

STATE INTEROPERABLE & EMERGENCY COMMUNICATION  
BOARD MEETING MINUTES  
NOVEMBER 30, 2016  
DHSES - Building 7A - First Floor Training Room

**SPRAGUE:** Good morning, everyone. Welcome to my second State Interoperable & Emergency Communication Board meeting. I survived this long. I'd like to welcome everybody. Thanks for coming in on kind of a foggy morning. I hope everybody had a good first holiday. We have more holidays to go, so we're going to fit this one in between. We've got a few things to go over today. And so with that, I'm going to kind of keep things moving along. Let's go with roll call.

**Board Members Present:**

Michael Sprague  
Keith Corlett  
Stephen Campbell  
Michael Primeau  
Robert Terry  
Kevin Wisely  
Todd Murray  
William Bleyle  
Joseph Gerace  
William R. Hall (by phone)  
Brian LaFlure  
Gary Maha  
John Merklinger  
Kevin Revere  
Richard Tantalo  
Michael Volk  
James Voutour

**Board Members Absent:**

Designee for NYS Division of Military and Naval Affairs  
Eric Day

**Guests:**

Linda Messina  
William Peat  
David A. Cook  
Brett Chellis  
Rick Podagrosi  
Emily Sanderson  
Bill Shea  
Michael Blaise  
Robert Gehrler

Larissa Guedko  
Peter Zwagerman  
Vincent Barney  
Mike Tersmette  
Ray Kenny  
Jay Kopstein  
Matthew J Campbell  
David Kislowski  
Matthew Delaney  
Mike Allen  
Eric Abramson  
Angelica Kang  
Chris Tuttle  
Joann Waidelich  
PJ Higgitt  
Toby Dusha

**WAIDELICH:** We have quorum.

**SPRAGUE:** Thank you. A couple things before we get into the agenda and the minutes. Just a couple of etiquette things. If you would put your phones on stun. We all have important things to do, so if you need to take a call, please feel free to step outside. But if you'd put them on stun, we'd appreciate that. The restrooms are just outside in the hallway. We do have coffee and water in the other room. And if, for some reason, there is an emergency, emergency exits are labeled and we'll leave out the front of the building. Ground rules for the meeting. I'll just read these. We have a lot of people attending today. Board members attending by video conference shall constitute presence at such meetings for all purposes, including quorum. The principal must make notice of their location pursuant to the Open Meetings Law. If by audio conference only, the member will not count as present for quorum nor permitted to vote. Guests or persons having relevant knowledge or information may attend and speak as part of the agenda upon acceptance of the meeting agenda by the Board. And if a Board member is unable to attend in person or by video conference, his or her designee may attend the meeting and vote on behalf of the member unless they are an appointee not representing a state agency. Okay. The next thing on the agenda is approval of the agenda, adoption of the agenda.

**MERKLINGER:** Motion to approve the agenda.

**SPRAGUE:** Motion made.

**LAFLURE:** Second.

**SPRAGUE:** Motion made and seconded. All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anyone opposed?

(No response.)

**SPRAGUE:** Approval of the minutes. Did everybody receive the minutes from the last meeting?

**MAHA:** Motion to approve the minutes of the last meeting.

**SPRAGUE:** Motion made by Sheriff Maha.

**GERACE:** Second.

**SPRAGUE:** Seconded by Sheriff Gerace. Any discussion?

(No response.)

**SPRAGUE:** All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Carried. The next thing on the agenda, we had a presentation at the last meeting regarding Citizens Alerting Committee. That was there for your information to review. And since then, we've had a resolution developed by our counsel. I think you all have a copy of it. So I put that out there for your consideration. Can I have a motion to consider it?

**LAFLURE:** I'll move to bring it forward.

**SPRAGUE:** Motion made by Brian LaFlure. Do I have a second?

**REVERE:** Second.

**SPRAGUE:** Secoded by Kevin Revere. Any discussion? Comments? Questions?

(No response.)

**SPRAGUE:** This gives some formal process to the EAS. We've have a small EAS committee and a number of other things that have been kind of working towards this end, kind of formalized it into a more cohesive group and bring people together and really work on it. We've had a couple of issues that we've been bouncing around this fall. There were a couple of EAS tests that were out there, some questions that came up on it. This, I think, will help us to process these and also share the results of that back with everybody. No other discussion? I'll call the question. All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Carried. Thank you. Moving right along. The Standing Committee reports. The 911 Advisory Committee. What I'd like to do before we start the committee report is actually read a brief statement. Most of you that were here at the last meeting, if you read your minutes, there was a discussion that went on during that meeting about standards about training for PSAPs, wireless versus non-wireless versus all kinds of other PSAPs, a lot of questions regarding that. Deputy Commissioner Wisely asked us to do a brief to him, which we did in the interim, and so I've got a statement about where we're at with that thing. So I prefaced it for that. "One thing I'd like to address at the outset is the desire to physically express by the Board in prior meetings to apply current wireless PSAP standards equally to wire line in addition to Board recommendations to revisit the standards in general. Deputy Commissioner Wisely has clearly taking the Board's recommendation under advisement. At our last Board meeting, he requested that OIEC provide him with a brief on the current scope of Article 6A as well as the legal and policy considerations required to implement the Board's recommendation. "We have initiated those discussions in earnest and will be continuing those discussions internally to evaluate what direction DHSES will take, how we can craft the legal landscape in such a way as to address the rapidly evolving technology as well as policy issues in the coming years. "As you all well know, this issue is further complicated by the advent of NG 911 with its associated legal requirements and ramifications. Given the complex nature of the issues involved and the fundamental impact on public safety, these intensive discussions will continue with all the due diligence and deliberation in support of public safety." So this is a synopsis of where we went with your discussion from the last Board meeting. And with that, I'm going to turn it over to Sheriff Gerace.

