

**STATE INTEROPERABLE & EMERGENCY COMMUNICATIONS  
BOARD MEETING MINUTES  
September 13, 2016  
DHSES - Building 7A - First Floor Training Room**

**WISELY:** Good morning, everybody. Thanks for being here, and welcome to the State of New York's Interoperable and Emergency Communications board meeting. I appreciate you all being here. I'm Kevin Wisely. Many of you know me. I'm Deputy Commissioner for Emergency Services for the Division of Homeland Security and Emergency Services.

I wanted to just welcome everyone, say hello, thank you all for being here. We've got a great group today. I think we're going to have and get some good information. But I'm not going to talk too long today. What I wanted to do though is introduce, for many of you, and most of you already know, but I wanted to introduce Mike Sprague, our new Director of the Office of Interoperable and Emergency Communications here for the State of New York.

So welcome, Mike, to your first board meeting. So let's give Mike a little round of applause. (Applauding.) And I am going to kick the meeting over to Mike. It's all yours, Director.

**SPRAGUE:** Thank you, Kevin. I'd like to welcome everybody here. As Kevin said, I am new to the position, but I'm not new to the state. I've been with the state for about four years.

Prior to that, I was with Steuben County and ran the communications system there for a good number of years. I was there for 23 years. So I've been in this business for a while. I've been involved with communications and the 911 coordinators early on and Statewide Wireless and a number of other programs. I actually became a COML, and a COML instructor, through OIEC.

So I've had a little bit of this experience, and what's really cool about this is grants were always sort of my hobby. So now I'm sitting on the other side of the table, and I kind of appreciate that as well. So I'm really looking forward to this. We've got a lot of exciting things going on.

You'll hear some of it today. FirstNet is going to be talking to us. NG911 is another one that's a very exciting project. So we're looking forward to moving forward with that. So with that, before we get started, I'd just like to touch on some ground rules. We have a lot of people in the periphery today.

So just having conferred with counsel, I'll just kind of read them, so that everybody's on the same page. The board members attending by videoconference shall constitute presence

at the meetings and included for quorum. They must make their notice of where they are as part of the Open Meeting Law.

Also by audio conference, a member can be present but is not part of the quorum or permitted to vote. Guests or persons having relevant knowledge or information may attend and speak as part of the agenda upon the acceptance of the meeting agenda or by invitation. And if a board member is unable to attend or videoconference, his or her designee may attend and vote on behalf of the member, unless their appointee is not representing the state.

I just wanted to review that for a quick second, so that everybody's kind of on the same page. Also, a reminder that when you speak, if you would announce who you are, what you represent for the reporter, so they can manage to make sure we get that.

A couple of other things. We're all very important people and have lots of things going on, but if you would put your phones on silent, so they don't ring during the meeting. And you're more than welcome to take them outside and take the call.

And, obviously, we have fire exits. If there is an emergency, we would exit from this room -- this exit or this exit, and meet out in front of the building. So with that, I'd like to go into roll call. Joann, would you go through roll call.

**Board Members Present:**

Michael A. Sprague  
 Steven Cumoletti  
 Stephen Campbell (by phone)  
 Michael Primeau  
 Robert Terry  
 Kevin Wisely  
 Todd Murray (by phone)  
 William Bleyle  
 Joseph Gerace  
 Brian LaFlure  
 Gary Maha  
 John Merklinger  
 Kevin Revere (by phone)  
 Michael Volk  
 James Voutour

**Board Members Absent:**

William R. Hall  
 Richard Tantalò  
 Eric Day  
 Designee for NYS Division of Military and Naval Affairs

**Guests:**

Vince Barney

David Cook  
 Tom Shull  
 Jeff King  
 Jacob Hershey  
 Jay Kopstein  
 Steve DeChick  
 Matt Campbell  
 Donald Stanton  
 Steven Sharpe  
 Raymond Kenny  
 Peter Zwagerman  
 David Kislowski  
 Robert Gehrler  
 Brett Chellis  
 Christopher Tuttle  
 Toby Dusha  
 Lisa Black  
 Larissa Guedko  
 PJ Higgitt  
 Kevin Hughes  
 Matthew Delaney  
 Joann Waidelich  
 Linda Messina

**SPRAGUE:** We have a quorum. Okay. Has everybody received the minutes of the last meeting? If so, can I have a motion to approve it?

**MAHA:** Approve it.

**MERKLINGER:** Second.

**SPRAGUE:** Motion to second it. Any discussion, any edits? All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anyone opposed?  
 (No response.)

**SPRAGUE:** Carried. All right. I'd like to introduce David Cook, Region 2 Lead with the FirstNet Group. And David, I'll let you introduce the people you have with you, if you would.

**COOK:** I would be delighted. Thank you. And, Commissioner Wisely, thank you for allowing us to come and meet with this esteemed group. Jeff King, stand up for me. Jeff King is our area lead or what they call a regional lead. My territory is State of New York, New Jersey, Connecticut, Virgin Islands, and Puerto Rico. That's what I oversee. My responsibility is to be the direct liaison, if you will, between Washington, D.C. project office and the governments in those states and territories. Jeff is the gentleman that I report to. His responsibility is five regions. You want to tell a little bit about your background, please.

**KING:** Sure. Thank you for that. Thank you for having us here

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today. I come by way of my last position which was with DHS Immigration and Customs Enforcement. I worked with investigations for three years at headquarters, where I oversaw policy and information, exchanged efforts for law enforcement systems.

Before that, I spent several years with DHS on interoperability issues with the Office for Interoperability and Compatibility, and then the Office for Emergency Communications, preceded by several years in the United States Navy which was overseas and for the White House.

I joined FirstNet the tail end of last year after leaving ICE headquarters to get back to this effort, if you will, and look forward to working with the state to see this thing through, so I appreciate the time today. Thank you.

**COOK:** And my other colleague with me is more or less my partner. Tom Shull is out of the Washington office. He is our government affairs liaison. What do you do, Tom?

**SHULL:** Thanks for having me. I've been with FirstNet for two years this month, and my chief job is to liaison with Congress and Governor's staff, educate them on what FirstNet is and give them updates on the project and work with Dave in the region.

**COOK:** Thank you. Do you want our presentation at this point, sir?

**SPRAGUE:** Go ahead with your presentation.

**COOK:** All right, very good. So we have a series of slides here that we're going to run through. And the purpose of today's meeting is to bring you up to speed on the project.

Towards the end, we're going to get into discussions and I kind of ask you to hold off your questions until the end, because the slides are going to go through a lot of different portions of the program. There are some very important key milestones coming up soon.

It's going to require some decisions and some action on behalf of the state. There are some activities going on right now. And we're looking to make sure that there's no information gaps, that there's no confusion, and very importantly that the information you have is accurate.

There's a lot going on across the nation, and several different companies are doing different things. We want to make sure that you get the straight information, and that we can go forward collectively. So the agenda quickly; you can pretty well read it.

I don't want to read all that stuff to you. But as a Governor's group, we want to make sure that you have the information you need to be able to assist the Governor in making his decision. And also as individual agencies, we have to make sure that you know and we know what we need collectively to make this a success, since signing up with FirstNet is not mandatory.

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It's strictly voluntary. We're of a competitive nature. We want to know what we need to do to compete for your business to make sure that the product we're delivering not only meets your needs but it's actually very successful, and then in the end, we can do a series of questions.

The objectives are pretty well listed already. The biggest decision that the Governor's got to make is whether or not the state decides to opt-out, if you will, from the Radio Access Network construction. We're going to talk about that in a minute. You'll see it in more details.

Please remember that the whole FirstNet concept is a new model. We don't have one to follow. There is no other existing Nationwide Public Safety Broadband Network. We're doing this a little on the fly, but we're doing it with a lot of consultation and lot of input from you, the end users.

Shortly after December -- September the 11th, Public Safety won the D-Block. And the D-Block was the beginning of the concept of a public safety network. Our job is to make sure that that network becomes a reality. And when I say "our job," I mean, our job collectively, not just the FirstNet employees, but also the user.

**SHULL:** On this point, I just wanted to thank New York and the New York Congressional Delegation. They were very involved with the fight for the D-Block and public safety, getting that 20 megahertz of spectrum and creating FirstNet.

**COOK:** You can see up on the top, it says, "An Urgent Need." And I don't think there's a state or a territory in the nation that recognizes that better than we do. And what we're trying to do right now is identify any delays, and the solutions to eliminate those delays. That's a cooperative effort from both of us.

You're going to help us point out areas where we think there might be troubles, and then collectively, we'll come up with a solution so that we can move beyond it. One of the things that are different about this project is that the federal government issued an RFP, but it was not an RFP based on statistical data identifying specifications. It was an RFP that was based on the statement of objectives. And you can see that there are 16 of them there. And these are the objectives that the responders have to write their proposals around.

I don't want to read them all or go into a lot of detail in every one of them, but there's a couple that I think are worth highlighting.

