

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TECHNOLOGY

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HELD AT: COUNCIL CHAMBERS, CITY HALL

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COUNCIL MEMBERS:

Majority Leader Keith Powers

Shaun Abreu

Eric Bottcher

Carmen De La Rosa

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Ari Kagan

Vickie Paladino

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A P P E A R A N C E S (CONTINUED)

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Congressmember
New York's 12th Congressional District

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Jane Rossman
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Donna Romo Janella
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Braden Rombald
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Raul Rivera
TLC Driver

Katherine Diaz
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SERGEANT AT ARMS: Good afternoon, everyone and welcome to today's New York City Council hearing for the Committee on Technology. At this time, we ask that you silence all cell phones and electronic devices to minimize disruptions throughout the hearing. If you have testimony you wish to submit for the record, you may do so via email at testimony@council.nyc.gov. Once again, that is testimony at council.nyc.gov. At any time throughout the hearing, please do not approach the dais. Once again please do not approach the dais. We thank you for your cooperation. Chair, we are ready to begin.

CHAIRPERSON GUTIÉRREZ: Good afternoon, everyone and welcome to our hearing. I'm councilmember Jennifer Gutiérrez, and I'm Chair of the Committee on Technology. Today's vital hearing will explore LinkNYC and the deployment of 5G infrastructure and WiFi connectivity across the city. This is the second hearing that I've chaired on LinkNYC and this Committee is looking forward to updates on progress as well as discussing the 5G towers, which had not yet been installed at the time of our last hearing.

As internet technology has improved, mobile network technology has also improved, and the introduction in 2010 of the fourth generation of wireless telecommunications technology, or 4G, led to an explosion of technological innovation as the Internet became faster, more user friendly and consequently omnipresent. Now our mobile devices are irreplaceable and the Internet has transitioned from a luxury to a necessity, with 5G promising to similarly revolutionize our society with technological improvements.

Recognizing this need the City entered into an agreement with CityBridge in 2014, looking to replace its payphones with LinkNYC kiosks to provide free WiFi service as part of the LinkNYC agreement. However, the initial rollout of LinkNYC was not equitable with Link kiosks concentrated in areas such as Midtown Manhattan, while neighborhoods in East queens were still waiting for their first kiosk.

In 2018, after CityBridge became delinquent on their payments to the City, the City renegotiated its agreement with CityBridge to both expand the LinkNYC program into the outer boroughs and account for outstanding payments. Since then, the City and

CityBridge have seemingly prioritized the Link5G program and expanded LinkNYC's footprint. However, with the expansion of the new 32-foot design of the 5G towers looming across the city, New Yorkers have begun to raise concerns ranging from process to privacy, environmental safety, to neighborhood character.

This hearing will explore a fundamental question: Who are LinkNYC and the 5G towers intended to serve? This committee looks forward to better understanding the key performance indicators that CityBridge has set as well as the financial agreements in place to ensure New Yorkers stand to benefit.

New York City is facing new opportunities and challenges with the breakneck pace of technological advancement which promises exsiting benefits, but can also pose risks to New Yorkers privacy and communities without proper oversight. This hearing will be a crucial step towards improving our understanding of the city and CityBridge's goals for LinkNYC and Link5G, to ensure New Yorkers are able to enjoy technological progress without sacrificing privacy or risking being left behind.

We look forward to hearing testimony from the Administration and its franchisee CityBridge to gain insight and clarity around questions surrounding the LinkNYC program as well as for members of the public to gain valuable perspective on the potential impacts of LinkNYC and Link5G's deployment across New York City. I'm hopeful that the Administration will stay for the duration of the hearing to listen to public testimony.

I'd like to thank Technology Committee staff for coordinating this hearing, and I'd also like to recognize Technology Committee members present. From the Technology Committee, Councilmembers Kagan, Sean Abreu, Paladino, and I'd also like to acknowledge our Majority Leader Councilmember Keith Powers.

And next we are going to have Congressman Nadler testify if they are ready.

CONGRESSMEMBER NADLER: I'm certainly ready. I thank you. I want to begin by thanking Chair Gutiérrez and committee members for inviting me to speak on this matter.

Early this year, I became concerned about the possible construction of Link5G Towers within areas designated as historic districts by the state and

National Registers of Historic Places, or by New York City's Landmarks Preservation Commission.

First and foremost, I support broadband and WiFi equity and access, and I've supported efforts in Congress to improve and expand access to high speed internet for underserved communities. However, it's vital that CityBridge abides by federal regulations. That's why I wrote to the FCC to verify the construction of the Link5G project fell within the scope of the Commission's rules under the National Historic Preservation Act and the National Environmental Policy Act.

I also asked the FCC to implement Section 106 of the Commission's rules under the National Historic Preservation Act, if appropriate. Section 106 requires federal agencies to take into account the effects of their undertakings on historic properties, and to give the Advisory Council on Historic Preservation a reasonable opportunity to comment.

I'm concerned that the FCC found that CityBridge failed to abide by National Historic Preservation Act, NEPA, and FCC rules for terrorists constructed prior to April of this year. It is vital that CityBridge follows federal regulations moving forward

and works to bring the towers that were already constructed into compliance. I urge the council to work to ensure that this happens.

I also recommend that the council continue to encourage the CityBridge to work closely with community boards and neighborhood coalitions to ensure the constituent concerns are heard and addressed.

Finally, I request that the council work to ensure that the placement of any Link5G Towers is in line with the project's mission to bring mobile broadband and fiber infrastructure directly to underserved communities. I'm grateful to the FCC for moving quickly to address my concerns. I'm also encouraged that CityBridge appears to be taking the FCC's findings seriously.

Again, I thank the committee for inviting me to speak and for your attention to this issue.

CHAIRPERSON GUTIÉRREZ: Thank you so much, Congressman. And next up, we're going to have Majority Leader Keith Powers.

MAJORITY LEADER POWERS: Thank you. Before I start, I want to welcome and thank Congressman Nadler who's advocacy here has been essential. It was nice

to see you in Washington DC yesterday as well, and to see you continue to navigate here on behalf of some of our constituents who are present and those who are not, and have rightfully raised concerns to both of us. And of course, your letter to the FCC was instrumental in making sure that these went through the correct process. I want to thank you.

Just like Congressman Nadler, since the announcement of the 5G proposals have been pushed back from constituents in my district, and you will hear from other councilmembers as well, who've been concerned about the sitement-- the siting of them. And for me, my first encounter was actually just walking down the block one day and running into one of them and realizing or not knowing at the time, what it was and then realizing later on what this very monstrous tower was and what it was supposed to be. And then of course, getting an understanding that we're coming to Carnegie Hill and other areas as well.

Since then, we've had a number of conversations-- and I want to be fair to CityBridge and to the Administration, they've been engaged with us, and they've been talking to us. And while we may

disagree, I will not say that they have not had a conversation with us about our concerns, and I appreciate them, listening to them, even though we still want to make more progress on those. But there are a lot of concerns about it. I think the FCC's decision here demonstrated another hurdle that needs to be cleared, but one that should have been cleared before we got to this part of the process.

For many of my folks here today, you're going to hear a lot of different concerns. But I think the one that is really sticks out to me is-- and what question still has yet to be answered is really showing us the data that has dictate-- will dictate where these go and why they're going there.

And for a lot of other franchise agreements we see that are clearly put there for the financial benefit to the franchisee. And the reason for them is because of what the revenue that will bring it in for that contract is, versus having clear proof that that's filling in the gap or the need now. And to date, we have still not seen data from the pers-- the franchisees or the city to say, "Clearly, this is why we chose that location."

We've made some progress, we've seen some that have been taken away from individual landmark sites, which we appreciate. We of course are on hold right now when it comes to historic districts. But the concerns still remains, I think the lack of data on the necessity of the towers, still-- still, you know gives us a lot of pause and hesitancy about them. And we still want to make sure that any siting has a community and the stakeholders at the table to ensure that they can provide both reasonable feedback to them, we can find alternative sites if that's where they're necessary, but in many cases that they may not belong there at all.

So thank you guys. I want to thank the Chair for having this hearing. We did touch upon this, I think, at a hearing a few months ago, but it is good to have a standalone hearing. And I want to thank all my constituents who are taking time out of their day to be here to do their advocacy. I want to thank them for being here as part of this, and I appreciate and we look forward to hearing the testimony and asking questions. Thank you.

COUNSEL: Good afternoon, everyone. And thank you council members for your statements. I'm Irene

Bihavski. I'm a Counsel to the Committee on Technology and I will be moderating this hearing today. Today we'll hear testimonies from The Office of Technology and Innovation, followed by testimonies from the public, including representatives from CityBridge.

And now I would like to welcome Brett Sikoff, Executive Director of Franchise Administration, Ryan Birchmeier, Deputy Director for Public Information, Chantal Senatus, Deputy Director for Legal Matters.

And before we begin with your testimonies, I ask you to raise your right hands. Thank you.

Do you affirm to tell the truth, the whole truth and nothing but the truth and answer honestly to councilmembers questions?

ALL: I do.

COUNSEL: Thank you. You may proceed with your testimony.

DIRECTOR SIKOFF: Thank you. Good afternoon Chair Gutiérrez, members of the City Council Committee on Technology. My name is Brett Sikoff, Executive Director of Franchise Administration at the Office of Technology and Innovation, or OTI, I am joined by Chantel Senatus, Deputy Commissioner for

Legal Matters, and Ryan Birchmeier, Deputy Commissioner for public information.

Thank you for the opportunity to provide an update on LinkNYC, our citywide programming program bringing 5G connectivity and free services including high speed WiFi, free calling, mobile device charging, and access to 911 and 311 all at no cost to taxpayers.

We have made significant progress over the last year and I'm pleased to share the status of the rollout. The LinkNYC program remains a crucial component of the Adams Administration's goal to expand broadband access to historically underserved communities across the city. It is important to acknowledge that large segments of our city's population do not have reliable or affordable internet access. These New Yorkers deserve to feel connected and safe regardless of where they live, work or visit in the city.

5G, or the fifth generation wireless network, will become the prevalent means of connecting to cellular data from mobile phone customers. With more and more New Yorkers relying on their mobile devices for day to day tasks, and for many as their only

means to connect to the internet while at home, we must keep up with the current and future demand for the service. The Link5G program delivers this in a novel way. The city has a franchise agreement that enables CityBridge to build kiosks that house 5G Equip equipment along the city's rights of way. In exchange, the city benefits by enabling the expansion of 5G connectivity, free public WiFi, and a wide range of other community benefits available to New Yorkers and visitors. All while generating revenue from the program.

LinkNYC does not and has never cost the city money. In fact, it has generated over \$115 million to the city over the course of the franchise and continues to be a steady source of revenue. Over the past seven years like NYC has become an invaluable resource to New York City residents and visitors alike. The program currently supports over 13 million WiFi subscribers, over 5 million phone calls a year 30,000 yearly connections to social services, and 2200 community organizations have received free or discounted advertisements on the links.

Beyond these widely utilized benefits, the LinkNYC network has also established a gigabit center

in every borough to provide high speed internet and support digital literacy training for underserved communities. This spring, we opened our most recent Center at La Colmena, which supports immigrant populations in Staten Island.

Link5G has continuously gone through a robust public review process. The Link5G design, for example, was approved by the Public Design Commission after an 18-month process that included several opportunities for public comment. As of last fall, OTI has expanded its engagement for proposed locations by notifying relevant stakeholders and holding 60-day public comment periods.

Over the past several months, OTI and CityBridge have proposed 198 new sites in 36 community districts, attended approximately 20 community meetings, and discuss sites with dozens of elected officials and local stakeholders.

In addition to ensuring that every new proposed kiosk meets dozens of siting criteria, OTI carefully considered public feedback received during the comment period ahead of implementation. Link5G kiosks are also subject to additional local, state,

and federal governmental reviews before they can move forward.

We are looking forward to continuing our work with the Council on this rollout. As new sites are proposed, we are doubling down on our efforts to expand outreach and engagement. For example, OTI, we'll be creating a new Link5G landing page that makes information more accessible. We will also endeavor to present more sites at once to smaller groups of community districts to make a more efficient and robust discussion around these critical investments.

With that, I will be happy to take councilmembers' questions

CHAIRPERSON GUTIÉRREZ: Thank you so much. And we're going to start off with questions obviously to you all at OTI, but I hope you can stick around for the questions that are going to be directed towards CityBridge as well, just in case there's some overlap.

So I'd like to start my first set of questions regarding the contract. I referenced it in my opening testimony. What year are-- What year of the contract are we in?

DIRECTOR SIKOFF: So I believe we are in contract year-- well, we're in build year eight of the contract. So this contract year is in build years, and I believe it's number eight.

CHAIRPERSON GUTIÉRREZ: Okay. And what is the total length of...?

DIRECTOR SIKOFF: Through 2030.

CHAIRPERSON GUTIÉRREZ: Through 2030? Okay. And is there agreement about renegotiations anytime between now and 2030?

DEPUTY DIRECTOR SENATUS: To the extent that the contract needs-- Oh, thank you for your question, Councilwoman. So to the extent that there are-- I mean, there's always the ability to renegotiate contracts to a certain extent. I'd have to look at the franchise agreement for more specific provisions regarding that.

CHAIRPERSON GUTIÉRREZ: Okay, thank you. How many kiosks, including the new 5G kiosks have been installed since last year's hearing on May 3?

DIRECTOR SIKOFF: Overall, there are 2048 kiosks that are installed and activated, including 107 of the Link5Gs.

CHAIRPERSON GUTIÉRREZ: Okay. Installed and activated. And of the Link5G towers-- is that the appropriate name?

DIRECTOR SIKOFF: Yep.

CHAIRPERSON GUTIÉRREZ: Are those activated?

DIRECTOR SIKOFF: There are-- of the 107, I believe 64 are activated.

CHAIRPERSON GUTIÉRREZ: Oh, okay. Okay. And when you say activated, that-- that means what?

DIRECTOR SIKOFF: Thanks for that questions. Yeah, I was going to clarify. So activated means the WiFi is working. The tablet is on. There's fiber to the device, and it's actively providing services to the public.

CHAIRPERSON GUTIÉRREZ: Okay.

DIRECTOR SIKOFF: Including the free calling, the free charging, all the other amenities.

CHAIRPERSON GUTIÉRREZ: Okay. And activated doesn't also mean that there was any telecom equipment being stored?

DIRECTOR SIKOFF: That's correct.

CHAIRPERSON GUTIÉRREZ: Okay. Thank you. Can you expand a little bit more on the screens on these 5G towers? Thank you so much for the response that

we got from both you and CityBridge. We wanted to get a sense of: How do you determine which Link5G kiosks will have screens?

DIRECTOR SIKOFF: So there's certain siting criteria around the-- and I-- councilmember, I assume you're referring to the digital advertising screens on the side, because they all have that tablet interface.

CHAIRPERSON GUTIÉRREZ: Mm-hmm.

DIRECTOR SIKOFF: But in terms of advertising, there can be no advertising in residential community districts, so those will never have screens on the outside. And there are other siting criteria related to where screens can and can't be installed. So it needs to be a certain distance away from the sidewalk. It needs to have the proper clearance for-- for a clear path. So that's all built into the siting criteria. But as a general rule, they cannot go in residential, and in historic districts as well.

CHAIRPERSON GUTIÉRREZ: Okay. Now, some bigger-- bigger-picture questions: What is the main purpose of the 5G towers?

DIRECTOR SIKOFF: Thank you. That's a great question. So obviously, I think we can all agree

that digital equity is an absolute given right. We have to build that everything we do at OTI, and franchise administration, in particular, is geared towards making sure that folks have access to the latest technology, make sure we are competitive in the financial market, and students and families have access to technology both at home and on the go.

So ultimately, that's what Link5G is there to deliver. It provides free WiFi for those who may need it on the go. It provides WiFi in some cases to-- into people's residences and homes if they're within range of it. The Link5G will-- has also the capacity to expand 5G coverage where it's needed, where the wireless carrier has identified particular needs now and into the future. 5G is not-- while it's here, it's not fully built out. It's not fully, ubiquitously available throughout the city. But 5G is here currently. The Link5G is just like every other piece of infrastructure that we have jurisdiction over -- light poles and fiber -- is all part of this larger ecosystem to make sure that wireless coverage is available to all at reasonable, obviously affordable prices, ultimately, but we do

our part, which is to make that infrastructure available.

CHAIRPERSON GUTIÉRREZ: Thank you, Brett. You-- In your response, you mentioned that it could potentially provide WiFi in people's homes if it's within range. Can you expand a little bit more on that? Because we've heard different-- different approximations of range, and I think it's also-- if you could also highlight: What are the conditions-- What are the ideal conditions for someone you know, right outside I'd have a 5G tower, for example, to be able to access the WiFi from the tower? Because I-- I would love to know if there's any data in the activated towers that you have now of people being able to access it from their homes.

DIRECTOR SIKOFF: Yeah, thank you for that. So I would certainly defer to CityBridge to talk a little bit more about how it's being used and who's using it in terms of, like, how to reach into communities. But just generally, the range is about 150 to 300 feet from a-- the smaller link, the link-- the 1.0's, if you will, the original links. The Link5Gs will have expanded capacity given the-- the additional

radios that will go in them that can reach up to 500 feet.

CHAIRPERSON GUTIÉRREZ: So to-- I know you said that CityBridge could answer this, and I will ask them this as well. But approximately how many city blocks can one non-5G kiosk cover with its WiFi signal?

DIRECTOR SIKOFF: It's a difficult question to answer because there's-- there's a lot of factors that go into it in terms of trees that may be in the area or areas that have buses and a lot of traffic or high buildings that may block the signal, but generally it's a block, within line of sight of blocking in any direction.

CHAIRPERSON GUTIÉRREZ: A block. Okay. In-- What is the-- the main-- what is the end goal for LinkNYC projects?

DIRECTOR SIKOFF: I'm sorry, the end...?

CHAIRPERSON GUTIÉRREZ: What is the end goal of all of the LinkNYC projects?

DIRECTOR SIKOFF: Well, generally, again, it's-- it's to the extent that we can provide infrastructure necessary, critical infrastructure that we need, we know will need going into the future. Link5G will

play a role. It's very much a complementary piece to other street-mounted infrastructure that's out there on light poles, that 4G has been out for about 15 years. We see this as the next progression of that.

In order to expand 5G, in order to make sure that the coverage is ubiquitous, that it is available to everyone, having this piece of infrastructure is a-- is an absolutely necessary component. So obviously, it's the folks who are using the WiFi, who are using the free phone calling, who may not have it at home, they can go to Link Kiosk. We've heard anecdotally of-- of kids, waiting outside libraries or staying outside libraries after hours to use their WiFi. We have other options that are-- that are available to folks. And then having the added amenities of the 5G antennas for the for the wireless carriers will obviously play a role.

CHAIRPERSON GUTIÉRREZ: Thank you. My next question is related to the letter from the FCC about compliance. CityBridge has responded. I will also be asking them this question. But just to brief everyone here so that it's on record: From that response, CityBridge plans to conduct post construction reviews for already-deployed kiosks.

However, it's not clear whether or not they've stopped deployment of new kiosks. Can OTI take a position on that? On whether-- if they have not stopped the deployment of new chaos, whether you would encourage CityBridge to do that, considering FCC's letter to them?

DEPUTY DIRECTOR SENATUS: We've actually-- Thank you for the question.

CHAIRPERSON GUTIÉRREZ: You don't have to thank me each time. Don't worry about it. I have a long list of people. I get it. I appreciate you, too.

DEPUTY DIRECTOR SENATUS: Thank you. We did issue a letter to CityBridge, essentially telling them that they weren't in compliance, and that-- that construction should stop while the approvals were pending.

CHAIRPERSON GUTIÉRREZ: Can you repeat that one more time?

DEPUTY DIRECTOR SENATUS: So we did issue a letter to CityBridge, essentially indicating that they were in noncompliance, and also indicating as part of that letter that construction should halt until approvals had taken place and have gone through with respect to both NEPA and the NPHA, the

Historical Preservation Act. And also as part of that letter, we also indicated that they should have a remediation plan and to keep us updated with respect to that remediation plan, which they have started.

CHAIRPERSON GUTIÉRREZ: Wonderful. Thank you. Next, I just want to move on to revenue and budget. I alluded to it a little bit in my opening statement, about the renegotiation that the City went into with CityBridge moving forward. (And please correct me if any of this is wrong, but you're certainly more than welcome to expand on this.) The negotiation of the agreement with CityBridge: A minimum guaranteed payment of \$3 million a year? Plus 8% of gross revenue if the revenue exceeds \$60 million, down from 50% revenue sharing after they sited bankruptcy in 2019.

DIRECTOR SIKOFF: Yeah. So just to clarify, it's-- it's a \$3 million minimum annual guarantee in addition to the foreborn minimum annual guarantee that they're required to pay back.

CHAIRPERSON GUTIÉRREZ: Okay.

DIRECTOR SIKOFF: So they've paid-- they're required to pay \$60 million back to the city, of which about half has been paid.

CHAIRPERSON GUTIÉRREZ: Okay.

DIRECTOR SIKOFF: And they continue to make monthly payments towards that. And just to clarify the record: So it's-- it escalates to-- the minimum annual guarantee escalates to 8% after they've reached \$100-- over \$100 million in annual gross revenue. So that's why it jumps up to 8%.

CHAIRPERSON GUTIÉRREZ: Okay, great. That was going to be my follow up question. So I appreciate that. Now, what was the revenue-- or what is the anticipated revenue for FY 23 from CityBridge? Do you know?

DIRECTOR SIKOFF: At this point, we expect to get the minimum annual guarantee, which is that \$3 million. So anything-- anything beyond that, as they report their revenue, if it exceeds \$100 million, then it will increase to up to that 8% figure.

CHAIRPERSON GUTIÉRREZ: And that renegotiation, would those specific, you know, revenue clauses kicked in, initiated in what year?

DIRECTOR SIKOFF: I'll definitely have to get back to you, Councilmember, but I believe it was 2020, but let us check.

CHAIRPERSON GUTIÉRREZ: 2020? Okay. That sounds right. Um, and then to your knowledge has revenue been more-- You said it has to be more than than \$100 million?

DIRECTOR SIKOFF: Correct.

CHAIRPERSON GUTIÉRREZ: Oh, okay. Well, that changes things over here. Okay. And then how are the revenues collected through this agreement used by the City?

DIRECTOR SIKOFF: In terms of how the City uses the revenue?

CHAIRPERSON GUTIÉRREZ: Yeah.

DIRECTOR SIKOFF: I believe it goes into the general fund, the City's general fund.

CHAIRPERSON GUTIÉRREZ: Okay, I think I want to kick it to some of my colleagues who've got some burning questions. I am not done however, so lean in.

Okay, next, we're going to have Majority Leader Powers, followed by councilmember Kagan for now.

MAJORITY LEADER POWERS: Thank you. Thank you for that. I'm going to just move quickly. CityBridge tells us that based on data-- and I think you guys as well, told us some data from the three major cell carriers, Verizon, AT&T, and T Mobile, that new 5G towers are necessary to fill in the existing gap in 5G, in the 5G network. We have been unable to receive data to date to backup that claim. Can you provide us the data on the-- on the existing network apps to backup the claim of where you're siting them. If you could at least choose my district to backup the exact locations that are being chosen?

DIRECTOR SIKOFF: Thank you, Councilmember. In terms of how sites are selected, in general, as relates to not just this franchise, but our other telecommunications franchise: Sites are selected-- We establish the overarching siting criteria for which sites can be selected in terms of clear path and distance to other street furniture, including distance to other lengths -- we make sure that they're not clustered as we've seen with the with the original links. But ultimately, it's up to the franchisee. You know, we set the outer parameters

for how many. We identify the equity districts that are underserved. It's up to the franchisee to work with the carriers to identify where those-- not just the current needs, but where projected needs are as 5G continues to expand. As we noted in testimony, it will be the prevalent and predominant technology in the future. So some of those locations are not identified at the moment, but are anticipated based on the exploding user demand for-- for data and other, you know, social media and every use for-- for cell phones.

So while we don't have a you know pinpoint location for every location, we do create the overall ecosystem for how sites are selected.

MAJORITY LEADER POWERS: Do you-- Are you-- Do you have access to data that the providers are giving then to say, "This is why this location is chosen?"

DIRECTOR SIKOFF: We do not. However, we have spoken with the carriers and they have all expressed needs for-- expressed their needs for new infrastructure over the coming decade, and have said that they are encouraged by the use of, not just the Link5Gs, but all of our [inaudible].

MAJORITY LEADER POWERS: Okay. Just-- You don't have access to that I certainly don't have access to that. It gives me a lot of concern about why we're doing it. Certainly in other contracts in my district that are providing some service. Bus shelters are great example. They provide a great service to folks. But in my district, they are clearly addr-- they're clearly revenue-driven by exactly where they choose to put them, and I under-- you can understand why: high foot traffic -- leaving a lot of the outer boroughs, by the way, without shelters in the new contract that's getting approved right now. All of them are in my district. It's fine. In some cases-- a couple that we referenced aren't bad. But there they go where the franchise makes the most money.

Can somebody turn your phone off please?

[background voices]

I just have a few more questions. Because I know my time already went up. What is the predictable longevity of the 5G towers? What will happen to the towers if technology changes or becomes obsolete. So what's the what's the timeframe here we're talking about? Are there alternatives to the 32 foot towers

here, and if so, what are they? And what happens to data that gets collected by them? And-- I think those are most of my questions. I have maybe one or two more.

DIRECTOR SIKOFF: Thank you, Councilmember. In terms of the longevity and how we see this, they're built for the future. They're built for now and into the future. So they're-- they're created to the house all of the carriers equipment, different sizes, shapes, to essentially-- the kiosk is essentially a big cabinet to house 5G equipment that's already been deployed elsewhere around the city, not experimenting with new technology, with new equipment, just storing it for-- for use to facilitate and expand 5G coverage.

So we fully anticipate that it will be in place for a decade-- for at least a decade and beyond. Just as the 5G and 4G pole-top installations have been in place, and have been widely utilized by-- by the industry.

MAJORITY LEADER POWERS: Go ahead.

DEPUTY COMMISSIONER BIRCHMEIER: Yeah, and Councilmember, thanks for the question. It's good to see you again. I think one of the questions was: If

there are alternatives to the 32 foot tower. I think there are a couple of advantages that we've seen, and Brett can certainly speak more to it. But-- But certainly the height increases the range of the of the WiFi network, which-- which we spoke about. But also, by building multi-tenant towers, we're actually decreasing the number of deployments that would be needed to increase 5G capacity. For example--

MAJORITY LEADER POWERS: So I understand what you're saying. But I just want to get some-- a good answer to the question: Are there-- Well, I understand you're defin-- you know, defending the existing. But I'm asking a different question, which is: What are the alternatives to a 30-foot tower here? There's other size towers potentially, if I'm correct. There's using them on lampposts and other fixtures. Like, I think the question is kind of clear, if you can ask-- can answer it?

DEPUTY COMMISSIONER BIRCHMEIER: Yeah. I think you've named a couple of them that I've seen. I've certainly seen pole tops that have them. They're not multi-tenant for sure. And they certainly do not offer a free public WiFi by pole tops. I've seen different street side towers with-- with varying

degrees of height. I think like those-- those do not offer the uniform version of city services that these do, right? I think-- And I think like some of the things that we've seen as well, as the cities around the country have kind of gone the Wild Wild West, where different carriers are putting different sorts of street furniture around per-- that's based on the carrier and their preference. And I think New York City wanted to make sure that it was a uniform design that could-- that could give everyone in every neighborhood the same level of service.

MAJORITY LEADER POWERS: Two questions: One is-- if I heard it earlier correctly, the range is one block for the cellphone service?

DIRECTOR SIKOFF: For the WiFi.

MAJORITY LEADER POWERS: For the WiFi. Okay. So meaning you would have to probably put these-- deploy a lot of these if you wanted to do a consistent WiFi network for individuals. Is that correct?

DIRECTOR SIKOFF: In theory? Yeah. I mean, to the extent that we want to have like a large mesh WiFi network. That's not necessarily the goal here. It's to have a discreet, you know, WiFi hotspot that

folks have access to. They can walk up and get reliable, safe, secure internet.

MAJORITY LEADER POWERS: Guys, please stop. I want him to be able to answer the question.

DIRECTOR SIKOFF: But yes. That's the intention. It's not necessarily to have a-- an umbrella of WiFi coverage within a community.

MAJORITY LEADER POWERS: So have one-- Okay.

DIRECTOR SIKOFF: I'm sorry. Because we don't necessarily want that clustering, where they're on top of one another. We want to spread it out. We want to make sure we get--

MAJORITY LEADER POWERS: So this is not meant to be a rollout of more a universal WiFi for the city. It's meant to be a one-spot, one-usage-- a one-spot location for somebody who wants to utilize WiFi in that exact location?

DIRECTOR SIKOFF: That's generally how it Yeah, how we anticipated it rolling out.

MAJORITY LEADER POWERS: Okay. I feel like that's a little bit confused, though, to be honest. I think in some cases, the messaging sometimes is, "This is kind of a path towards giving New Yorkers lots of WiFi, plus residencies, things like that."

The rollout doesn't reflect that. And I understand we're creating constraints on you to do that. So I recognize the back and forth here. But I do think the messaging on that is sometimes inconsistent when it comes to exactly what we're doing here, and why we're doing it.

And then my-- my last just couple questions, and I apologize taking so much time here. She's yelling at me. The-- What-- Can you give me the timeline now with the FCC about what you steps you guys need to take in order to be in compliance for any historic district? That certainly reflects most of the ones in my district. What is the next steps when it comes to what, you, Representative Nadler, mentioned? And have-- has there been any consideration of using those alternatives rather than what's being proposed here right now?

DEPUTY DIRECTOR SENATUS: Thank you, CouncilMember--

MAJORITY LEADER POWERS: I think your microphone is--

DEPUTY DIRECTOR SENATUS: Oh. I have to press it again. Thank you, Councilmember. With respect to the FCC approvals CityBridge would be more able to

1 speak to what the timeline is given the fact that
2 they're going through the process, but they've
3 represented to us that essentially it takes between
4 45 and 60 days for those approvals. And of course,
5 there are many other approvals that the links have to
6 go through including, when they are in historic
7 districts, going to the LPC.

9 MAJORITY LEADER POWERS: Okay. And then, use of
10 alternatives here?

11 DIRECTOR SIKOFF: We're certainly open to
12 hearing, or-- and looking at examining other ideas,
13 other alternative either designs or infrastructure
14 solutions. But Link5G is, as a package, has all the
15 things that we want for our citizens to make sure
16 that they have access to mobile broadband, improve
17 their coverage as they're on the go, have access to
18 311, 911, Community Services. But, of course, we'll--
19 - we'll take a look at anything.

20 MAJORITY LEADER POWERS: Okay. I want to be
21 respectful. I've already been disrespectful to my
22 colleagues. I want to be respectful to their time.
23 I'll-- I may come back for more questions. Thanks.

