a *shot clock*. Sponsored by Susan Brooks, IN.
Co-sponsor: Doris Matsui, CA.
STATUS: House Committee on Agriculture; House Subcommittee on Economic Development, Public Bldgs and Emergency Mgt (Transportation & infrastructure); House Subcommittee on Federal Lands (Natl Resources); House Committee on Energy & Commerce; House Subcommittee on Conservation & Forestry, 1/19-2/8/18.

House HR-4845, "Connecting Communities Post Disasters Act," would provide a *categorical exclusion from environmental and historical reviews to aid replacement and improvements to communications facilities following a disaster or emergency*. Sponsored by Pete Olson, TX. Co-sponsors: 0.
STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 1/26/18.

House HR-4842, "The Streamlining Permitting to Enable Efficient Deployment of Broadband Infrastructure" would *exempt broadband facilities from environmental and historic preservation reviews on federal property*. Sponsored by John Shimkus, IL, 1/18/18. Co-sponsors: 0.
STATUS: House Committee on Energy & Commerce/, 1/19/18; House Committee on Natrl Resources, 1/23/18.

House HR-4814 / S-742 "Community Broadband Act" "... amends the Telecommunications Act of 1996 ..." – i.e., States may not prohibit "state government, a political subdivision, or an Indian tribe from ... serving as a "public provider" of high-speed broadband ... services ... to persons or public or private entities.... // A public provider that regulates competing private providers ... **may not discriminate in favor of itself or a provider that it owns."** Sponsor: Anna Eshoo, CA, 1/17/18. Co-sponsors: 8.
STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 1/19/18.

House HR-4813 “WIFI STUDy Act” 1/19/18 “*Wireless Internet Focus on Innovation in Spectrum Technology for Unlicensed Deployment Act.*” **“SEC. 2. GAO STUDY ON THE ROLE OF UNLICENSED SPECTRUM IN OFFLOADING BROADBAND TRAFFIC.”** By 60 days of enactment, study initiated by the **Comptroller General** of the United States shall initiate a study of — ... 3) the economic benefits to providers and subscribers that WiFi provides in assisting with Internet traffic management; and(4) the potential avenues for, and barriers to, *broad deployment of gigabit WiFi service in spectrum bands below 6 gigahertz at a scale that allows for rapid expanded use of new consumer devices.*” To report by 18 months later to the House Committee on Energy and Commerce/. Sponsor: Ryan Costello, PA, 1/17/18. Co-sponsors: 0.

STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 1/19/18.

House HR-4810 “MAPPING NOW Act” “*Making Available Plans to promote Investment in Next Generation Networks without Overbuilding and Waste Act.*” 1/19/18. Asst. Secretary of Commerce for **Communications and Information** “to [develop and maintain] a broadband inventory map through the **National Telecommunications and Information Administration** and not through an agreement with any other agency.” Sponsor: Bill Johnson, OH. Co-sponsors: Brett Guthrie, KY; H. Morgan Griffith, VA; Larry Bucshon, IN.

House HR-4802 “Streamlining and Expediting Approval for Communications Technologies Act”

Sponsor: Adam Kinzinger, IL, 1/17/18. Co-sponsors: 0.

STATUS of both: House Subcommittee on Communications and Technology (Energy and Commerce), 1/19/18.

House HR-4798 “Inventory of Assets for Communications Facilities Act” requires an inventory of federal assets on which a communications facility could be attached or installed. Sponsor: Chris Collins, NY. Co-sponsor: Elise Stefanik, NY, 1/19/18.

House HR-4795 “Communications Facilities Deployment on Federal Property Act” – institutes common application forms and cost-based fees. Sponsor: Mimi Walters CA, 1/19/18. Co-sponsors: Mark Meadows, NC. STATUS of both: House Subcommittee on Economic Development, Public Buildings and Emergency Management (Transportation and infrastructure), 1/19/18;

House HR-800 “New Deal Rural Broadband Act of 2017” 2/1/17, 2/24/17. “This bill amends the Rural Electrification Act of 1936 to **establish a rural broadband office within the Department of Agriculture (USDA) ... the Office of Rural Broadband Initiatives** and [an] **Under Secretary for Rural Broadband Initiatives** to: **administer ... grant and loan programs currently administered by the Rural Utilities Service; conduct ... outreach and coordination ...; ... release to the public an inventory of federal and state property on which a broadband facility could be constructed. // The bill establishes the Breaking Ground on Rural Broadband Program and the Tribal Broadband Assistance Program. // ... modifies existing programs to authorize USDA**” Sponsor: Jared Huffman. Co-sponsors: 20.

STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 2/3/17; House Subcommittee on Indian, Insular, and Alaska Native Affairs (Natural Resources) and House Subcommittee on Federal Lands (Natural Resources), 2/15/17; House Subcommittee on Commodity Exchanges, Energy and Credit (Agriculture), 2/24/17.

House HR-4817 “The PEERING Act” “*Promoting Exchanges for Enhanced Routing of Information so Networks are Great Act*” “This bill requires the Department of Commerce to award grants for entities to acquire real property and necessary equipment to establish a new Internet exchange facility ... or to expand operations at an existing Internet exchange facility where there is only one.... // The bill amends the **Communications Act of 1934** to allow schools, libraries, and rural health care providers ... to use the funds to contract with a broadband provider ... or to pay the costs for maintaining a connection at such a facility.” Sponsor: Billy Long, Missouri. Co-sponsors: 0. [Note: *interconnecting everything, and all-out IoT, lays us wide open to cyber-threats.*]

STATUS: House Subcommittee on Communications and Technology (Energy and Commerce), 1/17/18.

House HR-686 “The Digit Act” “*Developing Innovation and Growing the Internet of Things Act*” “To ensure appropriate spectrum planning and interagency coordination to support the Internet of Things” 1/24/17. Sponsor: Erik Paulsen, MN, 1/24/17. Co-sponsors: Peter Welch, VT; Patrick Meehan, PA; Tulsi Gabbard, HI; Derek Kilmer, WA; Anna Eshoo, CA; Ro Khanna, CA; Susan Brooks, IN. STATUS: House Committee on Energy and Commerce/, 1/24/17.

¹ Regulatory control over health and environmental safety standards for wireless radiation emissions was given to the **Federal Communications Commission (FCC)** by the U.S. Congress and President Bill Clinton through the enactment of “**The Federal Telecom Act of 1996.**” Here are pertinent passages from this **Docket 93-62**, concerning *environmental and health effects of wireless telecom RF radiations*: [bold, italics, underlines added]

ET Docket 93-62: Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation,

Adopted 8/1/1996. [Table of Contents page numbers seem to be wrong.] [p. 2] “Introduction: ... **2. In reaching our decision on the adoption of new RF exposure guidelines we have carefully considered the large number of comments submitted in this proceeding, and particularly those submitted by the U.S. Environmental Protection Agency (EPA), the Food and Drug Administration (FDA) and other federal health and safety agencies. The new guidelines we are adopting are based substantially on the recommendations of those agencies, and we believe that these guidelines represent a consensus* view of the federal agencies responsible for matters relating to the public safety and health.**” *

[p. 61] “C. Federal Preemption: 164. In the past, parties have requested that the Commission preempt state and local authority over RF exposure matters. To date the Commission has declined to preempt on health and local safety matters. However, the Commission has noted that should non-Federal RF radiation standards be adopted that adversely affect a licensee's ability to engage in Commission-authorized activities, the Commission would consider reconsidering whether Federal action is necessary.