One of them is the second from the top on the left. It says, "Financial Sustainability." This project cannot go back to Congress and ask for more money. It has to be able to survive on its own going forward.

And there's some financial experts involved both

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industry and government that have come up with a way that this can work. A little over to the right, you see accelerated speed to market. That gets back to the urgency. We believe through a public/private partnership that an industry expert, if you will, will have the best solution for getting this in your hands the quickest.

So that was one of the objectives that they had identified as well as integration of existing commercial, federal, tribal, state, local infrastructure. Taxpayers have already put a lot of money into investments that sit in a lot of your backyards.

Brian, I know that you probably don't have enough up in the north, but all across the country, there's existing infrastructure. We'd like to try and use as much of that as possible. And you've got to bear in mind that when a partner comes, they're going to bring resources with them. They may not need all the existing infrastructure. They may have some of their own.

So it will be part of the design phase after the winner is identified as to what gets used. But we know there's a lot of money already spent, and we don't want to see that wasted.

Customer care and marketing is very important. The last thing in the world a police officer wants is to hang another device from his hip, or a firefighter to have a communications device in his hand that doesn't work in moist conditions, or something he can't use with gloves on.

A lot of this is recognized ahead of time. And I really think as an emergency responder myself; the government's done a really good job of putting out this RFP. The overall timeline, we're going to see this a few times. We talked about different specifics across the course.

Specifically, the RFP, you can see that it started in January, and they released the RFP itself; the proposals were due back in May, they were delivered in May. And the award is tentatively expected end of year. Actually, its -- Tom, I think you got an update looking for November?

**SHULL:** Well, we're hoping to have a partner on by the end of the year. I think that's critical. I mean, with these, we know we have several offers that our team is going through. We don't know who at this point, because this is a federal procurement, and there's federal procurement law that we can't get into. But we do know that there's several out there, and we're hoping to have someone on board by the end of the year. And that means state plans could come to New York sometime next year. So this could move very quickly.

**COOK:** We're very conscientious of federal procurement on a potentially \$150 billion project. There's going to be a lot of microscopes scrutinizing this one. Now, as I mentioned

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before, we have done a lot of consultation, and New York has been no stranger to helping us out with information.

These are a quick recap of the dates and times we were here, and things that we talked about. The data collected, it was very good, and it was very helpful. I think we talked about the results of some of that data. But, Matt, did you want to offer anything on the process you went through the first time?

**DELANEY:** Sure. We submitted data to FirstNet in 2015, the fall of 2015, to meet their first data call. There were some issues regarding information security in the first submission and the RFP process that was in place.

Now, that the RFP process has been established and is getting ready to award, we will be resubmitting some of the data that we withheld the first time, since it will be kept confidential until announcing the winning bid.

**COOK:** Quick recap of the difference between New York and the nation. You can see that New York law enforcement was a very heavy responder, emergency management, and everything else was pretty much in line. We're very conscious of the fact that a lot of agencies do not provide devices.

We're very conscious of the fact that volunteer firemen are not able to go out and purchase second devices, specifically for FirstNet. There's a program that's being reviewed, "Bring Your Own Device." We want to try and be able to put Band-14 into existing devices that volunteers already own, or least make sure that the vendors develop new ones.

They're conscious about FirstNet and some of the barriers. Cost was very important in New York. So how is the data used? One of the things different about the data that was collected in the first go-around -- and there's actually -- as the progress goes on, there will be additional, you know, opportunities for data.

And the first time that the data was submitted in September of last year, it was put into a public reading room. You can see it on the bottom, "RFP Reading Room." And that data was available to anybody interested in putting together a proposal. So it was more or less public.

And New York redacted some of the data. They chose to secure it, and they felt that putting it public was in your best interest. We supported that concept and put together a second consultation, which is this September. And the data that gets submitted this time is reserved for the winning vendor.

So it won't be shared. It's being held much more secure. And it's another opportunity for you to submit data that you were concerned about the first time, that you can be sure that it's secured this time.

**SHULL:** So all of this is leading up to the FirstNet state plan

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that will be presented to the State of New York. We've been working with the SPOC and his team. We had a great meeting in the spring with the Governor's staff in Albany, the key takeaway, which is what we're trying to do; we're trying to work with the state.

Your liaison with the partner is to make sure the State of New York gets the best state plan possible for New York. You opt-in, and then adopt the service later on.

So we plan to be back after we have a partner on board to do a draft state plan with the state, and then we'll be presenting a state plan to New York sometime next year. The key takeaway right now for New York is, to follow up with who's going to be on this team, to look at these state plans.

Of course, it's going to be the SPOC and his team. But we're going to be looking for public safety experts across the state and other people within the Governor's office that would see this plan.

So, state plan influencers. What are you looking for as a state? You know, we mentioned before, rural coverage is very important upstate. You're going to want to have all of the issues and all of the areas where New York is different from other states to make sure that FirstNet takes that into consideration all leading up to the state plans. As part of the statute, the FCC is actually going through an ongoing proceeding right now.

In case of an opt-out, they're going to be doing evaluations for the interoperability of the opt-out states. That's all going to be in this plan that's delivered to New York next year. NTIA is also going through proceedings on our RAN program for opt-out states as well. All of that information will be in the state plan that's presented, so what the law requires.

So, responsibilities and decisions. I think you all know this, but let's just go over it again. The Band-14 core of the network is going to be the part of this national procurement. We'll deploy that core. So no states, regardless of opt-in or opt-out, will have their core for the network. What the Governor's decision is an opt-out of the RAN plan that FirstNet comes forthwith.

So it will be where the cellphone towers coverage and capacity will be in the state. And then, of course, when the service is deployed, whether it's New York or whether it is by FirstNet, it's going to be completely voluntary agency by agency in the state. So if we're not bringing a value prop that makes sense to an agency, then they don't have to sign up. It's not a mandate.

**COOK:** Just for clarification sake, I'm not sure how many of you here are very familiar with our terms. RAN stands for

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"radio access network." If you look at a radio network, you have a device, your device doesn't talk directly to California, your device talks to a tower that's maybe two or three miles away. And that tower talks to the core, which goes national, comes out in a tower at the other end, and then it goes to another device.

The towers that your device talks to, it's the radio access network we're talking about, not the national core, where everything gets linked in together. But the local -- there, it would be a statewide network for access from the devices to get into the core. That's the portion the Governor in New York has the opportunity to build.

**SHULL:** So, again, on the state plan decision, we've used the analogy of a hotel chain and hotel franchise. If you're franchising, you know, a Marriott in Albany, it's going to have to have the same sheets and linen and marketing as a Marriott anywhere else.

So, the same goes with the state opt-out. It's going to have to be interoperable with the rest of the network. It's going to have to be upgraded at the same exact time when the network goes 4G to 5G Next Generation. Regardless of opt-in or opt-out, everything's going to have to be at the same time, software upgrades and other upgrades as well.

It will all happen at the same time regardless of opt-in/opt-out. So if the state ends up opting out, FirstNet is here to work with them, make sure that it's a seamless network, wherever it is crossing.

A little bit about the actual state plan itself. In the RFP, the officers are designing an online portal to present the state plan. So there's going to be an online portal just for public safety entities. This will go into what the service looks like; how much it's going to cost; what kind of devices; what kind of ecosystem. So, again, the teams that are in New York that need to see that side of the portal can start being identified right now all the way up to when the state plans are presented.

On the other side the Governor's office may want to look at different things in the state plan. Where's the coverage? Where's the capacity? What are we signing up for? More about what the opt-in/opt-out decision is. So those key players should be identified now, too.

And all of this will be behind a secure online portal that protects everything, so the FirstNet state plan contact itself, a little more about, you know, coverage, the services, applications and features, everything down to what devices we're going to be offering public safety agencies in New York.

They're going to know the policies, the time frame, cost, of course, is going to be important to everybody, and the

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interoperability issues as well with other states like, you know, different states, New Jersey, maybe even border issues with Canada. We know that's important in New York.

Again, this timeline that Dave went over before, where we are now, you can see we're approaching the partnership by the end of the year, end of 2016. We're going to continue with consultations like this, executive consultations with the Governor's office, to make sure that they understand the timeline, particularly after we have a partner on board. The timeline can shift to a lot quicker state plan delivery.

**COOK:** And at this point also, what does not show on the timeline is our Metro outreach. We're making efforts to get into some of the major city players across the country. In New York, we're targeting Buffalo right now. Director Sprague is in the process of helping us to move to Buffalo to meet with the emergency responder officials out there.

So it isn't just a state program. But we're trying to make sure that all of the information flows all the way through so that the end users are not surprised when this thing gets turned on.

**SHULL:** And as you can see, all this is geared towards to the delivery of the state plan to the Governor and then, after that decision is made, adoption of the service in New York, making sure that any agency who wants the service can get it.

