



DEPARTMENT OF PUBLIC SAFETY
TELECOMMUNICATIONS DIVISION

367 VALLEY BROOK AVENUE
LYNDHURST, NJ 07071
LT. PAUL N. HAGGERTY
201-939-2900



To: Federal Communications Commission
Washington, D.C. 20554

Attention: Bruce Liang Gottlieb
Chief Counsel and Senior Legal Advisor

From: Lieutenant Paul N Haggerty

Re: AAIRO Petition for Ruling – PS Docket No. 09-19

Date: July 28, 2009

As a sworn public safety official in the capacity of a Law Enforcement Officer, Deputy Emergency Management Coordinator and Alert/Warning & Communications Coordinator, for the Township of Lyndhurst, in the State of New Jersey, I am requesting the FCC to consider the recommendation of AAIRO (the American Association of Information Radio Operators) as stated in the Petition for Declaratory Ruling.

Lyndhurst Township is a progressive community with a population of 19,383 (the business day impact grows to 30,000) located 6 miles west of the Borough of Manhattan, New York, and is situated between several large cities, Passaic, Paterson, Newark, North Bergen, Union City and Jersey City, in the State of New Jersey.. The following major Interstate 95 running the eastern part of the township and NJ Route 17, runs through the center of the town, NJ Route 3 borders our northern side of the township, and NJ Route 21 borders our western part of the township, which links the following three cities Newark, Passaic and Paterson, Bergen County Routes 11, 26, 28, 30, 507 and 530 with hazardous materials and freight being transported, on a daily basis. The township is also in the flight pattern of Newark Liberty International , Kennedy, LaGuardia and Teterboro Airport's. There is also a newly constructed Heliport, just 1 ¼ miles southwest of the township, in the City of Newark. The township is surrounded by two

large bodies of water, the Hackensack River and the Passaic River Basin, where it is prone to flash flooding. Close proximity of the Meadowlands Sports and Exposition Authority, where its residual fans park their vehicles in commercial parking lots within our meadowlands industrial area and Mass Transit is used to bus them to the stadium.

N.J Transit provides Mass Transit in our township with Bus and Rail operations, at two train station locations Kingsland Station located on Route 17 and Milton Avenue and the Lyndhurst Train Station at the intersection of Stuyvesant and Avenues. Conrail provides freight and hazardous substances transportation. Both of these transportation services, from Hoboken and the Newark Rail Road Yard transport to Suffern and Port Jervis, New York.

Lyndhurst has the following educational facilities within the township, one high school seven elementary schools, one is presently under construction, one parochial, and the South Bergen Jointure Commission High School which is for learning disabilities.

Lyndhurst has the following chemical plants, which are S.A.R.A Title II facilities with a Health Hazard 4 in the Emergency Response Guidebook for hazardous material incidents. Sika Chemical Corp and Polyurethane Specialties, both of these facilities are located in M-1 Zones for Light Industrial and the one Pre-K school is located 55 yards from Sika Chemical Corp. and Polyurethane is 300 yards east of the South Bergen Jointure Commission High School.

The township infrastructure has underground transportation which consists of one 30 inch and one 36 inch high pressure gas main's which runs along Interstate 95 and is supplied by Williams Gas Pipeline and feeds the northeastern area of the United States. The Jersey City United Water Supply Company has two 72 inch mains which runs through the center of the township west to east, and does have a past history of water main breaks which affects drinking water and sanitary purposes to Jersey City, Hoboken and Lyndhurst.

The TIS station is essential to our community and emergency operations procedures that are needed to be met with the townships emergency operations plan, to provide citizens with Early Warning Notifications on impending emergencies. The impending emergencies are designated as Amber Alerts, Enhanced 9-1-1 failure, hazardous material incidents, power outages, public health warnings, existing road closures, snow emergencies, terrorist threat levels, severe weather, water main breaks,

natural disasters, and other emergency management notices, operating on 1.700 Khz.
with a FCC Call
Sign of WPUV838, granted May 13, 2002, with a expiration date May 13, 2012.

The Lyndhurst Office of Emergency Management ,L.E.P.C. (Local Emergency Planning Committee) does a Hazard and Threat analyses once a year to keep our Emergency Operations Plan up to date.

This is an important issue to Lyndhurst Township's government, city employees, national and local businesses, and the Public Safety and Emergency Services departments. Access to the TIS for public safety messages would positively impact the quality of life who live who live in or visit our community. Lyndhurst Township's government does not favor a "rulemaking process, due to the time & years required, and just want this request for a clarification of the existing TIS rules, by the end of Summer 2009.

With hurricane season in full swing and a new El Nino on the horizon, not to mention swine flu, in which New Jersey had a few cases, within the last 9 months, and two deaths occurred. Innoculations expected this fall, these radio stations can be invaluable in the effort to protect life and property.

APCO Member 227033
Atlantic Chapter Active Class
N9RSQ Technician Class

Thanking You In Advance,

Electronically Signed

Lt. Paul N Haggerty