#### **Present**

Brian Wotton, Commissioner
Robert Hobson, Commissioner
Anne Morton Smith, Commissioner
Travis Rapoza, Commissioner
Daniel Lopes, Commissioner
Vincent Furtado, BPW Superintendent
Jeffrey Furtado, Water Superintendent
Rebecca Vento, Office Manager
Tobie Simmons, 97 Farmfield Street
John Cronan, 97 Farmfield Street
Eleanor Chew, 180 Main Street
Ken Pottel, Fairhaven Pickleball Association

#### I. Call to Order

Mr. Wotton called the meeting to order at 6:03 p.m.

- II. Routine Matters
  - A. Signing of Departmental Bills
- III. Approval of Minutes
  - A. April 24, 2023

Mr. Hobson motioned to approve the minutes of April 24, 2023. Ms. Smith seconded. Vote unanimous.

B. April 10, 2023 – Executive Session A

Mr. Lopes motioned to approve the minutes of April 10, 2023 – Executive Session A. Ms. smith seconded. Vote unanimous.

#### IV. Appointments

#### 6:00 Tobie Simmons, 97 Farmfield Street – Water Meter

Mr. Cronan requested permission to take an audio recording of the meeting.

Mr. Furtado - Back in 2021, the BPW decided to embark on the journey of replacing water meters with the old touch pad, which we physically had to send someone out to the property to get the read and with the new meters, we are able to make the connection wirelessly. The goal of this upgrade was to save man hours reading water meters, to hopefully be able to bill quarterly and also for the benefit of leak detection. These new meters are beneficial to the town and to the residents because we can tell

instantaneously if there is a leak at a property. We went out to bid for these meters and we selected the meters based on the safety and the ability of being able to read wirelessly. As part of this, the Town Engineer, Attorney and Contractor put together a policy as well as three letters. The first letter was to inform the residents to call Baystate to make an appointment to have their meter switched out. The second letter went out a month later reminding residents who did not previously schedule to have their meter switched out to call Baystate and schedule an appointment. The third letter was then sent out a little over a month after the second letter reminding again to call and schedule to have their meters switched out so we do not have to shut off the water. The policy and the letters were something that the elected BPW agreed on in September 2021. Out of 7,000 residents, there are approximately 300 residents that still have not changed out their meters and the 300 that are left have not made appointments. We received your emails and invited you in to the meeting tonight to discuss it with the Board. The new meters are a better version of what is currently there but it is hardwired to the radio frequency unit that is outside of the property.

Mr. Cronan – Just to clarify it is outside of the house on the property.

Mr. Furtado – Yes. I also know that we have allowed other residents to move the meter and the radio frequency outside into a meter pit. This would be at your expense if you choose to relocate them to a meter pit. Were we are right now is the Town owns the meter, we need to change the meter and the Town has the statutory rights to change the meter in accordance with the rules that the Board voted on. Also, we have the right to shut off the water, we do not want to shut off the water but we do need to change out the meter.

Ms. Simmons - I believe that you are all good natured people and I see how hard you are working for the Town. I am not satisfied with the wireless communication device and I will not be allowing it on my house or on my property. It is nothing like the Sensus Touch thing that you described before. I have prepared a statement because it's pretty complex.

Ms. Simmons handed a packet to Mr. Furtado for the Public Record (Attachment A 7 pages)

Ms. Simmons read a statement to the Board (Attachment B 7 pages)

Mr. Hobson – I agree with some of your beliefs but I do not agree with everything you said. There are reason that we have to do what we have to do. It takes two to three months to read the meters twice a year.

Mr. Furtado - We have every right to shut off their water. In September 2021, the Board voted on the three letters. They are here tonight and hopefully we can come to an amicable resolution. We are not trying to hurt them, we just need to change our meter out.

Ms. Simmons - We agree to change the meter but we do not agree to the wireless device.

Mr. Furtado – This is what we know from our end, we have the information that we gave to these folks which is in your packet (Attachment C 2 pages) which was from 2019, it states that effective radiated output for the R900 devices is less than 100 milliwatts, so .1 watts. A microwave oven is 800 watts and a cellphone is 3 watts.

Mr. Rapoza - The meters are not ionizing radiation correct?

Mr. Furtado – Yes, it is non-ionizing radiation.

Mr. Rapoza – It think that makes a distinct difference because the fact of ionizing radiation is really complicated when it gets into the cells.

Ms. Simmons It is not that complicated its when it is causing heat in the body.

Mr. Rapoza – I do not want to have a debate on that topic per say but what I am saying is that if it was ionizing radiation it would be much more pressing and because its non-ionizing it a big difference.

Ms. Simmons – That is your opinion.

Mr. Furtado – That is one of the reasons why we chose this meter. Truly it was more expensive than some of the other meters, but it is more accurate and safer than the other meters we were choosing from.

Mr. Cronin – There was a more hazardous choice but you didn't.

Mr. Furtado – We made the safest choice we could based on the available data.

Mr. Cronin – But you are acknowledging that they are hazardous.

Mr. Furtado – It has markedly less radiation than a cellphone. When Mr. Jeff Furtado, myself and the Engineering that we hired were moving forward we looked at the safety of this because we realize that we own the meters we realize even though it is being hardwired to a piece that is outside of the property there really is nothing changing.

Mr. Cronin – It is on the property.

Ms. Simmons – Yes, and radiation goes through walls.

Mr. Wotton – The information we have is that these readers are compared to an LED light bulb or incandescent light bulb.

