

**MINUTES**  
**FINGER LAKES TELECOMMUNICATIONS DEVELOPMENT CORP., d/b/a ACCESS ONTARIO**  
**MEETING OF THE BOARD OF DIRECTORS**  
**June 25, 2010**

Members Present:

Geoff Astles, Ontario County Administrator  
Edward Hemminger, Chief Information Officer, Ontario County  
Doug Mossbrook, Eagle Mountain, Inc.  
Steve von Berg, Pervasive Solutions  
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 Corporation

Members Absent:

Michael Manikowski, Ontario County Economic Developer  
John Sheppard, Supervisor, Town of Seneca

Others Present:

Joe Starks, ECC Technologies  
Andy Lukasiewicz, ECC Technologies  
James Townsend, Esq., Remington, Gifford, Williams & Colicchio  
Linda Wiener, CFO on behalf of The Bonadio Group

The Meeting for the Board of Directors of Access Ontario (aka Finger Lakes Regional Telecommunications Development Corporation) was called to order by Geoff Astles at 10:00 a.m. in the conference room of the Ontario County Economic Development Office.

**EXECUTIVE SESSION**

At 10:01, a motion was offered by James Townsend and was seconded by Doug Mossbrook to go into executive session to discuss sensitive contract information. Motion carried.

At 10:45, a motion was offered by Mike Ward and was seconded by Robert Seem to come out of executive session. Motion carried.

After discussion and agreement of the board, a motion was made by Geoff Astles and seconded by Mike Ward to extend the contract of ECC on a month to month basis with a 120 day mutual termination. Commensurate with the extension of the contract, the board would like to see an analysis of the functions of engineering versus Chief Operating Officer. Motion carried.

**MINUTES**

A motion was offered by Doug Mossbrook and was seconded by Mike Ward to approve minutes of March 26, 2010 and April 23, 2010. Motion passed with corrections to the April 23, 2010 minutes.

## **LEGAL UPDATE**

Mr. Townsend gave a property tax update.

Discussion took place regarding the lack of a legal option in the law to allow us to be tax exempt.

Mr. Townsend discussed the IRU with the board. The form will be acceptable to the bank if it is acceptable to Ontario Telephone.

## **ACCOUNTING SERVICES**

Linda Wiener and Terry Phillips went over the monthly and annual reports with the board. Discussion took place regarding the process for paying unpaid bills.

## **CEO UPDATES**

Ed Hemminger discussed the lateral loans with board. A lateral loan meant you paid a standard principle over the term of the loan and then your interest was based on the outstanding balance. From now on, we are going to go to standard mortgage style calculation, which gives us the ability to charge our customers a standard fee. Which is what the customers want, one fee per month.

Mr. Hemminger gave an overview of activities since the last board meeting on 4/23/10.

## **DESIGN, ENGINEERING AND CONSTRUCTION UPDATE**

Joe Starks and Andy Lukasiewicz spoke to the board regarding one outage that was on May 11, 2010, 10:51 a.m. ECC Technologies responded to a service call that was called into the Ontario Access 1-800 number. After some investigation, they had found that mice had built a nest and had gnawed through fibers. We made calls to the customers that could potentially have been affected by it and none had been impacted. We restored service to the remainder of those fibers. It did take about five hours to trouble shoot and fix it. There have been four outages. The mean time to repair is two hours, forty five minutes and forty five seconds. The contractual limit is four hours.

Mr. Starks and Mr. Lukasiewicz presented the Phase 3 maps and discussion took place with the board. There are some issues with some substandard poles that will need to be underground. Mr. Starks is not concerned about meeting the deadline.

Mr. Lukasiewicz informed the board of the current status of contract negotiations with Verizon.

Mr. Lukasiewicz gave a marketing update to the board. There were 20 new requests for service which resulted in four sales with a contract value of about \$22,869 over five years.

Mr. Lukasiewicz updated the committee on negotiations with AT&T. We have given them some budgetary numbers to connect up 25 towers. If they connect up all 25 towers, it would be a 4.1 million dollar deal over 10 years. We have sent them a master agreement. It will take some time for this to develop.

## **OLD BUSINESS**

Ed Hemminger told the committee that he attached a draft of the 2009 Annual Report to the agenda. He would like to finalize by the next meeting. Geoff Astles said that we will do a presentation/update to the Board of Supervisors.

**NEW BUSINESS**

There is no new business.

Being no further business to come before the Board, the meeting was adjourned. The next Board Meeting is scheduled for 10:00 p.m. on July 23, 2010 in the Economic Development Conference Room.

Respectfully submitted,

*Reliefia Kramer*

Distribution:

All attendees, present and absent  
Ontario County Board of Supervisors  
Darlys McDonough, Deputy County Administrator  
Maureen Duggan, Economic Development

John Park, County Attorney  
Clerk's Office, Board of Supervisors  
Cathy Bentzoni, County Finance Officer  
Mary Gates, Economic Development