A little bit about the actual state plan delivery to the Governor. It's going to be a 90-day review once that final state plan is delivered to make the opt-in/opt-out decision. If no decision is made within that 90-day period, that's considered an opt-in. So this leads us to that not later than 90 days after the date on which the Governor of the state receives the state plan. The Governor shall choose whether to participate with deployment or conduct its own deployment from the plan.

So, the Governor's decision timeline. We went over a lot of this. But above, you can see an opt-in is a pretty clear road. An opt-in, you're getting -- the feds will do the network. There's going to be no cost to the state. Opt-out, it's not determined yet what that timeline looks like.

But you got the 90-day decision; 180 days to do an RFP for the state to find out what company is going to do the RAN in the state. Once that RFP has come to an end, you take the state plan; it's going to go through a FCC review for interoperability.

NTIA RAN Construction Funding Grant that NTIA will be doing to see how much money the feds/state match would be for the building of the RAN, and then a NTIA spectrum lease application followed by a FirstNet spectrum lease negotiating for the Band-14 spectrum and then, after these hurdles, an

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opt-out deployment.

So what is the Governor going to look at when they're making this decision? Delay, you know, you've got two -- two different timing concerns. One of the implications is delay for public safety for the state, opt-in versus opt-out. Who's going to be impacted by this decision? The public safety agencies of the state.

You're signing up for a 25-year contract, which is the same as the FirstNet contract you'll be signing. All upgrades will be done at the same time as FirstNet. So that's a long time. Our technical capacity, handle the network requirements, software upgrades, Cyber security, upgrades alike, on to preparing for adoption.

**COOK:** So as we mentioned, all through the process, there's a great deal of consultation going back and forth where we seek input from the local level. One of the ways that we're trying to collect data is through consultation task teams. We call them CTTs.

You can see in the statute right there down at the bottom, it talks about assignment of priority for local users. Our first consultation task team was on the quality of service priority and preemption. And we had our consultation task meetings regionally so that we could gather the input from all the states within a region. And every state was given the opportunity for their own individual task team meeting if they chose to.

But Matt and several New York State individuals participated in the meeting. It was very well done, I believe. It was hosted in Connecticut, and a lot of data was collected as to what is necessary for priority and preemption from New York and my region's concerns. And New York City PD voiced the concern about knowing the difference between volunteers and careers to make sure that the project goes forward.

We recognize the fact that everybody doesn't do this for a living, and some people have to be brought in as volunteers. The various ways that we're doing our outreach in 2016, which is almost over -- I can't believe it's pushing the middle of September already -- we're in the middle of the consultation, and then we're going to go to the executive level meetings afterwards. We've been talking with Commissioner Wisely and Director Sprague on setting up some higher level influences.

And just so everybody knows, I try to have a very transparent and continuous relationship, particularly with New York, because I live here. I meet with the Commissioner and the Director monthly just to keep them fully up to speed, so that there are no surprises either way. They tell me things that they like to know, I find it out, bring it back.

If I need help like getting into Buffalo, New York has stepped right up to the plate, so thank you very much for that support. I greatly appreciate it, personally, because I live here. Other values of our quality priority; we talked about that already a little bit; and the end of the timeline, somewhere around November, they're going to be coming back with the results of the consultation task team overviews. And we continue the process. Training is a big concern. Everybody in emergency services know when you get a new device, you have to learn how to use it.

Well, with a whole new network, it's the same thing. I'm hoping New York is looking at how they're going to do their training, how the locals are going to receive training, not only on the network but the interoperability phases of it; obviously, that will be a lot of dialogue with the winning vendor, and then come up with how the program is going to work.

So you can't do a lot now, but you can be thinking about rolling out training programs going forward. These are the areas where we're looking for additional input.

**SHULL:** As I mentioned before, just to figure out whom the teams are going to be on the public safety side and the Governor's decision side to consider the state plan is an important takeaway, and to have the decision-making process figured out as we develop these state plans.

**COOK:** Considering there's only 90 days for the review, we'd like to urge you to make sure that that process is identified, the players are identified, and we are informed to make sure we can give you whatever support you need so that it's a smooth process and it goes through.

Actually, we like to hope that you opt-in, but if you opt-out, we still need it to work. We want to make sure that the network is completed nationwide. And it doesn't matter to us if you're in or out. It's the amount of support we give you.

We think it will go out a whole lot faster if New York opts in, and there will be a whole lot less obstacles in the way, we believe, if New York opts in. But if you opt-out, we're here to make sure that it moves forward as quickly as possible.

We're everywhere, we try to be. I said that we're transparent. You can find us on any social media. My contact information is down in the corner. You can certainly, and we urge you to, ask any questions of the Commissioner or the Director. Matt Delaney is the nation's expert on it, so don't feel bad about giving him a call, asking anything that you want.

**SHULL:** We'd love to open up for questions on the presentation.

**MAHA:** If I heard you correctly, if the state opts in, they have to involve a 25-year contract; is that correct?

**SHULL:** No. If the state opts out and does their own RFP, that RFP will be a 25-year contract to coincide with the national

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RFP.

**COOK:** If the state opts in, they do nothing.

**SHULL:** So when you upgrade your network, when you go to the -- you know, 5G from 4G, all that happens seamlessly with the national network. So interoperability is the number one priority there.

**MAHA:** If a local agency decides to use the network, is there any type of contract involved with that, do you know, or they just pay the monthly fee or whatever?

**SHULL:** So it would still be marketed for national FirstNet. It's just the radio access network in the state that the state would be doing.

**COOK:** We are anticipating the same relationship you have with whatever vendor supplies your FirstNet. Same approach.

**BLEYLE:** I would assume that one reason a state might opt-out is because after consultations, when FirstNet announces what the plan is, they might look at it and say, "It really doesn't meet all of what we needed."

If a state opts in, and it's found out that it doesn't meet -- you know, there's still some holes in individual counties, for example, let's say my county -- Bill Bleyle, by the way for the record. If my county found that the coverage wasn't what it needed to be, is there an option after that, even though the state opted in to what FirstNet built out, is there an option for a local build-out to add onto that to approve coverage?

**SHULL:** This 25-year contract will be an IDIQ, so there will be task orders that will be able to be taken from our partner post award of this contract. So think of FirstNet as the overseer of this contract and if there are holes in the network that need to be prioritized to the state, we hope to be in the place where we can address those.

**COOK:** A couple other points. You can't just turn on a switch and have a nationwide network operate. It's got to be built. You've got to add potentially green field sites or, at least, equipment, existing tower sites. So we know that as it gets built out there's going to be places where the coverage is probably less than desirable. That has to get built up. And all of the money that gets generated by FirstNet through the user fees, things of that nature, by law, has to go back into the network to improve it.

So we're hoping that coverage continues to be built out as the project goes on. We're hoping to solve some of the holes that we're all complaining about. That's why the thing's being built in the first place, because it needs to be public safety grade.

Public safety very often doesn't have coverage when you're, you know, looking for a downed aircraft or chasing a

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gentleman back and forth, as Sheriff Gerace did, between Pennsylvania and New York -- or was it Ohio and New York? I guess maybe it was all three. You kind of get yourself around.

But anyway, we know that coverage is an issue and money is dedicated to continuing to build the coverage out. And remember, it's voluntary; you don't have to use it.

**KING:** I would just like to add one thing, too, sir, to your point about the state plan might not meet the need. So we just recently published our -- our new organization changed and added a new chief customer officer.

It's also our vision as it comes together, that this customer advocacy continues. So this computation that you see today, once it's delivered in Band-14 and radiating everywhere, we don't go away. David remains in place, I remain in place, and Tom remains in place. But David and I transition to more of a customer/advocate role. So we will take that information back, sit down with a partner, and drive -- you know, drive that necessary change. So I think the vision would be to get the plan to do what you need it to do.

That's why we want to have these exchanges into the greatest depth possible, and represent those needs in those discussions with the vendors. What I don't know, and I think more to your question is if I opt-in, you start building, can I then opt-out later? Did I get that right?

**BLEYLE:** Not at a state level. I'm talking about local build. Let's say, when I looked at the coverage maps that FirstNet had originally put together the idea for New York, there were certainly a lot of holes.

And then the state came back based on consultation, and said, no, we need a lot more coverage than that. Let's say FirstNet does it in-between, the state opts in. There's a rural county somewhere that's says, We're on the pecking order, you know, it will be another five years before we get the coverage we need, we're willing to become a partner and help build into the network. Is that something that may be able to happen in the future to, you know, facilitate bringing coverage to that county sooner?

**KING:** That's a good question. To be honest with you, I don't know until the full extent of the partnership is known what those flexibilities would be. I don't know what they're going to offer. I mean, there's potential -- I don't want to go off-base here.

The potential of that offer could put something on the table to give us a little flexibility together. I don't know the full extent for that capability until all of this is put together, not to take the out, but, truly, that's where we would know that.

Can we -- and we address these, I wouldn't say, law,

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but, perhaps, something that raises the flag that didn't get into the plan. I would hope to be in the position, or part of what I want to do in the future is continue to hear where we have flexibility to address.