- Ms. Simmons Which you can turn off. Can these reading devices be turned off?
- Mr. Furtado I can imagine that they could be remotely shut off but that's not the premise of it.
- Ms. Simmons Are you going to be shutting them off for people if they request that?
- Mr. J Furtado No.
- Ms. Simmons So there is no comparison to a lightbulb or a television.
- Mr. Furtado In their case could we and just turn it on to get the reads?
- Ms. Simmons I do not want that on my property.
- Mr. Cronin We do not want that.
- Mr. Furtado I am just trying to think of a compromise.
- Mr. J Furtado We have given them an option to put everything outside of the house.
- Ms. Simmons At our own expense and what a matter of several fee from our house?
- Mr. J Furtado No it would be in the sidewalk where most of the meter pits are installed in Town.
- Ms. Simmons Where my children play and ride their bikes.
- Mr. J Furtado You next door neighbor has one outside of the house.
- Ms. Simmons Which increases my concern. The more devices that you have the more the radiation multiples.
- Ms. Smith Your neighbors cannot possibly have them removed.
- Ms. Simmons Why can't they be removed? Its part of the law.
- Ms. Smith They have already agreed to have their meters changed out.
- Ms. Simmons Were people warned of the hazards before they agreed and consented to having them installed?
- Mr. Rapoza As far as I understand this has been approved by agency's that conduct safety for the United States.
- Mr. Wotton asked Ms. Simmons to respect the commissioner's chance to rebut you and speak to you. Otherwise if you do not let them talk, they are not going to want to talk and there will be no

compromise from anyone. In order to move this in the right direction and down the road please respect their time, they respected yours. I ask if one of the commissioners are speaking then you do not.

Ms. Simmons – I am sorry I am feeling very threatened and intimidated.

Mr. Wotton – I know, I felt very threatened and intimidated by your letters and your speech because you kept referring to the BPW and I am the chairman of the BPW and I received nothing but carbon copies of your most recent emails.

Ms. Simmons – We are in survival mode because we are afraid that you are going to shut off our water.

Mr. Wotton – The initial three letters that you received were drafted by attorneys that obey every single law, we cannot do anything in violation and we have to follow any sort of law. The BPW owns the water meter, you do not.

Ms. Simmons – Right, I agree.

Mr. Wotton – If we want to take our water meter back, we can. We do not want to do that.

Ms. Simmons – I do not mind if you take it back. Just do not shut off my water.

Mr. Wotton – When the water meter disconnects everything prior to the meter will not operate anymore.

Ms. Simmons – Why would you do that to us?

Mr. Wotton – We did not and we haven't. The letters were meant to get your attention and to call us and talk with them.

Ms. Simmons – I did respond.

Mr. Wotton – Please respect me we sat here and listened to your letter, we been cordial and have done nothing wrong and for you to take that animosity out on him when he is trying to ask questions and get to the bottom of what his things are but you are interjecting and snapping back. I am asking you when someone of the Board is speaking do not talk back or interject unless they ask you a specific question. I want to try and help find a resolution for you, I do not want to shut your water off. I do not want to do any of that but please respect us. If you do not respect us I am going to move on to the next item on the agenda.

Mr. Rapoza – I do not have any questions anymore. I do not think that we are going to come to an agreement about this. I think that we should just move on to the state and try to find a compromise. I disagree with several of the characterizations, you said the words hazardous, I am not sure that is entirely true, and there are many different layers to this. I feel that we should just move on to negotiations.

Mr. Lopes – I am an assistant radiation officer and I just wanted to chime in a little bit. I think I might be the only one here that is close to ionizing radiation on a daily basis. At least in in what I have seen the Nuclear Regulatory Commission and that regards for ionizing radiation. There is different levels. You have alpha particles in mass that do not travel far and are stop by the dead layer of your skin. Beta particles around 240 KEV or above that is when you start to see people wear dosimeter's in hospitals. Then you have X-rays or X-ray generating devices and then you have RF. I am not as versatile in RF as I am in ionizing radiation. I will say in my experience the past 10 years just working in the safety field. It seems like regulations do change depending if there are any unknowns out there. I think maybe if we can just come to the point where we can find some common ground or resolution moving forward that does not involve your water being shut off is where I would like to focus.

Mr. Wotton – We would like to find a resolution. We do not want to sit here and argue back and forth.

Mr. Hobson – I think that we should continue this for thirty days and see how we can accommodate. This is not the only Town that these meters have gone into. Let's look at what other Towns did in this situation.

Ms. Smith – I think that we are willing to discuss and individual case and what might be able to happen in 30 days but not to the 16 people around you, we cannot do anything about theirs.

Mr. Rapoza – Mr. Furtado do you have anything that has been done or know of anything that has been done?

Mr. Furtado – I will ask around. I know in New Bedford they shut people's water off. I do not know if they made any exceptions but I will certainly inquire. I thought that what we offered to put it on the sidewalk would have checked the box. We are late to the game and there are plenty of other communities that we can ask.

Mr. Cronin reviewed with the Board what the definition of a meter is. Also, he showed a picture of a Neptune Water Meter and a RF endpoint.

Mr. Cronin – What I understand from the information that I have been furnished with is the meter and the wireless device are two separate items. I have the three letters that I received and I am not sure how many people saw these letters.

Mr. J Furtado – The three letters were distributed by section. Once a resident received the third letter, we check to see if they scheduled an appointment to have their meters changed out and if not then we sent out the shutoff notice. After that shutoff notice went out, we make a phone call the day before we shut the water off. If there is no response from the phone call then we shut the water off the next day.

Mr. Cronin - Okay. I just want to make sure I draw the distinction that these are two different items. One is a water meter and the other is a RF endpoint and he mentioned that these are two different items.

Mr. Cronin reviewed in the three letters sent how many times each letter referenced water meters and meter reading device.

Mr. Cronin – They are two different things. If you look at the meeting minutes they are described as two different things. The meeting minutes that I received said AMI, I do not know what that means, but AMI is not a meter. Moving on the reading device is an RF endpoint, Neptune900 specifically if I am to believe what I have been furnished with. Reading device as it's described once in each notice, really does not tell you what it is. I find the notices to be lacking information by calling it a reading device and I find it to be misleading. Another resident privately expressed to me that they did not feel like they had enough informed consent. They felt that they were mislead and they may have pushed back if they had known. I would like to move on to the Mass Statutory Authority, I've printed out here what has been cited.

Mr. Rapoza – Are you an Attorney?

Mr. Cronin - No.

Mr. Cronin read from the paper he printed out from Mass Statutory Authority.

Mr. Wotton – I would like to come to a resolution and not argue back and forth. We are here to help the residents in Town. I would like to table the discussion for 30 days. We are not shutting your water off we are trying to come to a solution with you. Just so, you know we are going to request to have the Town's Attorney present at the next meeting.

Mr. Rapoza motioned to table the discussion for water meter installation until June 5, 2023. Mr. Lopes seconded. Vote unanimous.

