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THE COUNCIL  
OF  
THE CITY OF NEW YORK

**PETER F. VALLONE JR.**  
COUNCIL MEMBER, 22<sup>ND</sup> DISTRICT

January 25, 2010

PUBLIC SAFETY COMMITTEE  
CHAIRPERSON

COMMITTEES  
EDUCATION  
ENVIRONMENTAL PROTECTION  
FINANCE  
GOVERNMENTAL OPERATIONS

Honorable Victoria Siegel  
Mayor  
Village of Bayville  
34 School St.  
Bayville, NY 11709

Dear Mayor Siegel:

I am writing you in regard to the ongoing cell antenna issue at Bayville Primary School. In my capacity as a Member of the New York City Council and the Chair of its Public Safety Committee, I have worked tirelessly on cell antenna issues during my tenure. As you probably are aware, the Federal Telecommunications Act of 1996 prohibits municipalities and states from enacting laws to regulate the placement of these antennas based on health concerns. As ridiculous as that may sound, this is the problem that I and many like-minded legislators have been facing for quite some time now.

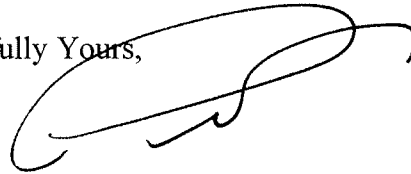
However, this has not deterred my efforts at all. In 2005, I wrote a law that mandated the New York City Department of Buildings (DOB) to maintain records regarding the issuance of alteration permits for cellular telephone antennas and equipment. The following year, I was the first elected official in this region, if not the entire country, to successfully have a cell antenna removed from a building that was directly pointing into a school classroom in my district. By working with my community and having the support of dedicated activists who stood by me during the fight, we achieved this victory. I am currently in the process of re-introducing cell antenna legislation which would, among other things, require the applicant to provide written notice to the community board and council member in whose respective district the cell antenna will be located. This will prevent these antennas from literally popping up in the middle of the night, unbeknownst to many local residents, and afford the community healthy debate before any antenna is sited.

I stand with every concerned parent and Bayville resident who wants to see these antennas removed from the water tower. I am aware of the legal challenges that have been filed in an effort to have the cell antennas removed. But while this process runs its course, our children continue to suffer. The studies which serve as support for the 1996 law are terribly outdated and amazingly, do not even distinguish between the amount of radiation acceptable for an adult as opposed to a child or senior citizen. I have called on

the Congressional leadership to remove the restrictions it has placed on municipalities and states and initiate new studies on radio frequency emissions and its effects on human beings, as technology has rapidly progressed since the last time the federal government studied this matter.

I ask that you do all that you can in your capacity to remove these antennas that are facing Bayville Primary School to protect the health and safety of all students and staff. My office remains in contact with local activists and parents who want to see these antennas removed, and I am at your disposal if I can be of any assistance to you on this matter. Thank you for your attention to this very important issue, and I welcome any response that you may have.

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'Peter F. Vallone Jr.', written over the closing 'Respectfully Yours,'.

PETER F. VALLONE JR.  
Chair, Committee on Public Safety  
22<sup>nd</sup> Council District – Queens

Cc: Dr. Anna F. Hunderfund  
Superintendent of Schools  
Locust Valley Central School District

Mr. Jack Dolce  
President, Board of Education  
Locust Valley Central School District

PFVJR/jc