**GERACE:** I'll just bounce it right back to you, Mr. Chair. We are just wrapping up rewriting the standards and will move forward once the draft is put together.

**MERKLINGER:** I think to add to what Sheriff Gerace said, the national standards for training are in the process of being adopted and reviewed as ANSI standards. So I think that's

something that we need to look at to move forward with our state so we don't have anything to complicate what's going to become a national standard.

**SPRAGUE:** As I talked with Sheriff Gerace, one of the things I'd like to see going forward is -- and every other week, we've been having NG 911 meetings. The off weeks, I'd like to see this committee meet -- you know, we're going into holidays so probably not much during that time frame, but after the holidays, we can get into meeting. As we move forward, you guys can also move forward with some of the information that you've got for the standards for moving stuff. So that's kind of my thought direction going forward. Any other discussion for this committee report?

(No response.)

**SPRAGUE:** Okay. NG 911. Brett.

**CHELLIS:** Okay. The working group has been, as Mike said, meeting either weekly or biweekly on conference calls and so on since its inception in February. We have right now four state agencies represented on the group: OIEC, Department of Public Service, ITS, GIS and Land Engineering Services and Division of State Police are all represented. We have New York City with DoITT, NYPD and an open invitation as well to FDNY to participate. We have 13 County 911 coordinators represented on the working group at this time, and we've been moving along. We started with a lot of educational workshops and so on to bring the group up to a level of common knowledge and so on into the technology and what's comprised in a project of bringing NG 911 to the State of New York. We started with a class last November. Then, this September 1st, we had a NENA class, what's in that box. It was a very informative class, a really good eye-opener of all the components involved in a project. And then in the beginning of November, we started a strategic plan development workshop brought to us out of the Federal Department of Homeland Security, Office of Emergency Communications, Joel McCamley and Nancy Dzoba, who are interoperable technical assistance program contractors have been working with the group. Since then, we had a workshop which was a day and a half followed by two conference call webinar meetings to go through the process of drafting recommendations that we can bring forward to our supervisory chain and further to move ahead with this project. We also have conducted meetings on a regular basis. I had two with New York City DoITT to keep apprised of their project and the status in the City. Also, a meeting in New York on October 31st with the Department of Public Service, Mike Rowley. We're working closely with them, because they handle the whole statutory side as far as the Public Service Commission and the carrier side of the 911 world where this division's involved with the PSAP side and the operational side. So we've been working pretty closely with them. We continue to move forward at a good pace and keeping the Deputy Commissioner apprised on a regular basis on our progress to see what he wants us to do. That's my report.

**SPRAGUE:** Any comments, questions?

(No response.)

**SPRAGUE:** I'd just like to follow up on Brett with, I guess, a thanks, because there's been a - it's gratifying to see the overwhelming support and interest in this project. Every meeting we've had has been very well attended. We've invited not just emergency services but cross-sections from state agencies and people that you don't think of right off the bat, that's their part, but they definitely are tied in one way or another to this. And everybody's been at the table and nobody's falling asleep. Everybody is really interested. So I just want to thank everybody that's been involved with it for their participation. It's been really good. If there's nothing else, we'll move on to the CIWG report. Jay.

**KOPSTEIN:** Good morning. We're going to look at what we discussed at the last CIWG meeting and what I'm going to discuss later on today. At the last CIWG meeting, we were

talking about how to define call volume versus a CAD incident versus a call for service. We're trying to compare work from jurisdiction to jurisdiction and, apparently, there's no common definition of how much work is actually being done. So we're looking at that and we'll hopefully get a definition back. From my SAFECOM and ICC meetings, Hurricane Matthew; there were no communication failures reported anywhere in the East Coast. Spectrum; industry is still looking to obtain spectrum at public safety expense. In Oklahoma, we were looking at dedicated funding for Next-Gen 911, specifically stopping the diversion of 911 funds from other than 911 issues. One of the other items we discussed was federal purchases of communications equipment; recommending that the contract require that the manufacturer provide replacement parts for the entire life cycle of the equipment as defined in the contract. There were a lot of complaints from around the country that you buy a radio and three years or four years down the road, you can't get parts for it requiring the purchase of a new radio. We need MOUs for the Federal Incident Response Law Enforcement Interoperability Channels; they don't exist yet. We need to resist the creation of information silos between us. The COMU working group and the COML working groups having to do with the NIMS refresher; we were informed by FEMA that there will be no changes in ICS in the upcoming refresher that's being pushed down the road. The SAFECOM members from New York State besides me are Tony Catalanotto from the New York City Fire Department, Tom Roche, Mike Davis from Ulster County 911 and John Vallarelli from the New York State MTA police. Of those five people, three of us are on the Executive Committee for SAFECOM: I, Tony Catalanotto, and Tom Roche who is also the chair of the Funding and Sustainment Committee. Mention was made of interference in the T-band, and maybe Chris Tuttle can expound on that a little bit in a minute. Sometime in 2017, there's going to be a FEMA exercise in Northern New Jersey and New York City. I don't have any further information on it. Director, you might, or Chris Tuttle might. On December 12th, the Port Authority will have an exercise either on the JFK air train or JFK terminal. The ICC had a presentation by FirstNet. LMR is not going anywhere, let's understand that. They (FirstNet) are looking at mission critical data in 3G PP and going to 4G PP. This past summer, Science & Technology did a jamming exercise, a radio frequency jamming exercise, down in White Sands, New Mexico and there has been a webinar on it. I will be doing a presentation on that at the CIWG meeting following this meeting. Anybody who's interested is more than welcome to attend. The presentation will not be done here at this meeting. And in the summer coming up, S&T will be doing another radio jamming exercise. That's what I have. Chris, do you want to bring up the interference piece?