#### V. Item for Action

A. Notice of Award Livesey Park Pickleball Court Project, Century Paving & Construction Corporation \$163,300.00

Mr. Furtado – The Pickleball Association received \$180,000.00 from the Community Preservation Committee and since the work is being done in a park, we cannot supplement the difference for the fourth court with Chapter 90 Funds. We have the funds for the base bid, which is for three courts, but we do not have the funds for the fourth court, which is the alternate bid. We reached out to The Fairhaven Pickleball Association and they came up with \$17,300 so we are able to do all four courts.

Mr. Pottel - I want to thank the BPW for being supportive of these pickleball courts at Livesey Park. We really appreciate you standing behind us. If additional funds are needed for contingencies, we would also be able to help come up with the additional funds.

Mr. Rapoza motioned to Award the Bid for Livesey Park Pickleball Courts to Century Paving & Construction Corporation in the amount of \$163,300.00. Mr. Hobson seconded. Vote unanimous.

#### B. Appoint BPW Representative to the Community Preservation Committee

Ms. Smith motioned to appoint Mr. Rapoza as the BPW Representative to the Community Preservation Committee. Mr. Lopes seconded. Vote unanimous.

#### C. Little Bay Bike Path, Conservation Concerns

Mr. Furtado - There is an email in your packet from Mr. Crabb. He met up with the Conservation Agent and Conservation Committee had some concerns with the Little Bay Bike Path. The Conservation Committee is requesting that we do not cut the overgrowth along the west side of the path adjacent to the old building structure. It is being requested to not maintain the grass in this area and let the natural growth take over except for approximately a 8-10 foot width along the path and keep the area around the picnic tables maintained. In doing this, we would also relocate the two benches next to the building structure closer to the bike path.

Ms. Smith – Could we get this request from the Conservation Commission. I would love to hear from them what this is all about.

Mr. Furtado - Also, Mr. Crabb had a request to remove the post and rail fence that is for the little bay path heading towards the water.

The Board had no issues with Mr. Crabb removing the post and rail fence along Little Bay Bike Path.

#### D. Tighe and Bond, Goulart Memorial Bridge Repairs Payment #4 \$4,900.00

Mr. Furtado - This is Payment # 4 for the Engineer who is overseeing the repairs to Goulart Memorial Bridge.

Ms. Smith motioned to approve Tighe & Bond, Goulart Memorial Bridge Repairs, Payment #4 in the amount of \$4,900.00. Mr. Rapoza motioned. Vote unanimous.

#### E. Sign Contract Agreement, Tata & Howard, Water Storage Tank Maintenance Program \$27,500.00

Mr. Lopes motioned to Sign the Contract Agreement with Tata & Howard for Water Storage Tank Maintenance Program in the amount of \$27,500.00. Mr. Rapoza seconded. Vote unanimous.

F. Notice of Award Goulart Memorial Bridge Repairs, Northern Construction Service, LLC \$147,750.00

Mr. Hobson motioned to Award the Goulart Memorial Bridge Repairs to Northern Construction Services LLC., in the amount of \$147,750.00. Mr. Rapoza seconded. Vote unanimous.

G. Tighe & Bond, Wastewater Treatment Facility Improvement Project.

Mr. Furtado updated the Board where we stand with Tighe & Bond for the Wastewater Treatment Facility Improvement Project. In addition, Mr. Jeff Osuch has agreed to be the Town liaison to oversee this project.

#### VI. Tabled Matter

A. n/a

#### VII. Public Comments / Open Forum

Ms. Chew – First of all thank you for allowing me to speak. Second of all, I appreciate all you are doing to clean the system. I am a little confused, The Facebook Page, said you will be flushing Howland Road north to the Acushnet line, and Alden Road west to Sycamore Street. I live on Main Street between Massasoit Avenue and Elm Avenue and my water has been dirty three times now. Why is my water dirty and being flushed when it was not listed in the areas of flushing on the notice?

Mr. Wotton - The water in town is going to be discolored for the next couple of weeks, while the flushing is going on, basically what is happening is they are starting at the furthest point and flushing the water down the system till it drains out of our system altogether.

Mr. J Furtado - Due to the flushing we have to isolate valves to get the water to flow in one direction. What will occasionally happen is it will occur that we disrupt the natural flow of water and the change in direction stirs up dirty water in other parts of the Town.

Mr. Furtado –If you get dirty water than the unidirectional flushing is working. We are not doing the unidirectional flushing to inconvenience anyone we are flushing to remove the sediment in the water.

Mr. J Furtado – There are 11 zones and we will hopefully be finishing zone 1 tomorrow. The further we get into the flushing program the better the quality the water will be for everyone.

Ms. Chew – How many more times can I expect my water to be brown?

Mr. J Furtado – We cannot give you a number. I depends on how bad the system is.

#### VIII. Old Business / New Business

#### A. Superintendent

#### Superintendent Report for May 8, 2023

- Multiple pre-Town meeting Meetings
- Josh and I meet with CZM obtain grant extension for Jerusalem Rd
- Conduct interviews for Assistant Sewer Supt vacancy
- Water flushing will continue next week but during the day reverting back to night in critical areas
- Water District meetings re class action suit against DEP for water withdrawal restrictions
- FY 23 Budget adjustments
- Josh and I meet with MA Dot re swing bridge early planning logistics
- Water shut off/water meter swap issues
- Synagro issue with incinerator
- Josh and I attend Bikeway committee meeting various issues Bikepath, Safe Routes to School
- Rene and I attend pre-bid conference for Force Main project
- Receive bids for Causeway Water Main repair
- Various meetings re 148 Dogwood sewer tie-in request
- Peer review of Tighe and Bond drainage plan at POTW ongoing
- NOI extension request for Littleneck, Cove, and Bike path

Mr. Furtado answered any question the Board had regarding the Superintendent Report.

B. Board Members

Mr. Hobson - There are potholes on the West Side of Sconticut Neck Road near the quarter mile that

need to be filled.

Ms. Smith – Can you explain why the flushing is sometimes at scheduled at night and other times in the

day.

Mr. Furtado - Moving forward I think that we are going to try to flush during the day and if we have

critical areas then we will try to flush at night.

Mr. Hobson - How long will this take to complete flushing?

Mr. Furtado – We are hoping to complete all zones by the end of June. There are 11 zones and we

should be finishing zone 1 by tomorrow night.