165. ... However, many commenters request that we address this matter by establishing Federal preemption....
166. Decision. In the past the Commission has hesitated to intrude on the ability of states and localities to make regulations affecting health and safety. Many of the comments indicate that a patchwork of divergent local and State regulations could pose a burden on interstate communications. However, since these comments were filed, Congress has passed the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996). **Section 704 of [this Telecom] Act amends the Communications Act by providing for federal preemption of state and local regulation of personal wireless service facilities on the basis of RF related to the [p. 62] environmental effects. ... Accordingly, we are amending § 1.1307 of our rules to incorporate the provisions of Section 704 of [this] Act.**
167. The Telecommunications Act does not preempt state or local regulations relating to RF emissions of broadcast facilities of other facilities that do not fall within the definition of ‘personal wireless services.’ ... We have traditionally been reluctant to preempt state or local regulations enacted to promote bona fide health and safety objectives. [→ With knowledge of the VGCC mechanism, we have bona fide objectives.]

168. We believe that the regulations that we are adopting herein represent the best scientific thought and are sufficient to protect the public health.

V. CONCLUSION: 169. To protect public health with respect to RF radiation from FCC-regulated transmitters, and to fulfill our responsibilities under NEPA [National Environmental Policy Act, 1969, 2005], we are updating our guidelines for evaluating the environmental impact of RF emissions. We believe that the guidelines we are adopting will be of benefit both to the public and to the telecommunications industry. **They will provide assurance that recent scientific knowledge is taken into account regarding future decisions on approval of FCC-authorized facilities and equipment.**”

*[*Consensus* is extremely important in science. Findings are corroborated and thereby held to be reliable. However, the present state of affairs is that industry-funded, industry-controlled and industry-intimidated ‘research,’ coupled with the dogged denial, obfuscation and denigration of independent research, has been pursued for decades. The *desired* consensus is *manufactured*, including the desired appearance of lack of consensus. See documents 3a., b. and c., and 6g.

From 3b.: “One key player has not been swayed by all this wireless-friendly research: the insurance industry. The Nation has not been able to find a single insurance company willing to sell a product-liability policy that covered cell-phone radiation. ‘Why would we want to do that?’ one executive chuckled before pointing to more than two dozen lawsuits outstanding against wireless companies, demanding a total of \$1.9 billion in damages. Some judges have affirmed such lawsuits.” And word is that a judge in Italy has ruled that industry-funded research is inadmissible as evidence. → Congress needs to do the same through every act of law, new and old, telling the FCC and all U.S. governmental agencies that only independent research is allowable in the setting of health, environmental and safety standards; and that any agency or advisory body to whom they refer or upon which they rely – whether U.S. or international – must be doing the same, verifiably. Then new and compelling BONA FIDE evidence (see 167. and V. above) – such as the compelling evidence and knowledge of how our VGCC messaging system is being scrambled by wireless radiation – will be the foundation of our decision-making. In addition, the right of local governments to bring such BONA FIDE grounds as these and their ability to govern in full accordance with them must be affirmed as inviolate.]

Passed / approved bills appear first, then by date in committee. Bills, names, committees are clickable. *Identifies acts tending in the right direction, but terribly insufficient.

New York State wireless and 5G bills, pending July 2018

For our survival, we must use *wired* and *fiber optic* delivery for broadband, *not wireless*

→ **The Fiber Broadband Association:** <https://www.fiberbroadband.org/page/new-york-145>,
select your state for info.

Canaries in the Mine

→ **Pass/Fail record of 5G bills in the 50 states:** <http://www.ncsl.org/research/telecommunications-and-information-technology/mobile-5g-and-small-cell-legislation.aspx>.

List of state bills promoting 5G and community opposition actions: <https://ehtrust.org/https-ehtrust-org-list-us-state-bills-streamlining-wireless-small-cells-das-nodes-rights-way/>.

Search for pending state/federal bills in committees, or by bill number: <https://legiscan.com>

NY SENATE COMMITTEES: <https://www.nysenate.gov/senators-committees>

NY ASSEMBLY COMMITTEES: <http://nyassembly.gov/comm/>

Bills and status *change*.
→ Sign up to get **alerts**, enter **comments**, see **votes** at bill sites.
Check committee **hearings**.

NY SENATE and ASSEMBLY: [underlines and bold in text/title added]

NY S8286 PASSED “An act to require financial reports from the New York state broadband program office” “Section 1. ... in clear detail how **the broadband office** has used the \$500,000,000 allocated for the New NY Broadband Initiative in the FY2015-2016 Capital Projects Budget, in addition to the \$170,000,000 obtained from the Federal Commission's **Connect America Fund**.” Sponsor: Robert G. Ort. Co-sponsors: Pamela Helming, Betty Little. NY Senate Committee on Finance, 4/26/18.
STATUS: → **Assembly**, NY Assembly Committee on Governmental Operations, 6/20/18.

NY S6114 / NY A9529 “An act to amend the public service law, in relation to providing broadband and *fiber optic* services” “Requires the **Public Service Commission** to determine the status of broadband and *fiber optic* services in New York state; provides that the **Commission shall require construction or installation of broadband and *fiber optic* services** by an internet service provider in communities in which broadband and *fiber optic* services are determined to be absent, insufficient, or inadequate.” [*Wireless* transmission is not necessary for broadband service.]

NY S6114 Sponsor: Sen. Patrick M. Gallivan. Co-sponsors: Joseph P. Addabbo, Jr., Marisol Alcantara, Tony Avella, Phil Boyle, and 12 more.

STATUS: NY Senate Committee on Energy and Telecommunications, 5/11/17, 1/3/18.

NY A9529 Sponsor: Assemblyman Ryan, Sean. Co-sponsors: 32

STATUS: NY Assembly Committee on Corporations, Authorities and Commissions, 1/19/18.

(NY A7912A **Stricken 1/18/18** – seems to have been a version of S6114 / A9529 above)

NY S7635 / NY A8848 “An act directing the study of the future implementation of fifth and future generation *wireless network system technology* in the state.” Section 1. “The office of information technology services shall study and evaluate the implementation of fifth generation (5G) and future generation *wireless* systems technology....” Section 2. [and] “No later than one year after the effective date of this act ... shall submit to the governor and the legislature a report on **5G technology**....” Section 3. [and] “shall evaluate such data with the assistance of experts in: a. *Wireless* technology; b. network capacity; c. *cyber security*; and d. internet speed. ...” [No input from the public; no study of genuine 5G public health impacts.]

NY S7635 Sponsor: Sen. Kevin S. Parker. Cosponsors: 0.

STATUS: NY Senate Committee on Energy and Telecommunications, 2/1/18

NY A8848 Sponsor: Assemblyman Clyde Vanel. Co-sponsors: 13.

STATUS: NY Assembly Committee on Governmental Operations, 12/22/17, 1/3/18.

NY S3091 “Relates to encouraging public-private partnerships to help spread broadband deployment.” Sponsor: Sen. Kevin S. Parker. Cosponsors: 0.