**COOK:** I think that you're voicing a desire, I believe, and that you would like to step up to the plate and help if you can.

**BLEYLE:** When I remember way back when in early FirstNet discussions that was something that came up, that areas might want to do that.

**COOK:** What we could do is just bring that question back to the planning division and make sure they understand it. I think it's a good point.

**KING:** Sure. I appreciate that. Thank you.

**BLEYLE:** Whether they pay FirstNet to do it, or whether they do it themselves.

**KING:** Absolutely. And I'm also trying to be mindful of the fact, too, that there's going to be a performer performing under a task. You know, that's sort of a box for them. I've been in the industry a little bit. I understand that.

I want to be as flexible, and they probably want to be as flexible as well, but we'll know when the details are actually in place.

**COOK:** John, you had a question?

**MERKLINGER:** For Dave or for whoever, you know, obviously, there isn't a municipality in the country that's not under pressure to keep its costs down. You know, today, at least speaking for our area, we're on the cell system, and we're paying a provider.

And I understand the fee portion and everything else, but it's not just giving me that air card for whatever that vendor ends up being, or whatever that private network ends up being, even a federal network. That's one small piece of it. You know the devil's going to be in the details.

If I've got to put a new air card in, and then a new modem in the car, connectivity for all the updates to be downloaded to the card and, you know, software for the connectivity. So, at the moment, for example, we're using NetMotion, and then, by the way, we're going to 5G. Now, I've got to change that modem and card again. And I can't just change out. I got a thousand units, I'm not going to change those out in a week. So there's going to be sort of the devil in the details.

There are probably a lot of these questions you don't have answers to yet until the vendor's selected. But in the end, all of that's got to be equal to or less than what I'm currently paying.

**COOK:** We fully recognize that. We are competitive.

**MERKLINGER:** To your point, we don't have public safety grade.

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We do have a few gaps, and we know that some of the sites to our providers don't have that backup generator, for example, some of things that we're looking for. So there are some pros and cons to be weighed there. We're going to need all that info to make that educated decision.

**COOK:** I couldn't agree more.

**VOU TOUR:** I'm not quite sure how to ask the question, but if FirstNet uses existing infrastructures -- I'll just take a county, my county -- infrastructure is different in every county, and the towers are different in every county. Some are up to speed, some are way behind, would it be -- we just finished a \$10 million project. Will that help us cost-wise because the vendor can come in and use existing structure, it doesn't create a structure? Does that make sense?

**COOK:** It makes a lot of sense. And I can't answer you. That's one of those questions we have to wait until a vendor comes on board and see how negotiations would go at the local level. But, yeah, it makes perfect sense.

**VOU TOUR:** I mean, that will be a question that my local elective officials would ask. We just invested \$10 million. They come in and use the system.

**SHULL:** And I know they would love to know where everything is. And if -- you can start having the conversations with your people as to how you would use it, or how you would pitch it to that vendor. So it's just preparing for those conversations down the road.

**CUMOLETTI:** One of the considerations on your slide for opt-out was, you said, will user fees cover the cost? What's the model or what does the legislation say about user fees in that scenario for opt-out? I mean, does everything go to the state, or is there some type of breakdown on the formula?

**SHULL:** No. No. So user fees would go to national FirstNet, regardless. So that's for FirstNet sustainability model.

**CUMOLETTI:** That's what I presumed, but the way you had it listed there, I thought it was like a question to the state: Does the user fees -- will the user fees cover the cost? So I thought there was implication that maybe there's a split somehow.

**COOK:** Well, I understand that the NTIA will provide some funds for opt-out scenarios to help maintain the existing, but all the money that gets generated goes back into the network to offset the maintenance and improvement fees.

**DELANEY:** I think that there's a little confusion. Right. It's the extra revenue that goes back to offset the larger FirstNet. I mean, if the state opts out, the user fees for the first portion of the network to maintain the network and operate the network in the state of the RAN go to the state, and then above and beyond that, it goes to the national network.

**KING:** That's correct. There are provisions for -- I think it says reasonable costs associated with the operation and the maintenance of the system. Is that what you're referring to? Which is above that? Correct.

**DELANEY:** So the state gets first part to operate the RAN, and then above that, it's different?

**KING:** Yes.

**SHULL:** Including the spectrum, yeah.

**SPRAGUE:** Any more questions from the board?

(No response.)

**SPRAGUE:** Okay. It's obvious from the discussions that there are still a lot of things to be flushed out, determined. You know, the November time frame really is going to be the unlocking of the door, so to speak, of who's going to do this, and how it's all going to go together.

But I will say that FirstNet has been really good about trying to engage what they can push back in, because there are some really good discussions that are happening here as well. A number of the topics that you're talking about have already been discussed as part of the Broadband Working Group that we've been talking with, you know, through Matt and Larissa, Brett, and, obviously, with the Deputy Commissioner Wisely's direction, SPOC.

We've got a pretty good team working on this. But we really want your input as part of this whole process to make sure we're going forward. Anything you want to summarize with?

**WISELY:** No. I think this is good. We'll continue to work with our partners across the state bringing them into the dialogue, and discussing. As Mike articulated, there are a number of things we still are anxiously awaiting as we get to the November time frame and then to development of our state plan to identify coverage areas and the appropriate layout of the system as we make our decisions going forward.

But we continuously want to hear from our partners across the state as we look at this. There's some things, some ongoing things that we'll continue to work with and ask of FirstNet as this thing builds out.

**SPRAGUE:** Thank you. Thanks, Dave, Jeff, and Tom.

**KING:** Thank you.

**SPRAGUE:** I want to go back to the notes that I actually have written down here, and actually follow them at this point. I'd like to do an adoption of the agenda.

**MERKLINGER:** Motion.

**VOU TOUR:** Second the motion.

**SPRAGUE:** Motion and a second. Any discussions or adjustments?

(No response.)

**SPRAGUE:** All those in favor?

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**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Moving right along then. I can follow the agenda now. So let's go to the 911 Advisory and NG911 Working Group by Sheriff Gerace.

**CHELLIS:** I and Sheriff Gerace are pointing fingers at each other. Okay. As far as the 911 committee, we did have a meeting on the 911 standards. It's been a thing we've been working on since the last board meeting. And Director Merklinger, the Sheriff and I, counsel, we've been working on the standards.

At the last meeting, we -- I don't know how to really explain this. But we realize that there are a lot of structural issues in the standards as they are. They were adopted many, many years ago, seems like, the old 911 board. They were, you know, structured for a reason that way with definitions in each section.

There was an expedited funding program back then that was a big part of it. So what we've realized, and we -- rather than bring a document to you today to act on what we feel will have to be rewritten in short-order, we feel that's it better to take a little more time and rewrite this thing from top to bottom, start to finish, restructure it, so it's a modern document.

And it's written moving forward into all our Next Generation stuff and requests back. It's a better way to go. So with that, we have decided to defer bringing you an updated document today so that our counsel and us can work together on structuring it properly as the statutory standards should be. Did I say that right, Counsel?

**MESSINA:** Yes.

**CHELLIS:** Sheriff, anything to add to that?

**GERACE:** I think you covered it very well.

**CHELLIS:** I think it was a decision of the Sheriff and the Director at the table who felt that we don't to want put out something that's of poor quality. We feel that it should be structured properly and probed properly so it's understood by all and can be used in the future. That's where we stand on the 911 standards. Any questions?

(No response.)

**CHELLIS:** So, Sheriff, do you want me to go into the NG now?

**GERACE:** Sure.

**CHELLIS:** 911 Next Generation, as we work through it, has been meeting weekly or bi-weekly, depending on our schedules. It's been a good working group in terms of representation. We've been moving, what I feel, fairly quickly forward through the issues and topics.

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On September 1st, we hosted a class; we brought in a NENA instructor, National Emergency Number Association, to bring the working group and our other partner agencies up to speed, I should say, on a lot of the terminology and technology involved. It was very eye-opening, I felt.

We've been doing a lot of research. We've been doing a lot of reading of the FCC documents and so on. And even with that, this class brought in by NENA opened our eyes to a lot of these challenges ahead with NG. It's not a simple border it up and put it out there and it works.

There is a lot of stuff to be done everywhere from the government's side to the technical side to make this happen and to coordinate it properly statewide, so that everybody's interoperable in the end.

So it's very a good class. We had representation from a number of state agencies, including OIEC, the State Police, the Department of Public Service, ITS, including their GIS component, which is very important in the NG planning. We had 10 counties represented and New York City at this class, so it was very good.

Moving forward, the month of September and October, we're working with Deputy Commissioner Wisely. He's directed our office, and in concurrence with the Department of Public Service, we're preparing a document and presentation for Chambers to bring -- kind of, close the loop on that and update them and brief them, as they asked, on this topic.