C. Marine Resources Committee – BPW related Matters

Mr. Hobson gave an update from the last Marine Resource Committee meeting.

IX. Set Date for the Next Meeting

Mr. Rapoza motioned to set the date of the next meeting on May 22, 2023 at 5:30 p.m. Ms. Smith

seconded. Vote unanimous.

X. Adjourn

Mr. Rapoza motioned to adjourn the meeting at 8:02p.m. Mr. Hobson seconded. Vote

unanimous.

Respectfully submitted,

Rebecca Vento

Office Manager

Revised Minutes approved on

Rebecca L. Vento

April 8, 2024

11

#### Attachments:

- A. Tobie Simmons –7 Page Miscellaneous Information
- B. Tobie Simmons 7 Page Statement that was read
- C. Frequently Ask Questions R900 Radio Frequency (RF) Emissions 2 Pages

The following excerpts are from letters I sent by certified mail on February 11, 2022 to Mr. Jeffrey Furtado, Mr. Vincent D. Furtado, and Mr. Cameron Durant, addressing "Mr. Furtado and the Ladies and Gentlemen of the Fairhaven Water Department and BPW. The letters and all of the questions therein were completely ignored by all parties addressed.

What exactly is meant by "AMR Install"?

If it is a WIRELESS Automated Meter Reading (AMR) device used as described on Melrose MA's Website (for example), then as I understand it, that is a digital electronic device that emits radiofrequency radiation, so please tell me:

- Is it a "bubble up" or a "wake up system"? If the answer is "yes" to either one, then what does that that mean exactly, with regard to the amount of radiation emitted by the device, and how often will it signal/emit wireless radiation?
- Is the AMR device proposed to be installed by Baystate Winsupply Co. for Fairhaven residents equipped with the proper options to **communicate safely through WIRED cable Internet connections** or through **telephone landlines?** Either of these latter two approaches will enable communication all the way back to the utility company, so no drive-by or walk-by meter reader is required.
- Is it possible for the specific AMR equipment intended for use with new Fairhaven water meters to be adjusted or upgraded without a water customer's knowledge, remotely or otherwise, in any ways that can change the nature of its wireless communications, the power of its signal, or what private information it can monitor? For instance, can it be changed from "wake up" to "bubble up" or changed to use a stronger signal or different wireless technology (like experimental 5G), or collect information on residents (when they tend to be home/out etc.)?
- Could we please simply keep/maintain our current water meter equipment and call in readings as needed?

The following excerpts are from a letter I sent to Mr. Jeffrey Furtado by E-mail on March 30, 2022. He never replied to that E-mail at all, and then I never heard from him again—until getting his most recent threat to shut off our water, taped to my front door, over a year later.

I am interested in hearing from your team about options available for meter reading that will not expose our family to unwanted radiation and do not introduce any intrusive, unnecessary, or harmful technology into our property –

for example, keeping the fully functioning meter reading equipment we have now, or sending the necessary information via traditional WIRED telephone landlines, or through wired cable Internet connections etc.

<u>Please copy and paste and follow the link below</u> to (updated) information about a bill that has been moving its way forward in Massachusetts legislature, **Bill S.2152**, "AN ACT **RELATIVE TO SMART METERS**" (View Text/Print Preview), which gives the public *the right* to choose non-radiation emitting utility meters:

#### https://malegislature.gov/Bills/193/S2152

It's likely that you're already aware of the growing concerns and the public outcry around this issue, but I would like to provide you with the relevant information available now, so you and the town can be prepared to roll with any changes coming to support our future health and freedom as a community.

#### Finally, I would also like to inquire at this time about:

specifics on what studies (if any) the Fairhaven Water Department conducted as wireless site surveys to ensure that the town's existing wireless network could provide adequate coverage and signal strength for the massive influx of new wireless equipment they have chosen to deploy for the simple purpose of reading and collecting the townspeople's water meter data.

As an informed citizen, who stands firmly against the health and security threats posed by forced mandatory wireless radiation exposure upon innocent and unsuspecting citizens, I am asking for your personal reassurance that the functions of the huge wireless AMR equipment purchase, which you have chosen to make on behalf of the people of Fairhaven, will in fact be supported by the town's already existing cell towers —

and will not be used as an excuse to allow unscrupulous agents of the wireless industry to usher in any new lucrative small cell or other wireless equipment installations into our fair town, out of a newly created "need" – just so our people can have access to water, a basic, precious necessity of life – which we already had before your water meter "upgrade" began, but up until now it always came easily, without all of the new unrelated and completely unnecessary, harmful wireless technology, coercion, and abuse of power.

I appeal now to your basic humanity and goodness, asking that moving forward you will do what is right, and help to protect the rights and freedoms of the individuals you have agreed to serve in Fairhaven, doing whatever it takes to make this situation successful and fair for all involved.

### **Read The Fine Print**

All cell phones and wireless devices instruct that they should be held away from your body.



"Usage precautions during 3G connection: Keep safe distance from pregnant women's stomach or from lower stomach of teenagers. Body worn operation: Important safety information regarding radiofrequency radiation (RF) exposure. To ensure compliance with RF exposure guidelines the Notebook PC must be used with a minimum of 20.8 cm antenna separation from the body."

Samsung 3G Laptop Manual



"To be sure that human exposure to RF energy does not exceed the FCC, IC, and European Union guidelines, always follow these instructions and precautions: Orient the device in portrait mode with the Home button at the bottom of the display, or in landscape mode with the cellular antenna away from your body or other objects." Apple iPad Manual



"Keep the BlackBerry device at least 0.59 in. (15 mm) from your body (including the abdomen of pregnant women and the lower abdomen of teenagers) when the BlackBerry device is turned on and connected to the wireless network." *Blackberry Bold 9930 Manual* 



"To be sure that human exposure does not exceed the FCC guidelines, always follow these instructions... keep iPhone at least 15 mm (5/8 inch) away from the body, and only use carrying cases, belt clips, or holders that do not have metal parts and that maintain at least 15 mm (5/8) inch separation between the iPhone and the body." To view the information on your iPhone go to Settings > General > About > Legal > RF Exposure.

