PUBLIC UTILITY SERVICES COMMITTEE
MEETING MINUTES
February 28, 2019—Supervisors’ Large Conference Room

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<th>Supervisor</th>
<th>Present</th>
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<td>Shwartz</td>
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<td>Bradstreet</td>
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PRESENT:
Committee: Eve Ann Shwartz, Roger Bradstreet, Rocco DiVeronica, Dave Jones, and Joe Magliocca.
Supervisors: Dan Degear
County Staff: Melissa Martel Felton, Mark Scimone, and Gwen Williamson
Additional Present: Bill Buchan

Meeting called to order at 1:06 by Shwartz

The Committee unanimously approved the December 18, 2018 meeting minutes on a MOTION by Bradstreet and seconded by Jones at 1:06 A.M. 5/0/0

A:2-3: Dan Degear spoke in support of the resolution in today’s packet about addressing the lack of cellular phone coverage in New York State. Inadequate cell service affects costs, infrastructure, safety, economic development and more. Degear stressed the need to continue the focus on broadband upgrades, but cellular service is just as important. It was noted that the two issues are intrinsically connected. This resolution is “step one” toward raising awareness.

The Madison County Public Utility Services Committee unanimously approved a resolution calling on Governor Andrew M. Cuomo and the NYS Legislature to address the lack of cellular phone coverage for all New York State residents and visitors on a MOTION by DiVeronica and seconded by Magliocca at 1:13 P.M. 5/0/0

Degear out 1:14

A-1: Eve Ann Shwartz explained the proposed strategy to negotiate a new franchise agreement contract for the combined group of Brookfield, Cazenovia, Lincoln, Georgetown, and City of Oneida. These five entities have agreements that are expired or will expire in 2019. There are three specific points of negotiation for the following desired results:

1) Establish 5% as the percentage for everyone
2) Contract period change to 5 years
3) Include clearer language about how individuals can request costs to expand coverage to their location

Melissa offered to send copies of the franchise spread sheet out to all on this committee.

Bill Buchan said that any homeowner can request an “Aid to Construction Cost Survey” and it must be provided within 30 days. Dave Jones is aware of someone in Fenner who made this request and they received a “huge estimate”. Bill Buchan was advised by Carol McTeague that there is a cost break point (Reg:895) at 35 houses per aerial (linear) mile for a less expensive estimate. This cost break point refers to cable only.

There was discussion about using the franchise fee to expand services, how to be equal, and not appear to be “gifting” some with service and not others. Buchan said that a Local Law may go a long way to help on this issue. Buchan also noted that once the service is installed there is no long term obligation by the consumer. There is a cable/TV act that has nothing to do with internet. Magliocca asked if NYS Home Rule would overrule these acts. Could we get internet services elsewhere?
Carol McTeague had asked if everyone is willing to work together for a collective agreement. It was suggested to recruit as many communities as we can. Three Counties (Wayne, Tompkins and Schoharie) were successful in a collective agreement. Shwartz suggested getting the people who worked on that agreement to come talk to this committee and the supervisors from the towns included in our collective agreement. Then we would do a Board resolution.

Magliocca suggested sending word to all the supervisors asking that they not re-sign any franchise agreements. They need to be made aware of this situation.

It was asked if the franchise agreements automatically renew if not signed, and Buchan shared that they do not.

The franchise agreement spreadsheet was reviewed and it was determined that Fenner, Smithfield and Sullivan should be included in the collective group.

Summary: The Committee plan of action is to:

- Tidy up the agreement spreadsheet for future sharing with supervisors
- Reach out to Schoharie County for possible meeting
- Ask Carol McTeague for copy of the new agreements
- Request Executive Session at Board of Supervisors' April meeting for contract negotiation
- Shwartz to contact supervisors of municipalities that have expiring contracts
- Melissa to contact Becky Marsala to determine why she asks supervisors for franchise revenue data
- Hold off on request for coverage maps, however, Shwartz will draft the letter for supervisors

A-2: Shwartz requested a status report from Jaymie in the Purchasing Department regarding the response on RFP 619 Broadband Consulting Services. Eve Ann reported that the response seems to very good so far.

Mark Scimone reported that he had been in touch with the State Broadband Office twice regarding suggested changes. Changes were made and Mark is still awaiting an updated response. Mark will stay on top of this.

New Business: 1) The article titled “A.G. Underwood Announces Settlements Establishing Industry-Wide Standards for Marketing Internet Speeds” was read and reviewed. Page two of this document addressed specific terms for Frontier: “Frontier communications is required to spend no less than an additional $25 million to upgrade its network infrastructure upstate to relieve congestion and improve service. Frontier also agreed to a series of specific requirements, including the obligation to advertise speeds as a range and to refund half the future fees paid by any customer who is not capable of receiving 100% of the speed they were told they would get.”

Shwartz said that we need to get the specifics of who is charged with monitoring and enforcing this agreement.

Magliocca commented that this does show precedent. Buchan observed that whatever they did show should fall under the Freedom of Information Law. Scimone asked Buchan to draft a letter from the Committee requesting assistance from Ryan Moses, John Salka, and Rachel May.

The next scheduled MCPLUS meeting will be held on March 21, 2019 at 1:00 P.M. in the Supervisors’ Conference Room.

Shwartz commented on the USDA funding for Rural Broadband Access (Agenda Item 2:2). Eve Ann said that Madison County appears to be excluded.

The meeting was adjourned on a MOTION by DiVeronica and seconded by Magliocca. 4/0/0

Respectfully submitted: Gwen Williamson
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<td>Joe Magliocca</td>
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Others Present:

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