So we're moving forward with that, and then we plan on rolling right out in November, working with part of Homeland Security Office and Emergency Communications at the federal level, bringing them in, and providing a Next Generation 911 strategic planning development workshop series.

That will begin a series of everything from electronic meetings to in-person meetings to workshops to write a state plan and move us forward. So we're hoping sometime early next year, at least, to have a draft state plan that we can present to the board, and go from there. So, Deputy Commissioner, anything you wanted to add on that?

**WISELY:** No, I think you covered it, Brett. We continue to -- again, we want to make sure we are working with our partner agencies and moving this forward. This is a big step in our technology, change in our moving forward with emergency communications across the state. It's a big effort.

You know, I commend the working groups and all the things that they're doing. So we're looking forward to continuing to work together and moving this forward. So good job. Thank you.

**MAHA:** Question. Going back to the 911 standards. If you may recall, the previous 911 standards pertained only to wireless

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PSAPs. Are the new standards going to pertain to just wireless PSAPs or all PSAPs?

**CHELLIS:** Counsel has stepped out of the room, but we've actually had a number of discussions and in this last meeting, a lengthy discussion on that in terms of the whole standard as the original. You know, intent was to wireless PSAPs, and how that can be brought forward.

There's a lot of -- you know, the different levels of PSAPs in this state from a technical definition, from the FCC of a primary, and a secondary PSAP, and then there's this whole third tier, as Toby likes to refer to it, of PSAPs that are out there. They don't take a 911 call direct, but all day long, they're dispatching emergency services based on calls transferred off a 911 to a seven-digit or a ten-digit number.

So they're your university dispatches, some small towns and villages that maybe don't contain a PSAP but still have an ongoing dispatch operation, so where do these standards apply. So right now, legally, our counsel said that according to Article 6A, they apply to wireless PSAPs. But there's language in these standards that talks about PSAPs.

But until you tie that back to 6A, and until you amend the standard that needs to be updated in order to accomplish what you want in terms of applying it broader. Does that answer your question?

**MAHA:** Pretty much. The old board, the goal was to get funding out to the counties. You had to comply with the standards to get the funding. That's not going to be the case, I don't believe, here.

**CHELLIS:** And there are decisions to be made in Next Gen. If you're building out an ESInet statewide, what level of PSAPs are you going to connect this into and at what cost? And all of those things need Legacy Gateways to bring your Legacy 911 landline in as well as your IP-based services that are -- you know, flow the Next Gen on. All those are going to have cost factors. So those decisions are going to be very important.

**BLEYLE:** I'm glad to see the work that's being done and prepared by the state. I appreciate that. I know a lot of us do. I would like to see it, and maybe it's time to look into Pandora's Box, but looking at the law and making it apply to PSAPs in general, not tying into wireless.

You know, there are the PSAPs that handle 911 calls, but they're not wireless. So, you know, I think if you look at what other states are doing with the mandated training and certification, I think a lot of -- you know, we're tied into a very, very old law.

And it's time, I think, to start looking at it and applying it abroad to all PSAPs, regardless of whether you take wireless calls or landline calls or VoIP calls.

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**GERACE:** I couldn't agree more. One of the issues is, we had this discussion, and these smaller PSAPs, if you want to call them that, they're getting wireless calls. So, in my opinion, they fall into the stage. We're transferring the wireless calls. The end user is on a wireless device. So they are receiving them, and we should put them up to the same standards.

**MAHA:** The way I look at it, a PSAP that takes a 911 call, a 911 call is a 911 call, whether it comes in as wireless or wired line or whatever, it's an emergency call. So there should be some standard there for whoever takes in an emergency 911 call.

**BLEYLE:** I think the public expectation is how the call is handled, not how it came in. Right.

**VOU TOUR:** I just want to jump in and say I agree with all that discussion. It's time that we woke up and realized that these secondary PSAPs are doing the exact same job in helping those standards.

No different if a cop goes to the police academy or a cop doesn't go to the police academy. What changes the standard when the end job is the same? They're all over the place. In many cases, they hurt interoperability because they exist. It needs to be addressed at some point. Its just -- it's ridiculous, some of it.

You know, when a cop answers the phone in a small PD, and we've heard this, and there's a baby not breathing, and they say, "Okay, rescue's on the way," hang the phone up, my people who transfer it stay on and give CPR, because we're held to a standard to do that, that is what we need to look at. That's the big picture.

**CHELLIS:** Thank you, Sheriff. Our counsel had just said that this is one of the issues at length that we talked about in our meeting, is this whole issue.

PSAPs, what does it apply to, and what would have to be changed in the language to make it apply to all three tiers of PSAPs, whether it's primary, secondary, or just taking 10-digit calls. But as Sheriff Gerace pointed out, if it regularly takes calls, transferred off of what -- from wireless, you're still talking to a wireless caller in the end.

**MERKLINGER:** You know, I think this is -- as Commissioner Bleyle pointed out, these secondary PSAPs are not held to the same standard. If I'm legal counsel for that municipality, I should be very scared, because if anything goes wrong, and they bring any industry expert in, they're going to ask them what standard you are adhering to. And they're not even adhering to the most basic state standard, let alone any other industry standard.

You might as well just open the checkbook now. So, you know, I think in that regard, it doesn't matter where I am traveling in New York State, I should be able to expect as a citizen that same level of service no matter who picks up my

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call, no matter how it got to them, a cellphone, a landline, a tablet, Skype. It doesn't matter.

So, you know, I think to the Commissioner's point, we need to work on updating the legislation but, really, shame on any municipality that's not already looking at it and saying to themselves, "We need this and we got to do it."

**GERACE:** Another big gap to keep in mind is that we've lost our regulatory authority from the original intent when we actually had OFPC going out and doing site visits to see if people were within the standards. That is gone, and that needs to be readdressed.

**CUMOLETTI:** Separate from the secondary staff issue, which is important; again, if we agree that the role of -- if the responsibility of the board includes some of these broader apples, they're going to go on for years. We talked about FirstNet. We talked about NG911.

It's not just wireless specific. The role that the board has taken on in the by-laws is beyond simply wireless. So that's what has to be, at least, acknowledged a little bit if we're considering drafting new standards. I mean, when you start putting together a strategic plan for Next Generation 911, it's not going to be (inaudible).

**CHELLIS:** Counsel advises, you know, the by-laws right now follow Article 6A, the county laws. So that is where that stuck as far as the implication to wireless as far as the 911 standards. You know, there's plenty of other roles with the board in terms of interoperable and local communications so on and so forth outside of the 911 realm. But the process would have to amend or update Article 6 (inaudible). Is that said correct?

**MESSINA:** Yes.

**CHELLIS:** We have a question off the floor. Does a board member want to recognize it?

**SHARPE:** So if the process is to amend the law, I'm pretty sure that the gentlemen sitting on the board would love to see a draft put together by counsel saying, okay, this is the way we got to do it, and the law has to change, then, okay, that seems to be the direction of this board. This discussion has happened multiple times.

It's time for you guys to draft an amended law so, that way, these people can take it to their groups, and we can go through the political process of changing the law. But it can't start until we have language. So, perhaps, what I would offer to the board is, perhaps, you should adopt a resolution instructing counsel to put together an amended law.

**MESSINA:** I think that -- if I can just address the board. I think that this issue is very clearly known by OIEC, by the Deputy Commissioner. It's taken under advisement. I think it

will proceed through the agency executive process.

**WISELY:** And just to follow up. I've asked Mike, and we're going to get the OIEC team and counsel to prepare a briefing for me, a more in-depth briefing. I'm very aware of Article 6 and how it reads, but I want a more in-depth briefing on the consideration of the comments from all of you on the dialogue that we had.

And that will be the first step we'll take to evaluate. And we've heard loud and clear your concerns, and what you're discussing here with PSAPs. And we really want to understand what it would take, what the language would look like for us to choose modifications.

We're going to do that. As you're going through it, I would ask my director to put that on my calendar in a couple of weeks to put something together.

**SPRAGUE:** I think to kind of summarize it a little bit; the discussion that was had on your conference calls really is a microcosm of what just happened here. It's almost word for word. You know, the discussion that came up was, you know, rather than fix something that was already broken, let's go ahead and go down the right road and fix something that's good in light of also the fact that we just had a training session from NENA on NG911, and the impact that's going to have. You know, I think our counsel attended that and was almost shocked to some extent as to some of the stuff in it.

It is framing the direction that we're going, taking into account the broader picture. So I think we're headed in the right direction here, and we're hearing everything you're saying.

**CHELLIS:** And really, if I can add that the Department of Public Service, our partner agency in this whole NG thing, is going down the same path with us in terms of the regulatory side, statutory side on their end, where they currently you know, have tight regulation over the landline providers, probably not the best technical term and less oversight currently of wireless and certain VoIP providers.

So this whole issue of NG911 all comes forward and is addressed in terms of the governments and so on. So we continue to work on it and the Deputy Commissioner's given us direction, and we move forward.