iPhone 4 Instructions



"Caution: Exposure to Radiofrequency Radiation: The device shall be used in such a manner that the potential for human contact normal operation is minimized. This equipment complies with FCC radiation exposure limits set forth for an uncontrolled environment. This equipment should be installed and operated with a minimum distance of 20cm between the radiator and your body." Belkin WIFI Router Manual



"In order to avoid the possibility of exceeding the FCC radio frequency exposure limits, human proximity to the antenna shall not be less than 20 cm (8 inches) during normal operation." HP WiFi Printer Manual



"Caution: To Comply with FCC RF exposure compliance requirements, a separation distance of at least 20 cm must be maintained between the antennae of this device and all persons." Summer Baby Monitor Manual

ehtrust.org

Forthe Public Record

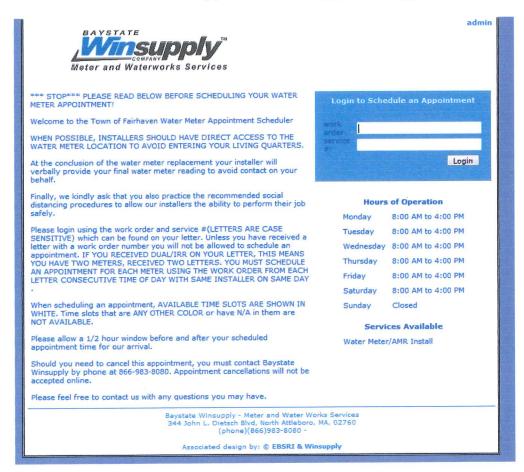
Tobie Simmons 97 Farmfield Street Fairhaven, MA 02719

February 9, 2022

Jeffrey Furtado Water Superintendent Town of Fairhaven Water Department 5 Arsene Street Fairhaven, MA 02719

Dear Mr. Furtado and Ladies and Gentlemen of the Fairhaven Water Department and BPW,

I am reaching out to ask for more information about the "AMR Install" service aspect of the process outlined below under "Services Available", at the Website where Fairhaven residents were directed to schedule an appointment at <a href="https://www.fairhavenmeters.com">www.fairhavenmeters.com</a>



There is nothing more specific about "AMR Install" discussed in the letter we have from the Fairhaven Water Department, or anywhere online, at our town Website, or anywhere else that I am aware of;

including in the current Water Meter Replacement Policy posted online at our Town of Fairhaven Website, which was last approved and posted by Board of Public Works dated 11/19/07. Are there meeting notes and project specifications posted somewhere that I may have missed?

At this point I have done all I can to answer my own questions, and I hope that reaching out to you now for assistance is the right thing to do.

My friends, our family has gone to great lengths at our own personal expense to keep our Fairhaven property and our children safe and protected from the harmful effects of wireless microwave radiation and electronic surveillance;

and I have very reasonable concerns and questions about this project that I hope Fairhaven Water Department/Board of Public Works/Baystate Winsupply, Co. will be willing to answer for me.

What exactly is meant by "AMR Install"?

If it is a WIRELESS Automated Meter Reading (AMR) device used as described on Melrose MA's Website (for example), then as I understand it, that is a digital electronic device that emits radiofrequency radiation, so please tell me:

- Is it a "bubble up" or a "wake up system"? If the answer is "yes" to either one, then what does that that mean exactly, with regard to the amount of radiation emitted by the device, and how often will it signal/emit wireless radiation?
- Is the AMR device proposed to be installed by Baystate Winsupply Co. for Fairhaven residents equipped with the proper options to **communicate safely through WIRED cable Internet connections** or through **telephone landlines?** Either of these latter two approaches will enable communication all the way back to the utility company, so no drive-by or walk-by meter reader is required.
- Is it possible for the specific AMR equipment intended for use with new Fairhaven water meters to be adjusted or upgraded without a water customer's knowledge, remotely or otherwise, in any ways that can change the nature of its wireless communications, the power of its signal, or what private information it can monitor? For instance, can it be changed from "wake up" to "bubble up" or changed to use a stronger signal or different wireless technology (like experimental 5G), or collect information on residents (when they tend to be home/out etc.)?
- Could we please simply keep/maintain our current water meter equipment and call in readings as needed?

I have shared the following information from the "Automatic Meter Reading and Water Meter Replacement Program", at the city of Melrose MA's Website, because it appears that they also worked with Baystate Winsupply Company of Bridgewater, and I wondered if the new Fairhaven system and equipment may be similar:

https://www.cityofmelrose.org/water-department/pages/city-wide-meter-replacement-program

#### "Is there a hazard from the radio transmitter in my home?

No, the radio signal is only on when the meter reading takes place. This is less than a few seconds per quarter. **The power level is far below that where any risk occurs.** The radio frequency will not interfere with any other household devices such as cell phones, internet and cable service, or other electronics."

There is much debate and ongoing legislation about determining the "level" where any risk occurs with regard to mandatory microwave radiation exposure, the health effects of which are real and cumulative and build up over time with exposure; and the risk of harm multiplies with every new layer of invisible, body-penetrating radiation introduced, especially for children.

Please note that just recently in August 2021, the FCC has been defeated in federal court over the issue of its outdated wireless safety guidelines. The FCC was sued for ignoring 11,000 pages of science and other evidence showing biological effects, and we can no longer rely on industry and FCC assurances of safety!

I have already contacted Baystate Winsupply Company by phone to ask my questions at the number they posted on the scheduling site, but instead they told me to direct my questions to the Engineers handling the project at my town's Water Department.

I am still uncertain at this point as to what is meant by "AMR Install", but it seems like a very important detail, and I would like to request that the scheduling of any water meter/AMR equipment replacement for our home will please be delayed, without fine, until we have more information.

If it turns out that the newly installed water meter/AMR systems in Fairhaven will not involve any wireless technology risks or introduce any new wireless radiation at all into people's private property, then I will be greatly relieved!

However, we are committed to keeping our children and our property safe and secure, and we will continue to protect ourselves from any intrusive, unnecessary, or harmful technology.

I write to you today seeking clarification and reassurance from Fairhaven Water Department, BPW, and Baystate Winsupply Co. on all of the questions above – so that we can feel confident, protected, and fully informed moving forward.

Attachment A - Misc. Info Page 7 of 7

I trust that the Fairhaven leaders involved in this project have the town's best interests in mind; and I ask these questions in earnest, as a good neighbor doing my best to keep my home and our wonderful community safe and secure by being involved and staying informed.