**TUTTLE:** In the Metropolitan New York area, we continue to see additional increase in interference on T-band. It's known. It's coming from licensed television broadcasters down in North Carolina and Pennsylvania. Atmospheric conditions are allowing for an increase in the interference. What it's led to is the use of the national interoperability frequencies in lieu of the operational frequencies that are assigned to those agencies. So the interoperability frequencies are being tied up to kind of push off the operational use so they're not interfered with on a normal frequency. It's mostly happening in Northern New Jersey, but we've seen it in New York State as well. The other issue regarding the jamming exercises, there will be a draft report coming out for that. It's going to be classified at a certain level. It's going to be obviously watered down for the public to be read. Once we have that, it will be shared with the Board for review and comment. It was very eye-opening. They tested everything from low band radio up to public safety broadband, class 14, they used drones. They looked at law enforcement vehicles with MDTs and other LPR and computer systems and how that would be interfered with from a jamming perspective. So it was very eye-opening for all those that were out there, Los Angeles County Police, Phoenix Police, some federal entities and other

local law enforcement that were there. So like I said, it was very eye-opening, very worthwhile for the time, and we'll see how it goes for this exercise this year.

**KOPSTEIN:** FEMA exercises in 2017?

**TUTTLE:** Gotham Shield 2017 will take place in the spring of 2017. It's going to simulate a 10-Kiloton IND explosion in New York City and Northern New Jersey, look at sheltering, evacuation, communications and infrastructure impacts and things of that nature as part of the Department of Defense Start-of-the-Century exercise series. So there's also going to be an exercise tying into that somehow up at the St. Regis Mohawk Tribe on the Canadian border of New York State. So I am working with the tribal representative as well with the federal government to ensure that's coordinated properly.

**VOUOUR:** One quick question. Can you explain what T-band is? Pardon my ignorance.

**TUTTLE:** Yes. It's the UHF spectrum that was allocated for television use and given to public safety years ago. It's mostly in the Metropolitan areas of the United States. The majority of the licensees are actually in the Northeast between Boston and New York State. It's part of the congressional mandate for public safety broadband, which is T-band give-back in that all the T-band frequencies have to be given back by public safety and given back to the commercial side for licensing. Whether or not that happens with the new administration, time will tell. But for example, just for NYPD and FDNY and others in New York City, not counting Northern Jersey or southwestern Connecticut, to come off T-band and go somewhere else will be in the billions of dollars. There have been numerous studies on this. There's a lot of lobbying going on currently regarding this issue. So it does have a major impact. But like I said, since it was a television spectrum essentially that was given public safety use years ago, there are still other areas of the country that operate on it for television. So you'll have interference from those broadcasters who are licensed officially and atmospheric conditions create interference. It happens a lot down in Connecticut, Long Island and New Jersey mostly from North Carolina and sometimes Pennsylvania.

**VOUOUR:** Thank you.

**TUTTLE:** You're welcome.

**SPRAGUE:** Any other questions or comments?

(No response.)

**SPRAGUE:** Okay. Thank you. Public Safety Broadband. Matt Delaney.

**DELANEY:** Good morning, everyone. I'll just give a short update on Public Safety Broadband and FirstNet. So we had talked in previous meetings about FirstNet, the contract process and their award. So they have been publicizing that it's happening around November 1st but that's been delayed, because here we are at the end of November and it has not occurred yet. They still are promoting that it will be by the end of the year. We'll have to see. I mean, we don't know specifically. We're not involved in it. This is a federal process, not a state process. So really, we just have to wait and see when FirstNet is ready to announce. So there are timelines that the state will have after that. FirstNet, once they award the contract, there will be a state plan delivery where they deliver to the state a certain number of months after the contract signing. They deliver the plan of how it will occur in New York. We don't know if that's going to be delayed yet, because we don't know exactly when the FirstNet award will be. Plus, whether the announcement will be the announcement of who the prospective proposed bidder is or the actual signing of the contract, which will affect the date of when the state plan, is delivered. So hopefully, by the next Board meeting, we'll know for sure, it will be announced and we'll have more details on the project moving forward. State plan evaluation. So as I mentioned, there will be delivery of the state plan. The state then has -- every state, New York and every other state, has 90 days to review and decide whether to opt in and let FirstNet build, opt out and build your own plan or take no action, which is