**GERACE:** At the same time, we're looking at changes to this law. We need to be connected to this surcharge issue that's hot and heavy, because that's part and parcel to it. We're rewriting the law, and the providers that aren't paying surcharges now, TracFones, VoIP providers, good time look at that, too.

**SPRAGUE:** Any other discussions?  
(No response.)

**SPRAGUE:** All right. We'll move forward then.

**KOPSTEIN:** Good morning. Two items which we do discuss, I'm not going to mention in-depth. One is the 911 issue with interoperability. That was discussed already in the meeting; and channel naming, which Mr. Dusha's going to discuss later. One of the open issues on CIWG is the Governor's SOPs for interoperability. On the national channels, we're still waiting for that.

John Vallarelli from the MTA Police Department will now be a member of SAFECOM. We were able to get that through at the last meeting.

The FirstNet people were talking about opt-out, and this came up in San Diego. Several state representatives have approached me, saying they heard from vendors that New York State had already opted out. Fortunately, Larissa was there, and she was able to explain that that wasn't the case.

Everybody should have gotten an FCC document on railroad accessibility to interoperability. We've been looking at that for a while. Fortunately, it's come to fruition.

At this afternoon's CIWG meeting, we're going to be talking about the communications unit, and then what the SAFECOM Working Group is looking at. And I'll be meeting with the Director after this meeting to discuss which way we're going on the working group, and what we're doing with COMLs and alike.

And last, but not least, there's discussion on the national level to raise the COMU from a unit level to a branch. Because of the additional information that's going to be required, Broadband, FirstNet, and alike, and that probably should elevate the unit to branch level. That will be in this afternoon's meeting.

**SPRAGUE:** Okay. Any discussions or questions?  
(No response.)

**SPRAGUE:** Thank you. All right. Public Safety Broadband.  
Matt.

**DELANEY:** Good morning again, everyone. I'll be real quick. Just a couple of items. Subject matter experts, the survey is still open. So if you're interested in participating in any of our state plan review process as we develop it, if you know anyone who might be interested, if you haven't taken our survey, I'd like to introduce you to our newsletter. You can look on our website or email me, and I can send it to you. Basically, what this is, we're just trying to make sure that we have people with knowledge and interest in reviewing certain areas of the first state plan when it gets delivered to New York.

You know, once we have -- there's sort of an outline, a template, in the RFP, but as we learn more from FirstNet, we'll probably have a little better idea of what that plan will look like. But we want to be ready. We are already developing an evaluation plan so that we have a schedule.

We have how we're going to evaluate each section and create a recommendation. So we are looking at that. And if you're interested, please fill it out, and we'll contact you as we get a little further along on that process. I just want to make a comment on -- I think it was Commissioner Bleyle that had the comment about the enhancements to the RAN, the local enhancements, that's something that, certainly, we are paying attention to also.

I think that we are interested in trying to make sure that there's the ability to add to the network, the RAN network, as it gets built out and there may be coverage areas, temporary or permanent, that will need coverage. Just like we did today, we put in temporary repeaters for an event, or we fill in a building, specific building, might have a county courthouse or something, that might need coverage.

So I think that will be important, and we're paying attention to it already. I just want to mention NTIA is here. NTIA is the granting agency for our SLIGP, our State and Local Implementation Grant Program.

They are here today. They're sitting down with us for a grant review, just where we're at in terms of financial reporting, some of the other processes involved in a grant. So Yuki Miyamoto and Dan Mason from NTIA. That's all I have.

**SPRAGUE:** Any comments or questions?

(No response.)

**SPRAGUE:** All right. Moving right along. State Agency Working Group. Brett.

**CHELLIS:** The State Agency Communications Working Group met on June 20th. We basically outlined with the state agencies that were present system overviews and individual state systems. We kind of identified discussion both on their own, state owned system, and what they operate on for their internal operations, and also how they operate, say, on a county system, for example, with the State Police, Parks and so on.

You know, they actually operate just as much, say, on a local system where they're receiving 911 calls, responding to calls for service. So you branch it out into those two areas of discussion systematically, and then each brainstorm in the areas and the challenges that each of those agencies is facing.

A lot of challenges in terms of both interoperability, and, you know, everything from that. And, of course, we still want to be compatible with local systems, bringing in the whole discussion of local county CAD systems, and how those state agencies operate. We receive calls on those calls, calls for service, and when they -- you know, maybe a patrol unit, for example, in law enforcement covers more than one county, there may be disparate systems.

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So what are the challenges there? But, more importantly, what can we do to work on them, and how can we work together, as the different state agencies work together, to address these issues and to move forward on improving communications and to be making sure they're interoperable no matter where they have to operate in the state?

So our next meeting is going to be more of a working meeting. We'll continue that discussion and try to identify not only the gaps but bridges where the agencies working together can help solve some of these challenges or work to improve. So that's how we're moving along. I think a lot of progress has been made in, at least, identifying issues along that line.

**SPRAGUE:** Any comments or questions for Brett or on the topic? (No response.)

**SPRAGUE:** Okay. Channel Naming and Use Working Group.

**DELANEY:** Just two quick comments. There haven't been a lot of changes since the last meeting. I just want to remind people there are a number of guidelines with channel naming used that are on our website, on the DHSES OIEC website. There's quite a few, channel naming, fire, EMS channels, NYLAW1.

And just a continued reminder, if you have infrastructure on the national interoperability channels, especially with the calling channels, because that's where we see the problem in particular, if you have repeaters on infrastructure, the repeaters need to be off, repeater off mode, unless you're actively using them for -- if you're involved in an incident, planned or actual, they can be on, obviously, use them, but you turn them off again when it's concluded.

If you do turn them on, it's in the guidelines, notifications need to be made. We've seen in a variety of places in New York there are repeaters that are on 24 hours a days, seven days week and, in fact, there are locations where they heterodyne, there are multiple repeaters.

It essentially becomes useless, because you can't -- you know, if you need it for an event, and you find that there are three other repeaters on a channel already turned on, and you don't who they are, it creates a real problem. So we did address that in the guidelines.

There's notification, there's also ID requirements, obviously. But, of course, there's also -- if you have a repeater that's on and it's transmitting, you're going to need the ID, too. That's a requirement. So that's detailed in the guidelines.

So I just want to remind you if you do have infrastructure on those channels, please just double check and make sure with your communication center or your radio vendor or whoever that the repeaters are off unless you need them and

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you have the ability to enable or disable them as you need them, either console or over the air DTMF and so forth like that. It is very important. Thank you.

**SPRAGUE:** Okay. Any comments or questions for Matt?

(No response.)

**SPRAGUE:** I'm impressed with the electronic finger pointing. I just want to follow up with the standing committee reports. As you can tell, there's a wide range of topics and discussions that went on during this whole thing. And I want to thank not only the people that reported but all the people that actually worked on those committees and put in time to come up with the information and the questions and discussions that go along with it. So good reports. Thank you. PSAP and SICG Grants.

Larissa.

**GUEDKO:** We will continue with the presentation about the Statewide Interoperable Communications Grant Program, and I'll provide you with information, like I always do, on the spending. We were hoping that we would do better in the spending; however, here are the results.

Round 1 is complete. Round 2, we have 77 million reimbursed, compare to the last meeting, where we had about 69 million. There are two PSAP program, which are \$9 million PSAP grants with multiyear spending on those and multiyear contracts. So applicants do have a little bit more time to spend this funding compared to the new 10 million PSAPs grant program. So right now, we're up to 8.5 million reimbursed for 2012 PSAP, and there is 7.6 million reimbursed for the 2013 PSAP grant. So we're getting close but not there yet.

Round 3. There is slightly more than 50 percent that has been reimbursed. Out of 75 million, 41.7 million have been reimbursed.

The PSAP Operations Grant is a 10 million grant. And we are pretty much done on that one. We have reimbursed 9.95 million, it's pretty good.

In Round 4 we have 1.42 million reimbursed, even though this grant was issued sometime in 2015. However, the contracts for many counties where it developed in January-February this year, hence, that's why we see low spending under this grant program. We have awarded 50 million under Round 4 grant program and majority of it was for infrastructure development. The PSAP expenses were also allowed under the Round 4.

The next one is 2015-2016 PSAP Operations Grant. We are up to 3.4 million in the reimbursements.

And we just announced the award for 2016-17 PSAP Operations Grant, which is our yearly grant of \$10 million. There is one-year for counties to spend their awards. And right now, our grant representatives are working with counties

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directly to establish contracts. The spending period (or grant performance period) for this last grant is going to be calendar year of 2017. We did change the program slightly. The changes are in the process, not the formula. The formula stayed the same. However, we did change the process of the applications.

All we ask this year from counties is to submit their statistics. We didn't ask them for the budget. We didn't ask them for any descriptions. We asked counties to provide call volume numbers and incidents from the last year, 2015. Based on that, we input all the numbers into the formula, and calculate the award amounts.