I thank you in advance for your assistance in providing me with more specific information about the devices and technological implications involved with Fairhaven's "Water Meter/AMR Install" project.

Sincerely,

Tobie Simmons & Family

cc: Vincent D. Furtado, BPW Superintendent

cc: Cameron Durant, BPW Clerk

May 8, 2023

Good Evening,

The BPW Superintendent has indicated that the BPW will be shutting off water to my home as of May 9<sup>th</sup>, which is tomorrow, because I do not consent to having any microwave radiation-emitting "reading device" equipment installed anywhere on my property.

The BPW <u>falsely claims</u> that I have ignored their three letters, and that gives them the right to shut off water to my family. As a "courtesy" they are now allowing me to present my case here to the BPW Board, but only at the very last minute and under extreme duress caused by their ongoing threats and intimidation.

Since February of 2022, I have been writing in, and asking my town's BPW and Water Department authorities questions and seeking more detailed information about the "reading device install" aspect of their mandatory water meter upgrade.

The Water Department never explained to town residents that this particular type of "reading device" is actually a potentially hazardous high-power wireless two-way Radio Frequency device that pulses bursts of body-penetrating microwave radiation <u>through walls</u> and onto water customers' properties all day and all night long, every day of the year.

Apparently the BPW members have decided amongst themselves that it is somehow reasonable and necessary to force water customers to accept this undisclosed health hazard against their will and without their consent, in order to keep their right to use **water**, a basic necessity of life. I STRONGLY DISAGREE WITH THIS ABUSE OF POWER BY MEANS OF COERCION.

This policy is cruel and twisted, especially because the Water Department claimed in the first notice they sent out that the BPW is implementing a town wide upgrade to our water metering system "in a continuing effort TO IMPROVE THEIR WATER SERVICE TO ME." They also claimed ironically in that same letter that "the Fairhaven BPW and Baystate Winsupply are very concerned about protecting the health of their customers."

After prolonged continuous coercion and threats by the BPW's demands to <u>subject our family to body penetrating radiation exposure against our will</u>, I cannot even begin to explain to you the toll that this intimidation campaign to force radiation onto our property, has done to hurt the mental health of me and my family.

My friends, our family has gone to great lengths at our own personal expense to keep our Fairhaven property and our children safe and protected from the harmful effects of wireless radiation and electronic surveillance, including:

- 1. **Home Schooling our children** to keep them safe from compulsory all-day wireless radiation exposure, as currently required of the trusting schoolchildren enrolled in public schools in Fairhaven
- 2. Creating safe, WIRED telephone and Internet connections for our tech use at home

3. Writing letters, having difficult conversations, and doing everything I possibly can to keep harmful, intrusive small cell installations away from our neighborhoods, and to calmly promote safe use of technology with <u>readily attainable solutions</u>.

You are free to think what you want — but there is much debate and ongoing legislation about determining the "level" where any risk occurs with regard to mandatory radiation exposure, the health effects of which are real and cumulative and build up over time with exposure; and the risk of harm multiplies with every additional new device and every new layer of invisible, body-penetrating radiation introduced, especially for children.

Please note that just recently in August of 2021, the FCC has been defeated in federal court over the issue of its outdated wireless safety guidelines, which were last updated 27 years ago in 1996! The FCC was sued for ignoring 11,000 pages of science and other evidence showing biological effects; and we can no longer rely on industry and FCC assurances of safety!

The town officials I wrote to in February of 2022 simply ignored my initial polite inquiries altogether, and are still pretending to this day that those inquiries never even happened. Soon after I wrote to them, they began threatening my family with water shut off for not complying with their coercive mandate, indicating that we must call in and schedule an appointment to have a new meter and "reading device" installed immediately, or else.

I have asked repeatedly about options to keep or install a non-radiation-emitting water meter, and I have <u>only</u> refused to consent to installation of an unnecessary <u>wireless communication reading device</u> on my property, and **the town has absolutely <u>no right</u> to force installation of any such wireless communication equipment on customers as part of their water metering duties.** (See that same Massachusetts General Law, Chapter 165, Section 11 D that I was presented with by Mr. Vincent Furtado.)

After my letter was ignored, and then I received the first threatening letter from the Water Department, <u>I responded</u> right away with an urgent E-mail to the town Water Superintendent, Mr. Jeff Furtado, asking why nobody had responded to the letter I had sent to him in February of 2022 <u>by certified mail</u>, with copies mailed to multiple town officials.

In his reply in March of 2022, which was *the one single time he ever got back to me to respond*, he stated,

"The attachment I have sent you can answer a lot of your questions you are seeking. Please keep in mind the new device will be installed where your old device is now, on the outside of your home. Also to ease your worries, we will make sure your concerns are addressed before any water shut off goes through. Please forward me any other questions you have.

My apologies for not getting you the information sooner."

I appreciated Mr. Jeff Furtado's kind and helpful reply at that time, but I let him know that my questions had still not been answered, and I was not satisfied with the "safety" information presented in the fact sheet he had finally shared with me, providing general info about radio

frequency (RF) electromagnetic fields from the Water Department's new Neptune R900 wireless communication equipment – which relied heavily on the FCC's <u>outdated</u> <u>safety</u> <u>guidelines</u>.

I always begin with the assumption that anyone who pushes to enforce mandatory public exposure to wireless microwave radiation <u>probably has good intentions</u> and somehow just doesn't know yet about the potential for harm involved.

In the absence of any personal input from him, it would seem that the pitiful outdated FCC safety guidelines referenced in the Neptune R900 fact sheet are the basis for Mr. Jeff Furtado's total confidence in the biological safety of the wireless communication equipment he is <u>demanding</u> that I must accept on my property, or else my family must learn to live without water.

To bring the Fairhaven BPW up to date on this highly relevant news item, an historic federal judges' ruling came out in August of 2021, **telling the FCC they must:** 

- 1. <u>Provide</u> a reasoned explanation for its decision to retain its testing procedures for determining whether cell phones and other portable electronic devices comply with its guidelines.
- 2. They <u>must address</u> the impacts of RF radiation on children, the health implications of long-term exposure to RF radiation, the ubiquity of wireless devices, and other technological developments that have occurred since the Commission last updated its guidelines. **once again, that was in 1996!**
- 3. They <u>must address</u> the impacts of RF radiation on the environment.

