

**MINUTES  
BOARD OF DIRECTORS  
FINGER LAKES REGIONAL  
TELECOMMUNICATIONS DEVELOPMENT CORPORATION  
OCTOBER 23, 2009**

Members Present:

Geoff Astles, Ontario County Administrator  
Edward Hemminger, Chief Information Officer, Ontario County  
Wayne Houseman, Vice Chairman, Ontario County Board of Supervisors  
Michael Manikowski, Ontario County Economic Developer  
Doug Mossbrook, Eagle Mountain, Inc.  
Robert Seem, Cornell Ag & Food Tech Park  
David R. Smith, Ontario County Citizen  
Camille Sorensen, Wayne Finger Lakes BOCES  
Mike Ward, Vice President Information Technology, Ultralife

Members Absent:

James Fralick, Ontario County Citizen

Others Present:

Joe Starks and Andy Lukasiewicz, ECC Technologies  
Joanne LaFave and Megan Connor Murphy, Dixon Schwabl  
Linda Wiener, Bonadio & Co.

The meeting of the Finger Lakes Regional Telecommunications Development Corporation (FLRTDC) was called to order by Geoff Astles at 10:05 a.m. in the Economic Development Conference Room.

**MINUTES**

The minutes of the August 28, 2009 meeting were presented to the committee for approval. Mr. Houseman made a motion to approve the minutes, seconded by Mr. Manikowski, and carried.

**DIXON SCHWABL**

A Powerpoint presentation entitled Finger Lakes Regional Telecommunications Development, Brand Identity and Recommendations dated October 24, 2009 was given by Joanne LaFave. Joanne advised that it was important to concisely and expertly define the actual functions of the FLRTDC, and Mike Manikowski and Ed Hemminger worked with Dixon Schwabl to help clarify the role. A full copy of the written presentation will be filed with the Clerk to the Board. With regard to the presentation, it was noted that F.F. Thompson Hospital and FLCC were also committed users, and the largest users of the fiber were county and municipal governments.

Within the presentation was the rollout of the new logo and tagline. The new name recommended was “*AXCESS ONTARIO, FIBER NETWORK DEVELOPMENT*”, and the tag line would be, “*providing advanced connectivity.*” Ed Hemminger stated that Jim Townsend would need to work on the legal issues surrounding the new name, and what would need to be filed to make it legal, as well as what areas would need to be reorganized.

Doug Mossbrook made a motion to file a resolution accepting the concept of the new name, logo, and tag line for the corporation, and to authorize Jim Townsend to move forward with all legal issues associated with it. The motion was seconded by Mike Ward, and carried. Joanne advised that pdf documents and an electronic stamp were being created by Dixon Schwabl.

Megan Connor Murphy was asked to get together with Joe Starks and Andy Lukasiewicz to hear about some of the positive and money saving steps taking place, which would be good to mention in future press releases.

Mike Manikowski asked that the National Association of Telecommunications Officers and Advisors nomination, as noted below, be used in a positive public relations campaign.

### **GOVERNANCE COMMITTEE**

Geoff advised that Jim Fralick will be resigning at year end, and a new audit chair will need to be selected. As Chairman of the Governance Committee, Bob Seem advised that a replacement would need to be considered. Suggestions for Jim's replacement can be forwarded to Ed Hemminger or Geoff Astles.

### **MARKETING UPDATE**

Andy Lukasiewicz updated the Board on marketing. Some of the items noted were:

- FLCC and Thompson Health are now on-line with point to point capacity.
- Finger Lakes Technology Group is leasing 18 strands of fiber.
- Master agreement with Time Warner has been filed.
- Verizon is currently billed \$5,700 per month, but after adding additional towers they want, the bill will grow to \$21,000 per month, and the number of towers will be 17. Contracts for all towers need to be completed.

Andy is creating an operational plan for January 1, 2010, which will include the day-to-day operations. Currently, day to day operations are handled by the engineering staff at ECC Technologies, who monitor the fiber network 24/7.

### **ECC TECHNOLOGIES**

Joe Starks advised that he is talking with other counties and proceeding with some type of program. A decision has yet to be made on if it will be revenue or not for profit based. He advised of three counties interested in joining the fiber optic ring, with perhaps two others possibles. Concerns were raised about the proper separation between Ontario County, who initiated the project and provided starting funds. Future discussions will take place with regard to whether other counties would be part of the corporate Board. Many concerns were raised when discussing other counties having access to the "ring" and how that might affect Ontario County, and its \$12 million investment to undertake the project.