24 CHAIRPERSON GUTIÉRREZ: And I just want to--
25 Thank you, Majority Leader. I want to quickly

acknowledge Councilmember and Committee member Bob Holden, who's joining us virtually. Councilmember Kagan?

COUNCILMEMBER KAGAN: Thank you, Chair. Thank you for the opportunity to ask a few questions. So first of all, I would like to remind you that at the last hearing, I asked this question already. I'm asking again. I'm the Councilmember representing Coney Island and Southern Brooklyn. And it looks like we don't have any LinkNYC kiosks or even plans to install it in Coney Island. Is it correct?

DIRECTOR SIKOFF: I'll have to take a look, Councilmember. Thank you for that. I'll have to take a look at the deployment plan to see if there's any sites identified. I don't have it off top of my head. So I apologize for that. And I might be able to take a look and get back to you in a moment, if you don't mind.

COUNCILMEMBER KAGAN: Yeah. I don't seem to have LinkNYC in Coney Island? I don't think so. So please work on it. It's very important. It is an underserved community. It is a large neighborhood, and clearly needed.

DIRECTOR SIKOFF: Yeah. I would love to follow up with you too to see if there are specific locations or corridors that you think would be best suited for them. So maybe we could have that that conversation.

COUNCILMEMBER KAGAN: Okay. Contact my office compact or contact the Community Board, and you'll find the location.

And second related to public health because some people here are concern about towers and many questions about-- so in terms of health, any complaints about in the neighborhoods about towers, about kiosks, and how does it affect public health?

DIRECTOR SIKOFF: Thank you again for that. So in general, the FCC, the Federal Government has oversight as relates to health and safety. That said, we obviously hold our franchisees to that, and make sure that they're in compliance with all federal and state, and local guidelines and rules. So we have built into our franchise agreement provisions that require that they be tested periodically to ensure that they are in fact compliant with those federal regulations. And we will continue to make sure that they follow through on that.

To the extent that other telecom franchises have 4G and 5G equipment that's been deployed, we have tested those, and they have all come back that they're well below the maximum permissible level levels of exposure for RF safety. So we fully anticipate testing Link5G's as they get deployed, and we could certainly report back on those findings.

COUNCILMEMBER KAGAN: And it's not on the topic of LinkNYC, but in many instances, people complain about headache and health issues when-- not-- not you, not in New York City, but private cell phone companies installing all of these antennas and all of this equipment on the rooftops of coops and other residential buildings.

Do you have any information about-- because I believe people complained a lot about it. So it's under your jurisdiction.

DIRECTOR SIKOFF: Yeah. For sure. And we see, and read, and hear that same information. We also see the other side of it, which-- I would, I would say it this way: That 5G is already here, right? We're not introducing something novel in terms of a new technology. As I noted earlier, 5G is in this room, it's on the steps of City Hall. It's in

Canarsie and Throgs Neck. It's in the neighborhoods that I have lived in and everywhere in between.

What's not here today, and what I think 5G and our telecommunications franchises deliver is equity and ensuring that we have control over-- we have a role in the process in terms of the deployment, to make sure it's being deployed equitably and safely. So we take that very seriously and will continue to do so.

COUNCILMEMBER KAGAN: Please monitor this issue. It is public health. Thank you.

DIRECTOR SIKOFF: Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you, Councilmember. Next up, we'll have Councilmember Palladino.

COUNCILMEMBER PALLADINO: Good afternoon, and thank you. I'm going to go on the cosmetic end of things, and then I'm going to hit the privacy issue as long as time allows. Councilmember Holden at the last meeting that we had, he brought up-- there-- is there siting criteria in which we have to meet in order to place the kiosk? Could you please elaborate more on the siting criteria?

DIRECTOR SIKOFF: Thank you, Councilmember. Good to see you. So there's-- there's dozens of siting criteria for which we enforce distance between light

poles and driveways and bus stop shelters, the distance between-- there is a minimum distance between other links so that they cannot be clustered. There can only be one on a block. It has to be on the same side of the street, all with an eye towards correcting how the original link deployments were placed. As I think we all have seen, in parts of Manhattan there-- two may be on the same block, or right across from one another. Just not-- not rationally thought out. So we sought to correct that. But yeah, so there are dozens of siting criteria we have in place.

COUNCILMEMBER SCHULMAN: You mentioned the number 2048 are set up. So what is that 2048 number?

DIRECTOR SIKOFF: That includes the old links as well, or the old style, the original 10-foot links?

COUNCILMEMBER SCHULMAN: And how many at present do we have working?

DIRECTOR SIKOFF: Those are active sites. Those are active locations.

COUNCILMEMBER SCHULMAN: Those are those are all active? So throughout the five boroughs--

DIRECTOR SIKOFF: That's correct.

2 COUNCILMEMBER SCHULMAN: --there's 2048. Okay.

3 Now next, with-- in my district. And it's happening
4 all over. I mean, I have emails from people from the
5 Upper East Side, I have emails from people from
6 Greenwich Village. And they're really concerned
7 about what these things look like, and how high they
8 go. And this is-- In a lot of historic areas, this a
9 problem. And the fact that we want to bring this to
10 a community level, I think is necessary. I think our
11 community boards should have what to say, as far as
12 their placements. There's 51 districts in this city.

13 And once again, it's New York, and not it's not a
14 one size fits all. So I am community board 7 and I
15 am community board 11, and we are going to want to
16 speak before these things start to happen. And I'd
17 like to know how many are already preexisting in my
18 district 19 which goes from College Point West, east
19 to Little Neck Douglaston.

20 DIRECTOR SIKOFF: Councilmember, we can certainly
21 get you that number immediately following the
22 hearing.

23 COUNCILMEMBER SCHULMAN: Yeah. Because I know
24 my-- my community boys are going to really-- this is
25 going to be a key issue for them.

DIRECTOR SIKOFF: Of course.

COUNCILMEMBER SCHULMAN: And I want to work with you. Also a privacy issue. Just quickly, I know my time is up. But I'm curious, as I always am, about Big Brother watching over us. You know, I don't like it. And I want to know, with the-- the Link5G structures, how many of them have cameras? They-- How many of these have cameras?

DIRECTOR SIKOFF: So of the Link5G is none of them have the advertising panels, the ones that have been installed to date? Zero of them have the advertising panels. And that's where those cameras that are affixed just above the panel, which is designed to essentially deter vandalism. So none of the 107 that have been installed to date have those-- those cameras in place. What it does have is that front-facing camera by the tablet, which is intended for Video Relay for-- for sign language interpretation for phone calls?

COUNCILMEMBER SCHULMAN: Yeah. Because everybody gets a little nervous when it comes to people being able to get this data, and track you, and all this other sort of stuff. And everybody just-- Technology is great. But there's a sense of

everything going just a step too far. So I believe we're approaching that step too far. I know this is necessary in a lot of areas. But overall, it's my fear that it's an intrusion upon-- in a lot of ways this this information is taken, right? What do you do with the information that you get?

DEPUTY DIRECTOR SENATUS: If I may speak to that, Councilmember.

COUNCILMEMBER SCHULMAN: Sure.

DEPUTY DIRECTOR SENATUS: CityBridge can actually speak to this more robustly with respect to their policy.

COUNCILMEMBER SCHULMAN: Okay.

DEPUTY DIRECTOR SENATUS: It's a very strong privacy policy that does protect individuals' datas-- data, and information can only be released under limited circumstances.

COUNCILMEMBER SCHULMAN: I still don't like it. Okay. Thank you very much.

DEPUTY COMMISSIONER BIRCHMEIER: And, Councilmember when-- whenever a new kiosk is going to be proposed in your district, we will absolutely--

COUNCILMEMBER SCHULMAN: Before it happens.

DEPUTY COMMISSIONER BIRCHMEIER: No, no. Before--
- Before, absolutely--

COUNCILMEMBER SCHULMAN: I don't want to know
about it after it happens. No, no, no, no, no.

DEPUTY COMMISSIONER BIRCHMEIER: Of course not.
Yeah.

COUNCILMEMBER SCHULMAN: I have to know about it
before it happens.

DEPUTY COMMISSIONER BIRCHMEIER: Yes. And I just
wanted to promise you that we will come to bring--

COUNCILMEMBER SCHULMAN: Thank you. Total
transparency all the time.

DEPUTY COMMISSIONER BIRCHMEIER: And we can have
a longer conversation about the privacy policy as
well.

COUNCILMEMBER SCHULMAN: Wonderful. Thank you so
very much. I appreciate your time and your patience
with me. Thank you.

DEPUTY COMMISSIONER BIRCHMEIER: Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you, Councilmember.
I want to acknowledge Committee member Councilmember
Julie Won. Welcome.

Shaun, do you have questions? No? Okay, great.

I have a couple more follow up questions. If we could just for a second go back to the renegotiation of the contract for CityBridge. And I hope you understand my-- my emphasis on this, because this is obviously a partnership that the city has gone into with this consortium, and we have a responsibility to be transparent about the terms of that negotiation, when they're defaulting on that, so that's kind of the emphasis here. Just to confirm: The stipulation about the 8% of the gross revenue, it's-- since the time of the renegotiated contract and 2020, if their revenue exceeded \$100 million, 8% would go back to the City on top of...? Is that correct?

DIRECTOR SIKOFF: Not quite, if I'm understanding you correctly, Councilmember. So if in a reported year, they report that they have gross revenue that exceeds \$100 million, then they start paying an 8% revenue share with--

CHAIRPERSON GUTIÉRREZ: To the city.

DIRECTOR SIKOFF: To the city. Correct. So their minimum annual guarantee of \$3 million today is representative of a 3%, Chair.

CHAIRPERSON GUTIÉRREZ: Mm-hmm.

DIRECTOR SIKOFF: But once their revenue increases to a point where, you know, as advertising comes back and they install more ad space. If, and when hopefully, it goes over \$100 million, we get an 8% cut, if you will.

CHAIRPERSON GUTIÉRREZ: Okay. Has that happened?

DIRECTOR SIKOFF: It has not yet.

CHAIRPERSON GUTIÉRREZ: Okay. Are you-- So in 2019, when did they file for bankruptcy? I'm sorry, or when did they declare bankruptcy?

DIRECTOR SIKOFF: I don't know that they declared bank, necessarily.

CHAIRPERSON GUTIÉRREZ: I can ask them.

DIRECTOR SIKOFF: But yeah, I would certainly direct that to CityBridge to talk about their internal finances.

CHAIRPERSON GUTIÉRREZ: Okay. Have they been current on every single payment?

DIRECTOR SIKOFF: They have. Yes.

CHAIRPERSON GUTIÉRREZ: Wonderful. Okay. I want to follow up on some of the responses based on what Majority Leader Powers had asked. So I want to echo that there is a significant amount of miscommunication about what these-- the 5G towers

specifically are intended to do and who they are serving. I am concerned that there's this narrative that it can help-- it can connect residents in their homes, but the likelihood of that seems very slim, considering the different dynamics different buildings. It could be 300 feet, 500 feet. Can you also share what is the intended reach vertically of these towers?

DIRECTOR SIKOFF: In terms of the-- the WiFi?

CHAIRPERSON GUTIÉRREZ: Yes. Give it to me in stories.

DIRECTOR SIKOFF: Um, so I would say it is-- And then maybe this is a question better answered by CityBridge, so they can certainly correct anything that I may mis-state. But it's essentially that 100 to 300 feet-- 150 to 300 feet, omnidirectional. So it can go up--

CHAIRPERSON GUTIÉRREZ: Okay.

DIRECTOR SIKOFF: --100 feet into the air. So CityBridge can better articulate how high it would necessarily cover. But again, just to reiterate, not necessarily designed to cover in-unit service, or provide in-unit WiFi--

CHAIRPERSON GUTIÉRREZ: Yeah.

DIRECTOR SIKOFF: --but that could be an ancillary benefit.

DEPUTY COMMISSIONER BIRCHMEIER: Yeah. And Councilmember, just to follow up on the exchange with Majority Leader Powers too, I do want to emphasize that WiFi connectivity is a critical goal of the program. These towers were designed to-- to house 5G equipment, but-- but 5-- but free WiFi as a city resource is a goal.

Now like, like Brett said, just based on the deployment numbers that we have, there is not enough to create a mesh network. However, we think of it as-- as creating a network that's akin to Citi Bike, for example, where you know, "Hey, I could walk to the end of the block if I need WiFi, and I have a device that doesn't have a cellular plan. If I need to walk to the end of that block to get to get connected to WiFi, I can do that." So I-- I just felt like we got a little lost in that. But that's certainly a critical goal that anyone walking around New York City should be able to access WiFi easily. And we think that-- we think that we can accomplish that with the current deployment.

CHAIRPERSON GUTIÉRREZ: Right. But I think the emphasis on wanting to understand whether or not people can utilize it at home is a far bigger topic, which is who is really benefiting from-- from it right? I would love to know if there is data to support that people are utilizing these 5G Towers even now, outside on-- on the sidewalk. Citi Bike-- I get-- I appreciate the metaphor, but I think it's very different because I can bike to those locations. I can't imagine that if I'm standing somewhere and don't get WiFi that I'm going to keep testing that out at every street corner until I do get connectivity. I don't know if that is a realistic scenario.

So I-- I center this question around if it's not doing that for New Yorkers in an effect-- efficient and effective way who are these 5G towers for? Because what I hear is that these carriers have access to store their equipment. And that that's what I'm hearing. I'm hearing that the benefit is primarily for these carriers to be able to store equipment, if we're not guaranteeing how effective and how efficient it is for everyday New Yorkers to access it.

DEPUTY COMMISSIONER BIRCHMEIER: Yeah. Yeah.

And I think CityBridge can certainly speak to usage, on the WiFi usage more, but-- but the numbers that we've seen are 13 million WiFi subscribers to the-- to the network at large--

CHAIRPERSON GUTIÉRREZ: But that's including LinkNYC.

DEPUTY COMMISSIONER BIRCHMEIER: --which I think is significant. Yeah. Yes. Absolutely, absolutely. But-- But these towers are giving off a stronger WiFi network than the legacy ones. So...

CHAIRPERSON GUTIÉRREZ: Can you-- What is a subscriber? How does one become a subscriber, because-- I giggled a little bit as like what makes someone a subscriber? The majority people that I know are using it one time. And so what makes-- How do you qualify a subscriber?

DEPUTY COMMISSIONER BIRCHMEIER: I think it's just using it one time. [TO DIRECTOR SIKOFF:] Right?

CHAIRPERSON GUTIÉRREZ: One time? Okay. So some of these-- So are these unique subscribers?

DIRECTOR SIKOFF: I believe so. So when you-- That first time you sign up, you provide your e-mail, you read and review and agree to a privacy policy so

that you can get updates on any privacy policy changes from the company. But yeah. So-- And then that counts you as a-- as a subscriber at that point.

CHAIRPERSON GUTIÉRREZ: Okay. And I don't know if you answered this before. But are there instances where towers are being sited in communities where 5G coverage is already strong?

DIRECTOR SIKOFF: I think strong is a subjective term. So strong mean-- There's three mobile carriers, another one on the way in dish. And as we discussed, it is really a long-term project. It's siting this infrastructure that can be utilized by the carriers to fill in gaps as they are discovered. If there's excess capacity on a particular site, on a rooftop site, it could be offloaded by one of the Link5G's. So it provides that level of accommodation to improve networks over time. But again, 5G is already being deployed. This is just another method, a complementary method to some of those other tra-- more traditional deployment solutions.

CHAIRPERSON GUTIÉRREZ: Have you all considered adopting protocols used in other cities and countries in which these towers are not permitted near schools

or hospitals or daycare centers, tou know, just vulnerable populations?

DIRECTOR SIKOFF: Certainly. Obviously, it's a concern. We want to make sure that folks are safe, but we do defer to the federal government in this area. So they set the criteria for what safe levels of exposure and who-- where and how far they can be sited. So to the extent our franchisee complies with those, that's-- that's our job to make sure that they are in fact in compliance.

CHAIRPERSON GUTIÉRREZ: And what is a-- Sorry, go ahead.

DIRECTOR SIKOFF: No, I was--

CHAIRPERSON GUTIÉRREZ: What is the safe level? Like--

DIRECTOR SIKOFF: Well--

CHAIRPERSON GUTIÉRREZ: --how can we assure constituents that if it's on the corner of a senior center, "Hey, this is safe." But what does that mean?

DIRECTOR SIKOFF: Well, that's ultimately up to the FCC to decide and determine what is safe, so these-- the antennas--

CHAIRPERSON GUTIÉRREZ: No. But we have tend to indicate it to our constituents, so...

DIRECTOR SIKOFF: Absolutely. So the-- the antennas and the radios that are built into the 5G that are deployed above us and all around us on pole tops, they-- the have-- the carriers have certain levels that they can turn them up to, certain power levels. And as long as they are in compliance, they certify that with the FCC. We can do those independent tests to-- to ensure that they are in fact in compliance. But that's our role here as franchisor: To make sure that they are following those federal regulations.

CHAIRPERSON GUTIÉRREZ: And that's up to each provider to then do that?

DIRECTOR SIKOFF: So--

CHAIRPERSON GUTIÉRREZ: How are you-- How are you exercising your-- your authority in your role? What is the city quality control?

DIRECTOR SIKOFF: Yeah. It's a good question. So CityBridge is our franchisee. They're the ones that we are-- that we hold accountable for the installations. So as they engage with the carriers to site AT&T, T-Mobile, Verizon's cell equipment,

antennas within the structures, it's up to CityBridge to make sure that they be-- they are being done in accordance with the federal and any other applicable guidance and rules. And then we come in to make sure that those, in fact, by independent testing are in compliance, and that that's our role. It's not necessarily distance from something or distance to something, or how many radios can be in one location. It's all individually based. And-- And like I said, the federal government sets those standards.

CHAIRPERSON GUTIÉRREZ: And what is-- what is that federal guideline? Can you quantify it? What is that? Because if you're doing independent testing, I'd also like to know how often you do this. What is that? What is the benchmark?

DIRECTOR SIKOFF: Again, it's not that specific in terms of, you know, "it has to be x feet away," or "it has to have this type of frequency" or "this level of power." It's all up to the antenna. It could be a 4G antenna, 5G antenna. It's operated differently. So there just-- there isn't a specific set of criteria that we look for. But those independent experts who do the testing. They-- They go out and measure, they test. They take readings.

And then they analyze that against whatever the-- the FCCs exact specifications are for a street-mounted antenna.

CHAIRPERSON GUTIÉRREZ: Okay. I'm sure I think we have a good amount of public testimony to ask those specific questions. But I would love for there to be a little bit more effort from the City's part in kind of laying that out, even if it is specific to like, give New Yorkers a little bit more credit that they are genuinely and sincerely interested in understanding how this is being monitored, and how you all are exercising that authority.

My next set of questions is kind of piggybacking off of what some of my colleagues have raised about just community involvement and community boards. I know that there's been outreach and presentations for example at mine and CB4 and CB1 in Brooklyn, and I believe CB5 in Queens. Can you-- And quite a number of them have also approved resolutions calling for a moratorium. Based on your understanding, could you-- could you explain the reasoning for wanting to pause Link5G rollout in their neighborhoods?

Sorry, can you explain-- what the process is after receiving these moratoriums, for you all as a

City, to adhere to these moratoriums-- are-- you know, that-- I think it's multiple community boards across the city (I see some from Manhattan, from Queens) that are calling on-- that are either disapproving or calling for a moratorium. So what is the next step that you all take once you're aware that this is their wishes?

DIRECTOR SIKOFF: Yeah. Thank you Councilmember. So as you noted, we have extensive engagement, we've met with you and your staff a number of times. We've met with dozens of elected officials. We've gotten-- We've attended over 20 community meetings to speak, to residents to address their concerns, to talk about specific sites and get feedback on where locations may or may not be best suited.

And to the extent that there's any critical pushback on a specific location, we'll-- we'll listen. We'll look. We'll-- We'll try to relocate something to a better location. Unfortunately, we've heard a lot of just "No," and "We don't want it anywhere." And that goes squarely against ultimately what the goal of this program is, which is to make sure that our city is not left behind, to make sure that the wireless carriers continue to invest here,

continue to want to build here. So, you know, we'll continue to have those conversations. And if there are individual citizens that want to meet or have contact with us, we are doing that already. And we're happy to continue to do that. And, you know, we're open. We receive feedback all the time through-- through 311, and direct calls, and we will continue to do outreach to the community.

CHAIRPERSON GUTIÉRREZ: What, um-- What needs to happen in order for a kiosk to be removed in a certain neighborhood?

DIRECTOR SIKOFF: So, in general, we view that removing a kiosk that serving the public as a-- essentially as a disinvestment in the community. It's-- We view it as essential infrastructure that's bringing not just the WiFi, but ultimately 5G and access to 311 and 911 and community services. It brings the fiber that comes with every link that can be utilized for home broadband. So, you know, we'll take a look. Obviously, every site goes through extensive siting review. If there are any locations that are improperly sited, we'll take a closer look at that. And we'll continue to-- to examine any-- what those issues are. If there are quality of life

issues that are brought to us, we'll work with the relevant city agencies, police department, homeless services, the experts in those areas to-- to examine what the cause is, and see if we can address. But we're always willing to listen and conduct an analysis on-- on every location, not just at a macro level, but every specific location that comes our way.

CHAIRPERSON GUTIÉRREZ: Thank you. My next couple questions are related to cybersecurity and the accountability system that you have on behalf of the city towards CityBridge.

So can you all speak to-- if whether or not this consortium (and I get it's a consortium), and I-- actually could you all explain a little bit more about the City's decision to do business with-- with a consortium as opposed to-- or if that was even feasible. But can you all explain a little bit of, like, what makes that partnership different more than other contracts and that other agencies have?

DEPUTY DIRECTOR SENATUS: Councilwoman, I don't think that-- I mean it is really because they're a franchisee and operating as an umbrella organization that can do all the things needed in order to

complete the-- the build requirements under the franchise agreement. That's why we entered into the agreement with them. To the extent that there were conversations prior to this administration regarding this particular entity, I wouldn't really-- I don't have that information directly. But to the extent that they've demonstrated that they can perform the work, that's why we enter into an agreement with them.

CHAIRPERSON GUTIÉRREZ: So my-- the reason that I'm-- I'm presenting these questions in this sequence is because oftentimes, when it is a party that is kind of similar to like an LLC, right?, where it's hard to really pinpoint who is accountable, who is responsible, my questions are related to cybersecurity and the fact that we can't find if they have a Chief Information Security Officer. So I'm-- I'm asking: What is the plan, or what is the accountability process for any cybersecurity attacks or compromise in working with this consortium? Who is accountable? And what how do you all enforce any-- any of those clauses?

DEPUTY DIRECTOR SENATUS: Well, the franchisee would be responsible. And we have essentially

contacts whom we deal with on a regular basis with respect to this entity, so--

CHAIRPERSON GUTIÉRREZ: They're responsible. But so OTI has no, no skin in the game, if there is any type of compromise?

DEPUTY DIRECTOR SENATUS: I'm not sure I quite understand your question.

CHAIRPERSON GUTIÉRREZ: You're saying that the franchisee, in this instance being CityBridge, is responsible if there is a cybersecurity attack, right? They're holding on--

DEPUTY DIRECTOR SENATUS: They're responsible for addressing it, yes.

CHAIRPERSON GUTIÉRREZ: Okay. And-- But just to clarify: OTI-- You don't have any responsibility, there's nothing that you would have-- that you do in this instance?

DEPUTY DIRECTOR SENATUS: I would have to look more closely at their privacy policy, just in terms of any notification requirements, but maybe CityBridge can actually speak to that more robustly, to the extent that something-- if something were to affect city data, I would expect that they would be notifying us with respect to that.

CHAIRPERSON GUTIÉRREZ: Okay, I would love to know that. Does CityBridge indemnify the City?

DEPUTY DIRECTOR SENATUS: I mean, it's like-- to the extent that it may be like most-- I believe we have indemnification provisions similar to other contracts that we have with the City, generally, as a city entity.

CHAIRPERSON GUTIÉRREZ: Okay. I'm going to call on councilmember Julie one for questions. Thank you.

COUNCILMEMBER WON: Thank you so much Chair Gutiérrez. And I just want to give a shout out to my former Congressmember, Carolyn Maloney, who's in the audience today. And thank you so much to the Executive Director, Brett Sikoff, and the Deputy Commissioners who are here.

My questions are about the locations for the new 5G. Originally, there was a lot of criticism about how the 5G, or the overall LinkNYC were not above 96th street and in the outer boroughs where there were deserts for internet connectivity. However, right now, we're hearing of plan installations in SoHo and the Upper East Side, which are-- seem to be more wealthier neighborhoods, who have better internet connectivity. Can you help us understand

more about why you plan installations in these areas instead of 96th Street and above and the outer boroughs?

DIRECTOR SIKOFF: Thank you, Councilmember Won. Great question. And I would emphasize that this is very much a five-borough deployment, a five borough program and the majority the-- of new installations-- 90%, not just the majority, but 90% of them will go above 96th Street in Manhattan, and in the outer boroughs. So 90% of new installations will be outside of the core of Manhattan. And that's intentional. It's-- It's designed to correct the earlier deployments, which were focused largely on replacing payphones, many of them in Manhattan. So while there are certainly proposed locations that are in Manhattan below 96th Street, they're wildly out of proportion in terms of how there-- how many will be in the outer boroughs. The locations that were selected, particularly the ones in some historic districts and in residential locations in Manhattan below 96, all have carriers associated with them, meaning the carriers are committed, have identified sites that they have a need for. And we do want to encourage the deployment in the city. Many folks

traveled from the outer boroughs, from other states into the city and are visiting, so we want to make sure that there's a robust network in place there.

But our-- unequivocally our-- our, our goal is to make sure that the outer boroughs are covered.

COUNCILMEMBER WON: Thank you. Could you share the timeline for installation for the outer boroughs and above 96th Street?

DIRECTOR SIKOFF: So those will go-- That's through the end of the franchise. So we'll take a look at the deployment goals and milestones throughout and to make sure that we're on target. But I think-- I can get back to you on specific milestones throughout-- over the next couple of years

COUNCILMEMBER WON: Chair, is it okay if I ask two more questions?

MAJORITY LEADER POWERS: Go ahead.

COUNCILMEMBER WON: Okay. The Majority Leader said that I could go ahead. For-- To continue on about privacy that Councilmember Palladino was asking about, I know that the original LinkNYC had a lot of allegations about the original contract holder selling the data through third parties. Is that still going on? Or has that been addressed?

DEPUTY DIRECTOR SENATUS: There was a-- Thank you, Councilwoman. There was a privacy audit that took place in 2021 where the franchise's compliance with privacy provisions and also their own privacy policy were taken into account and reviewed. And as part of that, the agency retained a third-party auditor in order to conduct the audit. There was a finding that essentially no material-- there was no material misuse of public information. And there were areas of improvements that were addressed. And essentially, it was much safer than anticipated.

COUNCILMEMBER WON: To the prior question about Bluetooth beacons, you responded to that beacons have only been used once in connection with advertising campaigns, and have since been used as-- have been discontinued from use. Can you confirm on the records that the use of Bluetooth beacons have been discontinued by LinkNYC?

DIRECTOR SIKOFF: Councilmember, I would certainly defer to CityBridge in terms of how those beacons are used. But what I can say is that any beacons that are installed are one way. So it's not communicating back and forth with the device. It's not extracting any data. It doesn't store any data.

It's not capable of doing so. It's just providing-- it's pushing out information to a device for those who have accepted or agree to accept information, like--

COUNCILMEMBER WON: Okay, and then have there been any data breaches in the past? And for-- In the case of a data breach, what steps have you taken to notify users to prevent further data leaks?

DEPUTY DIRECTOR SENATUS: Councilmember, we're not aware of any data breaches at this time.

COUNCILMEMBER WON: Okay, thank you. Thank you, Chair.

CHAIRPERSON GUTIÉRREZ: Thank you, Councilmember. I just want to ask two more questions. And you kind of touched on this about the public design process, an 18-month process, right?, I believe is what you said. It strikes me that-- that this is what we got to. Honestly, that the design of the tower does not feel necessary considering-- especially what we've seen in other cities, how they've been able to really, I think, blend in better, just look more seamless. These really just stand out in ways that I personally believe are egregious. Can you explain why? You know, the decision was made to make these

towers-- these towers 32 feet high? Why-- Why did we land at this height?

DIRECTOR SIKOFF: Thank you, Councilmember.

Yeah. A lot of those questions in terms of the actual design can be addressed by CityBridge and how they arrived at it. I would say generally 32 feet is essentially a couple of things: One, it's the sweet spot. So around that 30-foot height is the sweet spot for the propagation of 5G, or 4G, and of any telecom service. So it allows us to have multiple carriers at one location. Rather than having a pole top or four pole tops at one intersection providing the same level of coverage. 32 feet is also equivalent to the height of a light pole with a pole top installation. And I think some of the locations you may be referring to and other cities and municipalities are just that, are pole tops, something that we already-- infrastructure we already have in place. We've just done it in a more coordinated fashion so we don't see exposed wiring or a hodgepodge of different type of infrastructure that's deployed. I've gone in many cities and seen photos of various types of-- of telecom, infrastructure. It all looks different, not-- not

cohesive in any way, like I said, exposed cabling, and it just-- it doesn't look right. So when we went to the design condition, we sought to have a level of uniformity, that provides for a singular design that accommodates-- packs in a lot of-- a lot of technology in one-- in one singular structure without having to have multiple different aesthetics, multiple different looks to each location.

So we respect the feedback from you and others in terms of how it looks. But there's some intentionality behind the design.

CHAIRPERSON GUTIÉRREZ: I understand I wish that the intention would have been to integrate it more into communities. I really don't think that there's a vast majority of communities in the five boroughs where, you know, this looks like it's-- it was intentional. The feedback that I've gotten is, "Who put this here by mistake?" is what I'm saying. So it-- I understand that there was a process, but the execution of it kind of defies that, and I don't think meets those goals that you just outlined.

Sorry. Can you also just reiterate the community board process? I know it-- Can you-- Can you confirm if presentations or consultation with every community

board at this point has been made? Where these locations will be? Where these designations will be?

DIRECTOR SIKOFF: So there's been multiple touch points for community board engagement. Initially, it was during that design review process where we went through-- I think we did four or five virtuals during COVID, virtual information sessions to get out the word and provide information about the program, about the aesthetics of the design, the proposed design, address questions, and ultimately bring it to the Public Design Commission.

Since then, now that we're in the deployment phase, every site that is proposed by CityBridge after it goes through that siting review and meets the siting criteria, we do send out to Councilmembers, community boards, borough presidents, business improvement districts where applicable for a 60-day comment period. So those sites are-- you know, we send letters, we do follow up phone calls, we're happy to attend community board meetings, we've done about 20-- 19 or 20, I believe, to date, including-- in addition to individual touch points with community boards. So we're happy to receive feedback on particular sites. And that's ultimately

the goal: To make it as inclusive as possible, so that we do get information back, you know, to-- "What do you think of this location? Does it work? Does it not work? Why-- Why do you have issues with it? Maybe we can relocate it?" Stuff like that. So we continue to do that. And we'll continue to do that moving forward.