I clearly informed town officials early on that the FCC was defeated in federal court over the issue of its outdated **wireless safety guidelines**, and yet they have only ever replied to my safety concerns with that same ready-made printout from the wireless device <u>manufacturer</u> who sells their "reading device" equipment, basically indicating that <u>the FCC says its safe – end of story.</u>

The last time I ever heard from Mr. Jeff Furtado was in March of 2022, and he never bothered to respond to me (or any of my concerns) again after that.

I'll move forward now to April 2023, more than a year later, when out of the blue I got a hotpink notice taped to my front door threatening again to shut off our water. **Immediately I reached out in response, again** directly to Mr. Jeff Furtado, the same man who had signed the threatening letters, the same man who had clearly said that he would "make sure my concerns are addressed before any water shutoff goes through;"

but this time instead of any reply from the Water Superintendent, I got an increasingly *more* threatening reply from the <u>BPW</u> Superintendent, Mr. <u>Vincent</u> Furtado, who suddenly stepped in

to the conversation in Mr. Jeff Furtado's place – only now, after more than a year of ignoring all of my polite attempts to communicate about this issue.

I imagine that this was done to shield Mr. Jeff Furtado from having to honor his word in making sure all of my concerns are addressed before any water shutoff goes through,

and likely also to prevent <u>any of them</u> from having to answer, on the record, my questions about their mandatory wireless communication device installation project.

When Mr. Vincent Furtado finally responded to me, over a year after I had initially contacted him, it seemed that he was trying to downplay my concerns, by comparing the reading device he is pressuring me to have installed onto my property (against my will) to common things that people these days seem to love, like cell phones, tablets, and even our trusted old friend, tv.

Here is what he wrote to me:

"As a point of information, you should be aware that the meters that the Town chose (purposely so) are non-ionizing radiation and, as such, are very low **hazard** and similar to cell phones, tablets and tv signals."

Low hazard is still a hazard, how hazardous it is - is open to question. I responded respectfully:

"Sir, we do not use wireless devices such as tablets, we hardwire our internet connections, and we have paid the telephone company to get our phone system hard wired again, several years ago, to minimize our family's exposure to the risks of ambient wireless radiation and related privacy/security concerns. At 97 Farmfield Street, we are active opponents of mandatory wireless radiation exposure of all kinds, and we do not consent to allow this kind of unwanted, unnecessary technology on our property.

This is all in line with <u>our</u> belief system. When you compare your device casually to something as innocent as a tv, you are showing that you do not seem to understand the difference between a two-way communication device that <u>pulses radiation constantly and can't be turned off</u>, and a plug-in electronic device like a tv, that <u>can</u> be unplugged, <u>can't</u> be altered remotely, and does not have the *capability* of bringing increasingly more intense wireless signals into a person's property without their participation."

I also pointed out to him later that:

"Unless someone is assigned to monitor the RF radiation pulsed by your equipment with a meter and keep a log of the radiation level readings available to the public, the water consumer has no guarantee that the radiation level is even in compliance with the arbitrary standards set by the highly irresponsible FCC, a captured agency."

Since then I have written Mr. Vincent Furtado a series of correspondences in my defense, refuting his mounting misrepresentations of our situation, and offering him powerful information

to guide his decisions, in large part provided by Massachusetts for Safe Technology (Ma4safetech.org) –

including telling him about a bill that has been moving its way forward successfully in Massachusetts legislature, Bill S.2152, "AN ACT RELATIVE TO SMART METERS", which gives the public the right to choose non-radiation emitting utility meters.

In one of his last attempts to intimidate me before we reached an impasse, the BPW Superintendent said in part,

"The Fairhaven elected Board of Public Works voted to shut off water **for property owners who have ignored our three letters** requesting an appointment be made with our contractor to switch out our meter.

To date, you not only have ignored our 3 letters, there have been emails back and forth adding to this delay.

As the agent for the elected Board of Public Works, your failure to comply will leave us <u>no choice</u> but to shut off your water.

As a matter of courtesy, you may request to be on the next Board's meeting agenda of May 8, 2023."

It's shocking to see him misrepresenting the facts of this situation so obviously – outrageously accusing me of ignoring three letters and causing delay, when clearly I have responded to every single letter, <u>urgently</u> and in a <u>timely manner</u>;

and in fact it is Mr. Jeff Furtado, Mr. Vincent Furtado, the 2022 BPW Clerk, and the Ladies and Gentlemen of the Fairhaven Water Department and BPW (that I wrote to well over a year ago) who have failed to respond to my concerns, and who have, in fact, ignored me and my family.

Also, in the letter that I sent in February of 2022, I had asked for meeting minutes, and my request was ignored, which is a violation of open meeting laws.

I pointed this misrepresentation out to Mr. Vincent Furtado, who replied in part,

"Between Jeff and I all your questions should be answered.

Unless you have made an appointment with the Town's Contractor, as directed to in our correspondence, you <u>have</u> ignored the letters.

My invitation to you to attend the Board's next meeting was solely to allow you the opportunity to state your position to the Board.

The next Board meeting is May 8th. If you want to attend please let us know.

Otherwise, please be advised, you will leave us no choice but to shut off your water,

which we will extend to May 9th (in case you decide to attend the meeting)."

It would seem that the last part, where he made a small show of mercy from his position of power, saying that our water will not get shut off until May 9<sup>th</sup>, *which is tomorrow*, was only added because I had just pointed out to him, regarding his earlier May 5<sup>th</sup> shut off date, and I quote:

So my children, my husband and I will have to come out in a public forum unwashed with greasy hair and dirty clothes and be put on display as supplicants for all the town to see, while your team attempts to deny us the truth and our dignity, and shame us for believing what we believe!"

So he decided to allow us to wash up <u>just</u> one <u>last time</u> for tonight.

This year among all of the obvious reasons we need water to survive, our little <u>home school</u> will also need water to keep our brand new garden flourishing as an important part of this year's science curriculum. Please don't take this joyful learning activity away from my children!

I am telling you the truth when I say that all of my questions have certainly not been answered, and when I remind you once more that we were promised by the Water Superintendent himself that no water shutoff would go through until our concerns are addressed.