STATUS: NY Senate Committee on Infrastructure and Capital Investment, 1/19/17, 1/3/18.

***NY S6111 / NY A7543** (relevant to both utilities and broadband, which is now considered a utility)
“Relates to service quality standards for copper telephone systems; requires the public service commission to establish a plan to achieve a state of good repair for all copper telephone systems.”

NY S6111 Sponsor: Sen. Patrick M. Gallivan. Cosponsors: 4.

STATUS: NY Senate Committee on Energy and Telecommunications, 5/11/17, 1/3/18.

NY A7543 Sponsor: Assemblywoman Barbara Lifton. Co-sponsors: 52..

STATUS: NY Assembly Committee on Corporations, Authorities and Commissions, 5/1/17, 1/3/18.

NY S2042 / NY A7489. (It seems the 2015-16 versions were **S6090 / A10620** – see below) *“The wireless broadband eligible facility permitting act” (narrows Home Rule)* with a **“uniform** state siting process for the placement, collocation, modification and maintenance of *wireless* facilities. It is intended to ease the burden on local governments by reducing their administrative costs, and to incentivize wireless carriers to co-locate their equipment at existing wireless facility sites, rather than to construct new sites.” **“An act to amend the general municipal law.”** *“The people of the state of New York, represented in Senate and Assembly, do enact as follows: Section 1. Legislative intent. ... to ensure the safe and efficient integration of certain wireless facility modifications ... by exempting certain modifications of existing wireless facilities from the need for municipal zoning, land use or other discretionary siting permits..... The legislature acknowledges and confirms the authority of local governments to otherwise exercise zoning, land use and permitting authority within their territorial boundaries with regard to the placement and construction of wireless facilities in accordance with other laws, rules and requirements that may apply to the siting of wireless facilities.”*

NY S2042 Sponsor: Sen. Betty Little. Co-sponsors: Joseph Griffo, Kevin S. Parker, Kathleen Marchione.

STATUS: NY Senate Committee on Infrastructure and Capital Investment, 1/11/17, 1/3/18.

NY A7489 Sponsor: Assemblywoman Carrie Woerner. Co-sponsors Clyde Vanel, Dan Stec.

STATUS: NY Assembly Committee on Local Governments, 4/27/17, 1/3/18.

NY S6090 / NY A10620 (seem to be earlier versions of **S2042 / A7489** above, same title).

NY S6090 Sponsor: Sen. Betty Little. Co-sponsor Joseph Griffo.

STATUS: NY Senate Committee on Rules, 11/6/15; NY Senate Committee on Infrastructure and Capital Investment, 1/6/16.

NY A10620 Sponsor: Assemblyman Joseph D. Morelle (Maj. Leader). Co-sponsors: John Cereto (former), Michael Blake, John T McDonald, III.

STATUS: NY Assembly Committee on Local Governments, 6/8/16.

NY A7173 *“An act to amend the education law, in relation to prohibiting the placement and operation of wireless communication facilities on school property; provides that a school may not negotiate for or enter into a contract for the placement or operation of any wireless communication facility on school property and schools with wireless communication facilities already on school property are allotted 180 days to terminate any contracts and remove the towers off the property.”* Sponsor: Assemblywoman

Carmen N. De La Rosa. Co-sponsors: Marcos A. Crespo, Nily Rozic.

STATUS: NY Assembly Committee on Education, 4/12/17, 1/3/8.

NY A6464 *“Restricts [→ facilitates] the use of advanced metering infrastructure devices by electric, gas and water-works corporations.”* Same as NY S7214 / NY A3066 which “relates” to electronic AMI meters, just introduced earlier. Sponsor: Michael G. DenDekker. Co-sponsors: Edward P. Ra.

STATUS: NY Assembly Committee on Energy, 3/6/17, 1/3/18.

NY A4506 *“The wireless facility siting act” “... directs cities, towns and villages to regulate the siting of cellular communications facilities; to amend the general municipal law, in relation to the placement, construction and modification of wireless services facilities.” Adds a new Article, 13-E, which includes that the applicant must: “3. ... demonstrate that operation of the wireless facility complies with all applicable regulations of the Federal Communications Commission. If new, more restrictive standards are adopted by such agency, the facility shall ... be brought into compliance, or continued operations may be restricted by the municipality.” [→ See text below at end.]* Sponsor: Assemblyman William Colton. Co-sponsors: 14.

STATUS: NY Assembly Committee on Local Governments, 2/2/17, 1/3/18. [*Solidifies the 1996 Telecom Act.*]

***NY A3733 Stricken 1/24/18** – “Establishes a *moratorium on telephone corporations on the replacement of landline telephone service with a wireless system.*” Sponsor: Assemblyman Jeffrey Dinowitz. Co-sponsors: Shelley Mayer (now in NY Senate), Vivian E. Cook, Deborah J. Glick. Was in NY Assembly Committee on Corporations, Authorities and Commissions, 1/30/17 and 1/3/18.

***NY A2920** “Requires hotels and motels with *wireless communication facilities to provide guests with health warnings related to such facilities.*” Sponsor: Linda B. Rosenthal. Co-sponsors: 0
STATUS: NY Senate Committee on Local Government, 1/23/17, 1/3/18.

NY S2880 / NY A1958 “Enacts the omnibus telecommunications reform act of 2017” “reforms the competitive *cable service*, promotes the wide-spread development of high-capacity broadband internet access, and increases the availability and quality of services in this key economic development area and ensures the *safety, reliability and affordability of telecommunications services.*” Section 2. “... No matter the source or vehicle by which people communicate with each other...”

NY S2880 Sponsor: Sen. Kevin S. Parker. Co-sponsors: 0.

STATUS: NY Senate Committee on Corporations Authorities and Commissions, 1/18/17, 1/3/18.

NY A1958 Sponsor: Assemblyman Gary Pretlow. Co-sponsors:

STATUS: A1958 NY Assembly Committee on Corporations, Authorities and Commissions, 1/17/17.

***NY S1184** “An act to amend the general municipal law, in relation to prohibiting the construction of *wireless communications facilities on or within fifteen hundred feet of school property.*” Sponsor: Sen. Carl L. Marcellino. Co-sponsors: 0.

STATUS: NY Senate Committee on Local Government, 1/6/17, 1/3/18.

NY S3093 “An act to amend the public service law ... to facilitate the use of ‘*smart metering*’ of electricity by residential users so that households can reduce the cost of electrical services by utilizing electricity during off-peak times, which is cheaper than using electricity during high peak demand times.” Sponsor: Sen. Kevin S. Parker. Co-sponsors: 0. [People can reduce usage without this.]

STATUS: NY Senate Committee on Energy and Telecommunications, 1/19/17, 1/3/18.