CHAIRPERSON GUTIÉRREZ: Can you speak to the designations in locations with-- with zero or very limited foot traffic? For example, in my briefing where we went over this (and I'll give you all credit there, because I think there has been a conflict, a discourse, so I appreciate that) but there were original sitings that were in manufacturing areas that, yes, people work there, but they're they don't live there. So who is that-- that's-- who is that for? Why is that-- Why are those being intersections that are being sited?

DIRECTOR SIKOFF: Well, without knowing the specific location, and we can certainly look into why a specific location was selected. In general, it's where it meets the siting criteria, where we think that there's a need for-- or an anticipated need for 5G expansion, either now, or in the short term, or

long term. But ultimately, it's-- there's a utility to these structures. They provide access to emergency services, social services, and no matter where they go, whether it's in a manufacturing district, residential district or anything in between, we do think they'll provide a useful amenity to residents.

CHAIRPERSON GUTIÉRREZ: Do you-- Do you know something I don't know about manufacturing districts and what we're doing there?

DIRECTOR SIKOFF: I do not.

CHAIRPERSON GUTIÉRREZ: You'll have to tell me. Who-- My last question. Who is responsible for the electricity and paying that? That either-- I think currently the kiosks are using, and I guess the 5G towers if they do use that, who's who pays that?

DIRECTOR SIKOFF: That's entirely on the franchisee. This-- I think I noted in the testimony this program costs the city nothing, not a dollar. Obviously, we generate revenue from it, and it comes in but nothing goes out. It costs nothing to the user and nothing to the city.

CHAIRPERSON GUTIÉRREZ: Do you know if they're in compliance paying that? Their electricity--

DIRECTOR SIKOFF: Paying their electric costs?

CHAIRPERSON GUTIÉRREZ: Yeah.

DIRECTOR SIKOFF: I believe they are, but that--
you would have to...

CHAIRPERSON GUTIÉRREZ: Okay.

DIRECTOR SIKOFF: Yeah. We can-- we can check
with CityBridge.

CHAIRPERSON GUTIÉRREZ: I will. CityBridge, get
ready. I will ask.

DIRECTOR SIKOFF: Mm-hmm.

CHAIRPERSON GUTIÉRREZ: Okay, I'd like to also
acknowledge Councilmember Eric Bottcher who I believe
also has some questions for OTI?

COUNCILMEMBER BOTTCHEER: Hi. Why can't the
kiosks-- why can't we mount them on the top of light
poles or traffic lights?

DIRECTOR SIKOFF: Totally-- Totally valid
question. So we are doing that right? And we've
talked a little bit about this earlier. There's a--
There's an ecosystem of various types of
infrastructure. So it's not-- there's just isn't one
solution. We're not bringing 5G to the city via
these Telecom-- these Link5G structures. It's one
piece of it. So in some cases, carriers may not have

access to a rooftop site that may be already fully--
fully utilized. There may not be available light
poles for one reason or another. They may not be
usable for-- for telecom attachments. This just
gives another element of-- of utility, in addition to
all the amenities that come with-- with the LinkNYC
YC program, which goes beyond just mounting an
antenna for 5G. Again, we've talked a lot about it,
the 911, 311, the free WiFi for those in need.

COUNCILMEMBER BOTTCER: So if there's a-- one of
these towers going up in a neighborhood and there's a
light pole next to it. Can we assume that you looked
at that light pole and it's not compatible with that
light pole?

DIRECTOR SIKOFF: Not-- I wouldn't-- Not
necessarily. One of the challenges with the light
poles is that they can generally only accommodate one
carrier. So where there's a need for multiple
carriers in a particular neighborhood, which is
pretty much everywhere in the city, we-- by
consolidating them into one package, it reduces the
need for using 234 light poles at an intersection
where it's just-- that similarly has an impact on--
on the streetscape as well. So we think by the

combination of having them all stacked into one structure, in addition to all the other amenities, it really is a win-win.

COUNCILMEMBER BOTTCER: I think I could speak for some of my colleagues who are concerned about the aesthetics of the-- of the kiosk that we'd rather have like four light poles with transponders on them than one giant 5G kiosk.

And last question: They're this big around. Why do they have to be so big around? I mean, technology now-- it's like, they're, they're like the size of a giant tree. Why do they have to be so big? And you covered this before, but we talked about height more, but why-- why the width?

DIRECTOR SIKOFF: So one of our-- and I defer to CityBridge in terms of, like, they could speak about some of the technical requirements that led them to the design. But one of our requirements was that they have the smallest possible package, the smallest possible footprint taken up on the city sidewalk to accommodate all of the technology. It really is a ton of technology inside one relatively (depending on how you look at it) small or large structure. So that's the smallest possible size to accommodate

carrier equipment, various manufacturer OEM equipment, the WiFi equipment that goes into it, the - the meters and the cabling that runs through it. So that's the smallest possible size that we can ultimately arrive at. But I would defer to CityBridge to speak to that a little bit more.

COUNCILMEMBER BOTTCHER: I'm looking forward to working with you on getting some of these placed on more light poles in lieu of these kiosks. Thank you.

DIRECTOR SIKOFF: Thank you.

CHAIRPERSON GUTIÉRREZ: Well, thank you so much. Please stick around if you can, for some of the questions, because we want to have CityBridge up next. And so there might be some overlap. Thank you.

DIRECTOR SIKOFF: Thank you, Councilmembers.

CHAIRPERSON GUTIÉRREZ: Yeah. We'll have representatives from CityBridge come up.

COUNSEL: Yes, thank you so much for your testimony. Now, I would like to welcome representatives from CityBridge to testify. And I have Margaux Knee, Nicole Robinson, and Robert Sokota. And I believe Stephen Keegan also is joining the panelists.

[TWO MINUTES SILENCE]

COUNSEL: Thank you so much. You may begin your testimony.

MS. KNEE: Thank you Chair Gutiérrez and members of the Committee on Technology. I'm Margaux Knee. I am the Chief Administrative Officer for LinkNYC. I'm joined by Nicole Robertson-Etienne, our Director of External Affairs, Rob Sokota, President of Wireless for LinkNYC, and Steven Keegan from the Wireless Infrastructure Association, one of our partners.

I'm grateful for the opportunity to be able to testify before you today about the program and specifically about the new Link5G kiosks. LinkNYC launched in 2015 on the firm belief that digital connectivity is a fundamental right, necessary to fully participate in today's modern society. Since then, I am proud to report that we have facilitated more than 3 billion free WiFi sessions to more than 13 million unique WiFi users across all five boroughs. Link is also an engine of economic development, responsible for \$560 million in labor and wage income and generating more than \$1 billion in associated economic activity for the city.

The Link program provides a digital safety net for our communities. During the pandemic 30% of our free WiFi users told us that they had no other means of accessing mobile broadband. The link has connected more than 30 million free calls since inception. The most frequently dialed number is the EBT food assistance support line. And the link tablet has enabled hundreds of thousands of people to access government and social support services that are featured on our tablet.

Since we last reported to you, the Link5G design was approved by the Public Design Commission for deployment in commercial and manufacturing districts. And we have begun deployment focusing in the equity districts that were selected by the city, and focusing in Brooklyn, Queens, and the Bronx.

We also completed the opening of five Gigabit Centers one in each borough. The Gigabit Centers are open to the public and they allow us to bring our digital offerings indoors and to support the programming of each individual partner. For example, and Brooklyn Digital Girl enables young women to prepare for careers in STEM fields. In Queens, the Allen Senior Center provides digital literacy

training for older adults. And in Staten Island, La Colmena provides workforce development training and support for the immigrant community.

In this always-on era, we both expect and are expected to always be connected for better or for worse. And this is true for delivery workers, for other gig workers, for parents, for kids, for CEOs, and for Councilmembers alike. But not everyone can afford an unlimited data plan that will allow them to be connected all the time wherever they go. Many people supplement their limited data plans with free WiFi networks like the one that LinkNYC provides.

5G infrastructure will be built out in New York City. But not all options LinkNYC provide the kind of digital safety net, and only LinkNYC enables New Yorkers to have equitable access not just to connectivity, but for mobility as well. And that's why it's essential that we deploy the new Link5G kiosk all over the city. Mobile digital connectivity is the ability to be connected wherever you are, whenever you need to be.

I will conclude my testimony by saying that the reason that all this digital infrastructure is necessary today, as my colleague Rob will attest to

further, is because demand for mobile connectivity has exploded in the last 20 years, and it is only projected to grow more. I don't need to tell the members of the Committee on Technology that more and more people have cell phones and other devices that connect to the internet. And we all use them more than we did and we use them ubiquitously.

But this is an opportunity for New York to be a model for the rest of the world in terms of 5G infrastructure. And we will be known for our ability to help New Yorkers stay connected wherever they are, so they can work, play, have access to health care, and do whatever it is they need to do on the go.

Thank you for listening and I will now turn it over to Rob Sokota before we'll both answer your questions.

MR. SOKOTA: Thank you-- Thank you Chair Gutiérrez. Is it working? Sorry. Thank you Chair Gutiérrez and members of the Committee for having us. My name is Rob Sokota. I am the President for Link Solutions at ZenFi Networks. ZenFi is a New York homegrown entity started in 2014 to improve wireless infrastructure in New York City. I also serve as the president of wireless for CityBridge.

Part of the 2021 reset of the LinkNYC franchise was to expand the wireless services that can be provided by the kiosks. The key to that goal was the development and deployment of the new Link5G kiosk. The Link5G kiosk represents a world-leading design for street furniture. It is capable of providing the same services as the original LinkNYC kiosk, but it's also purpose-built for the siting of a wide range of wireless services, including the planned rollout of 5G services. Similar to the original kiosk, each Link5G will also be connected with fiber that we construct. This fiber is then available for other potential uses, which is especially important in some of the outer borough neighborhoods in which we're building-- which have suffered in the past from a relative lack of telecom investment compared to some areas in Manhattan.

Additional investment in wireless infrastructure in New York City is vital, because the demand for mobile communications is continually increasing. If New York City fails to invest in the required underlying wireless infrastructure, or fails to provide pathways for mobile service providers to

deliver new services, it risks having New York City fall behind other cities on mobile services.

Link5G is the right solution for New York City in that it will enable New York City to be a leader in the rollout of new wireless technologies such as 5G and wireless broadband. Our mission is to bring as many carriers onto the structure as possible, which means that the neighborhoods that receive the Link5G should ultimately have the best service with the most choice for wireless communications.

Just as importantly, the Link5G deployment is planned all across New York City and will provide a digital safety net for New Yorkers. The current LinkNYC network of about 2000 kiosks is the largest free outdoor public WiFi system in the United States. Over the next few years we are going to double that number from 2000 to 4000. But because we're going to be using the Link5G And because we're going to optimize the deployment for coverage, that doubling in the number of kiosks is going to lead to a quadrupling-- a 4x increase in the geographic area of the free WiFi. And we're currently working on new technologies to try to extend that signal indoors so that the Link5G deployment will meet even more WiFi

access for people who live or work close to the Link5G deployments.

5G and other wireless technologies are necessary for the future of New York. So with the deployment of Link5G, New York has an opportunity to lead the way and building an equitable digital economy. Thank you very much.

CHAIRPERSON GUTIÉRREZ: Thank you so much. And I also want to acknowledge the students of Packer Collegiate Institute from council district 33, Councilmember Restler's office. Welcome.

MAJORITY LEADER POWERS: [inaudible].

CHAIRPERSON GUTIÉRREZ: Yeah. Is that where he went to school?

MAJORITY LEADER POWERS: Yes.

CHAIRPERSON GUTIÉRREZ: Adorable. Okay. Thank you so much for your testimony. I will also be kind of doubling down on some of the questions that I made to OTI, just to have it on the record. And I do want to just thank you all for your thorough response to our questions, some of which I will likely be asking again, just so that we can all be on board.

Regarding the 5G towers, if you can just confirm if there is currently equipment-- any carrier equipment being stored in any of the 5G towers today?

MR. SOKOTA: None of the 5G towers has any 5G or any other cellular phone equipment working in them. They are simply providing free WiFi at this point to the extent they've been activated. As OTI mentioned later, of the 107 we have deployed, some of them are still in the final stages of activation. So they're not even doing the free WiFi yet.

CHAIRPERSON GUTIÉRREZ: And how many of the 170 you believe are not activated?

MR. SOKOTA: I think the number was around 70 were activated and maybe the balance still require maybe the power or the fiber to be connected.

CHAIRPERSON GUTIÉRREZ: Okay, how soon after they are fully installed and erected is the WiFi available?

MR. SOKOTA: The Wi-- Once the power is there and the fiber is there, the WiFi will be the first thing that goes on.

CHAIRPERSON GUTIÉRREZ: Okay.

MR. SOKOTA: So when we say it's activated, essentially that means the tablet works, and the WiFi works.

CHAIRPERSON GUTIÉRREZ: Got it. And just because it's fresh: The electricity question. I have to ask if you're current on your electricity bills.

MR. SOKOTA: We are current on our electricity bills.

CHAIRPERSON GUTIÉRREZ: We all have to be so I hope that you are.

MR. SOKOTA: We certainly are.

CHAIRPERSON GUTIÉRREZ: Okay. Wonderful. I did have a question about it just the renegotiation piece, and consider-- You know, I became chair last year so I was briefed on kind of the-- the timeline of everything. If you could just very quickly share: At what point were-- was the request for a renegotiation with the city made, based on kind of your financial assessment of where you all were, right? Because there was a default in payments, if that's the correct terminology, where payments were not being made to the City. Can you just give us that timeline?

MS. KNEE: Yes, of course. We began negotiations with the city to re-- in earnest in late 2019. And they continued throughout 2020, virtually, during the pandemic. And we concluded and finalize the Amendment No. 3 to the franchise payment in June of 2021. Prior to that there was a period when we were not making our contractual payments to the city. we refer to that as the forborne MAG payments. At the time the new amendment was approved in June of 21, we made a lump sum payment of \$25 million. And as Mr. Sikoff said, we have been paying regular monthly amounts on time since then. The amounts per year are about \$2.4 million, but they do escalate every year, so that they will be fully paid prior to the end of our contract.

CHAIRPERSON GUTIÉRREZ: So can you explain-- This was in 20-- When did-- When did you-- Again, excuse me if I'm using the wrong language, but when did CityBridge default? Like when-- when did that first happen? When were the payments-- When did the payments begin to not be made on time? Was that in 2019?

MS. KNEE: I'd have to check the exact date. I believe it would have been in late 2018, but we can

confirm after this hearing for sure. There was no default, and I did want to clarify that CityBridge did not enter bankruptcy. We were in a very financially distressed position, and the city for that reason was very open to renegotiating the terms of our contract.

CHAIRPERSON GUTIÉRREZ: I'm sorry. Can you say that one more time?

MS. KNEE: Sure. I-- The first thing I said was that we will for sure confirm the exact period in which we were behind on payments. I believe it was mid 2018, but we'll-- we'll confirm with you right after this hearing. We were not in default, and CityBridge never formally entered bankruptcy, fortunately for all of us. We were in a position of financial distress. And that's one of the reasons that we negotiated our contract with the City. And it's one of the reasons that City was open to doing so.

And the contract negotiation, it really achieved quite a bit. Not only did it position us to be able to repay the amounts that we owed the city, but it was the new contract amendment that actually first

conceived of the Link5G structure as we know it today.

CHAIRPERSON GUTIÉRREZ: Thank you. So-- and it's important that we kind of detail this-- this timeline. I'm certainly glad that things are-- are kind of back on track with the City. Now my understanding is that Intersection is a consortium partner? Does that-- from-- does that sound correct? Intersection?

MS. KNEE: Yes. CityBridge has two operating consortium partners. One is Intersection, which is our advertising and operating partner. And the other is ZenFi, for which Rob also works, which is our fiber infrastructure partner and a strategic investor.

CHAIRPERSON GUTIÉRREZ: Got it. So they responded to an RFP for L.A., saying that with information that they had from-- from 2019 that LinkNYC generated \$69 million in revenue. Is that-- Is that accurate?

MS. KNEE: \$69 million in revenue for CityBridge, or Intersection? I'm sorry.

CHAIRPERSON GUTIÉRREZ: They responded-- Intersection responded to an RFP in L.A. saying that LinkNYC generated \$69 million in revenue in 2019.

MS. KNEE: It sounds directionally correct. But I'll want to confirm with our finance team after this meeting for sure.

CHAIRPERSON GUTIÉRREZ: Okay. It's important, because the timeline of 2018 being in distress, and then this purported amount of revenue is certainly not consistent. So I want to make sure that you-- that everybody knows us, but please do get back to us because it seems if you're making \$69 million in revenue that doesn't seem like distressed, to not, you know, be current and comply with the original contract.

MS. KNEE: Yes, I understand. And you know, as Mr. Sikoff said, it is important to remember that all of the costs of deploying Link5G and the original link kiosks since inception in 2015, have been borne by CityBridge and-- and together with its consortium partners. There were very high cost overruns almost immediately, because this sort of program had never been built before. The link kiosks actually replaced the public payphones, which were never connected to

electricity. They were certainly never connected to fiber. And as Rob said, there was no other public WiFi network of-- that was available on the scale throughout the globe. So the cost overruns were significant, and they did put the company into a position of distress. But fortunately, since then, we are in a very solid position financially. We are current in all of our payments to the city, and we feel confident about the future.

CHAIRPERSON GUTIÉRREZ: Thank you. Can you share if you-- what your anticipated revenue can look like once you start storing carrier equipment for example, in the towers, and kind of once they're all installed, what are you all anticipating?

MS. KNEE: I can share with you what our rough revenue projections for this fiscal year are from advertising revenue. For-- For questions about 5G-associated revenue, I will turn it over Rob, because it is technically ZenFi, as the fiber infrastructure partner, that collects that revenue, although it is still subject to revenue share with the City.

CHAIRPERSON GUTIÉRREZ: Got it.

MS. KNEE: For advertising revenue, our current projections are between \$80 and \$90 million for this

year. That is just an estimate. Obviously, we want it to be as high as possible, but we're monitoring the economy very carefully.

And as Mr. Sikoff said, we do pay the City \$3 million in guaranteed payments every year. And as he also said, if we are so fortunate, and our revenue goes above \$100 million for the year there is an 8% revenue share due to the city for the entire amount.

CHAIRPERSON GUTIÉRREZ: \$100 million, right?

MS. KNEE: Yes. There is also a-- I don't want to overkill you with details, but there is what we refer to as a super-kicker. If our revenue were to go above \$200 million for advertising, the city is entitled contractually to a 50% share for the portion above 200 million.

CHAIRPERSON GUTIÉRREZ: Wonderful. Thank you. And so the-- that revenue would be solely from advertising and the carrier agreements?

MS. KNEE: That would be solely advertising related.

CHAIRPERSON GUTIÉRREZ: Solely advertising?

MS. KNEE: [TO MR. SOKOTA:] Do you want to comment on wireless?

MR. SOKOTA: Yeah. That would be solely for CityBridge revenues in total for the entity of CityBridge. Whether it's advertising or any other revenue CityBridge has, the rev shares are counted against that.

In terms of wireless revenues from carriers for this year, I believe was your question.

CHAIRPERSON GUTIÉRREZ: Yes.

MR. SOKOTA: As I mentioned, as you asked me earlier, we don't have any wireless customers on any of the Link5G's today. And we're hoping that we will have some installed and in service by the end of the year. I can't tell you what the revenue number is. It's not likely to be very large because, as I said, right now, it's-- it's nothing.

CHAIRPERSON GUTIÉRREZ: Got it. Okay, and just to confirm the-- of the-- the 5G towers I know you said around-- of the 107 that are installed, around 70 of them have not been activated, or are-- have not been activated?

MS. KNEE: I believe 86 are activated.

MR. SOKOTA: I believe the number is-- of the 107, 86 are activated and the balance-- that would be 14 plus 7, 21 unactivated.

CHAIRPERSON GUTIÉRREZ: Okay. Okay. I wanted to ask a question Margaux, about-- In your testimony. And you certainly-- It was in your response. I'm curious about the 30% of the WiFi users reporting their access to broadband. How do you-- how do you get this information from them?

MS. KNEE: Yes, Councilmember. And I want to answer one of your other questions that I think ties into this, which is how people can connect, because it's related. When you are physically close to the link within 100 to 300 feet of the original link or up to 500 feet from the new Link5G, if you look at your mobile device, and if it is configured to receive a WiFi signal, you will see the LinkNYC network, and you can choose it and connect to it very easily. We connect-- We collect virtually no data. The one piece of data that we collect, if you choose to sign up for the WiFi network is your email address. And that is so that we can send you just two things (no marketing materials): It's so that we can send you a user satisfaction survey and any updates to our privacy policy.

The last user satisfaction survey we did was in 2020. The last privacy policy update we did was in

2017. Last year, in preparation for the new Link5G design hearings with the Public Design Commission, we also did an anonymous survey using an outside independent evaluation firm. It was that survey and our user survey from 2020 that allowed us to get the data to realize that 30% of our WiFi users had no other means of accessing broadband.

CHAIRPERSON GUTIÉRREZ: Okay. What were some of the other questions on the survey?

MS. KNEE: We asked people-- About our survey or about the outside survey?

CHAIRPERSON GUTIÉRREZ: Your-- Well, I guess the outside survey, if that's the one that's acquiring this information about connectivity?

MS. KNEE: Yes. The outside survey was done by a firm called GFK. And it was primarily intended to capture people's experience with digital connectivity generally. So we-- sorry, the service provider, GFK, that we hired anonymously asked people about their experience with in home internet options, if they had any internet options, if they had good cell phone connections, if they experienced things like latency or dropped calls. And we also did-- also asked whether people had in-home broadband subscriptions,

in-home internet options. And we were dismayed but not surprised to find out that I currently in the boroughs Brooklyn and Bronx, I think it was 30% and 38% of respondents did not have regular in-home broadband options.

And that's actually something that the Link5G indirectly helps to support. Because every Link5G That goes in the ground requires a fiber cable connection. And as we build out that fiber cable connection, that creates a fiber backbone throughout all of New York City which can then help internet service providers, ISPs connect to homes and businesses that today don't have options or don't have many options.

CHAIRPERSON GUTIÉRREZ: And I'm assuming-- Or actually, I'm not. I don't want to assume. Can you confirm if those surveys were sent in multiple languages, in the event-- and, you know, you have also shared in previous hearings that there's been significant usage by-- by tourists in some of the downtown locations, for example. Are the surveys being sent to them as well? I'm just curious how that distinction is made between like the data that

you're sharing here today, and you know, how someone might respond that's, you know, here for a few days?

MS. KNEE: It's a very good question. Our user satisfaction survey hasn't gone out since 2020. I also would like to know what languages it was distributed in, so I will follow up on that after this hearing and get back to your office.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. KNEE: The-- The other survey that I mentioned, for which we used outside provider was a one-time survey that we did at the request of the Public Design Commission, because we and they truly wanted to understand if there was a need for 5G infrastructure and for the Link5G. And overwhelmingly the answers from that survey showed us that yes, there is a need.

CHAIRPERSON GUTIÉRREZ: Got it. Can I ask a couple more questions about the towers and the storage? Do you have a sense of what these telecom companies are-- would be-- are going to be paying?

MR. SOKOTA: As I said, right now, we don't have any active customers on any of them. You know, in terms of what they're going to pay, I can't tell you exactly what it's going to be, I would expect that

it'll be similar in-- to what they would pay for using some of the pole-top installations. But, you know, it'll be what it is when we do deals with them. But at this point, I can't tell you exactly what their numbers are going to be.

CHAIRPERSON GUTIÉRREZ: Okay, so you're not sure if it's going to be competitive to like where they could store them now?

MR. SOKOTA: Certainly, we would ensure that it is competitive. We're going to make sure that people use it, and that we expect it would be, like I said, similar to what might be charged for using a pole top.

CHAIRPERSON GUTIÉRREZ: Okay, and the incentive for a telecom company to store their equipment in a 5G tower, as opposed to a utility pole or something where they are now: If that's the case, what is that incentive for them?

MR. SOKOTA: Uh, there's a number of incentives. The pole tops are where they are, right? You can't go put new pole tops in new locations, whereas Link5Gs can be placed in locations where there's a specific need by a carrier. So it can serve a slightly different range. The other difference is,

you know, pole tops were not designed for cellular radios. Pole tops were designed for holding lights. Pole tops were designed, maybe, for holding utility pole wires, but not for RF radios. The Link5G is a-- sort of a cutting-edge structure, which has RF transparent bays. It has the ability to rotate radios inside. It's been specially designed to optimize the performance for mobile carriers, something that you can't do on a pole top, given its initial design for another purpose.

CHAIRPERSON GUTIÉRREZ: Got it. And what is the maximum amount of carriers that can store their equipment on one of these towers?

MR. SOKOTA: Uh, you could probably store up to five antennas in the Link5G. In some cases, you might be able to have situations where multiple carriers might use the same antenna, so you might have fewer antennas and more radios.

You know the top part of the shroud, the large part at the top, or the larger part at the top is generally going to be where the antennas are stored, and to one of the other Councilmembers' questions about the size of the base of the pole: One reason-- Or there's two reasons for this size of the base of

the pole: One we want to make sure that the pole is very safe and sturdy; but secondarily, we use the inside of the pole for the storage of the actual radios. If you compare that to the pole top, if you look at the pole-top installations, the 4G pole-top installations we'll have a stick antenna at the top, the 5G pole top will have this large shroud at the top, but both of them have these backpacks, which are sort of midway up the pole, which is sort of an external storage space for the radios. We make sure that the radios are stored inside the pole. We think from an aesthetic point of view that is better and it's certainly also better from an engineering perspective, and an externally mounted backpack creates some wind deflection that doesn't exist with the wider poll.

CHAIRPERSON GUTIÉRREZ: Thank you. That was a robust response. I had some questions on the-- Sorry, let me just locate... Can you speak to-- of the 86 activated towers, can you describe a little bit of who-- who's benefiting from this? Like, who are the people or businesses that are being serviced by this 5G Tower? Do you have any of that information?

Well, as I said, the 86 don't have any mobile service provider radios, right?

CHAIRPERSON GUTIÉRREZ: Oh, they don't-- sorry.

MR. SOKOTA: So there's no-- there's no 5G, there's no 4G, there's none of that. And I think as OTI mentioned earlier, we have not yet installed any advertising screens on any of the active kiosks. So there's no advertising, and there's no 4G or 5G. The services that are being provided are the WiFi service--

CHAIRPERSON GUTIÉRREZ: Okay.

MR. SOKOTA: --and the tablet surface.

CHAIRPERSON GUTIÉRREZ: Okay. And you can confirm that people are utilizing the WiFi service.

MR. SOKOTA: People are absolutely using it. Yes.

CHAIRPERSON GUTIÉRREZ: Okay. And is-- Where are people using this service? On the street? In their homes? Or what is what can you tell us about that?

MR. SOKOTA: Ah. I wish I could tell you more, because when you asked your question earlier, it was an it was a question to which I wish I knew the answer. We believe that primarily the Link kiosks, both the Link5G and the original LinkNYC kiosks are

being used outdoors. But there is undoubtedly some amount of indoor usage. But we don't have a lot of information about our subscribers. We don't know where they are or who they are. We don't know whether they're inside or whether they're outside.

Now, what we do know is that the signal is not going to carry as far inside as it would outside. You're going to clearly be able to get a longer range. But the signal does work in many instances inside. I think on the news report for the first Link5G installation on-- on West Burnside, the news reporter interviewed somebody who lived in one of the apartment buildings above the first installation, who reported on the news report that he was now using it for his WiFi coverage, and was better than he got from his cable provider.

CHAIRPERSON GUTIÉRREZ: Mm-hmm.

MR. SOKOTA: We've done tests. We did a test when we did the first Link5G. We had, in fact, my daughter. We put her in a diner across the street about 100 feet away, inside a diner and had her do her homework on an online YouTube app. And she was able to download videos inside at that point in time.

CHAIRPERSON GUTIÉRREZ: Okay.

MR. SOKOTA: But that's a test. How many of these people are using it consistently inside? I wish I knew. But we are also looking-- I don't want to give too robust an answer. But we are also looking for ways to improve that. I think that's a really going to be an important initiative for us moving forward is: Can we develop new technologies to ensure that that WiFi signal is getting extended indoors so that people can use it on a reliable basis?

CHAIRPERSON GUTIÉRREZ: Right, absolutely. How-- Can you share with any of the-- of the folks that are utilizing the 5G towers, do you know how many of them are reoccurring? I'm just trying to get a semblance for, you know, where the need is, right? I'm assuming if someone is utilizing this outside-- is, you know, facing any-- any and all of the elements. They're obviously relying on this. Do you have a sense of how many of those subscribers, in your words, are reoccurring?

MR. SOKOTA: How many are there reoccurring? Um, I don't know--

CHAIRPERSON GUTIÉRREZ: Yeah. Theoretically, you could because of their e-mails, right?, each time?

MR. SOKOTA: No.

MS. KNEE: No. Sorry. Yes. No, we cannot actually see any unique or personally identifiable information about an end-user who's connected to the WiFi network. And I'm happy you asked about this, because it's a good opportunity to clarify: We can't even see their individual IP address. I do believe we may have some metrics that allow us to confirm whether or not users are repeat. But as I said in my opening testimony, the 13 million number is unique users. And we can certainly provide more information after this hearing.

I did want to note one other thing we can tell as we can tell the number of minutes that a device is connected. No other information just the number of minutes. During the pandemic, we noticed that there were some sessions that were lasting for hours. This was during the height of the lockdown. That led us to believe that there were quite a lot of people connecting to the Link WiFi network from inside their homes because we were all facing a lockdown.

CHAIRPERSON GUTIÉRREZ: Okay, and so I-- I'm glad we are discussing this so of the 13 million subscribers that you mentioned since the inception of

LinkNYC [ASIDE WITH COUNSEL]. Oh. Of that data was-- you have no way of ensuring the-- of telling us if they were reoccurring? These were just-- These are 13 million unique emails? Is that how you're getting to that number?

MS. KNEE: I believe so. But I would like to confirm with someone with a little bit more technical expertise after this hearing and give you a more robust answer if that's all right.

CHAIRPERSON GUTIÉRREZ: Okay. And then just a point of clarity for me. In your opening statement about the-- the main use of communication being to-- for EBT purposes: Was that online or phone calls?

MS. KNEE: That is the most frequently dialed number from a Link. I believe you can dial it from the keypad, and that we also have a link on the tablet. Is that correct, Nicole?

MS. ROBINSON-ETIENNE: That's correct. Mm-hmm.

MS. KNEE: Okay. And this is in addition to other government services and social services that are available on our tablet. For example, we just recently launched a one-click ability to connect to 988. This came out during Mental Health Awareness

Month and provides a direct line to a suicide prevention and assistance program.