In addition to me being protected by the fact that Mr. Jeff Furtado promised me in writing that no water shutoff will go through until my concerns are addressed, May I remind the board that my water bills are paid in full, as they have been for the past 22 years I've lived here?

I pray that by making a stand and protecting my family and our freedom from tyranny in this fair town tonight, I will be successful in convincing the good people of the Fairhaven BPW to proceed from now on in a fair and reasonable manner, to respect our individual beliefs and our rights to continue maintaining a wireless-free haven on our own property, and to simply leave our family's water on, so we can remain safe while we work out and implement a simple, traditional solution for metering our water.

We are not trying to get away with anything here! The Board can easily do right by us, simply by keeping our current meter that still works, or otherwise installing one of the many non-radiation-emitting new water meters readily available today. Even with no wireless communication reading device, we can easily submit our water usage readings directly to the Water Department, as needed for billing purposes, without our family having to accept any unwanted radiation. To date, the BPW has still never addressed our multiple requests to examine these possibilities.

After all we have gone through and sacrificed to protect ourselves from unwanted microwave radiation exposure, can you even imagine how threatened and terrorized we

feel, catching it sneaking right up to our front door, intimidating us, and forcing its way in on us – without our consent and against our wishes?

Members of the BPW, please be kind to us moving forward, and please <u>do not misuse your positions of power</u> to do something so shockingly cruel, inhumane, completely unnecessary, and shamefully tyrannical –

as making an example of our humble little family for making a stand for our beliefs and protecting ourselves –

and abusing the considerable powers that our town has trusted you with

- to shut off our family's water supply,
- to bankrupt us with legal fees or other fees unrelated to our basic water consumption needs,
- or to decide from on high that (for failing to comply with your unreasonable mandate) our children should have to suffer going about town hungry and thirsty with dirty faces and unwashed clothes, crying over the dying garden they've spent all winter planning, and all spring planting.

I am appealing to your basic humanity, your kindness, and your common sense, reminding you that, with just a tiny bit of flexibility, this can easily turn into a win-win situation for all involved, and I am asking you to do the right thing starting now.

I thank you very much for taking time to finally address my <u>many timely responses</u> to your threatening letters to our family in this case today, and I thank you in advance for respecting our rights, supporting our legitimate need for water, and serving as honest, humane, and reasonable guardians of our town's precious water system.

Thank you for your compassion.



### R900® Radio Frequency (RF) Emissions

This document provides general information about radio frequency (RF) electromagnetic fields from R900<sup>®</sup> wireless communication equipment. This information has been provided by Neptune Technology Group, which has evaluated this equipment for RF emissions. R900 equipment has been certified by the Federal Communications Commission (FCC) and Industry Canada (IC).

What frequencies are used by the meter/radio equipment being installed? R900 wireless communication equipment operates within the Industrial, Scientific, and Medical (ISM) band which includes frequencies from 902 MHz to 928 MHz.

The Food and Drug Administration (FDA) and the FDA's Center for Devices and Radiological Health (CDR) have classified radiation emitted by devices operating at these RF frequencies as "non-ionizing". Other types of non-ionizing radiation devices include televisions, radios, remote controls, and other devices that use visible light and infrared light.

Have the meters/radios been certified by the FCC and Industry Canada?

Yes. Radio endpoints being installed have been tested in accordance with Title 47, Part 15 of the Code of Federal Regulations and have been certified by the FCC.

The R900® is also certified by Industry Canada who has adopted Health Canada's "Safety Code 6: Limits of Human Exposure to Radio Frequency Electromagnetic Fields in the Frequency Range of 3KHz to 300GHz".

Where can I go to learn more about regulatory compliance?

The FCCs document *OET Bulletin 65 Edition 97-01*, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields", details how to measure or calculate levels of RF radiation and to determine compliance of RF facilities with exposure limits.

Additionally, FCC *OET Bulletin 65 Supplement C Edition 01-01* provides further guidance on determining compliance for portable and mobile devices.

These documents may be found at http://www.fcc.gov/encyclopedia/radio-frequency-safety

What is the power output from the R900 devices when they are transmitting data? The effective radiated output power (ERP) for the R900 devices is less than 100 milliwatts (mW) for Standard Mobile Messages sent every 14 seconds. Fixed Network Messages are transmitted at just under 1 Watt every 7½ minutes. In comparison, portable transmitters used by consumers typically operate over this output power range, and in fact, may operate with output power up to several thousand milliwatts.

#### Attachment C Page 2 of 2

Does Health Canada have RF exposure standards for the R900 devices?

Health Canada's Safety Code 6 outlines and specifies maximum levels of human exposure to RF energy at frequencies between 3 kHz and 300 GHz, to prevent adverse human health effects. Safety Code 6 also specifies maximum allowable RF contact and induced body currents to prevent the physical perception of internal currents resulting from RF energy in uncontrolled environments, and to prevent RF shock or burns to personnel in controlled environments. The code also serves to provide guidance for evaluation RF exposure levels, to ensure that personnel in controlled and uncontrolled environments are not exposed at levels greater than the limits specified in this code.

For more information on Health Canada's Safety Code 6, please visit https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html

Will installation of the new meter/radio interfere with my security systems, pacemaker, cell phones, or other RF electronics?

The transmitting devices operate in compliance with FCC 47 CFR Part 15 regulations, which require coexistence with other Part 15 certified devices. Within the 902-928 MHz frequency band, operation is limited to frequency-hopping, direct-sequence, spread-spectrum, and digital modulation intentional radiators. This rule facilitates multiple devices operating in the same location. This includes devices such as security systems, pacemakers, cell phones, and cordless phones. The meter/radio's transmit signal is of very short duration (seven milliseconds), which further decreases the potential for interference with other devices. For comparison, seven milliseconds equates to approximately one minute total transmission time per day.

How long has this meter/radio equipment been manufactured?

The R900 radio devices have been in production since 1999.

How many radio devices have been installed in residential applications?

Over seventeen million Neptune R900 radio devices have been deployed on water meters today throughout North America. In addition, over 100 million 900 MHz radio devices have been deployed on water, gas, and electric meters across North America.

Throughout the life of the R900 product, have there been any cases of interference caused by the R900 radio devices?

There have been no documented cases where the R900 devices have interfered with third-party devices.



#winyourday neptunetq.com