NY S7214 / NY A3066 “An act to amend the public service law, in relation to advanced metering infrastructure devices for residential services” – adds a new section *facilitating electronic metering*: Section 67-B. *Advanced metering infrastructure devices for electric and gas services.*

1. The [Public Service] Commission shall not allow for the installation of any advanced metering infrastructure (AMI) device by and electric and/or gas corporation unless such device meets or exceeds the following standards for AMI performance and safety, which shall include:

(A) *Federal Communications Commission standards for intentional and unintentional radio frequency emissions and any other relevant standards related to radio frequency exposure;*

(B) *American National Standards Institute (ANSI) specifications for meter accuracy; and*

(C) *Any other standards, requirements and guidelines established by the Commission to protect customer health and safety and ensure, to the fullest extent possible, the protections and encryption of customer personal, financial and energy usage information. The [Public Service] Commission shall promulgate regulations necessary to effectuate this subdivision.*

2. For purposes of this section advanced metering infrastructure shall include:

(A) *A one-way smart meter, which shall mean a device designed to utilize one-way communications systems, including but not limited to: (I) power line carrier; (II) radio frequency; (III) wireless fidelity network; (IV) telephony; and (V) the internet to transmit customer usage data to an electric and/or gas corporation for the purposes of billing.* [Solidifies and furthers the faulty safety standards protocols of Section 704c of the 1996 Telecom Act. as does NY A4506 – see that text below.]

NY S7214 Sponsor: Sen. Kevin S. Parker. Co-sponsors: 0.

STATUS: NY Senate Committee on Energy and Telecommunications, 1/3/18.

NY A3066 Sponsor: Michael G. DenDekker. Co-sponsors: 0.

STATUS: NY Assembly Committee on Energy, 1/26/17, 1/3/18.

***NY S6687** “Directs the public service commission [PSC] to prohibit the attachment of wireless equipment or any other like attachments to existing utility poles in certain circumstances.” Sponsor: Kemp Hannon. Co-sponsors: 0. Referred to NY Senate Committee on Rules, 6/13/17 and 6/21/17. STATUS: NY Senate Committee on Energy and Telecommunications, 1/3/18.

Draft Ordinance for Oyster Bay on Wireless Facilities “The Town of Oyster Bay [on Long Island, NY] *finds that wireless telecommunications facilities may pose significant concerns to its residents, and the character and environment of its neighborhoods*. The process will establish a fair and efficient process ... to the maximum extent allowed under the law.” *However, again, the federal 1996 Telecom Act, Section 704c, stipulates that so long as RF emissions comply with the Federal Communications Commission's regulations concerning such emissions, no municipality may deny installation.*

→ **TEXT** details of NY A4506 “The wireless facility siting act” (see above). “Section 1. Legislative intent. Municipal control over the siting of wireless services facilities is an important component of municipal home rule. The legislature recognizes the federal, state and local interests of providing for proper and convenient wireless services to the public.”

Proposed amendment of NY State General Municipal Law, Article 13-E, Section 303:

“§ [section] 303. Standards for review and application requirements for a wireless facility.

1. Permit approval may be granted if the applicant demonstrates compliance with the following standards for the review, pays all applicable fees and costs, and submits the required documents.
2. (a) The application shall include, at a minimum, information, which shall include a map ... (b) ... contain information that establishes that there is a specific need the proposed wireless facility including, but not limited to, evidence that the existing wireless facilities do not provide adequate coverage and do not have the viability to provide adequate coverage by adjusting the facilities at existing sites. (c) ... [*] include data on the effects upon the public health of the radio waves emitted by the proposed wireless facility. [But the FCC's regulations, in 3. and in the federal 1996 Telecom Act, U.S. Senate S-652 (S-652), Section 704c., would appear to nullify all true respect for this mountain of public health data. See document 4b-ii, p. 5, regarding these federal FCC regulations.]
3. ... demonstrate that operation of the wireless facility complies with all applicable regulations of the Federal Communications Commission. If new, more restrictive standards are adopted by such agency, the facility shall ... be brought into compliance, or continued operations may be restricted by the municipality.
4. ... be designed and finished in a manner which *minimizes the visual impact* ... in accordance with generally accepted practices.... [RE] ... in an historic or scenic area shall include reasonable efforts that take into account the topography and surroundings of the wireless facility.
5. *No telecommunications tower shall be located within one thousand five hundred feet of any elementary or secondary school.*
6. ... designed, constructed, maintained and operated in a manner that ensures the *security of the facility and protects against unauthorized access*.
7. ... shall not be illuminated by artificial means and shall not display obstruction marking and/or lighting unless such marking and/or lighting is specifically required by the FAA or other federal or state authority
8. ... shall preserve existing on-site vegetation to the maximum extent practicable. ... landscaped.
9. (a) Any contract ... shall include a provision requiring the owner of the wireless facility to remove such facility in the event the facility has not been in use for a period of at least twelve months. ... The permit may be revoked upon a finding that the required contract language has been removed. (b) The municipality may require that, in the event the wireless facility is not used ... such facility shall be removed by its then-current owner. [if] not so removed, the municipality shall give written notice to the owner of such facility (i) stating that the wireless facility is considered abandoned, and (ii) setting a time, date and place for a public hearing ...”

Existing **General Municipal Law**, <https://codes.findlaw.com/ny/general-municipal-law/>, lists 20 Articles. It appears that Articles bearing the same number are only loosely related to each other *if at all*. There is no general class “13” – Article 13 appears to be separate-standing just like 13-A, 13-B, 13-C and 13-D are. Some have a single Section to them and others have multiple Sections.

HOME RULE, NY State

NY State Constitution: <https://www.dos.ny.gov/info/constitution.htm> scroll down to see **Article IX**, then **Section 2**. “Powers and duties of legislature; home rule powers of local governments; statute of local governments.” Also see Article XIV, Conservation; Article XVII, Social Welfare.

A search for just Article 9 (NY State constitution article 9) comes up with: https://www.dos.ny.gov/info/constitution.htm#N_8_.

QUESTION: HOW EXACTLY ARE WIRELESS RADIATION STUDIES FALSIFIED AND MADE TO APPEAR INCONSISTENT AND INCONCLUSIVE?

Excerpt from Chapter 5 of

5G: Great risk for EU, U.S. and International Health! Compelling Evidence for Eight Distinct Types of Great Harm Caused by Electromagnetic Field (EMF) Exposures and the Mechanism that Causes Them

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[This 53-page **MARCH 2018** document is readily found on the internet – find citations there. Edits for clarity and notes appear in smaller font in brackets. Bold, italics, underlines added to text (not titles) draw attention to topics and key material.]

Chapter 5: The Importance of the SCENIHR 2015 Document and the Many Omissions, Flaws and Falsehoods in That Document [begins bottom p. 20]

[NOTE: the SCENIHR, whose conduct and 2015 report is discussed here, is the **Scientific Committee on Emerging and Newly Identified Health Risks** – a committee whose function is of *extreme* international importance for us all because many agencies and regulatory bodies in the European Union and the U.S. (e.g., the **FCC**,¹ the **FDA** and the **National Cancer Institute**) depend upon it.]

One thing that I think we can all agree upon, is that the SCENIHR 2015 [73] document is an important document. The reason for its importance is that previous industry-friendly documents [–] and there have been many of them [–] have only reviewed very limited amounts of the literature on EMF effects. Consequently all of these other documents are open to the criticism that they have cherry picked what little data they have chosen to discuss. SCENIHR 2015 [73] has a reference list of almost 48 pages in length, going from page 233 to 280. So it appears that SCENIHR 2015 may have done a much more thorough and defensible [begin p. 21] review of the literature. *Our assessment of SCENIHR 2015 [73] is important because of the confidence expressed in this document both by Mr. Ryan and Dr. Vinciūnas* and also by the U.S. National Cancer Institute. The question that is being raised here is whether SCENIHR 2015 is thorough and defensible or not.* *[→ Preface material, p. 4 here.]