CHAIRPERSON GUTIÉRREZ: That's great. And so I'm just-- You can give this to us when you have it. But just to dig a little bit deeper on the calls being made to EBT, would you be able to share just general, like, areas of where those calls are being made? I think it's really important for us to have that at the Council as we're trying to drive the message home of fully funding our agencies. And if there is an increase of people trying to dial in for their food stamps, I think it makes a case for why we need to fund-- fully fund HRA for example. So if you if you have that information, if you can get that to us, that would be wonderful.

MS. KNEE: I'll certainly look into it.

CHAIRPERSON GUTIÉRREZ: Yeah. Thank you for-- for sharing that.

I'm going to pass it to my colleague, Councilmember Bottcher, for questions.

COUNCILMEMBER BOTTCHEER: Thank you. Thank you chair. The criteria for where to place the towers has been a-- that's been a question of my constituents. What are the criteria for-- that you

use to decide where they should go? And is advertising revenue potential one of the criteria?

MR. SOKOTA: Well, the folks from OTI mentioned sort of the macro-level issues, right? So in terms of new installations, 90% above 96th street are in the outer boroughs. There's also a requirement that believe that 739 of the new installations go in specially identified, what are called equity districts in the franchise agreement. And I believe there was a question earlier about, you know, why were there kiosks being deployed-- notwithstanding our statement about the 96th Street-- why were kiosks being deployed in Soho or the Lower East Side? Well, the Lower East Side happened to be one of those equity districts in which we have a requirement for deployment. So the kiosks which have been deployed to date are driven by the franchise obligation.

But once you get past the-- the large macro issues, you know, the next layer is where do we want to look to ensure that we're providing better WiFi coverage? And where can we ensure that we're going to be providing better potential cellular phone coverage? Those are going to be the sort of the

primary drivers in terms of, when you get down sort of the micro level of a particular neighborhood.

On top of that, we need to look at various siting factors, because there are a very large number of rules about where you can and can't place, Link5G or, in fact, the old kiosk, where they can go. All of those go into a mix to make some determination of where the kiosk proposal is made. And then we go through a process where, you know, we send out those proposed locations to the community districts, to the councilmembers, to the borough president, and we hold, if requested, meetings to discuss those specific locations. And in many instances, you know, some of those location change as a result of those meetings. And in other instances, some of the locations just don't work for other reasons. You know, there are some construction issues or other reasons why it doesn't turn out.

COUNCILMEMBER BOTTCHER: Can you clear up for us whether or not advertising revenue is a factor in deciding where to place these. Is it or is it not?

MR. SOKOTA: I would say that at this time, it is a-- either a subsidiary or not-- not a driving factor, not-- not a primary driving factor. At the

end, do we look at it and say, yeah, maybe? Maybe, but it's not a significant factor in what determinations are made at this stage.

COUNCILMEMBER BOTTCHER: Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you, Eric. It's such a treat to have you here, as always.

COUNCILMEMBER BOTTCHER: I want to be on this Committee. I'm not even on this Committee.

CHAIRPERSON GUTIÉRREZ: Then campaign. You do a wonderful job. Thank you so much, Eric.

I wanted to get a sense of clarity. This is also coming from Councilmember De La Rosa who is on virtually, but can't participate because of quorum. Can you expand on the-- 5G is here. How is 5G here if there's-- the carriers-- if that portion of the 5G connectivity is not even in the 5G towers. Can you explain what you mean by that saying 5G is here, but there's no providers yet?

MR. SOKOTA: I guess the statement "5G is here" probably means a lot of different things to different people.

CHAIRPERSON GUTIÉRREZ: Okay.

MR. SOKOTA: I would argue that 5G And what it ultimately can be is not here, and it's not even

close to being here. There are certainly 5G signals that one can get in New York City, and you'll get somewhat better service maybe from your 4G, but ultimately the potential of what 5G can do, we have not reached that in New York City, certainly not.

CHAIRPERSON GUTIÉRREZ: So 5G is not here.

MR. SOKOTA: Uh, my opinion would be 5G, as we-- as it can be is not here yet. It is here in some initial aspects. But the real 5G is not here. No.

MR. KEEGAN: Councilwoman, can I expand on that?

CHAIRPERSON GUTIÉRREZ: Sure.

MR. KEEGAN: So I definitely agree. 5G, I mean. It's here, and it's not here. We haven't seen the benefits. But the reality is that this is the next standard of telecommunication. So in the same way that 4G was building on 3G, 4G LTE built on 4G, it didn't change the underlying physical principles that mobile devices operate on. So there's no such thing as a 5G spectrum. There is spectrum that 5G networks will run on, but it's on the computer actually to be using that spectrum more efficiently. So in the same way that 6 gigahertz is used for unlicensed and for mid-band spectrum, it's-- You know, if it's used for 5G or if it is used for our WiFi, it's the same

technology. So it's here and we can use it if we have the infrastructure to access it.

CHAIRPERSON GUTIÉRREZ: Okay, thank you for clarifying. Let me just make sure... Okay, a couple more questions. Can you-- So this is on behalf of Councilmember De La Rosa, who represents District 10 uptown, Washington Heights, Inwood.

First question: Is There are currently four kiosks that are pending removal after CityBridge and OTI had informed her office that these were permanent structures? What locations are these kiosks in and why are they being removed? Can you speak to the specificity of those kiosks?

MR. SOKOTA: I don't know what kiosks are being referred to. So I don't want to give an incorrect information.

CHAIRPERSON GUTIÉRREZ: Okay. If we get you the intersections, will-- that'll-- can that--

MR. SOKOTA: If someone gives us the location, then I can go look at it. I'm not aware of any kiosks that currently exist, any-- if we're talking about the 107 kiosks, the Link5G kiosks, I'm not aware of any of the 107 Link5G kiosks that are currently scheduled for removal, if that helps.

CHAIRPERSON GUTIÉRREZ: Okay. Okay. We'll get that to you all. In Washington Heights and Inwood. When there was a permit-- There was a-- When was the permit for-- I guess this is a process question. So-- And this is in my conversations with her as well. There were 73 sitings, I'm assuming a combination of the kiosks as well as the towers. This was recently, but in April of 2022, there were only eight sitings or proposals. She wants clarity on: Was there a public review of the permit process? Or was there a public review of the 73 sites that are being designated or proposed?

MR. SOKOTA: I think as OTI discussed earlier, when we first started rolling out the Link5G after Amendment No. 3 on the franchise, we followed the same policy which had existed with respect to the deployment of the prior kiosks, which was that were they were replacements of prior telephone booths, no notice was required to a community board. Where they were-- what we refer to as Greenfield, that is not associated with a phone booth, we gave notice.

So at that point, some of the sites were being given notice and some were not. However, OTI, realizing that we needed a more robust process for

disclosure, changed the policy. So now every single Link5G kiosk which is proposed goes to a notice process, which includes the councilmembers, the community district and the Borough President.

CHAIRPERSON GUTIÉRREZ: Can you expand on the Greenfield sites and how those are different from the payphones, for example? How you're siting them versus, you know, where the old the previous payphones were?

MR. SOKOTA: Sure. So you know, the-- the previous payphones were where they were. In many instances, especially with the original kiosks, people placed the-- The idea-- The original idea of the franchise was: We'll put them in the same places where the phone booths were, because there's infrastructure there, and it will make it easier to deploy. Unfortunately, that assumption turned out to be not correct. The old phone booths didn't really have usable fiber connections. They didn't have usable electricity connections. So the actual space that the phone booth existed in wasn't all that useful. So sometimes these sites were sited there, because it's just where the phone booth was. But in other cases, other sites were used where people

thought the kiosk would be a better benefit, and those were called Greenfield sites.

At this point in time, as I said, the process between the non-Greenfield and the Greenfield is really doesn't matter anymore, because we give notice on all sites at this stage.

CHAIRPERSON GUTIÉRREZ: Oh, I understand. Okay. And so, I do want to say that when a Councilmember De La Rosa first approached me saying there were 73 sited in her district, which is two neighborhoods, that that felt like a lot. And so can you speak to, kind of, what the plan is to phase some of these out, I think? And I'm assuming it's again-- I don't want to speak for her, but I think it's a combination of maybe more of the link-- of the kiosks and 5G towers, but 73 sounds like an egregious amount for one or two community boards at one time. Can you speak to how this decision was made at 73, and while there wasn't more of an effort to-- to maybe phase and just be a little bit more collaborative in that phasing out?

MR. SOKOTA: I don't-- I'm not sure I know what the 73 represents. But I will tell you that community board 12, committee district 12, which is Councilmember De La Rosa's area is an area where we

put a-- I would say a concentrated, or more concentrated number of kiosks because it represents one of the equity community districts that is set forth in the franchise, similar to Manhattan 3, similar to your Brooklyn 4, is one of the equity community districts.

Now, in our obligations to the City, a certain number of sites need to be deployed in these equity districts, and of the initial kiosks deployed since 2021, the vast majority of them have gone into just these equity districts. And as a result of that, some community districts have received a lot more attention because they're equity districts than other community districts.

CHAIRPERSON GUTIÉRREZ: Is there a way to do that and not have an egregious amount of sitings? 73. So the 73 number that I'm emphasizing sounds like it's 73 different locations for kiosks or 5G towers. So for one council district, that's an excessive amount, is what I'm saying.

MR. SOKOTA: Yeah. I don't-- I don't know what the 73 is. But certainly-- The other thing I think about is a proposal in many instances never actually leads to a deployment. You know, between in the

discussions we have with the community district about which sites work, which ones don't, and other issues that come up in the course of construction, you know, we've proposed I think, since 2021, over 500 sites to OTI. And yet, we only have somewhere in the nature of-- somewhere in the order of maybe 350 or so buildable sites. So there's-- there's a large fall off in between proposals and actual potential installations.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. KNEE: May I add one thing, Councilmember?

CHAIRPERSON GUTIÉRREZ: Yeah, Margaux, go ahead.

MS. KNEE: The-- The equity districts, and I'm sorry, Mr. Sikoff said this and I missed it. But the equity districts were selected by the City, not by CityBridge. And they were selected because they lacked existing link infrastructure. And because they correlated with certain median average incomes that were lower than other neighborhoods. And because there were high levels of pedestrian foot traffic. So they-- As Rob said, I'm not sure where the 73 number came from, and we'll look into that. But I do want to explain why those districts were chosen by the City.

That said, if the city believes that those-- that the numbers and some of the equity districts are not are no longer correct, we would be open to discussing that with them and with OTI as well.

CHAIRPERSON GUTIÉRREZ: Great. I have one more question on behalf of the Councilmember, but we'll make sure to connect both of you. This is kind of a multi-part question. But can you share: What-- Are there any examples of kiosks being defaced or you know, not being-- or just like not working because of some exterior-- like some issue? Or like vandalism for example? But can you speak to what is the process if and when that happens?

MS. KNEE: Yes, I would be happy to.

CHAIRPERSON GUTIÉRREZ: And if someone sees this, how can this be reported?

MS. KNEE: Anyone can report or ask any question about the LinkNYC very easily by sending an email to help@link, and we respond very quickly. We have a very active support desk, 24/7. The answer is that, yes, the links do get to face they get dirty. They get damaged by the wind and rain. They get damaged by people, occasionally cars, but fortunately not very often. We have a maintenance and operations

crew who goes out and inspects and cleans each unit every link at least once a week, and then often more often than that in certain more concentrated areas. So we do try to keep the links in as good working condition as we can. We also have contractual obligations with the City to make repairs on a very specific schedule, usually within a very limited number of days between three and five, if say, one of the functionalities goes down, the tablet, or one of the calling features, and we take those obligations very seriously.

CHAIRPERSON GUTIÉRREZ: Okay. I wanted to-- Let me just ask one more question, kind of backtracking a little bit. But what other types of 5G infrastructure did CityBridge examine, like roofs, shelters, utility, or lamp poles. I believe my colleagues may have asked that, but just want to confirm.

MR. SOKOTA: Link only has the right to deploy Link kiosks. The Link franchise does not provide CityBridge the ability to, for example, put radios on pole tops or on rooftops or anything else. It really just is a franchise about a structure, a kiosk structure. And that's all the franchise provides

for. I certainly understand that there are other alternatives for 5G, which includes pole tops, very important, rooftops, all of these things are going to be necessary. But LinkNYC itself is really just limited to kiosk deployment.

MS. KNEE: That's correct. But Councilmember, if you were also asking about the design, and whether we looked at other viable alternatives--

CHAIRPERSON GUTIÉRREZ: How did we land here? How did we land at this design? I heard from OTI. I would love to hear from you, if you could (thank you for bringing that up, Margaux). If you could just spend some time on the-- the height of it. I get-- I get kind of what was shared today. But hopefully-- I hope that you will stay for the testimony. But what we've gotten to our office was there's a genuine concern about (a) the-- the context of how this looks and how this is, you know, being integrated into to streets and communities. The height is certainly a problem. And we've heard-- and the press has done a really good job of covering stories of people being concerned about having their like newborns being you know, 10 feet away from a window that is just a few feet away from these towers. So how did we land

here? Because my honest opinion is it-- it sticks out. It does not-- I have one in my district around the corner of Wycoff and Flushing everything around it is maybe one or two stories and this tower sticks out. So how did we land here? And can you-- And I'm anticipating some of the advocates' questions, but can you speak to any of the health concerns that have been raised? I know that OTI didn't specify on what are some of those decibels that could you know, that the FCC would determine as harmful versus not. But can you also speak to that as well, and how you all ensure safety around those concerns?

MS. KNEE: Yes. Why don't I start off, and I'll talk about the design briefly, and then turn it over to Mr. Sokota and Mr. Keegan, to discuss health and safety, just so that I don't lose my voice.

In terms of the design, we're solving for a couple of things. The 32 foot height is really a result of two primary concerns. One is that we wanted the new link structure to be consistent with other pole tops, including other pole top solutions, so that when you looked up visually, it would it would be pretty much in line with infrastructure that already exists.

We also wanted, as Mr. Sokota said, to be able to maximize the number of small cell radio and other carrier equipment that we could fit in one link, so that we could have fewer links city wide. Each link takes up the same amount of space as an original link kiosk on the sidewalk, but ultimately can house equipment for up to five carriers. That ultimately results in less street clutter, which we felt was a benefit to the city.

We looked at many different designs. And two other cities' designs are actually pictured in the packet that we shared with you, the Link5G presentation, if you're curious. There are two that the Public Design Commission looked at with us. One is in Las Vegas, and it shows a similar structure that is about twice the height. The other is just across the Hudson River in Jersey City. It shows a very-- a structure that I think is the exact same height. But it has the small radios on the exterior, which looks very messy and very inconsistent. When we looked at those and other possible alternatives, this was the best design available, in order to, as I said, minimize street clutter and preserve the visual line with other city infrastructure.

[TO MR. SOKOTA:] Would you like to weigh in on the health and safety question?

MR. SOKOTA: Sure. We take health and safety questions very seriously. We certainly understand that there's a concern out there on behalf of the public. When you have a new technology, people are going to ask questions, rightfully. But, you know, we are making sure that you know, any configuration of radios that is deployed, is tested to make sure that it's well within the FCC limits. Typically, the configurations are going to show that not only is it within the limits, but it's only a small fraction of the limits. But, you know, we believe that the science indicates that, you know, cell phone usage and the provision of cell phone services within those parameters is, should not be seen as a cause for concern from a healthcare perspective. And we believe that we should be, and will continue to operate in a safe manner. And I believe maybe Steven can comment a little further?

MR. KEEGAN: Yeah. I'd be happy to. Thank you for the opportunity. You know, and we totally understand. Like-- Like, it was mentioned that there's questions about new technology, but it

ultimately boils down to-- and I'll preface this, I'm not a scientist, not a doctor, I'm just a person who's interested in it. And it does boil down to the physics. And so what we're dealing with is electromagnetic spectrum, which is a naturally occurring resource. It's so scarce, you're not allowed to own it. The government owns all of it, and they lease it. And when I'm talking to you, I'm talking to you over 20-25 kilohertz, when I'm sending a signal out over radio frequencies, which is the next kind of chunk up, even if it's an am radio, or broadcast station, or 5G antenna, that's all pretty much the same thing. And these are all below the wavelengths of LIDAR. And these are found to be non-ionizing. And so what consistently has been held through the international community, through the scientific community as that non-ionizing radiation does not present a risk of cancer to humans, or biological risk.

And so when you get up to ionizing radiation, above light, that does present a risk, but we're exposed to so much of it. And this is, again, magnitudes of power higher. If you were to walk through Grand Central Station today, you're going to

be exposed to ionizing radiation from the marble that's in the building that they made. If you hold a banana, you're going to have some ionizing radiation. A cell phone, on the other hand, has non-ionizing radiation.

And so there are legitimate questions about, "Okay, well, it's more pervasive now, if we're more exposed to it." But again, it kind of goes to the back to the idea of voice. If I stood next to that loudspeaker, my ear would really hurt while I was talking. But if I'm all the way over here, it's pretty quickly attenuated that it's-- you know, it's not really affecting me physically, I'm not feeling it. And so in the same way that quickly these, you know, this natural resource, that's why you need so much of this dense infrastructure, because it can really only go so far. And that's blocked by a tree, water droplets in the air, and obviously, concrete and steel buildings as well.

So the risk has really been, I think, really well looked at-- at this point. And you know, in terms of cancer and non-ionizing radiation, I'd say that the jury is completely set on that, that there's no risk. And as we're seeing more, we've basically had a 10 or

20 year experiment of siting small cells without any real concrete statistically provable negative effects on people.

CHAIRPERSON GUTIÉRREZ: But in those instances-- Thank you for that. That was a lot of science. So in those instances where these towers are right outside of people's windows, for example, you know, I know that there are a lot of that instances in former Congresswoman Carolyn Maloney's district, who's here today. You know, I, I've read the city coverage, as I'm hoping that you did as well. In those instances, I mean, the only thing there that's kind of keeping them from, I guess, to your scenario, to your metaphor of like, standing right near a sound speaker or something. It's like a few feet. So what has CityBridge done to respond to these concerns that I feel are very warranted and natural, because this is-- you know, this is moving very quickly. In most instances, people were living in communities that didn't even have link kiosks. And now there's entire 30-plus-foot towers going in. What is the response that CityBridge has had to these communities to-- like, to say, hey, we were doing our due diligence. Because what we're talking about here is not people

that are scared of technology. What we're talking about is not people that don't want change. What we're talking about here is having absolutely zero trust in both our City and the partnerships that the City goes into, right? And although you are up to date and current, there is an issue of trust, even with our history with CityBridge.

So what are you all doing to combat and to restore trust? Because I don't believe that we've gotten a comprehensive response on kind of what you just said. So what are you all doing? And how are you making sure that you are restoring trust in this big investment that that we're-- that we're making?

MR. KEEGAN: Well, so I can't talk for CityBridge. They're a member of the Wireless Infrastructure Association, but we represent the whole industry. So my experience is more based on the general, you know, siting and deployment of cellular infrastructure across the country.

MR. SOKOTA: I'll take that question.

CHAIRPERSON GUTIÉRREZ: Please take it. Thank you.

MR. SOKOTA: Yes. We make sure wherever we cite a kiosk, that it's going to be operated safely and

within limits, regardless of where it is. But beyond that, I think as you noted, and when we have individual community board meetings, and people give specific comments about locations. We try to figure out ways or alternative locations if people are giving us feedback. And that's been our consistent policy. Now, if someone-- If a community board comes and says we don't want any of them, anywhere, ever. Okay, well that's a different issue. That to us is a statement that they don't want to participate in the program, and essentially, prevent the a citywide deployment. And that's hard to deal with. But when we get specific questions about specific sites, we generally try to look for alternatives to try to work with individual citizens.

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. KNEE: Councilmember, we do hear your feedback that we need to be better about having conversations with the public about questions on health and safety. And we will take that feedback and we intend to action it. We have done our due diligence. Fortunately for CityBridge and the city, there are thousands of peer-reviewed studies on the health and safety impacts of 5G and prior forms of

mobile communications, all of which overwhelmingly show that there are no harmful effects from 5G or from the prior iterations of global connectivity.

But I agree with you that even though we have done our diligence of reviewing those and are comfortable with them, we need to do a better job of communicating that to the public, and demonstrating to them that these are very reputable sources. These are sources like the Food and Drug Administration, the World Health Organization, the American Cancer Institute. There's a very long list of them that I won't list, but it is in the packet that we gave you. And we need to do a better job of synthesizing that for the public. And we will do that going forward.

CHAIRPERSON GUTIÉRREZ: Wonderful. Thank you. Okay, I want to move along. I will try to ask these very quickly. On the Public Design Commission approval, you mentioned that the design received approval for commercial and manufacturing zones, but what about approval in residential zones?

MS. KNEE: We have approval to do a pilot for up to 200 of the Link5G is in residential districts, none of which have been deployed yet.

CHAIRPERSON GUTIÉRREZ: Okay. And they are residential districts as defined by the Department of City Planning?

MS. KNEE: By the City of New York. I believe that would be the City Planning. Certainly not by us.

CHAIRPERSON GUTIÉRREZ: Okay. Well, no. I mean, I asked-- So my district, district 34 in North Brooklyn, we have designated manufacturing and residential, but there is some of those instances where there's a combination, there's still manufacturing zones, but there's-- there are now lofts, there are now residential. So I'm just asking if how you are all making that designation.

MS. KNEE: We currently have permission to deploy in commercial districts, manufacturing-- manufacturing districts, and commercial overlay areas that are jointly designated for residential and either commercial or manufacturing as you said, but not for districts other than up to 200 for the pilot that are purely residential.

CHAIRPERSON GUTIÉRREZ: Great. My next question, and you answered this, and so again, thank you, if we could just share for the record: How is any of

camera footage, for example, or any information that's captured from the-- the 5G kiosks or the towers? Are you solicited by law enforcement for any kind of information or video footage or anything that you are all capturing at these at these sites?

MS. KNEE: The answer is that we are often solicited, but we very rarely, if ever, have anything to share. The original Link--

CHAIRPERSON GUTIÉRREZ: What are they asking for, if you can share? Like, you know, as much as you can.

MS. KNEE: Yes, of course. They are generally asking for camera footage.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. KNEE: And that's because the original link kiosk does have three cameras: Two on-- one on-- one on either side of the large digital ad screens and then one on the tablet. The one on the tablet is used for the sole purpose of providing video relay services using American Sign Language. It is not used for any other purposes. The other two cameras are for security and maintenance, and are currently all turned off. They have-- none of the cameras have been turned on since 2020, when two were briefly

turned on in response to a couple of bad vandalism incidents.

Regularly though, we get requests from law enforcement asking if we have any camera footage, usually in relation to a crime that took place, and we tell them each and every time that we don't have any camera footage to share. We also share the number publicly of requests that we get. And if there were to be any camera footage ever released, we would share that too. It's on our website in an annual transparency report that we publish every year.

CHAIRPERSON GUTIÉRREZ: I saw that. Thank you. I know for 2022, it-- it seemed like there were, you know, less than a handful of those requests that it sounds like you were able to respond to.

MS. KNEE: That's right. Zero-- we provided camera footage on zero instances, though. And that's true for 2022 and 2021.

CHAIRPERSON GUTIÉRREZ: So what were you able to provide?

MS. KNEE: We can provide the location of a link from which a phone call was made, if we have the right-- if we know exactly, approximately, when and

on what day a call was made. They-- If they give us the phone number, we can say, "Yes, that was made from a Link at Fifth Avenue and 42nd Street."

CHAIRPERSON GUTIÉRREZ: Okay. You can tell what numbers are dialed or who was called?

MS. KNEE: We can-- No. If a phone number is provided to us, and we're told that that was-- that number was called by someone standing at a Link, we can trace the location of that Link, if we know approximately what time a call was made.

CHAIRPERSON GUTIÉRREZ: Oh, so--

MS. KNEE: So one of the use cases that has happened (fortunately, very few times) involves people experiencing mental illness or sometimes children who've been separated from their parents or are running away, police are often asked to look into this. And occasionally, as a person experiencing a mental health crisis or a child will make a call from a Link, either their cell phone died, or they didn't have one to begin with, and we can sometimes help determine the location of that Link to help police understand approximately where in a given borough that link was.

CHAIRPERSON GUTIÉRREZ: I see.

MS. KNEE: Unfortunately, I wish we could be more helpful sometimes. But the limit-- The number of instances when in which we have that information is very limited.

CHAIRPERSON GUTIÉRREZ: So you're not capturing the numbers that people are dialing?

MS. KNEE: We-- Yeah, that's a good question.

CHAIRPERSON GUTIÉRREZ: There's no way to link someone's e-mail to a number they're dial-- if someone needs to dial, do they need an e-mail?

MS. KNEE: No.

CHAIRPERSON GUTIÉRREZ: Okay. So there's no-- there's-- does that exist? Is that possible, where you're able to look at all the numbers that were dialed? Like a like a registry at the end of the day? I'm assuming yes.

MS. KNEE: There is a call log of numbers dialed and we-- that is part of the information that is kept and stored securely. And that is never shared with law enforcement other than in response to a valid subpoena. I believe in 2022 that happened on one occasion, but I can double check after this.

CHAIRPERSON GUTIÉRREZ: Okay. And does the site also have that report for every year? I was only

able to find 2022. Does-- Are you able to kind of archive every year?

MS. KNEE: Yes. There are-- They are all archived? And they are available on our website going back to 2015.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. KNEE: We can-- I'm happy to send you the links, if that's helpful.

CHAIRPERSON GUTIÉRREZ: Okay. Great. Is there anything in writing that you all have to prescribe what-- what would need to happen for you to activate a camera? So in these instances that you said, like, oftentimes, you're being asked by law enforcement for camera footage. You don't have it. But in the instances where you have been able to, like turn on the camera, do you have that written somewhere, in some kind of policy where New Yorkers can know that there is-- there is a chance that a camera might be turned on on one of these kiosks?

MS. KNEE: We have no current plans to turn on any of the cameras. And as Ms. Senatus said, we do have a very strict privacy policy, which always has to be approved by the City.

CHAIRPERSON GUTIÉRREZ: Mm-hmm.

MS. KNEE: I believe that would limit our ability to turn on the cameras other than in connection with a security incident. As an example, in 2017, I believe, we had an unusual series of vandalism events in which someone took a bat and hit I think, 42 Links in about the span of a week. We did turn on some of the link cameras briefly during that period. That's the sort of severe vandalism that might cause us to do so again. But nothing like that has happened since then. And for the ordinary day to day things of people accidentally breaking a link or putting gum in the phone dialer, we certainly wouldn't turn the cameras on for anything like that.

CHAIRPERSON GUTIÉRREZ: Could law enforcement, using the bias that they have, ask you to turn on a camera at a particular intersection? And then you would do it?

MS. KNEE: I believe they can ask. I do not believe they can compel us to do so.

CHAIRPERSON GUTIÉRREZ: Thank you. Wonderful. I had a question about... So sorry-- data about-- for advertising purposes. I know in your letter, if you just-- if you can emphasize if CityBridge has any

intention of using any of the data collected for the purposes of advertising?

MS. KNEE: Again, a very good question. There's very limited data that we collect. As I mentioned, really, the only data we collect is a WiFi user's email address if they wish to connect to the WiFi for the purposes I mentioned -- user surveys and updates to our privacy policy. There really is no other data that allows us-- that we could use for advertising.

CHAIRPERSON GUTIÉRREZ: But would you share emails?

MS. KNEE: No, we wouldn't.

CHAIRPERSON GUTIÉRREZ: Okay. And so can you confirm if that is in your private-- your privacy policy?

MS. KNEE: Yes, it does prohibit us from using personally identifiable information other than in connection with the services.

CHAIRPERSON GUTIÉRREZ: And in this instance, that also means-- that means emails?

MS. KNEE: Yes, it does.

CHAIRPERSON GUTIÉRREZ: Okay. Wonderful. Um, have you experienced any data breaches in the past?

MS. KNEE: No.

CHAIRPERSON GUTIÉRREZ: No. This is a big question that I asked OTI, and they said you all are responsible for it. So we'd love for you to lay this out: Who is responsible in the event of a data breach?

MS. KNEE: CityBridge would be responsible, and we have indemnified the City in our contract.

CHAIRPERSON GUTIÉRREZ: Now, what does that look like? What does your response look like in an instance where this happens?

MS. KNEE: If there were to be a data breach, we would have to immediately notify all of those who were impacted. I believe, as I said, the only data that could be breached would be a repository of email addresses, which is secured by industry standard administrative and security protocols. And all of this was confirmed in the security and privacy audit that OTI did in 2021, that Mr. Sikoff, and Ms. Senatus mentioned.

If there were to be a data breach, we would have to notify all people who were impacted individually, so we would use their email addresses in that case. We would also have to notify the City.

CHAIRPERSON GUTIÉRREZ: Can you share a little bit of how you continuously manage any cyber risks?

MS. KNEE: I can tell you that our security and privacy audit was a very robust review to ensure that we are using industry standard practices to ensure the integrity of our system. And that includes physical restrictions, meaning not allowing more people that are necessary to access any of our records, it includes administrative ones, which accomplish the same purpose, and it includes a number of security protocols, such as hashing and encryption of the email addresses.

CHAIRPERSON GUTIÉRREZ: And can you share again, under this consortium, if there is a Chief Information Security Officer, how easily we can get information on that?

MS. KNEE: We don't have a Chief Information Officer. I also serve as the General Counsel. So generally questions of the type that you're describing come to me and the CEO jointly, and together with our VP of Engineering, we serve collectively as the Information Security Panel.

CHAIRPERSON GUTIÉRREZ: You-- And are there any plans to bring one on the team? It just feels like

it's 2023, and I think a lot of you know, these bigger entities, certainly in tech, just to protect yourselves institute-- integrate this. Is there plans for that, for CityBridge?

MS. KNEE: We do take security very seriously. As I mentioned, that's why we've had no data breaches to date, which I'm very proud of. There are no current plans to give someone that title, but functionally, the three people that I mentioned amount to an Information Security Protection Department.

CHAIRPERSON GUTIÉRREZ: Okay, you're doing a lot, Margaux. Lots of spinning plates over there. Can you confirm on the-- I know, Councilmember Won asked this on the Bluetooth beacon. Can you confirm so we have it on record if they've been discontinued?

MS. KNEE: They have not been discontinued. But the beacons are one way only meaning they transmit information. If you were walking on the street, using a Bluetooth configured cell phone, you may be able to see the location of a link nearby if you have Bluetooth configured, the link will not be able to see you.

2 CHAIRPERSON GUTIÉRREZ: Okay, I think maybe we
3 had interpreted that in the response that we got that
4 you had discontinued the Bluetooth beacon.

5 MS. KNEE: There-- We may have mentioned in our
6 response that they really serve no purpose. They
7 exist in case of a future use case, and we-- because
8 we thought it might be helpful for individuals to be
9 able to find links using Bluetooth. But we-- They
10 are not currently in use by the company. A Bluetooth
11 beacon is not something that is in use per se. It is
12 either-- either exists in which case it is on, or it
13 doesn't exist.