Now that you know your award amount, you can develop your spending for the next year. I think it's still a little bit less duplication, rather, because last year, you had to submit the budget, then you had to revise your budgets to adopt to the specific number of the award. So the process is a little bit easier and a little bit faster.

Each and every county has their DHSES grant representative, and counties will be working directly with their representatives to develop a contract, the budget, and the spending. We did have a couple of questions in the PSAP grant. Why did my number of the award change? Well, it will change and slightly vary every single year.

And the reason for that is for two years, all counties and New York City as a whole have applied for the grant program. We have 10 million for awards. Some numbers and some statistics that go into the formula are stable, such as your land coverage, such as your population. It changes slightly; however, it doesn't change drastically.

However, for some counties, the call volume and incidents will change. Every single county submitted different numbers from the last year, and that's understandable. Some counties have incidents; some counties are still just developing the process to get all call volume from their vendors.

For example, last year a couple counties could not provide the full call volume, because the vendor had trouble actually collecting the data information. So, now, I believe they know what to request from the vendor, they know exactly what they're looking for.

And I believe from now on, it should stabilize, and the number's going to be close. However, expect that awards will be changed slightly from year to year. And we do hope the program will still be available for all counties next year as well.

We are going to stick with the same timeline, where we issue the grant program RFA sometime in the middle of the year and, this way, counties will have time to actually get their

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budgets together and approve it for the next year. This year, I think I heard John was saying, it's too late for this year.

It was a little bit late. We're going to move it up a little bit to the beginning of the year. Yes, this is the feedback that we got, and, yes, it will be a little bit sooner. I'll actually start working on it probably in January.

**VOU TOUR:** So are you saying that -- like, my award got a huge cut this year, over \$20,000, which I'll have to lay out to the dispatcher, you're saying, because my call volume was down?

**GUEDKO:** Not necessarily. Your call volume could be exactly the same or slighter higher. But if another county had significant call volume increase, it will affect all counties in New York State. -Example: there are three counties. One submitted, 20,000 for call volume, another submitted 20,000, and another county submitted 20,000. So all counties will get the same amount. Now, this year, you submitted 20,000, another county submitted 20,000, and the third county 50,000 because of some emergency the call volume for the year increased. Now, even though your number stayed the same, the amount we have to distribute is still also the same. So it's proportionately distributed among all counties. The impact is weighed, so it's not a direct impact. There are other items that go into the formula, as I said, population, the land area. But the volume of -- the call volume is important, because that's your workload.

**VOU TOUR:** I lost more than anybody in the state. I don't understand how that works.

**GUEDKO:** But the formula has still not changed.

**VOU TOUR:** If you spread it out -- it should be spread out.

**GUEDKO:** It's spread out if the caller --

**VOU TOUR:** All the rurals went up, it seems to me, and all the bigger counties, the Monroe's, the Niagara's, all dropped drastically. Dropped drastically. Do you guys agree with that, that the rurals went up? Joe, you went up. Gary, you went up.

**GUEDKO:** If I see drastic changes, and some of you probably got a phone call from me asking, please verify your numbers. And I actually caught maybe five or six counties in the state that submitted incorrect data, and they had to resubmit.

But, yes, I am keeping an eye on it to make sure that there's nothing out of line in the information submitted in the application. So what I do is I always compare data to the previous years and look if there are some problems with the submitted data.

**REVERE:** Can I ask a quick question?

**GUEDKO:** Sure.

**REVERE:** Would it be advantageous if the formula itself, the weighed topics was included in this, so it might clear up some

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of the confusion with the questions that out there?

Because we had some questions when the list came out ourselves, trying to figure out what the rhyme and reason was to all this. So maybe if it was out there, it might clear up some of these questions.

**GUEDKO:** I will defer this -- the answer to Linda Messina. This is more towards a legal question. But there are specific procurement laws in New York State.

**MESSINA:** And just -- I think unless the Deputy Commissioner disagrees, I think that this conversation is getting into the ins and outs of the individual county numbers, because not every county is represented by the board. Perhaps, we can take this offline and maybe further educate the process, you know, all the counties on the process. It's probably a better idea.

**GUEDKO:** And would prefer exactly that. We would have to arrange a call with you and explain the process of it in every single detail. We are open, and we provide as much information as we can.

**BLEYLE:** My suggestion might be that we, perhaps, convene a subcommittee of the board comprised of some of the 911 centers to talk about -- you know, maybe give the states some input on the formula, and just come up with some ideas of what is -- since this is sustainment money, what is a true way to measure what's necessary for sustainment.

For example, there may some counties that maintain the radio system but others don't. It comes out of a different department. There may be -- even as an example in our consortium; we did a shared services consolidation study involving five counties.

We argued over numbers of just call volume, because everybody has a different way of measuring that call volume, and I think there needs to be, especially if your funding is tied into it. My county saw a 6.8 percent increase last year in calls, which was off the charts for us.

We might see a percent here or there, 2 percent, but not 6.8 percent. And I lost money. So I think we need to take a look at what is -- what true indicators of how you decide sustainment are.

**GUEDKO:** Actually, you are so -- you're right. That was one of my questions when I was looking at all this data. How do they measure call volume? What is exactly going into that number? Do you have some guidance to provide?

But I think I like this idea very much, and I can talk to the Deputy Commissioner and my Director and Linda, and we'll see maybe we should establish a working group, and maybe we put it under the same working group for PSAP standards / NG-911 and see if we can get their feedback on what exactly is important.

We do feel it's important that -- and I think you

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do as well, that call statistics and incidents are important. This is the workload of your PSAPs, so it's very important to have it in a formula.

And here, you see PSAP and SICG Grant periods, contract periods. This is the period of time when you can spend your grant funding. We did extend a couple of those timelines due dates. One is for Round 3, now, it's December 2017. It was 2016 before. And also for the PSAP Consolidation Grant, those two grants that you see here, 2012 and 2013, it was extended by one year as well. So it's now in April and June of 2017.

So you probably have a lot of questions. When exactly is the next round of inoperability grants coming out? Right now, RFA is in the review with our top management, and once it's done, it's going to be ready to be posted.

Next slide presents the high level of our goals, and where we're going with the grant program. The next SICG will be a formula-based. And we will probably hold some webinars just to make sure that everybody understands this program, the direction and changes from the previous competitive program. And we would like to provide you as much information as possible to make sure that your application is submitted correctly. I think this is going to be easier than the few grants that we had before. Any questions?

(No response.)

**GUEDKO:** So if you would like me to talk more about any of those goals, I'm happy to do that. If not, I'll move to the next person. Thank you.

**SPRAGUE:** Thanks, Larissa.

**BLEYLE:** I have one quick question. Do we know when the next round out of the -- I guess there's going to be the 20 million, and then there's the 40 million. Do you know when those are going to come out?

**GUEDKO:** Right. Yes. Kind of approximate timeline. And we did talk about those before. Right now, one of those, the Formula Grant, which is 45, is being submitted to our top management for review. Our legal already provided their feedback. So, hopefully, the next month or so, it should be going out to the website. Now, the other one that you mentioned, the 20 million one, that's going to still be a targeted program. That one, we do not expect to post this year.

It's most likely going to happen in the beginning of next year. If we can make it happen this year, sometime at the end of the year, definitely, I will try. But there is a lot of information that goes into that grant program, because it's targeted. So right now, the team that collected this survey information is trying to evaluate everything and come up with criteria, what exactly those gaps that we have to address are,

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and that's what's going to be targeted with this type of grant. John.

**MERKLINGER:** Question/statement. So the 45 million, you haven't gotten out yet, most of us have completed our budget process, and it's in the process of being introduced to our Legislature.

So now it's going to come out, at least, probably after I'm voted into my next fiscal year's budget. That means for me to accept that, it has go to the legislator, and they have to take a vote to accept the grant. That's a two-month process for me to even accept it.

So we're back to our earlier problems that we were having a couple of years ago. Because we didn't get this done early enough on the county's budget cycle, and it's not included in my operating budget, I now have to go through this whole separate process with the elected officials to even accept free money, basically.

So the continued delays in getting these grants out continue to cause a lot of problems, not to mention if I do include estimated revenue and then the grant doesn't come out in that fiscal year, now, I'm short in that budget for that fiscal year.

**GUEDKO:** John, probably, you're not the only county that's going to be in the same situation. But I think we have established the formula. We have established criteria and goals for the program.

Yes, this year, I may be a little late getting it out.

But next year, most definitely, we're going to try moving it up somewhere in the first quarter of the year. You're going to have plenty of time to get it into your budget and approve it, and you'll know your award amounts. And you can go ahead with your budgets.

It will be multiyear spending. It's not going to be one-year grant as for the PSAP. It's understandable that the LMR and infrastructure take much more time. You're going to have a bit more money to spend, too, rather than the PSAP operations where you have the current expenses every single year.