The Speit/Schwarz Controversy: How SCENIHR Has Put Out Seven Falsehoods in Support of the Industry Propaganda Position

I am going to start by discussing a single particularly important issue. **At the end of Table 5 [in the SCENIHR report] there is a claim that a 2013 study by Speit et al [74] was unable to replicate the findings of a 2008 study published by Schwarz et al [75].** In [this] Table 5 **they state further** that Speit et al found “No effect on DNA integrity (MN) and DNA migration (comet); Repetition study of Schwarz et al, 2008.” What is called loss of DNA integrity here, [is] measured by formation of micronuclei (MN) and is caused by the formation of double strand breaks in cellular DNA. The **comet assay** [research technique] measures single strand breaks in cellular DNA [when exposed to wireless radiation]. Schwarz et al [75] found strong evidence that there were large increases in both single strand and double strand breaks in cellular DNA following **very low intensity exposures to a cell phone-like pulsed radiation**, but SCENIHR **claims** that Speit et al [74] were unable to repeat the earlier study. Elsewhere (p.89, bottom) SCENIHR **states** that “By using the same exposure system and the same experimental protocols as the authors of the original study, they failed to confirm the results. They [Speit et al] did not find any explanation for these conflicting results.” **A careful examination of both [74] and [75] finds the following [differences]:** 1. Speit et al [74] used a **lymphocytic** cell line, HL-60; Schwarz et al [75] studied **human fibroblasts**. This is a big difference because, as we have already said, different cell types behave differently. 2. Speit used **1800 MHz** radiation; Schwarz used **1950 MHz** radiation (the frequency of UMTS, also called 3G). Again we have a potentially important difference because effects are influenced by the frequency used. 3. Speit used a **continuous wave** EMF; Schwarz used a **highly pulsed** EMF, with high levels of both KHz and MHz pulsations to mimic the pulsation pattern of 3G cell phones. This is expected to produce very large differences between the two studies. 4. Speit used a **reverberation exposure chamber**; Schwarz **did not** use any exposure chamber. This could be another very large difference between the two studies, a difference that will be discussed toward the end of this

chapter. **5.** So where did the [SCENIHR's] **claim** come from that Speit was trying to repeat the Schwarz study? Speit says in their paper that they were trying to repeat another study (not [by] Schwarz) that was described in a report that was never published. **6. Speit does not even cite the Schwarz et al [75] paper**, so obviously they did not intend to repeat Schwarz. We have then SCENIHR 2015 stating **three multifaceted falsehoods**[:] that Speit et al [74] tried to repeat the earlier studies of Schwarz et al [75], that they were unable to repeat those Schwarz studies and that they used identical methodology to that used by Schwarz et al [75]. In addition to those three are **four underlying falsehoods** – namely that [i.e., because] the two studies used very different methodologies: notably differing in the cell type studied, differing in the frequency used, differing widely in the in pulsations used and differing in the use [or absence] of an exposure chamber. Each of these [seven] falsehoods [in the SCENIHR report] are SCENIHR's not Speit's; *each of them can be easily seen to be false by even a superficial reading of these two papers.*

As you might guess, there is a major story behind all of this. **The very low intensity exposure used in the Schwarz et al [75] study produced large numbers of DNA breaks, larger than that produced by 1600 chest X-rays.** This conclusion can be made by comparing the results of Schwarz et al [75] with the earlier study [in 2007] of **Lutz and Adlkofer [76]**. From this comparison, it seems clear that non-ionizing [i.e., non-X-ray, non-thermal] radiation similar to 3G radiation **can be much more dangerous to the DNA of our cells** than is similar energy of ionizing [i.e., X-ray] radiation. When this was found, the industry went into attack mode, attacking the two Professors who collaborated in [75], Prof. Franz Adlkofer in Germany and Prof. Hugo Rüdingler in Austria. The first couple of years of these attacks* have been described in some detail on pp. 117-131 in Dr. Devra Davis' book Disconnect [77]. Before the SCENIHR 2015 document was drafted, it was clear that the publishers who had published Adlkofer's and Rüdingler's work, not just the Schwarz et al [75] study but other papers by the same research group, had long since rejected the industry propaganda claims. In addition, Adlkofer had won a lawsuit in the German courts against his main accuser. He has subsequently since won a second such lawsuit. The last paragraph on p.89 in SCENIHR 2015 is word for word industry propaganda. What is clear is that SCENIHR is wittingly or unwittingly serving as a propagandist for the industry in and that process, SCENIHR has no difficulty in putting forth seven obvious, individually important falsehoods. *[For further examples of the unremitting intimidation of researchers, see the March 29, 2018 Special Investigative Report on the history of cell phone un-safety in *The Nation*.]

[begin p. 22] One question that needs to be raised is **how is it possible for microwave frequency EMFs to produce much more cellular DNA damage than a comparable energy level of ionizing [X-ray] radiation?** Both ionizing radiation and microwave/lower frequency EMFs act via free radicals to attack the DNA. If you examine Fig. 2 [correction: Fig. 1], Chapter 2 [here], you will see how low intensity microwave frequency EMFs can act (circa p. 14). The free radicals that attack the DNA are breakdown products peroxynitrite. The sequence of events leading to those free radicals starts, of course with the extraordinarily high sensitivity of the VGCC voltage sensor to the electrical forces of the EMFs that open the VGCC calcium channels. **Following that there are three steps** in the process leading to peroxynitrite elevation *each of which have high levels of amplification. The first of these* is that when the VGCC channels are open, they allow the influx of about a million calcium ion per second into the cell. **The second amplification** is that elevated intracellular calcium [Ca2+]i activates the synthesis of both nitric oxide (NO) and superoxide. **The third amplification** is that the formation of peroxynitrite is proportional to the product of nitric oxide concentration *times* the superoxide concentration. **When you have three sequential amplification mechanisms, you can get a very large response, in this case free radical attack on cellular DNA, from a very small initial signal. That is where much of the existential crises are coming are from, with EMFs threatening the survival of every technologically advanced country on earth.**

Going back to falsehoods perpetrated by SCENIHR regarding Speit/Schwarz, here are **two possible interpretations for those seven falsehoods**. One is that SCENIHR is simply an industry propaganda organ. The second is that we have a group of scientists SCENIHR who are largely incompetent and that it is just coincidence that these seven falsehoods serve the industry propaganda case. **Either of these interpretations completely destroy the claims of confidence in SCENIHR that Mr. Ryan and Dr. Vinciūnas made in the documents they wrote that were referred to in the Preface of this document** [i.e., Dr. Pall's].

[Dr. Pall then presents 20 more pages that lay out and describe the tip-of-the iceberg research out of the large body of critically-important research and results that document wide-ranging health effects from wireless WiFi radiation exposures, the lion's share of which SCENIHR 2015 neither cited nor discussed.]