14 CHAIRPERSON GUTIÉRREZ: Okay. I have two more
15 questions, and then I think we are good. I also want
16 to get folks home because I know school has been--
17 schools are closed. I just-- my-- my next questions
18 are related to the future of our partnership.
19 Obviously, we're in contract until 2030. What
20 happens when 6G, 7G, or you know what-- what is going
21 to happen to these-- to this infrastructure? What
22 can you tell us about what that looks like?

23 MR. SOKOTA: I think we've done whatever we can
24 to ensure that the Link, although it's called Link5G,
25 it is a structure which is future proof for changes

in technology. I think as OTI mentioned, for the most part, it's really just a space in which one can house equipment, radio technology, in a way that maximizes or optimizes the use of that radio technology. So as radio technologies evolve, the structure should continue to be useful whether it's 5G Six G or any other future generation.

Okay. Can we just-- [TO COUNSEL:] Sorry, you can put that back here. [TO PANEL:] Just to confirm, we learned from the letter that you do not share the data. Is that not sharing? Will not? Have not shared data? Is that piece in your privacy policy?

MS. KNEE: Our privacy policy prohibits us from selling any sort of data. And we have not, will not, and do not. We share-- I'm going to try to explain this in the simplest way possible. As you said earlier, CityBridge is a consortium. It is a joint venture of a couple of different companies. Technically, CityBridge doesn't actually have any employees of its own. I work for Intersection, Rob works for ZenFi. That means CityBridge is forced to share information with its member partners to provide all of the functionalities of the link. But each of

the member consortium partners (Intersection and ZenFi) and any downstream vendors that are used to maintain the links are required to only use information in connection with the services that I've described.

CHAIRPERSON GUTIÉRREZ: And so your privacy policy, when was it last updated?

MS. KNEE: In 2017.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. KNEE: And it was updated at the request of the City. Any future changes (none are currently planned) would also be-- would also be required to be approved by the city if they weren't requested by the city in the first place.

CHAIRPERSON GUTIÉRREZ: Okay. And just one more, just for confirmation. We heard from OTI that upon the letter from FCC, they did communicate to you all that they would like you all to stop the installation of these towers, of these kiosks. Can you confirm if-- if you've stopped the deployment of the new kiosks?

MR. SOKOTA: Uh, yes.

CHAIRPERSON GUTIÉRREZ: Yes. Okay. Okay.

[COUNSEL SPEAKING ASIDE] Oh. How many devices can

be hooked up to a LinkNYC kiosk in a 5G tower-- in a 5G tower?

MR. SOKOTA: When you say devices, like how many antennas? Or...?

CHAIRPERSON GUTIÉRREZ: No. I'm a New Yorker. I want to use free WiFi. And so do all of my friends. How many of my friends can I invite to the party?

MR. SOKOTA: A very large number. I can't give you the specific number. But it is a gigabit WiFi system, a very, very robust system. On any particular day. The system is probably operating at a very low utilization rate. So we could probably have hundreds, maybe thousands. I'd have to check--

CHAIRPERSON GUTIÉRREZ: Connected to one kiosk?

MR. SOKOTA: Connected to one kiosk. Yes.

CHAIRPERSON GUTIÉRREZ: Okay. And is the speed compromised at all?

MR. SOKOTA: Yes. At some point, even with gigabit WiFi, if you have enough users it will slow down. But compared to, you know, any other public WiFi system, it is a highly robust system.

CHAIRPERSON GUTIÉRREZ: Okay. All right.

Wonderful. Thank you. I think we're going to take a quick two minute break. Is that okay? Before

starting the public testimony? Yes? Will you stick around?

MR. SOKOTA: Sure.

CHAIRPERSON GUTIÉRREZ: Thank you so much.

MR. SOKOTA: Thank you.

MS. KNEE: Thank you.

[20 MINUTES SILENCE]

SERGEANT AT ARMS: If everybody can please find their seats we are ready to resume. Thank you.

Once again we are about to start. If you could please find their seats. Thank you.

Ladies and gentlemen once again please find your seats. Ladies and gentlemen please find your seats we are ready to resume.

COUNSEL: Okay, welcome back, everyone. Now I would like to call our next panel and in order to accommodate everyone, we kindly ask to limit your testimony to 10-- I'm sorry, to 2 minutes. And our next panel our next panelists will be Carolyn Maloney, Alli Finn, Lo Von Der Walk, Minna Elias (and I apologize if I mispronounce any names; the handwriting is very hard to read), Simeon Bankoff.

So, I believe we don't have all panelists here. So I'm-- Oh, okay. No problem. Please start when you're ready.

CONGRESSMEMBER MALONEY: First of all, I'd like to thank very much, Chairwoman Jennifer Gutiérrez, and, and Keith Powers the Majority Leader for holding this hearing on such a critically important issue for all New Yorkers. My name is Carolyn Maloney, and I'm a former member of Congress from the 12th congressional district, and I'm here to express my concerns about the 5G towers that are being proposed for our city.

If the goal is to bring the internet to underserved populations, the 5G towers are the wrong solution. The towers provide mobile broadband for pedestrians and people in vehicles, but only limited home broadband service. What's more, there's no assurance that the towers are being placed where service would otherwise be lacking. It makes absolutely no sense to make these big, in-your-face, obtrusive towers on the street, when other solutions are available -- small cells on existing street furniture, antennas on rooftops, which is exactly what the cell phone companies are already doing.

At a recent Community Board 7 land use meeting, the Office of Technology and Innovation said that the range of the towers is just 500 feet, and that you must have a direct line of sight to the antenna to use the towers, and that the 5G signal will not penetrate walls. Only those who happen to have windows in direct line of sight of the antenna can receive the service. And then they would likely need another device to boost the signal so it can be used in a home.

We know from the Office of Technology and Innovation that as many as 36% of New Yorkers lack home broadband, or mobile broadband, or both. Unfortunately, after the cancellation of the Internet Master Plan, the city has no comprehensive plan to ensure that all New Yorkers have home and mobile broadband. Not having broadband at a home is particularly problematic. Children cannot do homework or learn to code on a phone.

Big Apple Connect which is only available to public housing residents is funded for just three years and fails to reach a huge segment of the underserved population.

When kids are sitting literally next to towers to do their homework. That's evidence that we need a better plan. The towers aren't a reasonable solution, particularly in bad weather or at night. New York needs a plan to make sure that anyone who wants broadband at home can get it, that both service and equipment are affordable, and that people who need training can get it. We could cancel the 32-foot towers and work on a plan that actually brings affordable broadband into people's homes where they need it. And I yield back.

CHAIRPERSON GUTIÉRREZ: Thank you. Stick around. We may have questions.

MS. FINN: Good afternoon. My name is Alli Finn and I am the Senior Researcher and Organizer at The Surveillance Resistance Lab. We focus on how government use of technological solutions impacts democracy and equity. The lab has major concerns regarding how the LinkNYC program has failed to meet its promises of equitably delivering high quality WiFi to all New York residents. Instead we have learned that the cost of free WiFi was the implementation of a data mining and surveillance infrastructure throughout New York City. The program

is a case study in the challenges the city faces when transparency and accountability are not at the forefront of our large-scale technological solutions. In other words: How can we ensure that tech solutions do not become police and corporate surveillance tools and exacerbate inequality?

LinkNYC epitomizes what the city loses if we do not consider the risks to civil and human rights at the core of digital infrastructure rollout.

I want to highlight a few key issues that demonstrate the failures in deploying this program, focusing not only on the program's failure to meet the goal of greater access, but also the data sharing and surveillance concerns.

We are deeply concerned that the heightened levels of surveillance that the kiosks can facilitate. A recent audit conducted by KPMG on behalf of OTI, I found that CityBridge was not anonymizing the MAC addresses of users. This is a major violation of the existing privacy policy.

Another major concern is the use of cameras and upwards of 30 total sensors that collect data in the kiosks.

The business model itself creates vulnerabilities. Data collection is the means by which the program can be made accessible without payment from users. These kiosks collect massive amounts of data from users including names, emails, IP addresses, MAC addresses, browser type, and version among other data as a function of their use. The Privacy Policy from LinkNYC uses language that softens the sheer volume of data that is collected from each user, but in reality LinkNYC extracts this data for the primary purpose of selling it to advertisers for highly-tailored context-aware advertising. And not only does the collection of personal data and the presence of cameras present privacy concerns, but it also presents a major concern that LinkNYC can fuel criminalization, which I wouldn't be happy to speak to.

I'll pause there and can follow up if there are questions.

CHAIRPERSON GUTIÉRREZ: Thank you both so much. Carolyn, thank you so much. Oh. Do we have another panelist? Yes. Oh, my apologize. Go for it.

Hi. I think Lowe Vanderbilt was actually before me.

CHAIRPERSON GUTIÉRREZ: Okay, yeah, just make sure the light is red.

MR. VAN DER WALK : Thank you, Councilmember Gutiérrez for this hearing. I'm president of Carnegie Hill neighbors. It's located in the Upper East Side. It's-- It's a volunteer organization existing since 1970 concerned about landmarks issues and quality of life issues. We strongly oppose the installation of 32 foot 5G towers in our neighborhood and elsewhere in the city. They are out of scale in height and bulk compared to other street furniture. They are not aesthetically designed. Many people say they look garish and even ominous. They call attention to themselves and are completely out of context and inappropriate in our historic districts and our nearby residential areas as well. Initially, 18 towers were proposed for the Upper East Side, essentially, the Community Board 8 Manhattan District of these, an astonishing 10-- 10 of the 18 would be placed in Carnegie Hill. Subsequently, this has reduced to a current number of 4, although that number could of course change back again. We have no certainty. One of our board members, Kevin Rowe, who was an industry analyst and in telecommunications,

points to CityBridge involvement since 2014, with the introduction of communications kiosks, and now in charge of the 5G Tower rollout. He argues that the big mobile operators AT&T, T-Mobile Verizon, have long been deploying 5G at existing rooftop cellular sites and through small cells, small antennas placed on streetlights and traffic utility poles. Do you think that's-- And we feel that that is a way that should be explored more actively even by CityBridge.

[BELL RINGS] Thank you. But I want to say one final thing. I think, ultimately, direct fiber links to individual apartments and homes is ultimately the solution. And I think your committee can be-- should be tasked really to explore this independently or-- or because you have access to the great, great advisors, and your focus can make a huge difference in this city. Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. ELIAS: Good afternoon. My name is Minna Elias, and I'm a resident of Community Board 7, and I'm here to express my concerns about CityBridge's 5G towers. They are a poor substitute for a comprehensive plan to ensure that all New Yorkers have Affordable Internet service. I'm aware that

currently there are no towers proposed in my neighborhood. But at a recent Community Board 7 meeting, OTI made clear that some of the 2000 or more towers that will be erected by 2026 are likely to be sited in my area. The towers are intrusive street furniture taking up space on our already overcrowded sidewalks. What's more, OTI says they can be placed as close as eight feet from people's windows.

Although siting most of the towers in underserved communities sounds like a way to bridge the digital divide, these towers are primarily designed to serve pedestrians and people in vehicles, not people at home.

There is no comprehensive plan to ensure broadband for the 36% of New Yorkers who currently lack mobile or home broadband or both. Many people lack broadband because of cost. And there are programs available to defray costs, including the federal Affordable connectivity program.

One way to expand broadband adoption would be for the city to do more to educate people about the availability of that program.

Most New York neighborhoods already have good 5G service. And yet many of the CityBridge towers are

slated for areas with good service. There has been very little consultation with the public about where the towers are needed. The city should demand fewer towers in neighborhoods that do not need additional service. These towers are gigantic, they are ugly, and they are impossible to overlook. And for areas that lack service, there are better alternatives that do not require massive street furniture. We need a better plan, one less reliant on placing towers at street level, and more focused on ensuring that everyone who wants broadband can have it without going into debt. Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you. I have a couple of questions. And again, I just want to thank both Minna and Carolyn for being here. I certainly miss working together. And Carolyn, you brought up the Internet Master Plan, which I really appreciate, because as you know, this Administration has rolled back all of that. And you also mentioned Big Apple Connect, which in my opinion, you know, it's a good way to connect folks, but it-- it's not doing enough for-- for equity. I think also on the piece of digital inclusion, my concern about not just the sitings, but the future of the sitings, we're going

to have these telecom agencies storing their equipment, providing the service, well, that doesn't mean that the service is going to be free for folks, right? And so the-- the whole siting of it being in an equity district, I think is nice in theory, but the manifestation of how that will be providing a service is not equitable in nature. So there certainly is a conflict there. Carolyn, and my question to you is-- and you know this community so well: What are some of the things that you're hearing from your neighbors, from folks about what makes sense? You mentioned it briefly in your testimony about where some of the settings can-- where some of these towers can go. But what are some other ways that you think your neighbors in your district want to see digital inclusion and connectivity reflected in in the city, or certainly in their own neighborhoods?

CONGRESSMEMBER MALONEY: Well, I would say that we need as a country, to have broadband to all of our homes. Our young people need to have access to it. They need to study with it. They need to learn with it. When I went to school all you needed was the number two pencil. Now they need internet,

computers. They need broadband. We're competing in a worldwide economic situation, and every child should have access to it.

What I find so puzzling, is that in my career in the City Council, and it's a great honor to be back here in the City Council today with you. When I represented East Harlem, I also represented Greenpoint and Williamsburg, Brooklyn, and then also Astoria, Queens. And yet the area that has the most connection right now is the Upper East Side. I have entire areas where they don't have any connection. And I don't understand why they're not going to the areas that need the connection, that need the internet. The Upper East Side is connected, but East Harlem is not. Astoria, Queens is not. Portions of Brooklyn and Greenpoint, Williamsburg are not. So these are areas that need to be connected. And we need to look at the entire plan. Everybody says, "Well, we'll connect it eventually." Well, why aren't you connecting it now? Why are you putting, as Mr. Lo said, 18 in one small little Historic District, and none of these Harlem, none on the west side, and none-- and none in in Greenpoint-- or

there's one I believe in Greenpoint, and Williamsburg?

So the siting of it doesn't seem-- seem to make sense.

Um, also, my community is-- there's a lot of foot traffic. There's a lot of museums. There are a lot of people who come that are visitors, are tourists, I'd say. And so they're putting them in the tourist areas, but not in the homes where-- You understand what I'm saying? And what I find problematic: I think we need it. I'm all for connection. I'm all for broadband. I'm all for the internet. But they're not connecting the areas that are not connected.

And what is most troubling to me from my research. And what I heard today is that it's for the transit community, for the people in cars, for the people walking by, not for the people in the buildings. And to get into the buildings, you have to have sight level with the tower. I mean, it's so it's not getting to where you need it. Now, my friends have told me that they see young people like sitting next to the towers to try to do their homework.

CHAIRPERSON GUTIÉRREZ: Yeah. Yeah.

CONGRESSMEMBER MALONEY: And I-- I'm glad they have a way to do their homework, but they should not have to sit on the street. And it's dangerous, I would say, too after a certain hour. They should be in their homes doing their homework.

And I see it as almost as a national security concern. I see it as an economic concern that every child should have access to broadband. So we need a plan that is not connecting the tourist and the motorists, but is connecting-- I would say probably the most important would be the young people learning, and then probably the businesses that are being operated and people are working from home their homes, and they need it to conduct their-- their jobs. But-- So I don't I don't understand it. Why are we catering to tourists and motorists and not to the young people in their homes wanting to do their homework?

CHAIRPERSON GUTIÉRREZ: Thank you. Always-- Always the advocate. And absolutely right. Thank you so much. Thank you for-- Also, at the same time, also showing your support for the need for universal broadband and connectivity. I appreciate it.

Alli, my question to you: You kind of touched on a little bit in your testimony. What can you share about what your concerns are as far as security and safety for these towers and these kiosks?

MS. FINN: Yeah. Thank you so much for the question. And Chair Gutiérrez, thank you for staying and listening to all of our concerns.

CHAIRPERSON GUTIÉRREZ: I have to well, but I'm happy to.

MS. FINN: But still, you know, thank you for doing it. I think-- I started to speak a little bit about the way that these towers can fuel criminalization when supposedly their-- their mission is to bridge the digital divide, which, as was so clearly stated is such a strong need.

LinkNYC is explicit that the company will comply with requests of disclosure if required by law, which includes subpoenas and court orders. We do not know if the NYPD has access to LinkNYC data through other means. And based on the amount of information they collect, which I listed earlier, which includes a lot of personal data that can be de-anonymized quite easily, we also don't know if the data that LinkNYC is collecting from the public could be sold to Data

Broker companies, third parties that make their profits by extracting, and repackaging, and selling our data often to law enforcement. Data brokers resell data to ICE. So we're just not sure of the scope that could be possible at the moment, and audits and even, you know, a young college student have exposed a lot of the dangers in the code itself, which I'm happy to go into more if-- if that would be helpful.

CHAIRPERSON GUTIÉRREZ: Thank you. I think as far as the-- you emphasize the scope-- that we just don't know. And we heard from CityBridge, that there's not much data to-- that they can even collect. Right? They have names and emails, I believe, is the extent for anyone logging into the WiFi. What in your opinion...? Does that (A) seem like that is that is accurate and (B) what is-- what are the potential harms to even having that that small amount of data be, you know, public or accessible?

MS. FINN: Yeah, I was quite concerned to hear that in the testimony. You know, they do collect email address, and I believe name in the signup process, but I have the privacy policy on my phone

right in front of me now. And it includes other information that is collected, which is IP address, MAC address, browser type, timezone setting, browser, plugin operating system and platform, device type, information about your visits, including the full URL clickstream (I'm not even reading all of this), information used to facilitate your use of services such as access to third party websites.

I'm sure that they have explanations for why this is collected. But this is a massive tracking of their 13 million, you know, quote/unquote subscribers' use. And a lot of what we believe that is going towards is, you know, targeted ads. We don't see this surveillance-- this form of surveillance and data extraction as providing benefits to city residents, but rather to help CityBridge increase their advertising revenues.

CHAIRPERSON GUTIÉRREZ: Well, thank you all so much, and thank you to this panel for sticking around. I hope you all get home very safely. Thank you.

COUNSEL: Thank you again. And now I would like to move to our next panel. And we-- I just want to make an announcement that we will call all witnesses

who are here in person first, and then move to witnesses who are here with us virtually. And our next panel will be Reverend Conrad Tillard, Ken Granderson, Antony Folleo, and Luisa Lopez.

Any order is fine.

CHAIRPERSON GUTIÉRREZ: Just turn it on.

There we go. Hello.

CHAIRPERSON GUTIÉRREZ: Perfect.

MR. GRANDERSON: Thank you. My name is Ken Granderson and I was born and raised in the Bedford Stuyvesant section of Brooklyn. After graduating from MIT in 1985, I've been a digital citizen since the early 1990s and was able to quit my tech job and become a tech entrepreneur in 1994, up to this day, because I am digitally connected.

Since then, I've been a passionate supporter of the power of technology for inner-city communities in general, and because Technology connects us across geography, culture, and class, specifically for communities of color and other historically underserved communities.

In 1997, I started my current business BlackFacts.com specifically to ensure that communities of color were represented online. And

today, from the first up until June 19, because of LinkNYC, we're informing city residents about the Juneteenth holiday on the 2000 kiosks around the city. And this past Black History Month, we did the same thing for every day of the year-- I mean the month, excuse me.

As longtime digital citizen, I'm always connected. But many of our neighbors especially in areas like my Bed-Stuy again, where I live, I came back home, do not have unlimited data plans are internet via cable that many of us here might take for granted.

At the kiosk on Fulton Street that I passed to get on the C Train to come here today, above all the shops that I frequent people live there. If the people who use the laundromat in the-- that the kiosk is right next to knew about 5G, they could use it there when they're doing laundry with their kids. And the families who live above the kiosk. If they can't afford internet at home, free 5G could be the difference between their kids graduating, and-- or not. So real world use case: You know, I'm connected, but a month or so ago, I'm in an unfamiliar part of town at night. My phone ran out

of power. I had my cord and I was able to get an Uber thanks to LinkNYC. So thank you for listening, and because every day is Black History, happy birthday to Nikki Giovanni, Gwendolyn Brooks, and of course Friends.

CHAIRPERSON GUTIÉRREZ: Oh, RIP. Thank you.

MR. FALLEO: Good afternoon members of New York City Council My name is Anthony Falleo Business Representative of Local 3, and I'm proud to testify on behalf of local unit No. 3 International Brotherhood of Electrical Workers, and it's nearly 28,000 members about the Link New York City program.

We've seen firsthand how the Link New York City program greatly benefits business workers unions, New York City residents and tourists alike. Link New York City is already the largest free municipal WiFi program in the United States. And this has been achieved at zero cost to taxpayers.

It is my understanding that over 10 million New Yorkers have visited-- have used the free WiFi network, which has become a lifeline for access to the internet, free nationwide calling, 911 emergency service, and city services as well.

This is critically important as we continue to recover from the COVID pandemic that exposed so many weaknesses in our city social fabric around digital connectivity. Over nearly 125 years Local Union Number 3 has helped build New York City by working on its most iconic structures, providing job opportunities for our diverse membership and quality training for young people, and promoting the highest standards of worker safety in the industry.

Over the past several years Link New York City program has been a massive driver of economic output and job creation for many New Yorkers, especially our union members.

Through our collective bargaining agreement with our New York NYCA contractor partners, many of whom are minority and women-owned businesses, Local Union 3 workers have earned living wages for the hundreds of thousands of hours of work they have performed and will continue to perform under this program.

We're excited for the next phase, Link5G. Link5G will employ more electricians, pay more middle class wages and benefits, and connect more people especially those living in underserved communities across the five borough, the 5G technology. This

will bring better self service, faster data speeds, and enhanced broadband access to historically underserved communities. This includes many neighborhoods where our members work and live. We're glad that City and CityBridge have figured out an innovative way to continue and expand this critical program.

Thank you for this opportunity to provide testimony on behalf of Local Unit Number 3, IBEW, and nearly 20,000, members of the electrical industry. Thank you.

REVEREND TILLARD: Thank you, Chair Gutiérrez, it is a--

CHAIRPERSON GUTIÉRREZ: Can you turn your mic on? I'm sorry. Just make sure the light is on. Thank you. Perfect.

REVEREND TILLARD: Thank you, Chair Gutiérrez and members of the Committee on Technology for allowing me to testify today. My name is Reverend Conrad Tillard, and I am a proud member and I'm proud to represent Black Clergy for Economic Empowerment, which is a group dedicated to ensuring communities of color have equal professional, education, and economic opportunities.

The reality is that in 2023, internet access is not a luxury. It is a necessity for school, work, and staying connected with loved ones. It should be considered a utility like running water and electricity. But New York's internet infrastructure is segregated like its schools, with low income communities and communities of color disproportionately affected by the digital divide.

The City Council's own data shows that communities of color have limited access to high speed broadband service. Just look at areas like Melrose Mott Haven, and Port Morris in the Bronx, East Harlem in Manhattan and Jamaica, St. Albans and Hollis in Queens, and we've already heard Bedford-Stuyvesant and East New York, Bedford Stuyvesant where I live, where more than 41% of households still lack access to broadband. This is not acceptable in 2023, especially compared to Park Slope and Carroll Gardens in Brooklyn, or the Upper East Side, or Upper West Side in Manhattan, where over 80% of households have access. What does all this mean? Lower income communities of color are suffering most from the digital divide, exacerbating existing disparities.

LinkNYC and especially Link5G program are working to bridge the digital divide, and ensure all communities have equal access to high speed broadband at home and on the go.

I want to commend LinkNYC for planning to install 90% of the new Link5G kiosks north of 96th Street in Manhattan, and in the Bronx, Queens, Brooklyn, and Staten Island and focusing the first wave of their deployment on equity areas.

I'm almost finished.

But I also want to make sure everyone here understands we need this infrastructure everywhere. New York is a five borough organism. None of our neighborhoods are walled off. So while some of your constituents might not think they need Link 5G in their communities, the person who works in their corner Bodega, or delivers their takeout, or the kid from Crown heights are Bed Stuy visiting a museum. They deserve to be able to get online. They need Link5G. Thank you so much.

CHAIRPERSON GUTIÉRREZ: Thank you. Elisa?

MS. LOPEZ: Good afternoon Chair Gutiérrez and esteemed members of the New York City Council Committee on Technology. My name is Luisa Lopez and

I serve as President of the Latino Social Work Coalition and Scholarship Fund. Today I am here to testify about the tremendous impact of the LinkNYC program and the incoming LinkNYC 5G deployment in providing culturally competent mental health support for all New Yorkers.

The LinkNYC program has enabled nonprofit organizations like ours to connect with a diverse population of this city. With access to the numerous LinkNYC kiosks, we have been able to deliver culturally competent mental health support and information to the over 8 million residents of New York City. Without this program, reaching such a vast and diverse audience would have been extremely challenging.

Our coalition partnered with LinkNYC during Mental Health Awareness Month, emphasizing the importance of culturally competent social workers and mental health professionals, leveraging the LinkNYC program we circulated vital information on the 988 crisis line to New Yorkers experiencing mental health crises, information which you know, can help save countless lives.

Internet access has become as necessary as telephone access was in the past. And it is essential that the city invest in internet and data access as technology advances. This is an issue of equity that affects the lives of all New Yorkers, particularly those in vulnerable and under-resourced communities.

While concerns about the design of 5G Towers exist, these concerns can be addressed by having more transparency in siting of the towers and allowing for more robust community input.

I urge you to recognize the significance of the LinkNYC program in the upcoming deployment of 5G towers. These initiatives bridge the digital divide and empower organizations like ours to deliver culturally competent support to all New Yorkers.

Let's embrace the potential of technology to ensure equitable access to high speed internet. Together, we can build a New York City that thrives on inclusivity, connectivity, and the well being of all its residents. Thank you for your time.

CHAIRPERSON GUTIÉRREZ: Thank you, Luisa. And thank you to all the panelists. I have just two questions. I applaud the challenge that it-- that it

is and was of being for being a person of color in tech, and certainly admire the pioneer work needed to-- to really create a website about Black Facts. I love seeing you here. You're-- You're very active in this community. Thank you. And you, sir, that you also represent Bed Stuy.

My question is: I certainly support expanding connectivity, it's especially important in communities of color, it's especially important that they're doing it in culturally responsible and multi-- in multi languages. So my question is: How can we make sure that just access to it is-- is equitable, right? Because there are certain instances where people can access it from their home or from a business, but ideally, right?, they want pe-- the only way it can, like optimize that its functioning is if people are outside, closest to these towers. How can we make even that more equitable?

And for a neighborhood like beautiful Bed-Stuy, that does have a lot of historic blocks and landmarking, would you say that the design of this tower is contextual to certain parts of the neighborhood? You can answer however you want.

REVEREND TILLARD: Well, I would just say that, you know, I'm just a minister. I'm not an architect, or--

CHAIRPERSON GUTIÉRREZ: Not just.

REVEREND TILLARD: I am not as aesthetically sophisticated the some here, but I'm greatly encouraged by the fact that 90% of these towers are going to go up in underserved areas, because, aside from some of the aesthetic concerns, and I know that's important, particularly on landmark blocks, we have them in Bedford Stuyvesant. What's important is that we have a tremendous digital divide in the city. You know, the most segregated schools in America are in New York City. And we have that same digital that segregation in terms of access to the digital space. And so that's what's needed, and it's needed now, and that's my greatest concern.

CHAIRPERSON GUTIÉRREZ: Thank you.

MR. GRANDERSON: Yes. Actually the home that I grew up in actually is in one of the, you know, historical areas. So, I understand that. I also feel like the people who are there now, the needs of the people now, my personal belief, you know, are more important than-- than keeping things the same

forever, and ever, and ever. It may not be a popular thing. I don't-- I'm not one who cares about popular opinions.

CHAIRPERSON GUTIÉRREZ: Sure.

MR. GRANDERSON: I speak, you know, what I believe is true. In terms of engaging folks, I think the simplest answer is, if I were doing it, I'd go to a kiosk and I would talk to some people who are right there and engage folks who live there who, you know-- Ring the doorbell.

CHAIRPERSON GUTIÉRREZ: Okay. CityBridge, you listening?

MR. GRANDERSON: Talk to people.

CHAIRPERSON GUTIÉRREZ: He's got the whole outreach plan right here for you. Okay. Okay. The goal is to make it more accessible, right? The goal is to reduce all barriers to connectivity. And what we're hearing, you know, fairly new is we're hearing kind of mixed-- you know, can you-- you can access it here. You cannot access it here. So I think even that alone, that piece is not necessarily blanket, it's not equitable across the board just yet.

MR. GRANDERSON: No, no. It's not. But you know what? Even in my remarks, there's a-- there's a

laundromat right next to the one, you know, that I walked-- that I'm going to walk by, you know, later today. Maybe work with some of the-- the businesses. Let them know that, "Hey, did you know that your business is right by free WiFi?" You know, there's some restaurants, you know, there they have outdoor seating. So maybe, you know, work with the merchants in the area to make sure that they let people know.

CHAIRPERSON GUTIÉRREZ: Yeah. Thank you. All right, well, thank you. Oh, did you want to add?

MS. LOPEZ: I did. Thank you so much. So the two points of your question. There's-- There's the question of whether or not these kiosks are actually accessible to people that are in their homes, and not just folks in cars or passers-by. The-- That question can be answered not by let's just get rid of the whole program, and let's get rid of the kiosks, and let's get rid of the towers. It's, "Okay. So then what do we need to do in order to make them more accessible?" What does CityBridge or-- or anybody else, what can they do in order to make it accessible? Let's have that conversation.

And then for the question of it being an eyesore or something that folks just don't want to see. Is

it in context with their local community? You know, back in the day, the telephone booths, were not in context with the community. Hotdog cards are not in context with the community. City bike racks are not in context with the community. And yet--

CHAIRPERSON GUTIÉRREZ: Don't you bring up Citi Bikes.

MS. LOPEZ: And yet these have become fixtures that are iconic to our city? We can't imagine New York City without-- without them. I certainly can't.

So, you know, if we need to change the design, if that's something that we need, you know, an architect to come in and help guide us to more designs that are contextually in line with whatever community it is that they're asking for, then great, let's do that.

But the answer I don't think can be let's just get rid of the whole program because it's-- it's not perfect right this second.

CHAIRPERSON GUTIÉRREZ: That's right. All right. Well, thank you all so much to the panelists. Get home safely. Thank you for sticking around.

COUNSEL: Thank you again for your testimony. And now I'm calling our next panel. And our next panelists will be Odette Wilkens, Ruth Fennessy-Moss,

Elizabeth Fox, Teresa Westerdahl[ph], and John Fennessy.

Please start when you're ready.

MS. WILKENS: I guess I'm going first. All right. I'm Odette Wilkens and I'm a resident of Queens, CB six, that's Forest Hills and Rego Park. I'm also President and General Counsel of Wired Broadband Inc, a nonprofit in Queens advocating safe technology for the public. I've also been a technology attorney for the past 20 years, having represented many multinational corporations.

I am familiar with the benefits of technology as well as the risks. Community boards are increasingly rising in opposition to the Link5G cell towers. Sixteen community boards to date have disapproved or call for moratoria. This represents up to 800 community board members and an average of about 2 million residents. That is more than a quarter of the New York City population.