considered a federal opt-in and they build the network. So we've been developing a state plan evaluation process for how we do it. We will have a very short amount of time to do it, 90 days total. That's everything from reviewing the plan, making a recommendation and then the Governor's office making the decision. So what we are looking at the moment is having a core group of subject matter experts to evaluate the entire plan, look at every piece of it and then have regional meetings as well during the first couple months of those 90 days with stakeholders, you and who we should invite, and a whole variety of folks, to really socialize what's in the plan and get input on it and determine are there any issues. We are waiting to find out exactly from FirstNet what the process will be. If we do see any issues, there will be opportunity to make some small adjustments. I don't think there would be opportunity to make large adjustments, because that could essentially be the opt-in/opt-out decision. But if there are minor things, we have the opportunity to make minor adjustments with FirstNet either before the 90-day clock starts or even once the 90 days starts. So again, the timeline is dependent on FirstNet's schedule. So again, hopefully, by the next Board meeting, we'll know a lot more. SLIGP 2.0, the State and Local Implementation Grant Program, is a grant that was awarded to every state and territory in 2013. It was set up in the original legislation that created FirstNet. The current program funds outreach efforts and state plan evaluation and other things related sort of to FirstNet activities in the state, travel to FirstNet conferences and meetings and so forth. The current grant is scheduled to end for us at the end of January 2018. It's a month or two on each side depending on which state you're in. Unfortunately, this would be right around probably the state plan decision at the end of the 90-day period or just after that. We'll have to see exactly what the schedule is. But even if it's just after, the state is still probably going to be involved, because actually, that's when the real outreach is going to ramp up, because we'll know what the opt-in/opt-out decision is, we'll know who the prospective users are, we'll have ideas about plans, about costs, what the development will look like and the schedule to actually build the network in New York, as every other state will have the same obstacles to face with the grant ending. So NTIA, which is the National Telecommunications & Information Administration, which administers this grant for the feds, they're looking at how to best continue that beyond the beginning of 2018. So they have a new grant concept of SLIGP 2.0. They're looking to use unexpended funds, because there are unexpended funds currently. They're looking to use those to issue another grant that would basically allow the states to continue outreach for another year or two beyond the beginning of 2018. So that would hopefully take the states through the ramp-up of the FirstNet network and starting construction and maybe users starting to migrate onto the network and so forth. Beyond that, we don't know what the long-term plans are for the state's role in user adoption and migration planning and so forth. But at least this would probably get us another year or two to really work through that key time that we would be at. We don't know exactly how this is going to play out. There are a lot of factors still in play here about exactly how much funds are expended and the new administration and goals. They haven't issued an RFA or anything like that yet. So they're looking probably within the next couple months to have more concrete information on this. The goal would be to issue the RFA, the Request for Application, and get the grant awarded all prior to January, 2018 so the state can just continue. Basically, the program grant would end and the next day, we'd be on the new grant instead of a gap of potentially many months where there wouldn't be funding. Because in some states, they actually have state employees who are paid for out of the grant program to do outreach and so forth. So some states are really in a bind if a grant ends during key time in the FirstNet evaluation. Public Safety Broadband Working Group meeting. We were hoping to have a meeting around this time, because we were hoping to have the award information from FirstNet. That hasn't happened yet. I don't think we want to delay much

longer having another working group meeting. We haven't met since, I think, August. So we're probably going to schedule one anyway sometime around probably the first week or two of January. We'll do a WebEx, and maybe we'll have award information by then anyway. If not, we'll still have a meeting to discuss the evaluation process. So it will either be a two-part meeting or a one-part meeting depending on exactly how much information we have from FirstNet. That's all I had. Questions?

**BLEYLE:** Matt, if the states -- they have 90 days to decide whether they'll opt in or opt out. If the state decides to opt out, how long do they have to build?

**DELANEY:** So the timelines are a little less clear if you opt out. So the law actually states that if you opt out, you have 180 days to conduct your procurement and deliver that -- basically, there are -- after you've conducted your procurement, there are multiple steps of approval. The FCC has to approve your plan, your own state plan, for interoperability with the rest of the national network. NTIA has to approve it for a variety of things. And FirstNet has to approve it and negotiate a spectrum lease agreement, because essentially now you're going to be operating on a FirstNet spectrum in your state. So there are like three steps that occur at the federal level after you've completed your 180-day procurement. None of those timelines are set in the legislation how long that those agencies have. So there's a lot of question about exactly how long those things will take and how much will occur in tandem versus sequential. So potentially, it could be years, I mean, it could be months, it could be years. It's going to be a minimum of 180 days. You're probably not going to take less than the six months that you're given. So you're going to have at least a six-month delay for the rest of the country for states that opt out. Beyond that, we don't know, because it depends how long it takes to get all those approvals and then the negotiation of the spectrum lease and then you're ramping up of your construction. Again, you're only opting out of the RAN, the Radio Access Network. So if you opt out, you're still subject to FirstNet network policies, you're still subject to use of the core. In fact, the state has to pay a core usage fee, because you're still on the national network. You still have the interoperability, but you're essentially building a different set of radio access network sites, towers and so forth, in connection to the FirstNet core. You're still subject to all the plans and policies and so forth, and upgrades, and you have to commit to that for 25 years. So if you choose to opt out, you have to basically follow FirstNet's national process for 25 years.

**BLEYLE:** I've noticed that a number of states have started looking at the plan B, the opt-out, and going out there and just looking at what the cost would be and doing preliminary background work so that they can make -- I assume it's so they can make a better decision on whether to opt in or opt out. Has the state considered that?

**DELANEY:** The state at this point has not issued any RFP and we haven't begun working on anything along those lines. It really in some ways -- there's two ways to look at it. In one way, it's good to sort thinking ahead of time to get sort of out in front and do it. But on the other hand, without even knowing what's in the state plan, you have no idea what to evaluate against or what to ask. You could ask for something, but you have no idea if it's anywhere close to what FirstNet might be delivering and what you're asking for in the alternative until you see the plan.

**BLEYLE:** It just seems that the windows that they're imposing, it really kind of prohibits you or impedes your ability to really make a good decision.