**MERKLINGER:** This slide that you have up on the screen, does that apply to the target grant or to \$45 million grant?

**GUEDKO:** It's mostly to the 45. However, this \$20 million grant is going to be -- well, all of it is going to be applied with the exception of the last one.

**MERKLINGER:** Okay. We're still so radio focused. And that's not the only part of a PSAP. You know, I have a phone system that's 16 months old. There are two versions of the software that have come out since I've installed it.

And I'm looking to upgrade that by the first of the

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year, and that's not free. Everything we talk about is still very radio focused, that is one piece of the PSAP. So I have a 16-month' old phone system I put in place to try to be ready for Next Gen 911, and I already have to upgrade it. And my vendor, they're good guys, but they're not going to give it to me for free.

**GUEDKO:** Yeah. I understand. This is difficult, because funding is an issue. And right now, the technology is moving ahead fairly fast, and Next Generation 911 is getting more urgent. A lot of you have implemented portions of it, and you did use our PSAP grant to utilize that: For example, supplement text to 911 implementations. We have quite a lot of counties now that have implemented this feature.

**MERKLINGER:** Thank you.

**SPRAGUE:** Just a comment to wrap that up. Your comment is not new to us. I mean, there's three of us sitting up here that are aware of what county budgets look like. So we definitely are considering that, and we weigh that into the factors of things moving forward.

There are some timing things, and this in particular thing, slowed it down, but hear you loud and clear. Thanks, Larissa.

New Business. In your packets, there is a draft for the special purposes for a citizens alerting committee concept. We're looking at the possibility of creating a working group that would be handling the citizens alerting piece.

Actually, Director Barbato actually drafted most of this before he left. And this is kind of an ongoing process that we've been looking at from the state and the broadcaster's level for a period of time right now to try to handle the changing version of EAS, formerly EBS. This is very acronym-rich, so there's, you know, CAP, IPAWS, WEA. We can throw all kinds of stuff at it.

But they put in a common alerting protocol. You know, the IPAWS, which is the FEMA program at this point for alerting, and wireless alerting, which everybody gets, and, again, wireless is a good piece of this program.

Right now, there's kind of an ad hoc group that looks at this, but there's no real consistency to the process, and OEM has the plan. But the OIEC function is active in this. There are a lot of radio communications pieces. We have a satellite system that is currently running that has some age on it.

IPAWS is the up-and-coming process. But we have to develop the plans in making sure that they actually follow the IPAWS system, and that there's a redundancy in place that when an alert goes out from either the state, the feds, or from the county level, that it makes it through the system and gets back

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out, more or less, to the wireless phones, and it gets out to all of the broadcasters and all of that.

So there are a lot of components that go along with this. So one of the things we're kind of looking at is to try and bring a group together that would work underneath this body to push this forward. And, basically, we're looking to develop a comprehensive approach for alerting the citizens.

It's an all-hands approach and using all the media, all the technology. And, you know, we're really kind of talking about some of the same stuff we're talking about when we talked Next Gen 911. It's all devices, all services all the time. So it's like getting all that put together, and using IPAWS as the common gateway.

And really, the committee, it's going to be made up -- it will be made of people from all different sides of things. There used to be an actual committee that was part of process years ago that would kind of form into this.

So you would have broadcasters in there, you'd have public information, you know, technology and also planning personnel to put it all together. So that's kind of the division. I mean, you can see on the handout there, there are potential agencies that could be part of the membership.

So the question is being broader, being put to the board to consider this, and we would bring it back -- if you're willing to consider it, we would bring it back to the next meeting in the former resolution and start to create it.

**WISELY:** If I might, this was -- you now, the Broadcast Association, State of New York also has a requirement to have a plan. The plans need to be updated. We have periodic meetings with those folks. I thought that this was a perfect opportunity to kind of bring this into the fold into this group, make it a working group, so that you folks are all part of that process as we move forward.

You know, between IPAWS and New York Alert and some of the counties that do CodeRED and some of the other functionality, and how that gets transmitted out, and how it goes to the Broadcast Association, what they're responsible for doing; I think it's important that we bring it in.

And I wanted to get into this body as a subgroup, so that we have that common dialogue to look across emergency broadcasting, so we understand. And also, I think it really highlights the importance of this so we understand how everything works.

We just had, during Hurricane Hermine, a little bit of an issue in Suffolk County with their use of CodeRED in transmitting to IPAWS. And the pieces worked except for a piece that appears to have not worked when it went to the broadcaster's announcement and, somehow, the message got truncated, and it

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would look like across the TVs that they were evacuating the entire County of Suffolk.

So it's just working through and understanding how all those pieces work. So I think it would be a good opportunity for us to bring that all together within this group. So that's why we brought it to you to consider putting it together.

**KOPSTEIN:** If I may, New York City OEM, it has an operational program for the better part of 10 years now. It's been quite effective. And maybe we can talk to New York City OEM so we don't have to retake the same ground, so to speak.

**SPRAGUE:** You know, understanding what everybody is using, I think this is more ensuring that we have a good common understanding of -- not necessarily saying that we're looking to come down to a single common platform but a full understanding of how all this works, how we can update the Emergency Broadcasters Association plan, bring them into the fold with this group.

They have specific requirements in legislation that require them to have this plan to do the EBS message on the TVs and radios. So this is a way to bring that all together into the group.

**MAHA:** Certainly, under potential memberships, I'd like to see representatives from New York State Sheriff's Association and also the New York State Chiefs of Police. You know, there are a lot of state agencies and the only law enforcement representative is State Police.

**WISELY:** Sure.

**SPRAGUE:** That's exactly what we're looking for is the feedback to go along with this. One of the issues as we get deeper into this, we've done some looking -- the federal system is still evolving it. IPAWS became kind of the main mechanism. But as we keep having dialogue with them, they're still implementing more pieces. And the pieces that implement go directly to radio. And the other requirement, they actually brought up an IPAWS testing lab, which they can use to test all these systems without sending out all the bells and whistles.

So there's a lot to learn here that we really haven't had a chance to dig into yet. We want to bring everybody along on the same platform, so that when we send that one message, it hits everybody and goes throughout all the systems at one time. Any other discussion?

**VOLK:** It maybe a good opportunity to bring in the special needs population when you're talking about how to communicate with everybody, you know, including how to communicate with somebody who's blind or somebody who's deaf and so forth.

**SPRAGUE:** Any other discussion?

(No response.)

**SPRAGUE:** Can I get motion to entertain this for the next

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meeting?

**BLEYLE:** Motion.

**GERACE:** Second.

**SPRAGUE:** Second. All those in favor?

**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Carried. Thank you. The other thing we have on the agenda, just for informational purposes, is the regional workshops. Those are the dates just in case anybody hasn't seen them already. We've got five across the state that will be coming up the end of this month and into the next.

I know Larissa and I will be attending all of them. I know Brett's going to try to make some. Joann's going to try to make some. So we'll have a good group out there to talk about our programs and what's coming up and the activities of the board as well. And with that, any other new business from anyone on the board?

**VOUTOUR:** One quick thing. I don't know if anybody got this, but I got a nasty letter from an attorney because I used the word "reverse 911" in a press release. Anybody else get that? It's apparently a trademark name. And I know it appears on some of our grant applications.

**CHELLIS:** It was removed in the last --

**GUEDKO:** We have adjusted the language just because of that.

**VOUTOUR:** Did you get that, too?

**GUEDKO:** No, we did not. But someone brought it to our attention, to Brett's attention, and we adjusted the language. Thank you.

**VOUTOUR:** It's just an innocent reverse 911 term I used in a press release.

**CHELLIS:** It's like the word Band-Aid, it's commonly used.

**SPRAGUE:** Any other new business?

**MERKLINGER:** Not necessarily new business, I just want to say thanks to all the state folks. I think in the last couple of months, we're starting to make some pretty good progress for Next Gen 911 and several other things, and I appreciate all the hard work that everybody's been doing. Thank you.

**SPRAGUE:** Any other new business?

**VOUTOUR:** One more thing. We still have board openings, if I'm not mistaken, correct, especially on the Assembly side?

**SPRAGUE:** There was a nomination that we just barely received last night for two on that side of the house but they are still, like, three that would be altering that side. Three on the Assembly, and one on the Senate. So two more coming in. So good point. Thank you. Any other discussion?

(No response.)

**SPRAGUE:** I'll entertain that one motion I'm looking for.

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**GERACE:** Motion to adjourn.

**MERKLINGER:** Second.

**SPRAGUE:** Motion to adjourn, second. Thank you, everyone, for coming. I appreciate all your activity and the travel here. All in favor?

**ALL:** Aye.

**SPRAGUE:** Anybody opposed?

(No response.)

**SPRAGUE:** Carried. Thank you.

(Whereupon, the Meeting was adjourned at 11:54.)

C E R T I F I C A T E

I, MICHELE AMBROSINO, Shorthand Reporter and Notary Public within and of 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 transcription of same, to the best of my ability and belief.

Michele Ambrosino  
MICHELE AMBROSINO