The message is clear: They do not need the 5G towers and do not want them. Even equity districts are bristling at 5G towers. Just to name a few of the 16 districts, Brooklyn CB 1, Greenpoint and Williamsburg, CB 4, Bushwick, Manhattan CB 9,

Morningside Heights, CBs 10 and 11, East Harlem, Queens, CB 1, Astoria and Long Island City.

Bridging the digital divide is opposed to enhance social welfare. But the Federal Housing Administration will not provide federal mortgages for homes within the fall zone of a cell tower. For these towers, at three storeys high, there's an insufficient fall zone, when they are as close as eight feet to a structure. Property values go down about 20% near cell towers. The inability to get a mortgage and the devaluation of property do not enhance social welfare.

Also, in case of structural failure, a tower can crash into buildings and pedestrians. CityBridge has failed to comply with federal law based on the FCC is recent notice. Wouldn't that mean that they are in material breach of their franchise agreement? Why is there no moratorium on construction? And actually, an eyewitness saw workers at one of the towers after the notice was given installing antennas.

Under federal case law in New York for federal preemption to apply, telecoms must show a gap in phone service. OTI and CityBridge have confirmed they have no records of gaps. The FCC rule that

allows telecoms into communities based on capacity needs for future demand does not comply with federal law and does not apply in New York jurisdictions (Extenet v. Flower Hill 2022).

Why then is OTI telling community boards that 5G is federally mandated? It is not.

The Public Design commission conditioned approval of a pilot to install 200 towers on getting feedback from the community. Communities or speaking out in opposition.

Therefore, as a proof of concept, the Link5G project has failed and should be abandoned for a better plan for New York City residents with meaningful community input and approval before entering into any formal agreement. Thank you.

MR. FENNESSY: Hi, thanks very much. My name is John Fennessy. I've lived here all my life, since God was in diapers. I'm just-- I want to talk about something I've witnessed. My sister is a brilliant lyricist, and she's writing a book and the lyrics with Shelton Becton on the Life of Frederick Douglass.

The reason I mentioned this is that's a big challenge. And coupled with that challenge is the

fact that one day, several years ago, she went down into a basement where they had just installed what she was told were smart meters. And she bent over, looked at it, and she was zapped into next week. She was out of commission for months.

Consider this: She cannot use a cell phone. She cannot look at a cell phone, be next to one. The same with computers. Cannot look, work on one. She had a complete wireless radiation hit. She is not unique to this. And it comes in varying-- people affected in various ways. I just wanted to talk about the-- the results of what can happen. A real life. On my own note, I've seen the towers. I've seen pictures of the towers. There Orwellian. They look like hell. That's all I got.

CHAIRPERSON GUTIÉRREZ: Appreciate it. Thank you.

COUNSEL: Thank you.

Hi, my name is--

CHAIRPERSON GUTIÉRREZ: Ruth, will you turn it on?

Oh sorry. Can I start again? Hi, my name is Ruth Fennessy Moss, and that was my brother John. We

grew up on the streets of New York, fourth generation natives with a love for the city that has no bounds.

Powerful 5G monopolies are ruining our New York by turning it into a 24/7 danger zone. The condition I have that he described is not a rarity. We are an omen, the tip of the iceberg waiting for the Titanic.

I'm sorry, I'm speaking but I don't think they're listening, so I'm going to wait. Hope you don't mind. I'm going to go back because I think you were occupied, and I really want you to hear what I had to say. Okay? All right.

We are native New Yorkers for four generations. We have a love for the city that has no bounds. Powerful 5G monopolies are ruining our New York by turning it into a 24/7 danger zone. The condition I have, that my brother John described is not a rarity. We are an omen, the tip of the iceberg waiting for the Titanic. We are the living proof that a major health disaster awaits us. Those who are not impacted in the short term like I am, will be vulnerable in the long term to cancers, brain tumors, and other disease, just as 911 first responder injuries have risen 5, 10, even 20 years later.

Where are the 5G safety studies? Telecom CEOs have testified there are none. Where are the peer reviewed studies documenting harm, too many to count in the NIH's own database, studies that the profit-driven telecom industry has declined to notice.

In the words of Frank Clegg, former president of Microsoft Canada. "I've met with scientific experts around the world and have concluded wireless technology is not safe. I am especially concerned with 5G and the impact on children." The industry will grumble but they will pivot if they are incented to do so. It is up to government to provide this motivation. By restricting placement of telecommunication antennas near homes, schools, and other sensitive areas, industry will be forced to investigate safer alternatives that are cheaper in the long run.

And I'll just add, they have the \$2.3 trillion to do it.

Technology has brought us into the future but that future will not be realized if it isn't safe. Without safety, access, inclusion, need, connectivity or hollow benefits. Here in this room, at this hearing, you hold the greatest city in the world in

your hands. Please take immediate action to keep it that way. Thank you.

MS. FOX: Thank you, Councilmember Gutiérrez for allowing me to speak and for your excellent questions this afternoon. I'm honored to be here. I'm Elizabeth Fox, and I'm representing the building where I live 1115 Fifth Avenue. Our building is united in very strong opposition against the installation of the 32-foot-tall towers, including the one plan for right in front of our building at 93rd Street.

In addition, I want to be clear that I absolutely support equitable access to high speed internet but I do not think the current 5G tower plan does anything to achieve this. First, I strongly believe that these towers do not belong in residential communities where existing infrastructure can accommodate current and future telecom equipment. Making use of existing infrastructures both the precedent in our city and how countless other cities have rolled out 5G services. In fact, in the intersection in front of our building where they're proposing a tower just feet away, there is already 5G equipment in place on

four intersection lamp posts. And accordingly our building has excellent cellular coverage.

Second, these 32 foot pole imposing towers do not belong in designated historic districts, particularly Carnegie Hill, where residents take lots of pride in the community's ongoing commitment to historic preservation and beauty. The character of our historic neighborhood attracts residents and visitors alike, and we do not want imposing towers marring the neighborhood's beauty and commitment to preservation.

Third, it's deeply troubling to me that CityBridge has already ignored the rules and regulations for their proposed plan by installing towers prior to a Section 106 review by state authorities under FCC policy. This blatant disregard for the law and procedure shows that this for-profit entity is not operating in good faith for the collective community, despite whatever they may say. We desperately need this esteemed Council to compel and end to the current plan and demand better from OTI.

Just really quickly, on a personal level, I live on the second floor with my three children, and the proposed tower will be 13 feet away from where my

child sleeps. We purchased this apartment before there was any tower siting, and honestly, had we known, we would have never ever bought this apartment. To top it all off, of course, we're planning this large renovation. And as part of that, because it's a historic building, we have to jump through multiple hoops to accommodate the preservation rules, which frankly, we went into eyes wide open, because we-- we bought the building and because of its historic character.

So the idea that now-- It's just an extreme double standard that now a for-profit tech consortium can install a 5G tower that shows absolutely no regard for the historic nature of the neighborhood, and it will degrade and crowd our streets. But us individual family, apartment owners have to adhere to strenuous and costly landmark designation rules. It's just simply unfair. And so I hope that common sense prevails and districts will be spared these deeply obtrusive and unwanted towers.

MS. WESTERDAHL[PH]: Hello, everyone. My name is Teresa Westerdahl. I live in Crown Heights Brooklyn down the street from Ebbets Field. I'm here to give

my on-the-ground field report regarding the 5G towers that have popped up in my neighborhood.

At the end of the summer of 2022 Leshawn Todd, some of my neighbors, brought it to my neighborhood group's attention that these towers were going up and they inquired within our Block Association and with the CB 9, they wrote to OTI, and were not really given anything but a link. We've been hoping that OTI, LinkNYC, anybody would come and talk to the Community Board. And they have not, none at all. The Two Towers were up and are activated and we had no ability to talk about their location. Nothing. Nothing at all.

So my-- the community board, CB 9, has produced a resolution against-- for a moratorium against the 5G towers, which I have. And just the two towers that came up-- ones in they-- they say like the commercial overlay. That means there's a huge tower right next to where people are living on a corner and there's another one-- these are very close to where I live is on a-- in a commercial district and there isn't really any housing around, and anybody who would have to use it would have to-- you know, you could plug in this one little slot and, you know, I guess we're

concerned about the issues everybody else brought up, but also the-- the heat impact in the electrical usage. How-- I understand these will use a lot of electricity. How does that affect the grid. And I just want to make a point that I was in Chinatown the day before yesterday, and a friend-- I was with a friend of mine who knows I'm working on this 5G Tower issue, and we-- I saw a 5G tower there that was within six feet-- six feet. Like I walked with my-- my little shoes you know and measured it with my feet six feet from-- from I have a picture. I took it. Just two days ago. So close to where these people are living. And this is an historic district with people's homes right there, that the tower is.

So I'd like you to look at the-- the resolution that the Community Board 9 Environmental Protection Committee, of which I'm a member. The whole board voted on it, and we have-- and I'm new at this. So I'm a little nervous. So sorry.

CHAIRPERSON GUTIÉRREZ: This a CB 9 in Manhattan?

MS. WESTERDAHL[PH]: In Brooklyn.

CHAIRPERSON GUTIÉRREZ: In Brooklyn. I'm sorry.

MS. WESTERDAHL[PH]: Near Ebbets Field. That's-- that's where I live. Community Board 9 is like

several districts, Crystal Hudson is one of our councilmembers, Rita Joseph, and I can't remember her name, Diane--

CHAIRPERSON GUTIÉRREZ: It's all right. No worries. It's not-- Don't worry about it. I just-- I wanted to clarify. For the-- For all of you, what is the role that your Community Boards besides-- I know you mentioned a resolution, but what is the role that the community boards have played in helping to communicate with you all about the sitings, and the process that you can take? And if there was no community board what do you think-- what do you think CityBridge, how should they be communicating in a more seamless way with you all?

MS. FOX: I'm speaking from the Upper East Side . I mean, thankfully, we have a very robust organization in Carnegie Hill Neighbors. And so frankly, it hasn't been CityBridge, or even really the community board, but the driving spreader of knowledge and information has been our local neighborhood organization, and the other-- people are so, you know, I think unique to our neighborhood, where people are, frankly, obsessed with the historical nature of our community. This issue is--

is maddening to almost every single person that lives or visits there. And so thankfully, we have that. But I will say it I have attended the community board meetings. There was an information session that CityBridge did for the community board.

And I do think that the timing of them has been very suspect, and that they-- there was one right before the Fourth of July. Like they seem to give little notice, and on top of it, they are just terribly timed for-- for people who maybe-- they seem to spring up around holidays, so to speak, when people may be traveling.

CHAIRPERSON GUTIÉRREZ: The installation of them?

MS. FOX: No, not even that. Thank God, we don't have any that I'm aware of in Carnegie Hill, but the community board meetings or the opportunities

CHAIRPERSON GUTIÉRREZ: Oh, to-- for them to present. I understand.

MS. FOX: Yes. Or where like CityBridge-- And so that that goes to my opinion, like these things are sort of coming in, like under the cover of darkness. And it just suggests that things really aren't on the up and up. If not, why-- why be so secretive and, you know, obfuscating what's really happening.

CHAIRPERSON GUTIÉRREZ: I understand. Thank you.

MS. WESTERDAHL[PH]: Yeah. We've-- we've also had the-- the feedback from the community board that we wish. There's local organizations, as our neighborhood association, MTOPP, FLAK, other organizations like that from the neighborhood that we've gotten information from, including the fact that we have over 200 towers-- 200 of these towers slated for our particular district. 200. And that information was garnered by local residents' research.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. WESTERDAHL[PH]: So it's-- it's a lot, you know, that's coming. And it came up suddenly. And we aren't getting answers. And I guess it's, you know, the way that the towers are, they're so big, if it gets hit, it's going to-- it's going to hit either a resident, a car, or a building. And the heat generated from them is worrisome. There's so many concerns. And you know, they haven't been addressed. So...

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. WILKENS: To address also your question, Chair Gutiérrez, the community boards are only given

60 days. That is not that is not a sufficient amount of time, because you have to factor in: The committee has to review it, then they have to bring it to the board, if there are any questions, if there are presentations, it may go well past 60 days.

Plus, this is the first time ever they're ever hearing about it. They don't know about the technology. It's like a tot-- you know, they have to go from 0 to 100. That doesn't give them enough time to really understand what is going on. And then they have to make a decision before they have full knowledge.

The other thing that's a bit troublesome is that I was-- I was at a community board meeting last week. It was Manhattan Community Board 7. And I was very surprised that that meeting were OTI presented-- not OTI, that CityBridge presented was asked not to be recorded. And the only thing that we could do is put questions ahead of time that OTI would field in terms of what CityBridge would would answer. There was no allowance for community input or community members being able to pose questions.

The same thing happened in my community board, Queens Community Board 6, where OTI and CityBridge

came to a closed-- basically a closed executive committee meeting even though the public was allowed to watch. We were not allowed to pose any questions. There has to be full community participation. There has to be recordings. If they ask for any sessions not to be recorded, that is already suspect. What is it that they have to hide? People cannot come to the meetings, we already know, because of COVID and other things, that people that that these things are recorded, so that people who cannot come can see it afterwards. That was not afforded to the community board last week. And I did not have an opportunity to ask questions directly of OTI and CityBridge at my community board.

So-- So this process has to be completely opened up. This has been a closed process. And not only that, but when I was at another community board and they were talking about the health issues, OTI corrected the community boards and said that we're not here really to talk about anything else other than siting. Let us know where you want us to site this. But that was-- That completely did not address the issue that the community had. Now the Public Design Commission specifically gave a directive to

OTI for this pilot program, that they were supposed to come back to the PDC with community input. They were supposed to go out and get community input. They did not say to exclude community input except for the siting. So they're not getting the full information and they're not complying with the PDCs directive. So that is what needs to change. The procedure has to change.

MS. FOX: One minor point on the siting too. Where I am, a lot of people who are on Fifth Avenue-- because across the street is Central Park-- is pushing back on the idea why are there towers being installed 13 feet from the residential buildings and not on the other side of Fifth Avenue where nobody-- no newborn or three-year-old is sleeping. And there's been no real response from that. Nor has there been-- none of the sites have moved, just literally across the street to give a little more space.

CHAIRPERSON GUTIÉRREZ: Thank you. Thank you to the to the panelists. Thank you for testifying today. Get home safely. Thank you.

COUNSEL: Thank you every panelists for your excellent testimonies. And I'm about to call our

next panel, and our next panelists will be Lisa Soren and Susan Perlman.

[1 MINUTE SILENCE]

So, I'm just going to announce next panelists if they are still here with us. Susan Perlman, Lisa Soren. No? No. So, I assume witnesses have left, and I'm moving to the next panel. And I'm calling to testify Susan Peters, James Guerdon, Julie Martin, Arnold Gore, Lashawn Ellis.

Please start when you start when you're ready.

Any order is fine.

CHAIRPERSON GUTIÉRREZ: Just makes sure the light is on, on the mic.

MS. PETERS: Can you-- you can hear me? Oh good. I'll start. My name is Sue Peters. I've been a resident of Manhattan for 50 years. I'm reading the testimony of George Senopadus[ph].

"Hello, I'm George Senpadus[ph]. I've been in public service for at least 20 years, and I'm a police lieutenant in New York in charge of 300 people. I own a three story house and Astoria which I purchased in 2013. My sister and I used to live there. As a police lieutenant, I only rely on facts, and what I'm about to tell you are the facts.

"In September 2020. When I returned from traveling, I discovered just several feet from my front yard a newly installed pole with a multi-directional wireless antenna on top. The pole, 35 to 40 feet tall is closest to my third floor window. Other wireless antennas are attached to overhead wires that are parallel to the second and third stories where my sister and I lived.

"For the first time in my life. I went from being perfectly healthy, to suffering from heart arrhythmias, headaches and not being able to sleep, out of nowhere. As my cardiologist discovered I had multiple heart arrhythmias, I had to undergo an invasive procedure called a cardiac ablation. But to the doctor surprise, he was not able to replicate the arrhythmias. I didn't have them when I was away from the antennas. I experimented and stayed away from my house and my symptoms were gone. My sister at 31 years old had just completed chemotherapy. She became very sick, had headaches and nausea. Her oncologist said that wireless radiation could aggravate her condition and the cancer and could come back. My sister and I have since evacuated the house. I have to return occasionally but try to stay

away as much as I can, this has been a financial drain shouldering a mortgage for a house that we can't live in. If I'm not doing my job, I get indicted. Aren't city officials supposed to be protecting us from this unnecessary radiation? I recommend a moratorium on all wireless installations including the Link5G towers. Thank you.

COUNSEL: Thank you.

MS. ELLIS: Hello. Thank you for this oversight hearing. My name Lashawn Ellis, and I was born and raised in New York, and I've lived in Crown Heights for almost 30 years. I'm here representing a low-to-moderate income community of color. I'm a member of the movement Protect The People, Flower Lovers Against Corruption, and the Sullivan Ludlum Stoddard Neighborhood Association. I live in Community Board 9, where I witnessed the installation of a Link5G Tower this past August sans any notification from the Community Board 9, and I regularly attend these meetings.

After a lot of community collaboration, a lot of FOIL requests, and unprecedented amount of pushback from CB 9, with the help of Theresa Westardahl and Wired Broadband, we were able to get a seat the

community board to pass a resolution demanding a moratorium on the Link5G tower construction and activation until procedures and protocols are followed and important questions are adequately and truthfully answered.

I've done some outreach in the community and there is resounding concern being expressed about these towers. Young and old are worried about the health risks and do not think the health risks are a fair trade off for 5G and we know that the levels the FCC and FDA deems safe or not so, based on lawsuits and side effects that many people experience and the fluid movement of executives from corporations to the FCC and FDA and vice versa is overwhelming.

Low-to-moderate income communities of color are already vulnerable populations with high rates of asthma and health conditions as compared to white upper middle class communities, thus more at a disadvantage health wise and with additional health risks associated with 5G.

On top of health risks many do not appreciate the way these towers affect the visual integrity of residential blocks. These towers do not address the great digital divide. We are not certain of exactly

where the gaps are in our communities. So how do we know that they're being filled? 5G is said to have difficulty penetrating walls so a lot of seniors will not benefit due to homebound issues, illness, etc.

Nor will children doing schoolwork in their homes.

[BELL RINGS] Almost done.

In addition, the Comptroller's report on the existing Link5G kiosks and lack of services provided by CityBridge, \$70 million owed to the Office of Technology, and OTI not ensuring equitable distribution to the city's underserved areas are also some major concerns.

I would be remiss as we all read recently trudged through the haze blanketing the city from wildfires in Canada. The fire hazards of these towers tightly packed with electrical equipment is high. I implore you to please stop using the digital divide as a reason to pollute the city with these towers, when there are plenty of other viable options that can really address this divide. Let's be truly innovative and not cave to the desires of corporate greed, a government of the people by the people for the people. Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. MARDEN: Hello, thank you. Thank you for this oversight committee. Meeting. My name is Julie Marden, and I'm a lifelong New Yorker. I live in Greenwich Village, and I'm very grateful to Community Board 2 for doing all their due diligence, and they called for a moratorium.

I'd like to use this time to read the letter from a very important organization, Americans For Responsible Technology, from its founder and national director Doug Wood. He and his wife Patti's nonprofit represent more than 150 grassroots organizations across the country using the latest science to support the deployment of safe, economical, and future-proof wire technology. They are focused on a very important subject: Our children. He points out that the World Health Organization and the American Academy of Pediatrics have both made clear on repeated occasions, children are not just little adults. They're rapidly developing physiology makes them prime targets for environmental threats that can interfere with normal development and cause lifelong behavioral problems and learning deficits.

He explains, "Our science based organization first became aware of the potential harm that RF radiation poses for children with the publication of a study performed in 2012 at Yale University, where the offspring of laboratory mice who were exposed to cell phone radiation during pregnancy exhibited odd behavioral patterns that mimic every symptom of ADHD. An examination of the brains of the exposed animals revealed abnormal brain development, while the unexposed control group were completely normal in every way.

What parent wants to take the chance that their child will not develop normally because of an unnecessary and involuntary exposure to a cell phone tower? Are we adults so desperate to be able to connect our wireless devices to everything, everywhere, all the time that we are willing to take chances with our children's health and well being? Last week, our organization filed a formal citizens petition with the FDA accusing the agency of violating its own law, a law which requires the FDA to take every possible step to minimize the public's exposure to RF radiation.

Because the FDA has failed to obey the law, you have never been warned that RF radiation can be harmful. You have never been told that the potential harm from cell towers should be balanced with the needs of the community. No one needs a cell tower in front of or even near a school. One day soon, the FDA will probably tell you that. Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you.

MR. GORE: I'm Arnold Gore from Brooklyn where I have lived for eight years in Community Board 8, having previously resided in Washington Heights for 30 years. I'm a senior citizen who was on the Manhattan Solid Waste Advisory Board.

I would like to read part of the testimony of Dr. Ken Chamberlain, PhD, former Chair of the University of New Hampshire Department of Electrical Engineering and Computer Engineering. Dr. Chamberlain was a member of the New Hampshire state commission evaluating the health and environmental effects of evolving wireless and 5G technology.

"My purpose is to alert you to the dangers of siting a cell tower near to where people, particularly young people, live, work or recreate. Scientists, physicians, environmental and public

health physicians, epidemiologists, pediatricians, along with engineers, such as myself, have been calling for state and local governments to be proactive in protecting your citizens against radiation exposure. Citizens in York, Maine, have delayed antennas to close to neighborhoods, and in Pittsfield, Massachusetts, the Board of Health issued a cease and desist order against Verizon construction of a cell tower.

I'm calling for a 1640 foot setback for all new cell towers." End quotations.

Woodstock, New York has enacted a model zoning siting law, and we would be wise to adapt something to our own needs. Thank you.

I would like to also note that OTI and CityBridge kept on referring to the FCC standards of protection. Those standards were established in 1996. And the courts asked them to revise those standards. They still haven't done it.

CHAIRPERSON GUTIÉRREZ: Thank you so much to all the panelists. Thank you for sticking around. Get home safely.

COUNSEL: Thank you everyone. And our final panel will be Nichols Curto, Donna Romo Janella,

Courtney Gilardi, Braden Rombald, Jane Rossman, and
Raul Rivera.

You may begin.

MS. GILARDI: Honorable City Councilors. My name
is Courtney Gilardi. Thank you for allowing me to
testify today. I'm an early childhood educator, and
while I live outside the city, I have families with
young children I work with in New York City who are
concerned about the wireless radiation that their
children are exposed to. They do not want these
towers or kiosks outside their homes. I am speaking
on their behalf as well as someone in a cluster of 17
in Pittsfield, Massachusetts, who has personally been
injured by a cell tower installation in my
neighborhood, operating within the FCC limits.

My children and I have a diagnosis of injury due
to non-ionizing radiation and suffer a condition
known as electromagnetic sensitivity due to this non-
consensual exposure. Our pediatrician brought this
to our attention. The American Academy of Pediatrics
position statement on limiting exposure to wireless
base stations. The addition of these towers and
kiosks will only add to the levels of pulsed
modulated microwave radiation in direct opposition to

what doctors, scientists, pediatricians, subject matter experts, and environmental policymakers are advising. New York City leaders should be focusing on health, safety and accessibility for all their residents. We are not anti-technology. We love and depend on it. But we also now, since we have been injured by it, use it safer. And everyone deserves to have access to safe technology. A radiating tower or kiosk outside home can make it inaccessible, as you've heard in other testimonies, the tower in my neighborhood made my home inaccessible and we were forced to move. Not everyone has that choice. The FCC is not a health or safety agency. They have no studies of the cumulative biomedical effects of the exposure due to a 5G kiosk or tower on every block as they wish to put them.

We all agree that there are needs to have robust outreach and engagement to all community boards, and this includes robust discussion on the danger of this wireless installation poses to them. How can people speak out on something hazardous that is promoted as within compliance and portrayed as harmless? How can residents even learn about RF hazards when not a single tower or kiosk here in New York City is

labeled as radiating? There is absolutely no informed consent. The New York City Council has no idea of how many people are sick or injured from these wireless installations. They don't know how many people have headaches, nausea, dizziness, insomnia, or palpitations. How can you, when no one measures or mitigates. One more sentence. There is a cost to this connectivity. At the cost of the health of your constituents, it is not free. And with 1000s of peer reviewed studies showing harm, not one showing safety, and condescending comparisons about the RF of a banana or a marble slab, and that of pulsed modulated microwave radiation on every block? There is certainly no trust either. Thank you for your important attention to this matter.

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. ROSSMAN: Hello. My name is Jane Rossman and I'm here to speak on behalf of the Garment District Alliance. The Garment District Alliance applauds the city's effort to assure WiFi connectivity for all neighborhoods in the city, particularly those that have a dearth of access. With seven years of experience with the link system, we also appreciate the council holding this hearing to review the

positive and negative impacts of the program. We believe it is important not only to look ahead at the next generation of the system, but to remedy the unintended consequences of the initial rollout.

Although the length of benefits, the garment district is an exception. Sidewalk space in the district is extremely limited, and the pedestrian volume is unusually high resulting from the proximity to Time Square, Herald Square, the Empire State Building, Penn Station, Port Authority, the 42nd Street subway Nexus, over 125,000 office workers and 54 hotels with 3 million visitors a year.

The sidewalks and pedestrian corridors are also compromised by food carts, legal and illegal vendors, newsstands, muni meters, bus shelters, signage, fire hydrants, mailboxes, outdoor dining, bollards, planters, and much more. Our public spaces are awkwardly congested, and the addition of Links totems, while conferring one public benefit also compromises public safety.

The garment district is faced with an astonishing redundancy of totems, which leads us to question the sincerity of the stated objectives of the program and the implementation plan. We understand that the

Links are a franchise agreement with CityBridge and that for the program to be profitable for both CityBridge and the city advertising must be sold to underwrite the cost of the program. Advertising value in Manhattan's Central Business District is greater than in most other neighborhoods. However, placing totems according to value rather than need has resulted in an excessive number of Links in the garment district. If a totems range is 500 feet, we have redundancy throughout our area, which also has many establishments offering free WiFi. There is no improved public benefit, only additional profit for CityBridge at the expense of pedestrian safety and mobility. As such, the Alliance requests the Council mandate that OTI eliminate redundancy in any future agreements.

Further, the garment district suffers from the outsized presence of homeless, drug addicts, mentally ill and other socially challenged individuals living on our streets. These individuals tend to cluster around specific links and monopolize them streaming all day long and intimidating groups or passed out with the belongings around the Totem.

The Alliance has for years implored OTI to eliminate specific problematic links which markedly compromise public safety and our neighborhood. Despite these efforts, presenting photographic evidence, and testimony from District stakeholders about the negative consequences on their employees and businesses, OTI steadfastly refuses. The Alliance urges the Council to require that in cases where community demonstrates that a link has become a detriment not an asset to a neighborhood, than the safety concerns of the community take precedence. Thank you.

MS. ROMO JANELLE: Hi, my name is Donna Romo Janelle, and I just wanted to mention that I'm a therapist and I deal with people who have electromagnetic sensitivity. And if you saw the suffering that I see, it would just make you cry. The tinnitus and the-- the lack of the pain they're in constantly, one lives in the bathroom, pretty much and that's it, or she goes to bed at night in the car that's down in the garage. So I just wanted to add on to this article 117, section 19 of the New York State constitutions Bill of Rights that states, each

person shall have a right to clean air and water and to a healthful environment. This is not healthful.

And now I would like to also bring up addressing the New York reaching the zero point project as far as electricity. Here we go: Wireless devices, antenna networks, and data centers are consuming an ever-increasing portion of the global energy supply that comes from pre-inventing wires.

Then we have an older one that states, "The digital transition, as it is currently implemented, participates to global warming more than it helps preventing it. And that's from the shift project report of environmental impact of information and communication technologies 2019. Something that is older states, "Our energy calculations show that by 2015, wireless cloud will consume up to 43 terawatt hours, compared to only 9.2 terawatt hours in 2012, an increase of 460%. Did you get that one? 460%. This is an increase in carbon footprint, which is what we're all about, carbon footprint from six megatons of CO2 and 2012 to up to 30 megatons of CO2 in 2015, the equivalent of adding 4.9 million cars to the roads, and aren't we trying to get the cars off

the roads here, but look at what we're getting with the 5G.

Up to 90% of this consumption is attributable to wireless access network technologies. Data centers account for only 9%. Wireless access networks are clearly the biggest and most inefficient consumer of energy in the cloud information.

Solution? A national wireline system can guarantee a superior foundation of internet access for everyone, on equal connectivity speed, safety, privacy, security, security?, energy efficiency and long term sustainability. And that's from your fiber cable copper, which Verizon never finished installing the fiber optics of which we paid for. Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you.

MS. ROMBALD: Thank you. I'm reading this letter on behalf of Margaret Loeb, who's the Vice President of the Board of Directors at 1088 Park Avenue, another Carnegie Hill neighbor. I'm writing to add my voice to the chorus opposing the proposed 5G towers in Carnegie Hill and I asked that all of our elected officials -- local, state, and federal -- work vigorously to stop this program immediately.

The 5G proposal is a cynical plan purporting to expand digital access to underserved, less affluent communities, while instead largely passing them by to concentrate proposed towers in affluent neighborhoods. The intention is clear not to support diversity, not to support equity, and not to bridge a digital divide, but instead to garner huge future revenue streams for carriers, pole providers, and the City by delivering what advertisers value most: Upscale demographics.

In addition, this ill conceived plan would damage the Carnegie Hill Historic District, which is listed on the National Register of Historic Places and is one of the most important historic neighborhoods in the United States. Compromising the historic integrity of this neighborhood-- Compromising, I'm sorry, the historic integrity of this neighborhood, would be an incalculable loss to our community, and to the many tourists who visit our neighborhood and its iconic cultural institutions, including the Metropolitan Museum, the Guggenheim, the Cooper Hewitt, the Nui Gallery and others.

We have learned that only New York City proposes using huge towers to expand 5G services. Every other

city in the country has devised a more sensible plan using newer technology. Let us learn from this experience. It is time to jettison this plan right now, today. Thank you. margaret Loeb.

CHAIRPERSON GUTIÉRREZ: Thank you.

Good afternoon. My name is Raul Rivera. I'm a New York native. I'm a TLC driver and a TLC driver advocate. We don't have anything written down. But we want to talk about legacy. The legacy of this committee. The legacy of all of the committees, and the Councilmembers. The legacy of Eric Adams, the mayor.

There is a mineral called cobalt. That mineral is needed to make batteries for electric vehicles, computers, and such. 75% of the cobalt is harvested in the Congo and Africa. 75%. And we always talk about equity and color and white supremacy and all these other things. 75% of the cobalt is being mined by people of color, young women with baby strapped to their backs, boys, and girls. That's going to be the legacy of the City Council and the mayor and anyone that's pushing electric vehicles down our throats, according to the Mayor and Uber, drivers need to have electric vehicles in about 10 years, in 2030. That's

the legacy of this of this city, you can't cherry pick on what you're going to advocate for. You have to remember the children of the Congo and cobalt.