**DELANEY:** Well, I mean, the 180 days, the six months, that's set aside in legislation. Beyond that, anything beyond that, there are steps in the legislation, but there's no timing for it. So we really don't know how long or how involved those reviews and negotiations would be and what they would look for. We just recently went to a SPOC meeting, a State Point of Contact meeting, that was held by FirstNet and that's one of the things that was discussed; if



a state opts out and presents a comparable plan, what exactly is comparable? If your plan is different, is that similar but different, better but different, worse but different? So that's one of the things that have to be determined. And then does FirstNet, NTIA, FCC, all those sort of approval steps, if any one of them is not satisfied with you, what's the process? Do you get to go do it again? Do you just by default okay, you didn't work and you just opted in because your first attempt didn't work? How comparable is it to make those issues comparable? There are a lot of open questions.

**BLEYLE:** Thank you.

**SPRAGUE:** Matt, that question really is pointed to one of three options that are available. For those that aren't aware, can you just highlight the other two?

**DELANEY:** You mean the opt-in/opt-out?

**SPRAGUE:** Yes.

**DELANEY:** So an opt-in scenario, at the end of the 90-day review process, the Governor and the state discuss it, sends a letter and says, "Yes, we opt in. FirstNet can come build a network in our state." What this means is that FirstNet constructs, maintains and operates the network at no cost to the state. Of course, if you're going to use the network, there's a cost to use the network. We don't know what that will be yet. That will be part probably of the state plan delivery, exactly how much it will be per month and so forth, but there's also no requirement that you opt in and use it. Basically, you opt in and say, "Sure, FirstNet, come and build it", but you're not opting in to use it, you're not making any guarantee that anybody will use it. But you're also saying, "This is a federal responsibility, you go build the network." If you opt out, you are saying, "I want to build the Radio Access Network. I want to control the spectrum and the tower siting and so forth in my state." But you're still subject to connecting to the FirstNet core. So you're still essentially on the national network, which is why we've got all the additional levels of approval, and you're subject to sort of the future scape of the FirstNet network over 25 years, the upgrade to the 5G technology and beyond and all the policies and guidelines of network operations. But you get to operate the radio access portion with the coverage that you desire if the state plan coverage is not acceptable. And there is much debate about exactly the funding that you might receive from secondary use; say when public safety is not using the spectrum, are there incoming funds and what happens to those funds? There's a lot of discussion and debate about that. FirstNet's interpretation is that the funds that you receive from secondary use, or nonpublic safety use of that spectrum, has to go back into the national network. The third option is sort of the do nothing approach. You don't opt in and you don't opt out. You just let the 90-day clock run out. FirstNet had a public comment period about that and in the end, they came to the conclusion that if you do nothing at the end of 90 days, that's considered opt-in. So essentially, doing nothing at the end of 90 days, making no commitment one way or another is considered to be opt-in and FirstNet comes and builds the network in the state just as if you were to affirmatively opt in.

**MAHA:** This may be an unfair question, and maybe you can't answer it, but based upon your knowledge and experience of FirstNet, do you have a guesstimate when FirstNet will be up and running in New York State if the state opts in?

**DELANEY:** It is a tough question. I will say that assuming -- let's just say that the award occurs around January 1st. So then probably six months after that, we'd have the state plan and start the 90-day review process. That will take us into the fall or so of next year for the decision, the opt-in or opt-out. So the state opts in or makes no decision, which is considered opt-in. You let the 90 days run out and you've opted in. So that would probably get us to like the mid fall-ish or so, thereabouts, later fall, sometime about this time or a little earlier next year. There are then -- it starts milestones. So assuming that what's in the FirstNet RFP when they put this out to the street, assuming that between what's in that and what they

negotiate with the awarded contractor is unchanged, they have six months after that opt-in decision to actually get a non-Band-14 network operation. What this means is, essentially, there would be a FirstNet service that would be operating on another commercial cellular, so a Verizon, AT&T, a Sprint, T-Mobile, essentially, you'd have sort of a FirstNet branded network operating on their existing network. Then, after that, there's a series of milestones for five years about how much coverage they have to do, 20 percent of the rural and non-rural coverage separately in the first year, then it goes to 60 percent, 80 percent, 90 percent, 95. So within probably -- by the end of 2018, you would probably have at least, assuming all the timelines continue and things go on track and on plan, by the end of 2018, you would probably have at least some operational Band-14, actual FirstNet spectrum operational in every state, including New York. How much, you know, what exactly the percentage is and how it works out, we'd have to see exactly where that would be. That should be part of the state plan, the process, the schedule over the five years and where they would progress and so forth. They do have to build at the same time both urban and rural areas, so they can't just concentrate all in one or the other. They have to meet those milestones separately and at the same time. I would say you're really looking -- you probably would not be able to subscribe to a FirstNet service even as a non-Band-14, just sort of what they call a mobile virtual network operator, on an existing commercial carrier for probably over a year from now, you know, maybe a little over a year but the actual Band-14 is probably more like a year and a half or so.

**MAHA:** Thank you.

**VOUOUR:** Matt, I haven't seen a lot of discussions in the same sentence that includes FirstNet and NG 911 and I'm kind of curious as to why, because what I've read on it is NG 911 will require that broadband to be able to operate. The two seem to be separate, I don't want to say directions but you never see them in the same sentence.

**DELANEY:** FirstNet has to some extent put some focus on the combination of the two. NG 911 is sort of from the public to the PSAP and then FirstNet is more from the PSAP to the first responder. There is a nexus in that if you've got, for example, multimedia information coming in or other information that NG would make possible, how you get that to the responder, you could say FirstNet is the avenue to get that to the responder. But you can get information in that you wouldn't send to the responder. You've got information that you'd generate that wouldn't be coming from the public that you still want to send to the responder. The other possibility that's the connection is things like the IT network that enables NG 911. You're looking at things like hardened networks from a data standpoint to get the information to the PSAPs and between the PSAPs. That can also be used as FirstNet backhaul to get the information between the FirstNet network and also carry information between the PSAPs and the core and the network services. That's another big sort of question is how exactly is it going to be integrated with the Criminal Justice database and other public health databases and all sorts of other things that you might want to connect to the network? Who is going to make that connection? Where is it going to reside? Who's going to own it? How is it going to connect? But if you make the infrastructure investment in one, the infrastructure can to some extent provide for the other as well from that back call and connectivity standpoint.

