

**MINUTES  
BOARD OF DIRECTORS  
FINGER LAKES REGIONAL TELECOMMUNICATIONS  
LOCAL DEVELOPMENT CORPORATION  
APRIL 28, 2006**

The meeting of the Finger Lakes Telecommunications Local Development Corporation (LDC) was called to order by Chief Executive Officer Edward Hemminger at 10:30 a.m. on April 28, 2006 in the County's Economic Development Conference Room.

In attendance were:

Members:

Geoffrey Astles, Ontario County Administrator  
Dan Fessenden, Executive Director, Cornell Ag & Food Tech Park  
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.  
Camille Sorenson, Representing Jack McCabe of BOCES

Guests:

Roberta Hutchinson, Assistant Ontario County Economic Developer  
Joe Starks. ECC Technologies  
James Townsend, Esq., Remington, Gifford, Williams & Colicchio

Necessarily Absent:

David R. Smith, CEO, Infotonics  
Jack McCabe, Associate Superintendent, BOCES  
Mike Bell, Director of Tech Services, Canandaigua Brands

**APPROVAL OF MINUTES – March 24, 2006**

A motion was made by Wayne Houseman to approve the minutes of March 24, 2006, seconded by Doug Mossbrook, and carried.

**UPDATE/OPEN DISCUSSION**

Joe Starks advised that the LDC would not be held liable for acts outside of its control, such as a system failure due to a break in the network/line. Ed Hemminger indicated that he was interested in the North Country's arrangements and Joe Starks advised that he would forward a typical contract to Ed.

Ed Hemminger spoke of Frontier's interest in the project, and he noted that the LDC would partner with the private sector in a positive approach. He also noted how three-quarters of the county is served by Frontier.

Mention was made of the possible need to meet with the Insurance Committee with regard to the LDC's insurance needs.

Mike Manikowski suggested contacting Senator Clinton and others to update them on the fiber-ring project and invite them to a future LDC meeting with the idea to request funding.

**ACTION:** Geoff Astles will work with Senator Clinton's office.

Ed Hemminger advised that he and Geoff Astles had talked with Assemblyman Kolb about the ring and funding. He advised that he was putting together information on why others would want to fund the project, and what options might be available from other sources.



## **FUNDING PROPOSAL**

Ed Hemminger distributed a draft contract to establish the guidelines for transfer of the \$2 million from the County to the LDC; \$1 million of which is a loan, and the remaining \$1 million for prepayment for services. Ed asked everyone to review the contract so that it can be further addressed and acted upon at the May meeting.

**ACTION:** Ed Hemminger will have final draft ready for May meeting. Joe Starks and Jim Townsend to work with the County's Risk Manager on insurance requirements.

Discussion was held on hiring an accountant/auditor before receipt of the \$2 million.

**ACTION:** Geoff Astles will prepare RFQ (request for quote), which will be reviewed by Jim Townsend prior to distribution.

Discussed seeking rural grants for towns like Canadice once the ring is ready to be constructed, which will take approximately two years from receipt of funding.

## **CPCN FILING**

Members were informed that the CPCN filing was under review and no specific questions or comments have been received about the filing, but word is expected in the coming week, following which the Public Safety Commission will solicit public comments.

## **ECC PROPOSAL**

Mike Manikowski spoke of the need to have proper justification if ECC were to be hired without going through the public bidding process. He also acknowledged that he was comfortable with ECC's work to date. Jim Townsend also advised that John Park seemed to be okay with the justification. Dan Fessenden made a motion to accept the contract as written in the March 15, 2006 proposal, and to make payment as funds are available. The motion was seconded by Mike Manikowski, and carried.

## **JIM TOWNSEND PROPOSAL**

A motion was made by Mike Manikowski, seconded by Dan Fessenden, to accept the March 15, 2006 proposal for services submitted by Jim Townsend to assist the LDC.

## **ETHICS POLICY**

Discussion was held on an Ethics Policy and members was informed that it would be one of several policies required to be adopted over the next six month period. Members were advised of the County's Ethics Policy and of John Park's opinion that it be closely linked with the LDC's. Members were informed that the County has a Board of Ethics, and Geoff Astles advised that he would see if they would be available to the LDC. Jim Townsend also spoke of the State Board of Ethics, which would be available to the LDC.

**ACTION:** Questions concerning the policy can be directed to Jim Townsend. A more consolidated policy will be presented at the May LDC meeting, having been reviewed by Mike Reinhardt prior to that meeting.

## **SEMINARS**

Members were informed of a full-day seminar on public authority in Syracuse on June 23. It was noted that new Board members were obliged to attend. Other seminars on different dates and locations were also available.

## **PUBLICITY**

**WEB SITE** – Discussion was held on establishing a web site where interested parties could see documents and get information about the ring. Joe Starks volunteered ECC to develop the web site, which will aid their marketing kickoff to begin the following week. Ed Hemminger will assist ECC. Available on the web pages will be the two background studies that led to the LDC, all minutes, and the Economic Development Strategic Plan. Contact Ed Hemminger for further details.

**ACTION:** ECC to develop a proposal with quotes for website maintenance.

Members were asked to get in touch with Joe Starks if they had any ideas for a marketing brochure.

Ed Hemminger advised that the Fiberoptic Ring event put on by the Chamber of Commerce attracted about 130 people and was very well received.

Dan Fessenden advised that he had a conflict with the June 23 meeting date. Ed Hemminger will confirm everyone's attendance for that day.

Being no further business, Geoff Astles made a motion to adjourn at approximately noon, seconded by Dan Fessenden, and carried.

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  
Roberta Hutchinson, Asst. Economic Developer

John Park, County Attorney  
Clerk, Board of Supervisors  
Cathy Bentzoni, County Finance Officer