¹ Regulatory control over health and environmental safety standards for wireless radiation emissions was given to the **Federal Communications Commission (FCC)** by the U.S. Congress and President Bill Clinton through the enactment of “**The Federal Telecom Act of 1996.**” Here are pertinent passages from this **Docket 93-62**, concerning *environmental and health effects of wireless telecom RF radiations*: [bold, italics, underlines added]

Senate S-652 (S-652) was passed by the Senate and the House, and was signed into law on 2/8/1996. The FCC fact sheet on the bill (at <http://wireless.fcc.gov/fact1.pdf>) contains the following text from **Section 704**:

“**2. Exceptions:** b. Procedures for Ruling on Requests to Place, Construct or Modify Personal Wireless Service Facilities. **Section 704(a)** also requires a State or local government to act upon a request ... within a reasonable time. Any decision to deny a request must be made in writing and be supported by substantial evidence contained in a written record. 47 U.S.C. §332(c)(7)(B)(ii), (iii). **c. Regulations Based On Environmental Effects of RF Emissions Preempted.** **Section 704(a)** ... expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. 47 U.S.C. §332(c)(7)(B)(iv). ... **3. Federal Guidelines Concerning RF Emissions:** **704(b)** requires the FCC to prescribe and make effective new rules regarding the environmental effects of radio frequency emissions, which are under consideration in *ET Docket 93-62*,¹ within 180 days of enactment of the 1996 Act. **4. Use of Federal or State Government Property:** a. **Federal Property** **Section 704(c)** requires ... fair, reasonable and nondiscriminatory basis, property, rights-of-way and easements under their control, for the placement of new *spectrum-based* telecommunications services. b. **State Property** **Section 704(c)** ... requires the FCC to provide technical support to States to encourage them to make property, rights-of-way and easements under their jurisdiction available for the placement of new spectrum-based telecommunications services. **5. Definitions ‘Personal wireless services’** include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. 47 U.S.C. §332(c)(7)(C)(i). Sponsor: Larry Pressler, SD, 3/30/1995. Cosponsors: 0. [¹ *Docket*, see doc 4b-ii]

Additional Material from *5G: Great Risk* [Bold added.]

Page 4: “**The primary literature studies demonstrating roles of pulsation, frequency, polarization, cell type and intensity windows in determining biological effects are entirely dependent on having genuine effects to study. None of these studies** [in this *5G: Great Risk* document] **could have been done without an effect to study. Consequently, the claims that there are no well-documented EMF effects are nonsense, based not only on the eight extremely well-documented effects summarized above, but also on the entire literature demonstrating the role of pulsation, frequency, polarization, cell type and intensity windows.**”

Another source of baseless doubt that is nevertheless argued is the false idea that outcomes in animal studies have little relevance to human disease incidence. This is not true, and Dr. Pall explained as follows:

Bottom of p. 17 to top of p. 18: “**There are strong similarities between the Hecht [28]* findings on microwave frequency EMFs in humans and the impacts of such EMFs on cellular and organ histology in rodents**, as were reviewed in Tolgskaya and Gordon [38] and discussed in Pall [3]. In rodents, initially non-thermal exposures over periods of 1 to 2 months [how do rodent months compare to human years?] produced modest changes in structure of the brain and of the neurons. When such exposures ceased, most of the structural changes disappeared – that is the changes were largely reversible when the animals were place[d] back into a no-EMF environment. **However** more months of exposure produced much more severe impacts on brain and neuronal structure and these were irreversible [38, 3]. More recent Western country and other country studies, cited in [3], provide much further support for brain impacts similar to those found in Soviet and also other country brain studies reviewed by Tolgskaya and Gordon[38]. Tolgskaya and Gordon [38.3] also reported findings that in histological studies, the nervous system was the most sensitive organ in the body, followed closely by effects on the heart and the testis, although many other organs were also impacted. Thus, the Tolgskaya and Gordon review [38,3] provides very important support for the findings of neurological/neuropsychiatric effects, the cardiac effects, discussed immediately above and below, and the reproductive effects discussed in Chapter 1. **By comparing the animal studies with the human studies, one can see the striking similarities, with the major difference being that the effects in rodents are much more rapid than the effects on humans.** Given the much higher metabolic rates in rodents

and much lower life spans in rodents, the timing difference is not surprising. With regard to the issues of cumulative nature and irreversibility, **both rodent and human studies provide strong support for both neurological and neuropsychiatric effects showing both cumulative nature and irreversibility and show a similar pattern of cumulative effects with the cardiac effects.**” *[For more on Hecht’s work, see 3c. and 6d.]

Top of p. 42 : “In this study [#15 on p. 39] control (unexposed) rats were compared with rats exposed to cell phone radiation for: less than 15 minutes per day, 15 to 30 minutes per day, 31 to 45 minutes per day or 45 to 60 minutes per day. Rats exposed to over 15 minutes per day of cell phone radiation showed **type 2 diabetes onset-like effects**, with higher fasting glucose levels and higher serum insulin levels. This appears to be, therefore a study showing **important hormone dysfunction**. It should be noted that the same research group has found similar changes in people living near cell phone towers [101]. **Consequently, this is still another situation where findings in experimental animal studies appear to be directly applicable to humans.** “

Bottom of p. 42 : “Given the current situation where there are a total of 6 studies **showing that EMFs, including cell phone, Wi-Fi and cordless phone EMFs can cause ADHD-like effects in mice and two human epidemiological studies suggesting a similar mechanism in humans** and the parallel between the huge increase in ADHD and the huge increase in microwave frequency EMF exposures, is there any other type of evidence that supports a causal role for EMFs? It turns out there is. EMFs, of course, act primarily via VGCC activation and genetic polymorphism studies show that elevated VGCC activity has a role in causing ADHD [109], acting to a substantial extent prenatally. **This is the way real science works.** It is not the way that SCENIHR works.”

And here is Dr. Pall’s description of what led him to write this necessary *5G: Great Risk* document:

“Preface: [page 1]

The document that follows was, in its original form, sent to many of the **authorities of the European Union**, in conjunction with other documents sent to the same people by a group of European scientists. It was in response two documents that were, in turn, written by Mr. Ryan and Dr. Vinciusnas responding to a large group of European and other international scientists expressing great concern about the safety of 5G. **I was asked by the leaders of the group of scientists to write my own response to those two documents.** Mr. Ryan made the statement that “There is consistent evidence presented by national and international bodies (**International Commission on Non Ionising Radiation Protection – ICNIRP, Scientific Committee on Emerging and Newly Identified Health Risks – SCENIHR**) that exposure to electromagnetic fields does not represent a health risk, if it remains below the limits set by **Council Recommendation 1999/519/EC1**.” In fact, that is not either the ICNIRP or SCENIHR position – their position, and similar positions [that] have been taken by the **U.S. FCC, FDA and the National Cancer Institute**, is that the evidence is inconsistent or conflicting and therefore, in their view, no conclusions can be drawn. Some of these organization[s] have also stated that there is no known mechanism by which effects can be produced. **What is shown below is that there is a vast amount of evidence in the independent scientific literature that conflicts with both the conclusion about lack of demonstrated effects and the conclusion [of the named organisations and agencies] about lack of mechanism.**

[→] The European Commission, according to the Ryan and Vinciusnas documents, and the U.S. National Cancer Institute, according to their web site, are both depending on the SCENIHR 2015 document to make judgments about EMF effects. Consequently, the reliability of SCENIHR 2015 is an essential element in determining the reliability of both of their assessments.“

[For more on the falsification and disappearance of research, see documents 3a. - 3c.]