And there is no such thing as clean cobalt. That cobalt passes through the hands of children. And you have to remember that. And we're going to keep bringing that up here, and throughout the city.

We've been making a documentary and we're recording this, so everybody's going to know we're going to date it, and you can say we didn't tell you so.

Thank you.

CHAIRPERSON GUTIÉRREZ: Thank you very much.

COUNSEL: My microphone was off. I want to thank everyone for excellent testimonies. And this was our last in-person panel. Please, thank you again. Get home safe. And now we're going to move to with witnesses who are here with us via Zoom. And for those-- for everyone who have requested to testify virtually and request to be a link to be resent, I just want to affirm that a link was resent, and I want to remind everyone to accommodate everyone today who wishes to testify, We kindly ask to limit your testimony to two minutes. And now I'm going to call our first virtual panel, and our first panel will be

Katherine Diaz, Will Benesh, Ronnie Wolf, Lucille Levine, and Chelsea Formica.

SERGEANT AT ARMS: You may begin

MS. DIAZ: Alright, folks can hear me okay. I'm guessing.

COUNSEL: Yes, we can hear you okay.

MS. DIAZ: Perfect. Thank you so much, everyone. My name is Katherine Diaz and I am the chair for Manhattan Community Board 12, representing Washington Heights and Inwood. We've experienced in the last several months many inquiries and comments both from interest groups and residents related to the towers. The process in this rollout has been incredibly confusing and inconsistent, including some of the information shared here today. We're a designated equity district, and we've had some insight, but it's really insufficient to meaningfully provide input as a board and as a district. And as a board, we have yet to have a formal position on the matter.

Structures in our district do not exist in a vacuum, and understanding where they're going to be installed, why and how our streets are going to look like, is really key in building public trust and being able to participate meaningfully. If there are

going to be 75 installed in our district, it's really critical for us to know up front and to have a map of all of them. As you know, the decisions and the input that we make on four or five affect the rest, right?, or vice versa.

You know, secondly, open data is not an accessible platform, particularly for neighborhoods like ours that already has limited access and digital literacy-- and low digital literacy. Excuse me. So I was happy to hear today that there would be a dedicated site available. And I do hope that there will be a map available of all-- of the projected 75 towers to be installed, what those timelines are, and you know, more expanded or robust FAQs that can address the many questions that the public has, that we've heard here today, and that that, quite frankly, that the Committee has also raised that you know, have yet to be clarified.

We also really do ask of OTI and CityBridge specifically what their plans are for engagement when alternative locations are proposed, and if they will agree to them or find others. You know, how often do they plan to return to our communities with redesigns?

SERGEANT AT ARMS: Your time has expired. Thank you.

MS. DIAZ: Thank you.

CHAIRPERSON GUTIÉRREZ: I'm going to ask a question. Thank you, Miss Diaz. Thanks for sticking around. Earlier in the hearing, Councilmember De La Rosa had sent some questions for me to ask of CityBridge. Can you confirm if the 70 or so designations that I was referring to. To your knowledge, are those proposed towers or a combination of 5G towers and kiosks?

MS. DIAZ: No. 75 towers.

CHAIRPERSON GUTIÉRREZ: 75 of the 5G towers, and your community board is Washington Heights and Inwood.

MS. DIAZ: Yes.

CHAIRPERSON GUTIÉRREZ: Okay. And right now, do you have a sense of how many kiosks-- would you say that the kiosks are distributed in your community board?

MS. DIAZ: The kiosks? Yes, we have had even in the past, before it was OTI, and do what they did come to our community board, presented them, explained those really well. So we do have a good

number of kiosks? I don't know the number off the top of my head.

CHAIRPERSON GUTIÉRREZ: Okay.

MS. DIAZ: I believe we have one tower.

CHAIRPERSON GUTIÉRREZ: No, no. And I-- It's only because the CityBridge is defining some of these districts that more they're looking at siting as equity districts. So I was just curious if it, you know, in your opinion, you felt like there was a decent amount of connectivity and access. I also know that your district has a significant amount of multi-dwelling buildings, you have the highest rate of rent-stabilized units. And what we've been hearing is like, just because you are next to a tower or kiosk doesn't mean that you can access this in your home. What do you think the impact-- Is there a benefit to the 75 towers, particularly in your community board that has so much density, whether or not they'd even be able to access this from inside their homes?

MS. DIAZ: Right. I mean-- And I think that was the big question in hearing today's hearing, but also part of the inconsistency, right?, is that we're being told that this was specifically for equity.

Expansion for-- for digital access for folks from their apartment. And people already do use, for example, the kiosks, right? So what are-- What is that data? You know, how many people are using the-- if there's a way-- even a way to track that, folks who are consistently using the kiosk from their apartments? We know that's not a replacement, obviously, or improved access to internet, and should not be the sole way.

But part of our question, right?, is again what is the purpose, what is the goal of these? And, you know, part of what we did hear from the one presentation that they did make is that it was actually again, you know, similar that like hotspot idea that it's for people who are on the street.

CHAIRPERSON GUTIÉRREZ: Right.

MS. DIAZ: So, you know, it's difficult to reconcile, you know, is this really meant to expand for folks who live here? Or is this for a carrier network? Is this for on-the-street access? And so it's difficult for us to reconcile all of that with many different narratives.

CHAIRPERSON GUTIÉRREZ: Well, thank you so much, Ms. Diaz. And I know that you mentioned that you in

your testimony that you would like to re engage with them on their designation process. So we'll make sure to make that that connection if they haven't, if that hasn't happened yet. Thank you so much for your testimony.

COUNSEL: Thank you again. Our next panelist is Will Dinesh. I'm sorry, will Benesh. I apologize for mispronouncing the name.

MR. BENESH: No-- No problem at all. Can you hear me?

COUNSEL: Yes, we can hear you.

MR. BENESH: Great. Yes, my name is Will Benesh. The Committee Chair for Manhattan Community Board 2's Quality Of Life Committee. I'm speaking to give testimony on behalf of Manhattan CB 2, which passed a resolution on this topic at our January 19 meeting.

Our resolution highlighted the significant and far reaching concerns that the board heard from community members regarding the proposed installation of the Link5G towers. These concerns are not in fact limited to any single category, but stretch across a wide range of areas, including design and aesthetics, safety, privacy, maintenance, equity, and economics.

Well, I don't have time today to go into detail about all these concerns. One area I wanted to highlight is the potential impact of the installation of these towers within or adjacent to landmark historic districts and or individual landmarked buildings. Several of the proposed siting locations for Link5G Towers within Community District 2 fall within or adjacent to landmark historic districts including Greenwich Village Historic District, Soho Cast Iron Historic District, and The Gansevoort Market Historic District. The proposed design for these towers is completely out of scale with the iconic streetscapes and architecture within these districts.

Additionally, the board feels that there remains significant uncertainty as to what the actual LPC approval process would be for the proposed siting of the towers within these districts, and believe that there has not been enough consideration of alternative infrastructure which would be less obtrusive. Finally, many variables subsurface conditions exist throughout these older districts, including extensive vault systems underneath many of CD 2 sidewalks. The Board believes OTI is not fully

considered or appreciated the fact that this may present an engineering difficulty hampering the ability to construct the towers in these areas.

Outside of these concerns, there are many other broad concerns shared across many other areas which may not be unique to CD 2 but are real and should not be minimized.

Finally, there seems to be simply no need for these towers in many of the areas that are being proposed. Within CD 2, there is ample sufficient cell phone service and broadband access. We understand there's other separate programs installing 5G Technologies on pole tops and rooftops.

SERGEANT AT ARMS: Time expired.

MR. BENESH: Thank you. Just to conclude, we've called for a moratorium on the installation of these towers within all residential and mixed-use districts which contain residential zoning, and/or in proximity to landmark districts and individual landmarks. Thank you.

COUNSEL: Thank you so much for your testimony. On next witness is Ronnie Wolf.

SERGEANT AT ARMS: Starting time.

MS. WOLF: Hello, and thank you for holding this forum. My name is Ronnie Wolf. I'm a resident and commercial property owner on Broadway in Soho. I'm in opposition of the three storage 5G towers and historic districts and the project should be paused throughout the city. I wish to speak about one specific situation: Several months ago CityBridge was granted a permit by DOT to cut three large holes into my properties corner sidewalk. I was not notified prior to their action. And although their contract with the city states they are to engage an engineer, they did not. The properties along Broadway and along sidewalks of corner intersections are vaulted. Although the Department of Building has a map, noting where the vaults are located in Soho, DOT, CityBridge, and Triumph, the contractor they hired to cut the three large holes into the sidewalks, neglected to do their due diligence to look to see if there was a vault, and even after cutting the first hole they could see they cut into the building's vault, they proceeded to cut two more holes because as the higher hand shouted at me, they have the permit to do so.

1 Their actions have not been rectified. The
2
3 sidewalks waterproof membrane has been cut, and their
4 actions have left the basement vulnerable to the
5 elements. CityBridge has already shown that they
6 have no respect for other people's property, nor the
7 health of residents and residential buildings next to
8 where they plan to erect their towers.

9 They stated their mission is all about serving
10 the underserved. As I would say it's all about money
11 and collecting personal data. Soho is a mixed use
12 neighborhood with mostly residential units above the
13 ground floor. The poles would be located directly
14 outside second and fourth through fourth floor
15 residential windows. Their presence is a health
16 concern for all of us. And I hope that we can--

17 SERGEANT AT ARMS: Time expired.

18 MS. WOLF: Thank you.

19 COUNSEL: Thank you so much for your testimony.

20 Next witness is Lucie Levine.

21 SERGEANT AT ARMS: Starting time.

22 Hi, Chair Gutiérrez. My name is Lucie Levine.
23 I'm speaking on behalf of the Historic Districts
24 Council. The historic the Historic Districts Council
25 is the citywide advocate for New York's

architectural, historical, and cultural neighborhoods. We work with over 500 neighborhood organizations in all five boroughs. We are concerned about new about New York City's installation and review process surrounding its Link5G Tower infrastructure. We are troubled by the towers' massive 32 foot height, utterly imposing scale, and complete lack of design, which seems to have no regard for New York's historic resources, the city's residential scale, or the urban experience. For an administration that has appointed the city's first public realm officer, this program seems utterly discordant with that realm.

Speaking of serving the public, we are also chagrined that the first phase of the tower program, which the city claims will help bridge the digital divide did not site towers and equity districts beyond Manhattan's core and in the outer boroughs. Instead, the first towers appeared in areas like the Upper East Side and Soho, neighborhoods seemingly chosen to benefit CityBridge, a private carrier and not New Yorkers mostly needed digital access.

We wonder why the first phase of towers has already been installed, given that the program will

have to go through the federal section 106 historic review process as confirmed by the Federal Communications Commission. We believe it would have been more financially and environmentally appropriate for the city to have waited for that review process to take place rather than installing structures it may have to take down over the course of the review.

HTC is a consultant in the federal section 106 process, and thus far the materials and communications we have received have been incomplete and disorganized.

On the municipal level, HTC wonders how and when these towers will come before the Landmarks Preservation Commission. According to the city's presentations to the PDC, 5G Link installations in historic areas require review and approval from the LPC, and installations adjacent to public parks require review and approval of the Department of Parks and Recreation.

As of yet there have been no such review of the 5G towers from either of these agencies. We urge the City Council to halt any further rollout until at least-- [MUTED]

SERGEANT AT ARMS: Time expired.

MS. LEVINE: --two, there are clear dates and guidelines for public hearing by the LPC, and, three, there's a clear equity map showing where and why 5G kiosks are installed in specific locations. Thank you.

COUNSEL: Thank you. Thank you so much for your testimony. Our final panelist in this panel is Chelsea Formica.

SERGEANT AT ARMS: Starting time.

MS. FORMICA: My name is Chelsea Formica I live at 520 East 90th Street where a 5G wireless facility was placed on top of a city-owned light pole by Exenet less than 10 feet from my infant son's bedroom. This pole is different from the LinkNYC polls, but the issue with OTI's lack of communication remains the same and should serve as a tale of caution for all constituents today as to what will happen when the pole is erected, and the lack of communication that will happen thereafter. Our community board was not given the contractual 15 day notice to discuss or refute this pole's direction that is less than 10 feet from my infant son's bedroom and people's living spaces. Since then, Community Board 8 has called for a moratorium on all

5G poll installation in our district. In addition, this pole blocks our view of a nationally registered historic site, the municipal asphalt plant. We are currently looking into whether or not a section 106 was completed. We had Councilmember Menin, Borough President Mark Levine, Senator Liz Krueger, and Assemblymember Rebecca Seawright, all co-signed a letter to Exenet and OTI, asking for the pole be removed because of a failure to notify constituents and because of the proximity to our building. OTI refused to look relocate a single pole. Exenet and OTI responded to this letter stating that when the site is operational, Exenet would offer to conduct a field RF emissions test that they believe would affirmatively demonstrate that the site meets all federal RF emission safety standards.

Since both OTI and Exenet have not followed through with any transparent, promised, and/or required communication either before or after this pole was installed, I am here today pleading for information from OTI on when the pole will be turned on, when these tests will be completed, when and how we will be able to see the test results, and if there's any way that we can move this single pole.

This is a safety issue for my baby and my family.

Thank you.

COUNSEL: Thank you.

CHAIRPERSON GUTIÉRREZ: Chelsea, thank you so much for your testimony. Lucy, I have a question, on your expertise on the historic district council. In your opinion, what are-- what is a man-- a manageable way to install a tower, if that's what we need for more connectivity, in a historic district council? What-- What does it need to look like? What are the guidelines, if they exist, that are out there in this instance?

MS. LEVINE: Sure. Thank you for asking. I am not able to tell you what the guidelines for design are. What we're asking for at the Historic Districts Council is for the towers to go through that design review process, first through the Section 106 federal review, which the FCC has already confirmed the towers will need to do, and then also to come under the review of the Landmarks Preservation Commission.

And so we're not here to say what the design should be. We're saying they need to come under a design review process, which they have not done yet.

So we're confused as to why with the knowledge that they have to come under that process federally under Section 106, and then municipally, from the Landmarks Commission, why they would have been installed, like prior to that review process when that has to take place anyway.

We also believe that everyone in New York is entitled to good design and useful structures, right? So the idea that there should be good design in historic districts? Well, there should also be good design upside of historic districts. That somebody who lives on the Upper East Side deserves a beautifully designed piece of the city as does somebody who lives in Brownsville, right? That we all, in terms of equity of design and equity of use, we all deserve that in New York City. And the only way to get that is to allow for these structures to come under design review before they're installed. Thanks.

CHAIRPERSON GUTIÉRREZ: Thank you both so much.

COUNSEL: Thank you. And our next panelists are Daniel Schwartz, followed by Shruthi Sriram, followed by Clayton Banks. Daniel Schwartz?

SERGEANT AT ARMS: You may begin.

MR. SCHWARTZ: My name is Daniel Schwartz and I'm testifying on behalf of the New York Civil Liberties Union. We thank the Committee and Councilmembers for holding this hearing and for the opportunity to write testimony today.

LinkNYC has, after nine years of operation, still not disclose the comprehensive list of the 30 sensors included in the kiosks know how LinkNYC collects combines and utilizes people's information in its interim business model. Each kiosk is equipped with multiple technologies that can facilitate the tracking of people and other data. Taken together at scale at the city level they allow for vast surveillance powers. It is important to note that the remote technologies allow for the possibility to track devices, whether they affirmatively connect to the network or not. Such unwitting data leakage and collection can occur can occur through wireless technologies which emit unique device identifiers when looking for and pinging nearby connections and devices.

And let's be clear, these surveillance powers are not by accident, but are core features of the business model, which according to Intersection,

promises advertisers highly detailed "audience insights", real time geospatial audience segmentation, and allows for "hypertargeting" in the physical world. All these quotes stem from official Intersection advertising materials. Intersection describes further, "ads on LinkNYC will respond to the audience nearby much like ads online showing the right ad to the right people at the right time, wherever they are." How is this implemented, and which third party data sources are tapped into remains unclear. But these central capabilities make it plainly clear how this ad model is fundamentally different from traditional ads, billboards at a phone booth or bus stop.

Each of the thousands of kiosks can continuously collect anonymized amounts of data which can be further analyzed, processed, or combined. Claims of anonymization are worth little without full transparency, providing details on how they're implemented, and how they are leveraged for targeted ads.

Given the myriad ways of correlating their data with other data sets, we identify--

SERGEANT AT ARMS: Time expired.

MR. SCHARTZ: Thank you. We will provide a written testimony outlining more of our concerns including the lack of bridging the digital divide, and we thank the Council and we want to note the council has a crucial role to play in overseeing large scale tech deployments like LinkNYC, setting much needed guardrails, safeguarding New Yorkers privacy interest, and rights and providing broadband access to all New Yorkers.

COUNSEL: Thank you so much, Mr. Schwartz. Our next panelist is Shruthi Sriram.

SERGEANT AT ARMS: Starting time.

MS. SRIRAM: Good afternoon, everyone. My name is Shruthi, and I'm here today representing the Surveillance Technology Oversight Project which is a New York based civil rights and anti surveillance group. I'm testifying today on our concerns about LinkNYC's impact on New Yorkers privacy.

One of our most immediate concerns is LinkNYC's privacy track record. Findings from 2022 privacy and transparency audit revealed that CityBridge unlawfully continues to collect MAC addresses, IP data, subscriber data, and other identifying information from users of LinkNYC kiosks. Such

practices are not only a security and privacy risk to New Yorkers, but in direct violation of LinkNYC's amended privacy policy and franchise agreements.

Additionally, auditors found that CityBridge gave incomplete Terms of Use and incorrect privacy policies to LinkNYC users. The consequences of these and the privacy infringements that they pose to New York residents are exceptionally high. Since the 2022 audit, CityBridge issued a remediation report in which they stated that they deployed MAC address and optimization, and now ensure that users are provided with accurate Terms of Use and Privacy Information.

While we believe these are important steps forward, far more is needed to protect New Yorkers' data.

We commend the committee for holding this hearing and urge it to maintain its aggressiveness in its oversight of LinkNYC and CityBridge. This company has repeatedly failed to meet its commitments to the city and people of New York, both failing it with its economic returns that the people of New York were promise, but have also breached users privacy rights. CityBridge has been given millions of dollars in kind support from our city, but such a troubled history of

privacy protection necessitates unflinching scrutiny of every aspect of the firm's business practices.

Our challenge for company leaders is this: For every reassurance they've provided today of privacy and security maintenance, for every promise they've made for the future, are these binding obligations or simply empty words.

SERGEANT AT ARMS: Time expired.

MS. SRIRAM: [inaudible] with the company, we have no choice but to assume these promises are more about PR than privacy. Thank you for your time and thank you for letting me testify on behalf of--

COUNSEL: Thank you very much. And our next panelist is Clayton Banks.

SERGEANT AT ARMS: Starting time.

MR. BANKS: Well, thank you very much. And I definitely want to say thank you to the Committee in and of itself and Gutiérrez.

I have 100 things to talk about, but I'm only going to do 99. No, I'm kidding. Actually, it's going to be very quick. So one is, I think the council should think of three really key things. I hope Gutiérrez is able to write this down: Number one The next digital divide, if you will, in New York

City and across this country is 5G. But nobody talked about that today. 5G actually creates another divide, right? You have to have a 5G device to use 5G. And that is expensive right now. It's a lot of money to get a 5G phone, or a 5G anything. So just want to make that as a thing, right? So you should be talking about that. What is 5G? I've been doing research on 5G for many, many years, more-- way before anybody was thinking about it.

Number two, I think you ought to think about making sure to separate 5G from tower, right? So we tend to put them together. But the tower is one thing, 5G is another. So we'll talk more about that.

Third. At the end of the day, this is all about broadband for me. I think we have moved all of our civics to-- to online. So when there's people in East Harlem or other parts of Harlem, or any place around our city that doesn't have the internet, is basically no longer a citizen. That's a problem. So we can't wait. We can't wait on towers and 5G's and big apples and all sorts of stuff. We need to get together with the City Council and say, "Guess what, if everyone has to have the internet, it becomes private and public." I'm your man to help you with

this. So I just want to make that clear. Everybody understand? 5G is the next digital divide. Heh. It really is. And the towers themselves--

SERGEANT AT ARMS: Time expired.

MR. BANKS: All the [inaudible] that New York City has, you gotta be careful. Thank you very much. I'm your man.

CHAIRPERSON GUTIÉRREZ: Clayton. Thank you so much. You have livened this panel up. Thank you so much to all of our panelists.

COUNSEL: And I want to thank everyone one more time. And now we're going to take two minute break and we will continue with our next panel. And I would like to announce our next panelists. Our next panelists are Frank Taylor, followed by John Cochary, followed by Lauren Bond, and Reverend Thorbs. Thank you. We are taking a two-minute break and we'll-- we'll be back in about two minutes. Thank you.

[5 MINUTES SILENCE]

COUNSEL: Okay, we're starting with our next panel. And we're starting with Frank Taylor.

MR. TAYLOR: Okay, hello. I don't know if I can be heard yet.

SERGEANT AT ARMS: Yes, you can. You can start now.

MR. TAYLOR: All right, great. Thank you very much. My name is Frank Taylor. I am retired law enforcement. I live in East Elmhurst. I am the current Community Board 3, Chair of Community Board 3 in Queens. I represent East Elmhurst, Jackson Heights and North Corona. We've had committee meetings on this with both these committees, both these guys, City and Link, they have proven themselves to be false, actually. When you go back and check what they've actually said, and what they've actually given us, it's been false. They've shown themselves to be bad actors in the community boards.

Also, being the chair of a community board. Not everyone has scientists or environmental lawyers to decipher some of this information. But most of us don't need someone who tells us that radiation is bad. Radiation does not go well with human being. And what we're talking about here is not simply headaches. We're talking about cancers. We're talking about immune diseases. We're talking about stopping people from being able to learn.

Yes, this is a program that needs to be done as far as getting everyone broadband. Yeah. And I love Clayton earlier when it said no one was talking about 5G. You know, everyone's talking about everything else. But what happened to 5G?

But these people are not the people to do it. They've said to you guys, honestly, this is not for us. This is not for the people who live here. This is for the cars. This is for people on the street. Well, again, I get with third world countries. We always get the word third world countries. I live next to LaGuardia airport--

SERGEANT AT ARMS: Time expired.

MR. TAYLOR: My big thing-- If I could just say this. We have to take care of people, not companies. And this is obviously a company that's a shell. So please. I want to get back to normal. Like the President said, COVID is over. Let's act like COVID solver, and I appreciate the Chairperson who did this meeting. This was very well done. A lot of questions were asked that were answered in other circles. So I thank you again from Community Board 3 in Queens. Thank you.

COUNSEL: Thank you very much for your testimony, Mr. Taylor. Our next panelist is John Cochary.

SERGEANT AT ARMS: Starting time.

MR. COCHARY: Hi. I'm John Cochary. I'm very pleased to testify on behalf of the Center for Hearing and Communication, also known as CHC, about our experience with the LinkNYC program. CHC, just as background, we're a private nonprofit rehabilitation center for people of all ages with hearing loss. We were established in 1910 and provide services including hearing testing, hearing aid dispensing, speech and language therapy, educational support, and mental health counseling. We also provide a great deal of public education, much of it focused on the impact of noise, on hearing and quality of life, the significant negative impact of untreated hearing loss in older adults, and accessible communication for people with hearing loss. We're licensed in New York State as an article 28 diagnostic and treatment center, and outpatient mental health clinic, and we provide services to all regardless of a person's ability to pay.

People generally know that LinkNYC benefits New York City residents, and visitors, and businesses.

But I don't think it's as widely known that LinkNYC also benefits nonprofits like CHC. CHC had the opportunity to advertise on LinkNYC kiosks at no cost as part of the Link Local Program. We can't even begin to put a dollar value on this pro bono advertising. The CHC budget doesn't include funding for advertising. We know there are many individuals in New York who could benefit from our services, but they just don't know that we exist. We're often told by clients who do find us that we are the best kept secret in New York. So being able to have our message seen by millions of New Yorkers who pass by the screens is exposure we never could have had without the link local program. So we're very grateful for the opportunity.

COUNSEL: Thank you very much for your testimony, and I apologize for mispronouncing your last name.

And our next panelist is Lauren Bond.

SERGEANT AT ARMS: Starting time.

MS. BOND: Thank you committee. My name is Lauren. I lived the Westside Midtown, 14 years in the fourth district. February 2020-- 21-- 2020, nine 5G cell towers activated on the rooftop of 325 West 37th, 40 and 90 from my window. I have a safe place

to live before the cell towers. Immediately with operations severe symptoms [inaudible] confirmed with my doctor, constant tinnitus, burning skin, shortness of breath, palpitations, increased pain in the eyes, limiting visual function, insomnia, several migraines, and vertical disturbances through cranium, occipital region, simultaneous horizontal intracranial disturbances, extending through ear canal and stabbing pains extending into all four extremities.

Stepping into the apartment, burning sharp needles, strong pressure on the heart, difficult concentration ensued. Stepping out into the hall, it stops. I wake up in the night because I can't breathe. A rhythmic sensation pressing heavily up and down on my heart. A searing sharp energy plunges from the top of my head, traveling through my nervous system and my full body. I'm paralyzed. I want to move and can't. This goes on for half an hour two different nights. I have severe damage to my central nervous system. It's pandemic lockdown and I have no safe place to live. In two weeks with the initial currents, I could secure temporary housing with a friend. My sleep is restored the injuries remain and

physically weaker, collapsing every day, feeling sliced and burned neurologically, nausea, migraines easily triggered and constant painful sensitivity to light. Now I moved to the east side District Six and there's cell towers everywhere I have to avoid. I know two buildings of residents living in agony unable to lead normal lives. The Pentagon developed weaponry with 5G immobilizing people. I was immobilized. Now you know what can happen and cell towers time should be--

SERGEANT AT ARMS Time expired.

COUNSEL: You can continue testimony Ms. Bond.

MS. BOND: Thank you. I wanted to highly encourage using wired broadband because it is safe, reliable, efficient, and cheaper. And it's already been paid for, the copper wiring, and this could be reaching everyone because it's already paid for and the circuitry is already going to all the homes. We need to go in a safe way. Thank you very much for this hearing.

COUNSEL: Thank you very much, Ms. Bond. Our next panelist is Reverend Thorbs.

SERGEANT AT ARMS: Starting time.

REV. THORBS: The evening everyone and thank you, Chair Gutiérrez. I am Reverend Carlene Thorbs. I am the chairperson of Community Board 12 here in Jamaica, Queens. This covers St. Albans, that I heard of another pastor speak of, Hollis, Springfield, parts of Springfield, South Jamaica, and the Jamaica Avenue area.

We are in COVID, and as we're coming-- as we're slowly merging back out into our communities, what do we see? The towers. This conversation about the kiosks began in 2018 here in Jamaica, with the group called Greater Jamaica. The whole purpose of the of the kiosks were supposed to be on Jamaica avenue to help bring WiFi to the community, especially in that commercial strip area. Everyone was for it. Everyone was excited. And we also wanted a WiFi in our parks.

Instead, what we have gotten is kiosks being littered everywhere. And on top of that, now we have these monstrous towers that literally people are thrown off. They're-- They're fearful. And we can't blame them. This is not what we asked for. When Community Board 12 was contacted in regards to what type of what type of unit we wanted to see, I clearly

told them in writing, we did not want that. We did not want that-- that 9 foot-- 32 foot-- 9 foot tower. We did not want to in our community. Now we have it. We're beginning to see it. And they do it in a very sneaky manner. They-- You can drive through one section and not see it, and next, come through again in a couple of days, and there's a tower put up. Currently on Rockaway Boulevard there two that are a block away from each other. And the way that we've been told by LinkNYC, they're looking to make a web type of connection. And with that being said, that means there needs to be one on every other block at least with a nine foot tower. That is not acceptable. I've seen towers--

SERGEANT AT ARMS: Time expired.

REV. THORBS: -- [inaudible] commercial mixed use, and they are right near windows. Our community, they came to us with a doctor who was talking about the medical effects and how there was no effects to the community. And it turns out he wasn't even a real doctor of biology. He was a fraud. As the prior gentleman said, I too am retired from law enforcement. Listening to how they came to us and the lies that they have told to our Community Board

time and time again. We feel that they cannot be trusted. They're not coming with honesty. They're not they're not coming with a straight story. They told our community we needed this 5G because we're so poor.

We're homeowners here with renters. So how poor can we possibly be? Yes, we do have shelters, and we are carrying the weight of the shelters for the city. And the shelters need that 5G, and they need the children in the shelters-- need that equipment. But we do not need this 5G the way they're saying.

And finally I have already seen and heard on TV just yesterday that they are coming out with 10G. So now where does that leave 5G if 10G is already on the horizon. Put the wiring underground. There's a better way to do this. We too, Committee Board 12, we want a moratorium. We have sent out our resolution. We want to cease and desist. We don't accept this.

But to us, they told us we were broke to Community Board 8, they said it was for the tourists. You can't have it both ways. You can't have it both ways. This is unequitable. Thank you for hearing me out.

COUNSEL: Thank you very much. And thank you everyone for your excellent testimonies today.

We're moving to our next panelists. And our next panelists are Michele Birnbaum, followed by Megan Fitzpatrick, followed by Julie Anne Ashcroft.

SERGEANT AT ARMS: Starting time.

MS. BIRNBAUM: Hello, Chair Gutiérrez and members of the committee. Thank you very much for hearing my testimony in opposition to the installation of 5G network towers in the New York City historic districts and in front of individual landmarks. My name is Michele Birnbaum. As a Founder and President from its inception of Historic Park Avenue, a preservation organization formed for the stated purpose of including Park Avenue from 79th to 86th Street in the historic district, as were the streets on Park Avenue South of this location.

After nine years of very hard work, extensive community outreach and diligence, we filed the RFP with the Landmarks Preservation Commission, and the district was designated in 2014, along with its inclusion on the state and national registers of historic places, preservation organizations and the appropriate committees of community boards spend

endless hours scrutinizing even the most minute details of buildings and streets that come before them in order to determine the best and most appropriate course of action needed to preserve and respect the integrity of those entities.

As a member of Community Board 8 Manhattan and its landmarks committee, I take part in this effort regularly. And as a member of the zoning committee, I am vigilant in my efforts to protect our neighborhoods and make decisions appropriate to maintaining the livability of our community. The installation of 32-foot-tall 5G network towers and 5G multiple modules placed on lampposts are the antithesis of respecting the aesthetic standards of our historic districts and violate not only the city standard for historic districts, but the federal standards as well.

Besides the towers, some of which include active advertising screens, overwhelm the streetscape, mask the view of trees and interfere with the uniformity and standard of the architecture and the historic district. Sitting close to the windows of residence that towers blocked views, and they make questionable

levels of wireless radiation, a concern that requires much more discussion.

SERGEANT AT ARMS: Time expired.