**VOUOUR:** With the push for NG 911 funding, and it's particularly being pushed by our senator here, Chuck Schumer, to be funded at the national level, do you see those two divisions merging since FirstNet was funded five years ago through the Department of Commerce? If that funding should occur, do you see them kind of merging together or still staying separate?

**DELANEY:** I think FirstNet is probably -- obviously, things can change over time, you know, with change of administration and change of users, but I think at least FirstNet will probably continue to just sort of run on its mission. Would there potentially be some that say, okay,

FirstNet should also implement NG 911 across the country because everything you've done was sort of your procurement of one and maybe your implementation? There's going to be ongoing operation. I don't know. I don't know really FirstNet's view on their ability to implement that, too. But there is certainly a nexus in some pieces, like in some of the infrastructure, but there also are several differences between the two. So it's not a simple answer. Any other questions?

(No response.)

**DELANEY:** Thank you.

**SPRAGUE:** State Agency Communications Working Group.

**CHELLIS:** The Working Group has not met since the last Board meeting in September. Our next meeting is scheduled for January 19th at 10:00 a.m. in this room. Our plans are to have a workshop-based format taking off on all the suggestions and input and dialogue that we received in the meeting at the end of August. So members of state agencies presented their challenges and issues and so on and so forth and tidbits we could work on. So our idea here in January is to try to expand on that individually and make progress with each of those items. So if you have any of the state agency representatives, if you have particular items or suggestions, please feel free to get a hold of me so we can share those on the agenda.

**SPRAGUE:** Any comments or questions for Brett?

(No response.)

**SPRAGUE:** Very good. Channel Naming and Use Working Group. Toby and Matt.

**DELANEY:** Just a couple of items here. I just have a couple slides. 155.205. There was a discussion to add an EMS channel as NYMED205. This would be a minor modification to the guideline. This just came up recently. The suggestion was made to us. We haven't done a resolution, but we'll review this existing guideline and any other guidelines. Some have been in place now that were recommended two years ago from the Board. So we'll look to see if there any updates or corrections that need to be made. I think for the next Board meeting, we'll look at a resolution for 205 and then any other changes or recommended updates to the guideline. Also, just a reminder, National interoperability repeaters must be off when not in active inter-op use. We're still seeing calling channel repeaters that are turned on. In fact, I was just somewhere on Saturday and UCALL40, there were multiple repeaters on that were heterodyning still. I know I said it before but I'll say it again, have them off when not in active IO use. The state guideline says as much. And a reminder: Base and repeater stations must be licensed in all cases. Only mobiles and portables are licensed by rule, meaning you can have frequencies through the national interoperability channels, calls, et cetera, in your mobiles and portables, as long as you have another license, like public safety has a license. But any base or repeaters you have, whether they are on mountaintops, on top of a building, whatever, they need to be licensed. Licensed specifically, licensed with the lat/lon, ERP, tower height, just like a traditional license. VHF and UHF, it's a very easy process. 700 megahertz, you make a request to the State and the State provides you a letter granting it. For 800 MHz you make that application to your appropriate regional planning committee. So it's not a difficult process. It doesn't require extensive engineering or anything along those lines, but it does have to be licensed.

**LaFLURE:** Except for the A line.

**DELANEY:** Yeah, things are a little more difficult for the A line.

**LaFLURE:** Question for you, Matt. On the repeaters being on, at one point, we talked about trying to come up with a standardized knock-down code. Any more discussions on that at all?

**DELANEY:** Within the guidelines, there would be a process. We don't have a standardized one. We actually have not received the first request yet for anyone to either assign one or have assigned ones we were going to keep for it. We were a little concerned about a

standardized one, simply because of the concern that if it was too standard, somebody can start guessing or figure out what the knock-down codes are for every repeater in every county if you know what the standard is. So we were talking about having sort of a confidential database, not necessarily a 2 standard, more like just a list of them.

**BLEYLE:** What about repeaters on calling channels?

**DELANEY:** So that's what I'm talking about. On the calling channels, repeaters should be off, because the problem is if your repeater is on and your neighbor's repeater is on, you get "waaaaaa". I mean, they should all be off, but the state guideline actually says -- oh, you like my "waaaaaa" there?

(Multiple people talking.)

**DELANEY:** (Multiple people talking while Mr. Delaney is talking) State guidelines call for it. If you are able to have a second receiver on input, that repeater should be disabled so you can still monitor the input.

**SPRAGUE:** Just a comment. If anybody needs help trying to license any of this stuff, give us a call and we'll be more than happy to help you. Anything else for Matt?

(No response.)

**DELANEY:** Thank you.

**SPRAGUE:** PSAP and SICG Grants. Larissa.

**GUEDKO:** I'll give you a brief update on the PSAP and SICG grants. Overall, we have 295 million in awards since 2010 and right now. I just want to mention that we do have one RFA open and applications due on December 8th. Therefore, I will not be able to have discussions about this grant program. This is a new formula-based statewide interoperable communications grant that was proposed a few weeks ago.

Now, Round 1 has all been spent and done, it's closed.

Round 2, that appropriation was 120 million. Spending has gone up since the last meeting we had but not much. For example, for the 102 million for infrastructure projects, it was, I believe, 76 million. Now, it's up to 80.3.