SMART¹ METER EFFECTS

Dr. Martin Pall, Professor Emeritus in Biochemistry and Molecular and Cell Biology, quickly addressed **three significant documented health effects from electronic meters.**

"Dr. Martin Pall Testimony: Health Effects of Wireless Massachusetts Statehouse 2017" June, 20, 2017, <https://www.youtube.com/watch?v=9qfJyzD4j7c>, 2:43 min. This is testimony given during a hearing on Massachusetts Senate Bill 1864: No Fee Opt Out for Smart Meters. (Hear all of the testimonies at Environmental Health Trust, <https://www.youtube.com/watch?v=-c-20ymHhXM>. Dr. Pall is second.)

"I'm Martin Pall, I'm Professor Emeritus at Washington State University. I live in Portland Oregon. I've been giving talks on EMF effects, one just recently in New Haven [Connecticut] and I'll be giving two talks shortly in Spain. So, I've published six papers on how electromagnetic fields impact the cells of our bodies. So ... my comments are going to be focussed specifically on smart meters. There're many different health effects that have been extensively documented as being caused by EMFs. Most of them have never been looked at with smart meters, but three of them *have* been, and they've all been reported to be occurring at very substantial levels in response to smart meters. And those are: that there're widespread neuropsychiatric effects; there are cardiac effects on the electrical control of the heart – those are life-threatening because the arrhythmias that occur can be, are often associated with sudden cardiac death; and then finally, there's electromagnetic hypersensitivity [EHS]³, which has just been referred to. Those three have all been reported to occur in response to smart meters. [The VGCC mechanism accounts for these effects. See documents 8d. and 6h.]

Now the smart meters were put out, as are *all* wireless communication devices, without any biological testing whatsoever, safety testing whatsoever. The guarantees of safety that the industry has put forth is based on an assumption that only thermal, that is, only heating effects can occur. And there's been data from thousands of studies, going all the way back to the 1950s that *that's not true*, OK, that there are *many* non-thermal* effects, including the three that I just talked about. So, I think there should be no question that smart meters *have* biological effects. *[non-thermal = non-x-ray, non-ionizing, non-heating.]

Now there're some other issues here that are important. One is that *pulsed* fields – fields that pulse up and down – are much more biologically active *in most cases* than non-pulsed fields, or continuous wave fields. *Smart meters are highly pulsed*, and therefore they are problematic for that reason, as well.

And, so, and let me just say, everything I say here will be denied by industry, I guarantee it.

This is what the *science* says. Thank you."

¹ [The generic term, 'smart meter,' takes in the range of electronic utility meters that are designed to be able to collect usage data and communicate it via *wireless WiFi*. In his comment, Dr. Pall is referring to electronic communicating/transmitting meters that emit overt pulsed spikes of wireless WiFi frequencies four or more times per minute 24/7 continuously (even though readings for billing purposes are typically taken only once every other month at most). If you do an internet search with the model number of an electronic meter, you will find it identified as a member of the given manufacturer's line or family of 'smart' meters.

As regards the health impacts of electronic meters, controversy over nomenclature is of no importance. Even if they don't emit overt pulsed wireless radiation *they still constitute both short and long-term health hazards*. This is because *all* electronic meters generate and dump aberrant 'noise' frequencies – known in industry as Dirty Electricity (DE) – onto the indoor circuits and the downstream power supply. These frequencies create electromagnetic fields (EMFs) that are hazardous to humans, animals and plants, and also shorten the life of appliances and electronic equipment. And, though hard to believe, electronic meters are *not* UL-approved and do *not* have surge arrestors or circuit breakers in them to protect circuits, equipment and structures in the event of a incident involving the electronic meter or the utility wires. Our reliable and trusted *non-electronic*, mechanical-analog meters *do* have surge arrestors and *do not need* circuit breakers. Fires caused by electronic meters are being reported – something which is unheard of with mechanical-analog meters. And it appears that homeowners insurance doesn't necessarily cover fires caused by electronic meters. Also, our trusty mechanical-analog meters rarely need replacement, unlike electronic meters. Certified and certifiable mechanical-analog meters are cheap and readily available without reliance on 'major' manufacturers.]

² [Overt EHS marks the beginning of an **accelerated downward spiral in health status**, especially when exposures to wireless/WiFi/EMFs continue. Symptoms are often not obvious in the first several years. As the Russian research showed – see 3c. here, p. 2. col. 2 – **"Decline in health status increasingly amplifies EMF effects,"** leading to Electromagnetic Hypersensitivity (EHS) and precipitating further declines. **"Younger persons show a greater sensitivity to electromagnetic fields than adults."**]

See p. 10 of Dr. Pall's research summary document, 5G: *Great Risk*, for further info on **pulsed vs. non-pulsed EMF radiation** and the list of studies on it that follows.

see over

Links to three recent public health surveys after installation of ‘smart’ electronic meters.

The symptoms being reported as effects are not surprising relative to the mountains of published research findings on the biological effects of exposures to microwave/radio frequency radiation. In addition, the cellular regulatory mechanism – **the Voltage-Gated Calcium Channel messaging systems in the cell membrane** – fully accounts for these effects. (See documents 8d. and 6h.)

See document 3c. concerning the longterm studies conducted by the Russians from 1969 to 1996. In addition to **subjective** reports of symptoms, the Russian scientists documented many **objective biological changes** found to occur as a result of exposure, and of **continued** exposure, to wireless/WiFi/EMF radiations. **Both the longterm Russian research and the erratic triggering of the VGCC mechanisms now identified, justify and make completely credible the observations of the people surveyed in these ‘smart’ meter reports.**

The bulk of research in the U.S. does **not** deal responsibly with exposures to these radiations. One reason for this is that it ignores longterm effects, doing studies only in the short term, as noted by Hecht – see document 3c.. See document 3b. concerning how responsible research that seeks to document **in-the-real-world** effects with **real** exposures is de-funded and suppressed.

→ These surveys suggest that once exposures to wireless/WiFi/EMFs take a toll on a person’s health, **their health status tends to spiral downward**. The Russians noted this decades ago (see 3c.). It also leads to the condition of electrical sensitivity or electromagnetic hypersensitivity, which then impels the sufferer **to restrict life activities because of the need to avoid exposures**. These people are not imagining their suffering – again: we know the biological mechanism that explains the symptoms and suffering they report. They are in fact the ‘canaries in the mine’ for us all. **The wireless/WiFi/EMF radiations from electronic meters, 24/7 as they are, appear to be particularly potent in pushing people over the edge into this downward health spiral, and in compounding toxic effects from other sources such as chemicals, making these even more disabling.**

U.S. and Victoria, Australia:

“Symptoms after Exposure to Smart Meter Radiation,” Ronald M/ Powell, March 12, 2015, <http://emfsafetynetwork.org/wp-content/uploads/2010/08/Symptoms-after-Exposure-to-Smart-Meter-Radiation.pdf>. This contains two surveys, one in the U.S. and the other in Victoria, Australia. Powell is a retired career U.S. Government scientist. He holds a Ph.D. in Applied Physics from Harvard University. During his Government career, he worked for the Executive Office of the President, the National Science Foundation, and the National Institute of Standards and Technology.