To help with funding for offering services to surrounding counties, stimulus funds will be sought, if available. Joe Starks stated that the Ontario County Fiber Optic Ring is the model for about 25 other counties, and the project will be included in an upcoming book.

Joe Starks provided an update on the design and construction, and Ed Hemminger stated that the project is on schedule, depending on the make-ready piece.

Proposal was received from ECC for continuation of services after the current contract expires. The proposal was for approximately 600 hours, not to exceed \$75,000. For additional work required outside the scope of the agreement, terms will be mutually agreed upon. Mike Manikowski made a motion to approve the \$75,000 contract, seconded by Mike Ward, and carried.

## **FINANCIAL REPORTS**

*Balance Sheet as of September 30, 2009 and Profit & Loss YTD Comparison September 30, 2009*

Linda Wiener advised that she and Ed Hemminger have started the reconciliation of fixed assets in the Balance Sheet, and she advised that the auditors will be taking a preliminary look at the records and the formal audit will be scheduled after that. David R. Smith made a motion to accept the financial report, seconded by Doug Mossbrook, and carried.

## **CEO UPDATE**

Ed Hemminger advised of the following:

- iUHBA is working with Ed and FLCC to get signed confidentiality agreements to allow them to move forward in making the campus wireless. The goal is for a February-March completion date.
- iUBA is still interested in “fiber to the home.”
- Ed is an At Large Member of the New York Broadband Council. As a member, he’ll be involved in the deployment of future stimulus monies.
- Ed will distribute a 2009 budget update to everyone. He advised that the payment for the use of the former highway garage for Syracuse Utilities didn’t get paid last year, so there would be a double payment on the books for this year. A two-year extension of the garage lease, through 2010, is also being requested.
- FLRTDC has been nominated for a national award by the National Association of Telecommunications Officers and Advisors. The nomination has proceeded to the Federal Communications Division. Ed advised that because carriers are signing up to join in on the fiber ring project, it got the attention of the organization, and is only one of seven successful local government projects.
- Ed asked the Board to consider joining NATOA in January, which has annual dues of \$500, but which has strong DC lobbying efforts.
- Ed Hemminger advised that he would meet with Jim Townsend to discuss the new logo and name, and the process to take place when other counties want to participate with the project, such as Board representation, county extensions., etc.
- Ed advised that a legal opinion will be sought from the state with regard to tax exemptions.
- Jim Townsend is working on the property tax issue.

## **ANNUAL REPORT**

Ed stated that the annual report to the Board isn’t done yet, but is nearly at the stage to be put on paper. A similar report will be presented to the IDA in November or December.

## **PRESENTATIONS**

Wayne Houseman advised that the presentation to the Board of Supervisors given by Geoff Astles and Ed Hemminger was received in a very positive manner. Mike Manikowski asked to have the same presentation that was given to the Supervisors be given to the IDA members. Mike offered, with Ed’s assistance, to give the presentation.

Mike Manikowski and Ed Hemminger did a presentation to about 50 members of the FLCC community, and received some feedback and questions, and affirmed the direction that the Board has taken.

Ed Hemminger was asked to do a 10 minute impromptu presentation at a recent fiber ring vendor’s conference.

## **ACTION ITEMS**

Geoff Astles requested that a list be prepared to show how the ring is expanding, and business is growing and moving to Ontario County. He said the list could be updated as situations warrant, and it could be used as a reference.

**OTHER BUSINESS**

Being no further business to come before the Board, Wayne Houseman made a motion to adjourn at 11:20 a.m., seconded by Mike Manikowski, and carried.

The next Board Meeting is scheduled for December 18, 2009.

Respectfully submitted,

*Margaret Cooper*

*Secretary to the County Administrator*

**Distribution:**

All attendees, present and absent

Ontario County Board of Supervisors

Darlys McDonough, Deputy County Administrator

Kristen Thorness, Assistant County Attorney

Maureen Duggan, Economic Development

John Park, County Attorney

Clerk's Office, Board of Supervisors

Cathy Bentzoni, County Finance Officer

Mary Gates, Economic Development