MS. BIRNBAUM: Let me sum up then, just to say that the tech companies are available right now to build an operate an innovative and interconnected broadcast platform that use current infrastructure and actually send signals off the Empire State Building. This is in effect now using current infrastructure with the communication companies such as Verizon and AT&T just have to tweak their system a bit as receivers. So the technology already exists for that there's no reason for us to have these invasive towers. Please put a stop to this ill-thought-out, potentially dangerous and unnecessary program that takes advantage of the city coffers to line on its own while providing no benefit to anyone. And thank you so much to the chair for really putting in the hard work today. I really appreciate it, as I'm sure do others. Thank you very much.

COUNSEL: Thank you very much for your testimony. Our next panelist is Meghan Fitzpatrick,

SERGEANT AT ARMS: Starting time.

MS. FITZPATRICK: Hello, councilmembers. Thank you for your time. My name is Megan Fitzpatrick, and I'm speaking on behalf of Landmark West. Landmark West shares concern with Upper West Side neighbors, the wider community, and advocacy groups that the design and installation of these proposed 5G Towers would have an adverse impact on our historic districts and streetscapes. WiFi towers have widened and more than doubled in height in just a few short years.

The proposed design is wholly inappropriate not only for its size, but for its disproportionate and frankly poor design. These towers are entirely out of scale for residential areas and most commercial areas in historic districts were streets and often are often narrow and buildings are lower in scale. They can only serve to clutter the city streets and historic districts.

The lack of clarity regarding the approval and review process of 5G Towers has led to a lack of trust from the community. The insensitively of random clusters of approved sites for installation with no official review process undertaken for towers

installed in historic districts demonstrates a lack of transparency surrounding this important issue.

We believe that no concern has been given to the sensitivity of placing these huge terrorists in historic districts or near individual landmarks and scenic landmarks simply for CityBridge's own goal of coverage and profit.

Landmark West recommends a redesign of visible 5G infrastructure that applies sensitivity to the city's streetscapes. Alternative designs are possible without compromising the integrity of our city's historic neighborhoods. We seek clarification on the process of identifying and approving locations, especially in historic districts or near individual landmarks and scenic landmarks. We want a clear and transparent review process that effectively includes public opinion, including how the public will be informed of proposed sites and how forums for discussion and feedback will be organized. We also see a list of installations to date with--

SERGEANT AT ARMS: Time expired.

MS. FITZPATRICK: [inaudible] and an up to date mapping map showing installations to date and proposed locations. Thank you.

COUNSEL: Thank you so much. Our next panelist is Julie Ashcroft.

SERGEANT AT ARMS: Starting time.

Okay, hello. This is Julie Ann Ashcroft. As a low income resident in City Council District 2, I do not need LinkNYC WiFi. I already receive free internet from the FCC via the affordability connectivity program. ACP gives me the opportunity to choose a WiFi or a wired Ethernet connection. I choose Ethernet because WiFi interferes with clear thinking. WiFi interferes with sleep. And WiFi interferes with other important body processes including how the body uses calcium. I do not own a cell phone. I do not use WiFi. And I wisely opted out of a dangerous SmartMeter. Before I installed metal screens over windows and mirrors and sheet metal over walls in my top floor apartment, I could feel microwave radiation from nearby wireless antennas cooking my body. Incoming radio frequencies also interfered with electronic equipment such as my handheld decibel sound level meter.

Although I still need to put sheet metal on the floors to block my neighbor's incoming Electrosmog, the shielding I have already installed as improving

my health and enabling my house plants to grow into trees. My indoor forest not only removes carcinogenic air pollutants, it converts the CO2 that I exhale into pure clean oxygen.

LinkNYC WiFi towers cause a fire threat to outdoor trees, and to all nearby tenants living in combustible wood frame buildings such as the pre-war rent stabilized building I live in. LinkNYC tower fires have the potential to suddenly destroy low-income and affordable housing at a time when we need it the most.

That's-- Okay, I'm going to read part of this. This is "WiFi is an important threat to human health." WiFi causes oxidative stress, sperm and testicular damage, neuropsychiatric effects including EEG changes--

SERGEANT AT ARMS: Time expired. Cellular and DNA damage, endocrine changes, and calcium overload. That's a-- that's an article from PubMed.

COUNSEL: Thank you so much, everyone for your testimony. We are moving to our next panel, and our next panel will be Erica Ewing, followed by Jill McManus, followed by Richard Frank, followed by Theodora Scarato.

SERGEANT AT ARMS: Starting time.

MS. EWING: Hello, my name is Erika Ewing, and I am CEO and founder of Gotta Stop LLC. I'm a 24-year resident of Harlem. I'm on the Board of Trustees of Mount Morris Park Community and Improvement Association, and I'm former chief of staff of Black Lives Matter of Greater New York and a member of Delta Sigma Theta Sorority Incorporated.

The three-- Towers that have been proposed in the Marcus Garvey Landmark District, I want you to know, one, we already have WiFi services that is provided all along our park through the New York City Department of Parks and Recreation. Selling our Harlem streets to wireless telecommunications companies for their own profit is not something Harlem asked for, wants, or needs. Nor was our historic district listed in the current third amendment of the franchise agreement. There is no singular definition to define the digital divide. The Link5G cell towers franchise agreement with CityBridge solely concentrates on one aspect of the digital divide, which is availability and ignores, blatantly ignores, the other aspects such as

affordability, quality of service, relevance, and safety.

Mount Morris Park residents, business owners, churches, daycare schools, homeowners, community-based organizations and associations, including the New York City Parks and Recreation Department, and the Harlem Historic Park Administration, living within the proposed area of the three Link5G towers were not consulted or given a needs assessment survey.

So, again, Harlem did not ask for it. We don't want it, and we don't need it. Thank you.

COUNSEL: Thank you. Jill McManus.

SERGEANT AT ARMS: Starting time.

Thank you so much for having this very important hearing. Can you hear me?

COUNSEL: Yes, we can.

MS. MCMANUS: All right, thank you. I am a longtime-- lifetime New Yorker. I lived in in the Community Board 8-- I'm sorry Community Board-- Yes, Community Board 8 area, which has rejected the towers. These towers-- these think 5G towers are like alien biological intruders, collecting a financial toll and a toll on our health. The planned built out of the 4000 5G cell towers and up to 7500

by 2026 will bring millions of New York residents, whether elderly, pregnant women, children, people with physical disabilities, or immune system problems, pets, and trees, and other life forms into involuntary daily close contact with invisible electrical charges from towers, emitting unmeasured amounts of RF radiation 24/7.

The wireless build-out has been touted to help close the digital divide. However, the bill that will have the opposite results. Any installations have been centered on so called equity areas, which identified by the telecoms, I guess, claiming they did a survey back in 2020 on the need for better wireless service, but they have no locatable documentation for that survey. It's all been very deceptive. Some people in those equity areas resent being considered needy, and they do not want the towers and do not need them. In fact, people in those areas may not be able to afford 5G phones and services. The reality is they will be stuck with an inferior, if not already outdated, technology in booths 32 foot high data collecting form. There is little they can do about it, and facing their windows. Wireless needs constant updating--

SERGEANT AT ARMS: Time expired.

MS. MCMANUS: --it's easily hackable and will expose them to radiation. Fiberoptic, wired broadband, on the other hand, is superior in every way, and is future proof. It also helps children do their homework at home.

COUNSEL: Thank you.

MS. MCMANUS: I demand-- I demand that the committee urge a moratorium on any further installations of building 5G cell towers in New York City, and deactivate any of those already installed towers until more is known about the health effects and public safety. Thank you.

COUNSEL: Thank you very much for the testimony. On next panelist is Richard Frank.

SERGEANT AT ARMS: Starting time.

MR. FRANK: Hello, my name is Richard Frank. I'm a broadband consultant. I've been designing and building fiber optic networks for over 40 years. I was asked by Odette Wilkins of WiredBroadband.org to chime in. I have designed and built networks in multiple states utilizing public and private funds, underserved areas of community, most notably a \$40 million network connecting rural schools in

impoverished Mississippi under a President Obama VTOP grant. I have twice then invited to speak on national syndicated radio, Gigabit Nation, as a broadband subject matter expert. I personally managed the fiber restoration for MCI, WorldCom, returning telco services to Manhattan post 911, connecting fed, city, and vital locations bringing them back online. Remember when the stock market bell rang a week later? I was behind that. I spent months at Ground Zero.

I'm currently engaged at a large engineering firm building fiber network to underserved areas of New York State via a USDA grant. The USDA would not approve this project for funding as they would consider it unsustainable.

As part of my career, I worked for Lexit, and was their project manager on the Metro PCS fiber optic network build. I also installed the fiber that CityBridge utilizes. Big tel and cable created the digital divide by failing to upgrade wired facilities and instead invested in unproven and unsustainable wireless service offerings that are more profitable. These unsightly towers provide very limited penetration to bring broadband into residences. How

1 did New York City get it so wrong? The continuation
2 of this wireless deployment is outrageous given the
3 digital divide is so wide and the gap can be closed
4 via a wired solution. The money should instead be
5 spent on fiber to underserved areas, particularly
6 those that could access the ACP program that would
7 make the project eligible for federal funding as
8 well.

9
10 I am often hired by organizations like OTI to
11 help them make decisions such as this when they--

12 SERGEANT AT ARMS: Time expired.

13 MR. FRANK: need wireless versus wired solutions.
14 And I have posed three questions in writing that can
15 be considered. Thank you very much.

16 COUNSEL: Thank you very much for your testimony,
17 Mr. Frank. Our next panelist is Theodora Scarato.

18 MS. SCARATO: --unmute?

19 COUNSEL: You're unmuted.

20 MS. SCARATO: Okay. I'm Theodora Scarato,
21 Executive Director of Environmental Health Trust. We
22 are a scientific think tank. I just want to start in
23 response to some of the testimony. You know, 5G is a
24 corporate land grab. It's pitched as bridging the
25 digital divide. FCC limits are outdated, set in

1996. And these limits are based on small animal studies from the 70s and 80s. Like this, you know, when cell phones looked like this, brick phones. So we sued the FCC regarding its refusal to update its limits and the lack of review for over 10,000 pages of research and evidence. And by the way, the majority of studies show adverse effects. You can run it a lot of ways. Glad to explain in the question time more on that.

In 2021, we won our lawsuit against the FCC. The US Court of Appeals DC circuit ordered the FCC to address what it had ignored. Specifically, the published research indicating impacts to the brain to memory, inflammation, the endocrine system, children's vulnerability. Children absorb this radiation deeper into their more sensitive brains, the health effects of long term exposure, because these limits are designed for short-term heating effects, but not long term, daily exposure for years. And environmental impacts: The FCC ignores studies showing damage to birds, bees, and tree canopy.

Now it's been nearly two years and the FCC has not responded to the court mandate. The US government can't explain how it's antiquated 1996

limits protect human health or the environment. Why? Because there's no one watching the store. The EPA, CDC, FDA, National Cancer Institute, and World Health Organization have not scientifically reviewed the totality of the up-to-date research, and certainly not on 5G, 4G, or bioeffects related to long term cell tower level radiation. There's no risk assessment, and no reports.

SERGEANT AT ARMS: Time expired.

MS. SCARATO: And the last thing I'll say is that that is because there's no federal agency with any funded activities regarding cell tower radiation, no federal measurement or oversight program. It's a regulatory gap. And we've sent numerous letters to the OTI. They have not answered that related to where are the RF reports for what the radiation emits. And, you know, are those levels even compliant with the antiquated levels that we have? Limits that we have? So there's still been no response to our letter, which I sent in the testimony I submitted extensive written testimony to you. Thank you.

COUNSEL: Thank you very much.

CHAIRPERSON GUTIÉRREZ: Theodora? Right? That's your name?

MS. SCARATO: Yes.

CHAIRPERSON GUTIÉRREZ: Sorry. Thank you so much for your testimony. Can you expand a little bit on what the mandate determined in 2021? And how the FCC is not in compliance, if they're not meeting this mandate?

MS. SCARATO: Well, the FCC decided in 2019, so a few years ago, that the 1996 limits, the ones set decades ago based on science developed earlier, that those did not need to be updated. Now, there had been an almost-seven-year inquiry where the FCC was accepting science, testimony, recommendations. It had asked the questions. Should we update these limits? Should we update based on children's vulnerability? They actually asked all the right questions in their inquiry. And they have a record with over 10,000 (actually more than that) pages of science and evidence.

Then, in 2019, they said, "Oh, we looked at it and we decided that there's no reason to change the limits, to update them." And so that is actually when they-- they triggered in greenlighted the 5G,

streamlining the fast track rules at the federal level.

So our lawsuit was that the-- the FCC literally ignored, did not address, did not even mention all of the issues that I talked about -- the non-cancer issues, impacts to memory, brain damage, someone-- someone who has testified earlier talked about Dr. Hugh Taylor's research that found damage to mammary in animals. He's the chief of OB/GYN at Yale and also on our board.

And that was completely ignored, all of that science, as well as everything related to birds, bees, and trees.

So by law and agency has to show that they properly reviewed all-- everything that was presented to it. They should have said, "We looked at what you said about children's vulnerability, and we think X, Y and Z."

The other key piece of this though is that the FCC can't opine on the issue of health. Because it's not a health and science agency, they don't have medical doctors or scientists who have, you know, are trained in understanding it. So they needed to rely on other agencies. So one of the key issues in the

1 court case was that-- one of the judges in the oral
2 arguments was saying, "Well, how do you know this is
3 safe for long term?" And the FCC attorney (this is
4 just an example of what happened in the case) said,
5 "Well, we just know." And the judge in not-- in so
6 many words said, "You can't just know. By whose
7 authority?"

8
9 There is no agency. The EPA used to measure the
10 levels in the environment. No longer does that.
11 There's no monitoring, there's no oversight. There's
12 no looking at the science on cell tower. And 5G, of
13 course, is completely-- there's been no review of
14 that. So the lawsuit was about proper review of the
15 record. And the FCC was ordered to respond in 2021.
16 And they have not responded.

17 CHAIRPERSON GUTIÉRREZ: And then can you also--
18 Thank you, by the way. Um, you mentioned that you
19 had shared correspondence with OTI. Can you just--
20 how many times, and the dates, because it's my
21 understanding that they have not responded?

22 MS. SCARATO: Right. In fact, it was sent to--
23 Okay. So I would have to pull it up.

24 CHAIRPERSON GUTIÉRREZ: Yeah. When you can, you
25 can submit it.

MS. SCARATO: I would say it's about three or four, maybe five times I sent them this letter. And finally, I sent it to a Councilperson who sent it. And then I got an email back that it was now a FOIL. You call it a FOIL, a public information request, and I have not gotten a response. And my question was: Where are the RF radiation measurement reports? And OTI said in a meeting way back, one of the community board meetings, they said, "Oh, well, we don't have any antennas in there, so we don't have that information."

But, you see, the way it normally works is, when there is an application for a facility, there are computer simulations that can be done to estimate what the levels will be based on what's in the environment, based on the projected antenna strength and frequency and so forth.

In my community, for example, and I'm in Maryland actually, our city actually hired a firm to do that to simulate if there was a cell installation, what would the levels be? How far would it go out? And they did a worst case-- best case. They did like one antenna, three antennas. But none of that has been done. And also OTI said that they have radiation

measurements that are being done, or have been done on other facilities. I've asked for those. I have not received those. So I don't know where they are, or if, like, I don't know where they are. And one of the problems is there's no oversight on this. Like, who's checking? Who's checking that those reports exist? That there's compliance? That those compliance reports are looking at-- what are the levels inside the building, not just standing on the ground, but inside the building when you're just eight feet from these antennas? So I have not received a response.

CHAIRPERSON GUTIÉRREZ: Wonderful. Thank you. If you have the capacity to forward that to the same email that you use to testify, that would be great.

MS. SCARATO: Great. I have it in my testimony.

CHAIRPERSON GUTIÉRREZ: Oh, fantastic. Thank you so much.

COUNSEL: Thank you again for your testimony. And we are calling on a final panel. And our final panelists are Zack Winestine, Yesenia Mata, Cecilia Doucette, Anna Marcum, and Dena Tasse-Winter.

SERGEANT AT ARMS: Starting time.

COUNSEL: Mr. Weinstein.

MR. WINESTINE: Yes, I'm sorry. I was unable to unmute myself for a while there. If you could restart the clock, I'd appreciate it.

CHAIRPERSON GUTIÉRREZ: No problem.

Yeah, my name is Zack Winstine. I'm with Save Gansvoort. We're a group that deals with the landmarking zoning and quality of life issues in the western portion of Community Board 2, Manhattan.

I'd like to talk about problems with the siting process for these 5G towers. And I'll give some give some examples from-- from our community. OTI and CityBridge have emphasized the detailed guidelines and multiple layers of review that govern the siting process, but reviews are meaningless if project planners never analyze the results and respond to complaints and suggestions in a meaningful way.

Manhattan-- For example, Manhattan Borough President Mark Levine wrote a letter expressing multiple concerns. As far as I know, and I checked with his office many times, he received no response.

All of our local elected officials sent a joint letter asking for moratorium with detailed reasons. No response from OTI. Community Board 2, as you heard from Will Benesh, passed a detailed three page

resolution requesting a moratorium in our community.
There was no response from OTI.

But it wasn't just that there was no response to that resolution. Something worse happened. Despite OTI telling Community Board 2 that it was still reviewing comments, and that there was still time for CB 2 to weigh in and to have their resolution considered, a mere 10 days later, CityBridge started pouring foundations for two of these towers on Washington Street. The decision must have been made before the CB 2 hearing given the lead times necessary to sort of survey the site and to schedule construction.

Second, OTI and CityBridge have been completely unable to follow their own guidelines. In our area, there's a tower adjacent to an individual landmark that violates OTI's guidelines. There are two towers on one block. That violates OTI's own guidelines. There are towers with advertising screens located within historic districts. That violates OTI own guidelines. There are towers too close to trees--

SERGEANT AT ARMS: Time expired.

MR. WINESTINE: Almost finished. Towers that leave less than eight feet-- eight feet of sidewalk

for pedestrians, towers blocking stop signs, all violate the guidelines.

This isn't just a matter of violating the letter of the law or violating letter the rules. The big question here is if OTI and CityBridge have made such a mess of the siting process, how can we how can we trust that they will be able to avoid going bankrupt, successfully bridge the digital divide, and guarantee that the 5G towers are being operated in compliance with all safety standards, inadequate as those standards may be? Thank you very much. I appreciate your time, and greatly respect your tolerance, patience, and stamina in running this hearing.

COUNSEL: Thank you very much Mr. Winestine. And our next panelist is Yesenia Mata.

SERGEANT AT ARMS: Starting time.

MS. MATA: Thank you to the Chair of the Committee, Councilmember Gutiérrez for holding this important hearing. My name is Yesenia Mata. I am the Executive Director of La Colmena, an immigrant and worker rights organization based in Staten Island. I wanted to take this opportunity to discuss the partnership between La Colmena and LinkNYC. Together we created the Gigabyte Center in Staten

Island to bring WiFi to the immigrant community. La Colmena currently is a satellite for the city of New York to provide support and services to new arrivals around workforce development. The type of support that La Colmena Coleman has provided to new arrivals is around the orientations, construction classes, pre apprenticeship programs, ESL, and digital classes. As a gigabyte center, we have been able to reach many new arrivals. You see the way that many of them communicate is through WhatsApp. Also the way they are able to stay in tune on the services they are available to them, and even further to do their like their check ins with ICE or with court. Through the gigabyte center, many new arrivals go to La Colmena, a place where they feel safe and have the opportunity to use the free WiFi.

With all this many services that we have in the amount of people that we see, the free WiFi we received through LinkNYC has become very useful. We all know that WiFi opportunities is very low in income-- in low income by BIPOC communities, and the Gigabyte Center at La Colmena is currently providing those type of opportunities. Looking forward-- We're definitely looking forward to being part of this

conversation that will bring digital justice in BIPOC and immigrant communities. Thank you for your time.

CHAIRPERSON GUTIÉRREZ: Yesenia, can I ask you a question? Yes? Thank you for sticking around. For members of La Colmena, while they're in the space, the Gigabit Space, do or do they all have the devices to be able to connect to WiFi and 5G? Is that an issue as well for your members?

MS. MATA: So two things right? I want to bring in-- I want to talk about-- about one instance. I remember one time La Colmena was distributing 50 desktops to the community, the Stapleton community, an under-resourced community, and I remember we were distributing these desktops and what ended up happening once the people got to their homes, they were like, "Oh, you know, we don't have WiFi." This is-- and we didn't think that far. You know, we weren't really-- we didn't-- that was a time when we started realizing that WiFi is-- is a luxury at this point, and that under-resourced communities don't have access to technology as other communities. So that's one instance.

As for the-- As for when LinkNYC came to La Colmena, and we created the first Gigabyte Center to

support the immigrant community, what is happening at the moment is that many asylum seekers are coming to La Colmena, and they already have cell phones. And they ask for services but as well, while-- while they're there, they're able to use like their cell phone, and then we teach them how, like, you know, they could do like the check in or, or check for, like their court.

But because La Colmena is also like-- like, you know, the community immigrant center, many of them, like, once they get out of the shelter in the morning, they come to La Colmena or are around La Colmena using their cell phone, and every time they come up, they have a question, they come back in La Colmena, and they say, "Hey, you know, I just checked this online. Is this a service you have available?" Or, "Is this true that I could go to here, and they'll provide me the service?" So it's very interested in how-- I want to say, like, it became like the hub, the WiFi hub. And what is happening right now is that we have it right now in the Stapleton area. But now like in our Port Richmond area, our daily resident community is also asking for a Gigabyte Center because it reaches a certain

distance. So, like, we're always like, [inaudible], where workers are at. So I guess that's-- the majority of them already have like their cell phones to be able to access.

CHAIRPERSON GUTIÉRREZ: So yeah, it doesn't-- Thank you so much. It doesn't sound like they-- or maybe we're not aware but they're not having issues even carrying the devices. They-- They have them and they're utilizing La Colmena as a one-stop shop for WiFi and resources. Awesome. Thank you so much.

COUNSEL: Thank you. Our next panelist is Cecilia Doucet. Starting time.

MS. DOUCETTE: One moment, my video is just coming online. Good evening, my name is Cecilia Doucette, and I'm Director of Massachusetts for Safe Technology. I helped my schools become the first in the nation to start taking precautionary measures with wireless technology.

I also helped New Hampshire become the first state in the nation to pass a law to investigate the health and environmental impact of today's 5G and wireless technology. Their groundbreaking commission report documents conflicts of interest with the

wireless industry, the FDA, the FCC and other federal agencies.

New Hampshire also documents 15-- documents biological harm from wireless technology, and makes 15 recommendations to transition away from toxic wireless emissions, and instead invest in fiberoptics to and through the premises.

Retired president of Microsoft Canada, Frank Clegg testified the wireless is no longer advanced technology. Fiberoptics directly to and through the premises is. Now the earth pulses healthy electron energy at 7.83 times per second. Wireless manmade technology pulses a million times in the megahertz range and a billion times in the gigahertz range at our cells. Quite simply wireless radiation overpowers our biological cells.

This radiofrequency radiation detection meter lets us see this invisible energy. Here in my house. I'm in a nice safe level of green. But I want to give you a demonstration of what happens with wireless technology. When I take my cell phone out of the airplane, see how we went into the flashing red. That's extremely hazardous according to the biological science. I'm going to go right back into

airplane mode to remove that exposure. It went up to over a half a million--

SERGEANT AT ARMS: Time expired.

MS. DOUCETTE: And the science they want us at 10. So I do safe technology training twice a month. I invite you to join us at Massachusetts for Safe Technology for an educational webinar. And we can help you learn how to bring safe, hardwired technology to and through the premises. Thank you very much.

COUNSEL: Thank you so much. Our next witness is Anna Marcum.

SERGEANT AT ARMS: Starting time.

MS. MARCUM: Hello, my name is Anna Marcum and I am the Executive Director of Friends of the Upper East Side Historic Districts, and I'm testifying on behalf of the organization today. Since the Link5G program began it's surprisingly unfettered and aggressive rollout last fall, we've expressed broad concerns about the proposed installation of 32 foot Link5G Towers throughout the Upper East Side and New York City.

While we wholeheartedly believe that at Portable and reliable access to high speed internet is

essential, there are a myriad of issues with the Link5G project. One of the most puzzling is the opacity behind the siting of the towers OTI and the CityBridge team that have offered it and consistent reasoning all equally vague for the tower siting, oscillating between a strategic placement to bridge the digital divide, and placing towers at the behest of various commercial telecommunication companies to fortify their networks.

The absurdity of the siting plan is clearly illustrated the proposed locations on the Upper East Side: Nine Link5G's are proposed in our neighborhoods, seven of which are in historic districts. Inexplicably, six are (excuse my cat) six are located in a two-by-nine-block area of Carnegie Hill. Each of these towers are less than three blocks away from the next closest tower. In another part of the neighborhood there are two towers one diagonal block from each other at the southwest corner of Madison Avenue and 62nd street and southwest corner of Park Avenue and 63rd Street.

While CityBridge and OT I claim today that the siding for the towers was more thoughtful and spaced out in the initial rollout, these towers are three

times the height of the original kiosks and much more visually intrusive. Clustering these massive towers in our historic districts would irreparably alter the built environment and rhythm of our streetscape.

Friends is also troubled by the design of the towers. OTI and CityBridge have failed to appropriately address two key contingencies of their public design commission approval. The LPC's jurisdiction over the siting of the towers and the requirement to research and develop a design more suitable--

SERGEANT AT ARMS: Time expired

MS. MARCUM: --to residential areas and historic districts. Earlier this year, I asked OTI and CityBridge representatives about the requirement to research a more appropriate design, and it was not acknowledged as a written condition of the approval, and overall was disregarded. From thoughtful redesign of the tower to cleverly blending the canisters housing the 5G connectivity equipment with the existing street architecture, there are surely more sensitive design solutions to this problem.

The issues with the program extend well beyond what I've discussed today. Including the rampant

privatization of public space and the negative impact of these structures on ADA accessibility and congestion of our sidewalks.

We strongly encourage more pause until they can outline clear processes for community engagement, approval, and transparency. Thank you. Apologies for going over.

COUNSEL: Thank you. Thank you for your testimony. Our next witness is Dena Tasse-Winter.

SERGEANT AT ARMS: Starting time.

MS. TASSE-WINTER: Chair Gutiérrez and committee members. Thank you for this opportunity to testify. My name is Dena Tasse-Winter and I'm speaking on behalf of Village Preservation. Founded in 1980, Village Preservation is a 501(C)(3) organization that works to document, celebrate, and preserve the special architectural heritage and cultural history of Greenwich Village, the East Village, and Noho. Village preservation was deeply concerned when plans were first announced to install these huge, ungainly, three-story towers on sidewalks across our neighborhoods, sometimes right next to residential windows and in or adjacent to landmarked areas with little to no public input.

While towers located in historic districts will be subject to review by the Landmarks Preservation Commission, it is as of yet unclear how that process will work in this case. VP is grateful to have recently been granted consulting party status for the impending Section 106 review of these towers. However many questions surrounding the city's process for the design, siting, and installation remain.

VP strongly opposes the uniform installation of these towers throughout our neighborhoods. The location and context for each tower needs to be carefully considered, and in the initial proposal, the city had proposed to site concentrations of them in areas where they are not needed and would particularly negatively impact landmarked buildings and historic districts, like in the Far West Village and meatpacking district.

Village preservation supports the deployment of 5G infrastructure for all New Yorkers to have access to wireless connectivity, but there are ways to strategically do so without obstructing the historic architectural fabric of the city. The 32-foot-tall towers would be an overpowering and ungainly presence within certain streetscapes, where the majority of

buildings are three to four story row houses or other low-scale structures.

Surely with a proper strategy in place, connectivity can be brought to these areas without the visual blight and widespread negative impacts on our historic streetscapes and landmarks.

To conclude, we question the rationale for how the equity districts were--

SERGEANT AT ARMS: Time expired.

MS. TASSE-WINTER: --initially determined and maintain that neighborhoods such as the East Village are not the most in need. Efforts could instead be focused on neighborhoods that are actually in digital deserts and would gain the greatest benefit from this technology. Doing so would better serve the program's goal while protecting historic viewsheds and the architectural features of our city.

Thank you very much for your time.

COUNSEL: Thank you very much for your testimony and our final witness is Michael Muadin.

SERGEANT AT ARMS: Starting time

COUNSEL: Do we do we still have Michael on Zoom? No, I don't I currently do not see our final witness on Zoom. And this will conclude our public

testimony. One moment. Give me one moment I think we have some technical difficulties right now. We're going to call Michael in a moment.

[2.5 MINUTES SILENCE]

It looks like Michael is experiencing some difficulties with Zoom right now. And this was our last panel. It will conclude our public testimony. And if you have registered to testify and haven't been called, please raise your Zoom-- hand on Zoom. Actually, I apologize. I think our final witness just got connected to Zoom.

SERGEANT AT ARMS: You may begin.

MR. MUADIN: Thank you. Thank you so much for your patience. Good afternoon Councillors. My name is Michael Muadin. I'm president of the Alliance for Microwave Radiation Accountability, a New-York-based nonprofit organization working for those disabled by electromagnetic sensitivity, a sickness recognized for 70 years as microwave radiation syndrome. A 2019 study by Michael Bebbington analyze the prevalence of electromagnetic radiation disabilities in the population. Based on its percentages, and the 8 million people living in New York City, 55,000 people are already so disabled they can't work. Another

127,000 people have severe symptoms. Some 423,000 people experience moderate symptoms. 30% of your constituents, some two and a half million people, are already dealing with mild symptoms of electromagnetic illness. The worst victims are refugees from radiation, forced to withdraw from society, unable to tolerate additional exposure from any source. The injured lose their civil rights and access to medical care, the legal system, and government. They can't walk into City Hall, a courthouse, a library, a bank or a hospital. They're no longer able to go shopping for food or clothing. Every store is off limits due to the radiation from WiFi and cell phones. You can't overcome the digital divide through wireless technology that causes microwave radiation syndrome, and disables even more people, barring them from civic life and public spaces.

We need to declare a moratorium on all new construction of 5G monopoles and deactivate all 5G towers now in service before the people of New York City are devastated, provide wired broadband through fiber to the premises. It's faster, safer, and uses less energy. Lastly, no law prevents this Committee from holding hearings on the health impacts of 5G, a

necessary first step toward granting the victims of microwave radiation syndrome, formal recognition of our illness and disability, equal access to public spaces, and justice for our suffering. Thank you for your time and kind attention.

COUNSEL: Thank you again. Thank you for your testimony. And this concludes our public testimony. And once again, if you have registered to testify virtually but you haven't been called, please raise your Zoom hand. And I do not see anyone right now on Zoom. And I want to thank everyone for the testimony, and I want to turn to the chair for closing remarks and to adjourn the hearing.

CHAIRPERSON GUTIÉRREZ: Well, thank you, Irene and thank you to my team, Anna and Anya, and certainly all of our panelists and witnesses. And Robert, thanks for sticking around and the folks at CityBridge, thank you so much.

Sergeant at Arms: I appreciate it. Please go home to your families. Be safe. This hearing is adjourned.

[GAVEL]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 06/15/2023