And the PSAP, PSAPs that we had in Round 2 is 8.6 million and 7.7. So it's all going up slowly, not as fast as we desire, but it's getting there.

For the Rounds 3, 4, and PSAP grant, all that spending went up. PSAP 2014-'15 is closed with 9.95 million in spending and reimbursements. So there's not much funding left, I believe there's about \$45,000 left over.

For 2016-'17, PSAP operations grant: contract is right now in development. We are looking for budget submissions from counties. The grant was actually awarded and announced quite a long time ago.

For all those formula-based grants, the way it works, we collect the data from counties which included in the formula, we calculate all our awards, and only after that, after you know what your awards amounts are, we wait for the budget submissions from counties. So the sooner you submit your budget, the sooner the contract development process will be completed.

For the 2016 SICG formula grant the applications are due on December 8th. We received several applications so far. During the process many counties called us with the desire to license interoperability base stations. And right now, there are several counties that actually licensing interoperability channels in all bands..

Here, on the slide are grant performance periods for your reference. Again, the '15-'16 PSAP operations grant, this is only one-year grant. There will be no extensions on that one. We have expanded Round 3 and 2012 and '13 PSAP grants by one year, approximately by one year, so you have more time to spend money. I thought I'll show you this map and this is the existing distribution of interoperability base stations. But again, this map was created

maybe about a year ago and we see a lot of counties still in the process of licensing interoperability channels. As you see, there are four major bands, 700/800, UHF and VHF. Ideally, you would see four-piece "pie" for each county. That would be the ideal goal. You can see there are still a few counties that do not have any interoperability channels licensed. We're going to be working with those counties to make sure that those gaps are closed. Any questions?

**BLEYLE:** Yes. Looking at that map, Larissa, I see you lump 700, 800 together as one and we have 800 in our county and I know counties that have 800 are looking to do 700 implementation, especially since much of the newer equipment that's coming out today can do 700, 800. So is it something we should pursue, the 700 interoperable, or is it safe to say we're okay with 800?

**GUEDKO:** You would be okay with 800. Just as you mentioned before, subscriber equipment is capable of operating on 700 and 800. It's really up to the county, because we have a lot more interoperability channels in 700 bands compared to 800 bands. So for example, in New York City, if there are several incidents going-on at ones and they are using 800 channels for one location and there's another incident that requires interoperability channel utilization close-by and there is nothing else available in 800, then 700 would be ideal use for that purpose. So you have to take a look at your geographical locations, take a look at your incidents, what's happened in the past, analyze if you actually would need 700 inter-op channels implemented just to have some separation and avoid interference with close-by counties.

**BLEYLE:** Okay. And the reason I ask is in our county, we wouldn't have to worry about that but, you know, when you do fill out the grant applications, it asks about both 700 and 800. I just want to make sure should we be planning for, yes, you should have that 700? I mean, if there's no need to have it, you know, but you've asked the question on grant applications. So its like are you looking for it or are you okay with the 800?

**GUEDKO:** We'd like that. We'd like to see 700 implemented on a wide basis, again, for the same reason that you have more flexibility with what you use. That's the ideal situation. But we do collect all the data because, again, we would like to know where those channels are implemented. So once we have that information, we actually going to create a map that will show not just that, which county has each interoperability channel, but also the coverage. And in addition to that, if all this information is in the CASM, Communication Assets and Mapping Tool, then that would be ideal for counties to actually do coordination during incidents and emergencies.

**MAHA:** Larissa, with regard to the PSAP operational grant, the one-year grant, what happens to the money, for example, back in 2012 and '13, what happens to the money that doesn't get reimbursed to the county? Does that roll into the next year?

**GUEDKO:** You're thinking probably about the old program, that's how it was. With the new program, whatever money is not spent, it goes back to the government from what I know.

**REVERE:** Two quick questions. Round 4. Still no extensions being considered on that at this point?

**GUEDKO:** For the state inter-op grant?

**REVERE:** Yes.

**GUEDKO:** 2017. Not at this point, but we will consider that if a county has a project in process and they will require more time, we would review it on a case-to-case basis.

**REVERE:** And the other one was: Commissioner Bleyle at the last meeting mentioned about forming a subcommittee regarding the formula process and the criteria. Was that done or what is the status of that? Is that being considered? Do you need a motion for that?

**SPRAGUE:** What we talked about was we were going to take that to the 911 committee to

actually look at that to start with and see if we need to create another subcommittee or not. That's one of the things I've got on the tick list for that committee to get back into. We definitely need to do that.

**REVERE:** Thank you.

**SPRAGUE:** Anything else for Larissa?

(No response.)

**SPRAGUE:** Okay. Thank you.

**GUEDKO:** Thank you.

**SPRAGUE:** New business. One of the things I just want to point out is that maintenance in this building doesn't actually turn the heat on until November 1st. So last week's meeting and this week, they've been very efficient in getting all the heat working so you now have the product of that. So for you on the phone, enjoy your nice cool environment. I just thought I'd explain it, because it is warm in here. Next on the agenda are dates for the 2017 Board meetings. You all have calendars in front of you and we've gone through -- Joann has been diligently looking at this based on last year to try to kind of approximate where we were and also try to avoid what we know may be out there on the schedule. So the green dates are the optimum, I guess, the green dates we're looking at. Yellow would be optional. We're asking you to look and see if there are any conflicts that you know of. Jay.

**KOPSTEIN:** February 1st, I believe, is the New York City ICC meeting that you usually attend.

**SPRAGUE:** Okay. Any other conflicts that anybody knows? Would February 22nd become an issue?

(No response.)