Victoria, Australia:

“Self-reporting of symptom development from exposure to radio frequency fields of wireless smart meters in Victoria, Australia: a case series,” Lamech F., *Altern Ther Health Med.*, 2014 Nov-Dec;20(6): 28-39; abstract, <https://www.ncbi.nlm.nih.gov/pubmed/25478801>.

U.S., Canada and Australia:

“Exhibit -D Smart Meter Health Effects [Conrad],” <http://www.mainecoalitiontostopsmartmeters.org/wp-content/uploads/2013/02/Exhibit-D-Smart-Meter-Health-Effects-Report-w-AppendicesV3-1-9Reduced-Appendices.pdf>, 123 pp. including the survey questions. The survey was taken from December 4, 2012 to January 28, 2013. “Nearly 98% of respondents were very sure or fairly sure their new or worsened symptoms correlated to smart meter exposure.” The “Results, Analysis and Report” section accounts for usage of other wireless devices and equipment both before and after the installation of the meter(s). It was found that “before smart meters, 23.3 % (calc[ulated] from Q2a) of the 210 respondents considered themselves to have ES (Electrical Sensitivity). Now, after smart meters, 67.6 % (Q32) of the 210 respondents consider themselves to have ES. Note that the majority of these (62.7 %, calc[ulated] from Q32a) feel certain that their exposure to smart meters was responsible for initiating their ES.”

FOLDER CONTENTS: The critical issue of wireless WiFi, EMFs and 5G 082118

6a. and 12a. are easily found on the Web. All documents below can be emailed. Print and share freely.

1. Dr. Pall's letter to Gov. Jerry Brown RE extreme 5G (fifth generation wireless) dangers, Sept. '17; 4 pp.
→ Wireless/WiFi/EMFs trigger a known mechanism in the body. Serious trouble.
2. 5G, Seven Points RE 5G (and electronic meters, 'smart grid' and WiFi), context and dangers
- 3a. Cell phone history, *The Nation*, "How Big Wireless Made Us Think That Cell Phones Are Safe: A Special Investigation, The disinformation campaign—and massive radiation increase—behind the 5G rollout," March 29, 2018, excerpt, opening section
- 3b. Cell phone history, *The Nation*, "How Big Wireless Made Us Think..." excerpt, intimidation of researchers, the public experiment, 2 pp.
- 3c. History, Russia, Longterm 0 to 3 GHz radiation exposure effects, *Brochure 6*, Hecht, 2016, excerpts, 2 pp.
- 4a. Warnings and bans around the world, 3 pp. Letters to U.S. Senators: HOLD wireless bills; Q's
- 4b-i-vi. Technical and Legislative Goals, pending Federal and NY bills that should not proceed as-is, ^v 11 pp.
- 5a. Handout – RE Autism, key talks by Dr. Pall, short to-do list, detectors to use, 5G bills pending. (lg/sm)
- 5b. SUMMARY-INDEX (by KRH) for the talks by Dr. Pall, 5 pp.
- 6a. Dr. Martin Pall's master research summary document of March 2018, *5G: Great risk for EU, U.S. and International Health! Compelling Evidence for Eight Distinct Types of Great Harm Caused by Electromagnetic Field (EMF) Exposures and the Mechanism that Causes Them*; 53 pp. – Web
- 6aa. Dr. Pall's statement of credentials, 2009; 4 pp.
- 6b. INDEX (by KRH) for the *5G: Great Risk* document, 7 pp.
- 6c. Dr. Pall – the extreme risk of 5G radiation – the details, from doc 6a. (Ch. 6); 4 pp.
- 6d. Dr. Pall – cumulative, irreversible neuropsychiatric and cardiac effects, from doc 6a. (Ch. 3); 4 pp.
- 6e. Dr. Pall – cumulative, irreversible infertility, DNA damage, impacts on the young, from doc 6a. (Ch. 3); 2 pp.
- 6f. Dr. Pall – cumulative, irreversible Alzheimer's and dementia effects, from doc 6a. (Ch. 3); 2 pp.
- 6g. Dr. Pall – how research is falsified, made to appear inconsistent, from doc 6a. (Ch. 5); 4 pp.
- 6h. Dr. Pall – how the awesome VGCC regulatory mechanism works, why it matters, from doc 6a. (Ch. 2); 5 pp.
7. Dr. Pall's testimony on electronic utility meter documented effects, June 2017, transcript, notes, 2 pp.
- 8a. Chart: the EMF Spectrum of Frequencies
- 8b. Graphic: the Midnight Effect and the quieting response of bees, ½ page
- 8c. Graphic: Seed death and damage to brain – two types of WiFi/EMF = two types of effects, ½ page
- 8d. Graphic: Why the VGCCs matter: multiple types of EMFs, multiple pathways = myriad effects, ½ page
- 8e. Graphic: WiFi/EMF energy waste, heating and swamping of earth's EMF with artificial EMFs, ½ page
- 10a. Comment, Ulster County Legis., 3/20/18, 7 Points on 5G, meters / 'smart' grid, wireless – see 2.
- 10b. Comment, Ulster County Legis., 4/17/18 heart arrhythmias, cordless phones, pacemaker cell VGCCs
- 10c. Comment, Ulster County Legis. 5/15/18, midnight effect, the earth's field in 1987, earth and bees rested
- 10d. Comment, U.C. Legis., 7/17/18, disruption of biological info-transfer is driving our epidemics; faulty synapse creation; rule-out 5G rollout; coordinated documents, graphics and suggestions what to do
- 10e. Comment, U.C. Legis., 8/21/18, biological / wireless messaging, Alzheimer's, deliberate deception, laws
- 12a. *Bees, Birds and Mankind, Destroying Nature By Electrosmog*, by Ulrich Warnke, 2007/2009, 47 pp. – Web

Folder Contents List, Folder Pocket-Panel Quotes and Messaging LTE

, Destruction of Human Inheritance LTE

Kate Reese Hurd High Falls NY kreehu@gmail.com

Canaries in the Mine

Overview, WARNINGS, to-do, bills

How the body's messaging system is scrambled

GRAPHICS

Connecting the dots



September 20, 2018

My name is Cynthia Bell. I am a resident of the Town of Ulster and a member of our local chapter of the League of Women Voters of the Mid-Hudson Region.

I am speaking to any vote to override the veto regarding the Ethics Board. The League of Women Voters believes that the checks and balances written into our Charter are essential to good government and good for the residents of Ulster County.

The Charter already gives this body the power to appoint any committee, commission or board that it wants to, and investigate any issue it wants to. It gives you the power to subpoena witnesses and require whatever documents and material you need to investigate any ethical or fraudulent wrongdoing.

In fact, you are doing so now regarding the data breach with the County's Information Services.

This bill removes the checks and balances that the Charter intended and gives the Legislature complete control of who gets appointed and who gets removed from the Ethics Board. New York State General Municipal law recognizes the danger in having either the Executive or Legislative branch have complete control of its Ethics Board, which is why it explicitly sets forth a process where members are appointed by the Executive and confirmed by the Legislature.

The League believes that this proposed law leaves the door open to corruption. We therefore respectfully request that you consider your vote accordingly.

Thank you for this opportunity to speak.