**SPRAGUE:** All right. Based on that feedback, we'll go ahead and kind of set those dates. We'll go with the 22nd of February and stay with the green dates on the rest. Does that sound reasonable?

(No response.)

**SPRAGUE:** All right. Very good. Thank you. One other piece of business that we've got, and that's why we're assuming that we're going to have perfect attendance from Sheriff Maha after now on, is we did receive a letter from him and I want to read it, because there's some pretty impressive stuff in here. First: "This letter is to advise you that I'll be resigning from the New York State Office of Interoperable Emergency Communications Board effective December 31st, 2016 as I will be retiring. It's been my pleasure serving on the Board since my original appointment in 2011 and having the opportunity to work with my fellow Board members to improve and enhance interoperable communications and 911 services in New York State." This next one: "After 49 years in law enforcement and 28 years as Sheriff of Genesee County, it's time to relax." I agree. That's a long time, yes. So we really wanted to take a couple minutes to recognize Sheriff Maha. He's been a very active participant in this group. Brett and some of the other folks have seen it more, but I've heard about it for a long time. So we really want to take a second to recognize him and we put together a little Certificate of Appreciation. I'll just read what it says. It's awarded to Gary Maha. "We thank and recognize your passion for public safety issues and your many years of dedication in your field. We've all benefited from your service to improve and enhance interoperable communications and 911 initiatives in New York State through your membership on the State Interoperable Emergency Communications Board. Enjoy your retirement." Presented to you this date by me.

(Applause.)

**MAHA:** It's really been my honor and privilege to serve on this Board since 2011 and the previous old 911 board prior to that for many, many years. And I applaud what you people

are doing here for the State of New York and our local communities, for enhancing 911 and public communications. We know it's a big complex issue and a lot of work. Again, I commend you and applaud you for all the work you're doing. And keep up the good work.

**SPRAGUE:** Thank you.

(Applause.)

**SPRAGUE:** Anything for the good of the order? Otherwise, I'll entertain a motion. Yes.

**MERKLINGER:** Just to give an update on the automated secure alarm protocol. We've been working on that. As you recall, that came to this committee about a year ago with ITS and the State Police. We're getting very close to sort of all the formal programming and so on being done within the state system with the connectivity, the NCIC. The plan is to do some initial testing this month with the state with our CAD vendor, which is Northeast Roaming (phonetic) and EM Systems, which wrote all the interface for us even originally for the e-Justice system. It's quite an extensive process. I think we've all learned a lot over the last year. It's not as simple as it sounds, at least to be the first one, as we've quickly discovered. The first company to sign on with us, it's looking like its going to be Doyle Security. So we've already verified all of the addresses. There are about a quarter million addresses and things that will have to occur with each. And every alarm company that comes on board, there's a scheduled testing period where they literally send every address and tests that communication piece for every address that they have for every customer before they get moved into a live format. So there are some costs to the PSAP. Clearly, there are some costs obviously to the state. For those that don't know, COMSYS actually is the contractor for the NCIC piece. So we've been working with COMSYS. And then many of you know Bill Hobgood (phonetic) whose full-time job is in Richmond, Virginia as the IT for a lot of public safety stuff there, but he also is working on this on a national level. So there is a contracting piece for him for testing and verification. And there's actually a certification process for the CAD vendor. I'm sure lawyers like all those little smart pieces that are pretty clinical. So we're getting pretty close to doing some testing here in December. Hopefully, by the first quarter of '17 here, we'll be live and go through testing and, hopefully, then we can expand it out to the rest of the state. So I just wanted to give that update for the group.

**SPRAGUE:** Thank you.

**LaFLURE:** Quick thing. Brett, you talked about your state agency committee. As I was listening to Larissa, I recalled one of the things that our group has been asking for, under this current application, you're requiring MOUs for all state agencies for counties for anybody that has that equipment. One of the things we're finding is they don't know who to contact. Who's the contact person for DOT? Who's the contact person for DCJS or whoever it is that's there? Would it be possible for your office to develop a contact list so people -- you gave us the template to do these MOUs, which is great, but we don't necessarily know who to talk to.

**CHELLIS:** That's very doable, a contact list.

**LaFLURE:** If we can do that, I think it would make the whole system run a lot faster. People are willing to do it, they just don't know how.

**SPRAGUE:** In the interim, call us and we can make that connection. Very good. It was a pretty good meeting. Lots of details. We appreciate the additional piece that's a highly technical thing. The piece that was briefly touched on in the CIWG meeting update about the interference issue, I was on that webinar. It's pretty easy to get some of that equipment. So that is something to keep in the back of your minds. That exercise was an excellent thing and opened a lot of eyeballs. With that, I want to thank everybody for traveling here today for participating in the meeting. Again, the interest level that we get from all these things we do is very heartening to us in the office, keep us moving forward, because there's a lot of people out there that are really concerned with all the stuff we're doing. With that, I just want to thank

staff for putting the room together and everything, coffee and all that stuff. With that, I'll entertain a motion.

**MAHA:** So moved.

**SPRAGUE:** Motion to adjourn by Sheriff Maha.

**GERACE:** Second.

**SPRAGUE:** I'll take a second from Sheriff Gerace. All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Thank you.

\* \* \* \* \*

(Whereupon, the Meeting was adjourned at  
11:12 a.m.)

\* \* \* \* \*

### C E R T I F I C A T I O N

I, THERESA L. KLOS, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

Theresa L. Klos

THERESA L. KLOS, CSR, RMR

Dated: December 4, 2016.

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