

**Public Hearing held February 24, 2014 at 6:00 P.M. at the Town Hall in Schroon Lake N.Y.**

**Present:**

**Town Supervisor:** Michael Marnell

**Councilpersons:** Roger Friedman, Don Sage, Meg Wood and Clara Phibbs

**Town Clerk:** Patricia Savarie

**Also Present:** Phil Wagschal, Jay Phibbs, Richard Schoenstadt, Albert May, Rosemarie Ritson, Dick Newell, Marcia Hartwell, Sharon Piper, Fran Filshie, Mark Granger, Robert Claus and Helene Vanderburgh

Supervisor Marnell called the meeting to order at 6:00 P.M. Supervisor Marnell asked the Town Clerk, Patricia Savarie, to read the Public Notice.

**TOWN OF SCHROON PUBLIC HEARING**

PLEASE TAKE NOTICE that the Town of Schroon, Essex County, New York, has scheduled a Public Hearing to receive public input on the franchise application submitted by Slic Network Solutions to provide cable television services to the residents of the Town. The hearing shall be held on Monday, **February 24, 2014 at 6:00P.M.** at the Town Hall located at 15 Leland Ave. Schroon Lake, New York. This agreement, if approved, shall not take effect without prior approval of the New York Public Service Commission. A copy of the franchise agreement is on file at the Town of Schroon Town Clerks office and can be viewed during normal business hours at the following location: 15 Leland Avenue Schroon Lake NY. All interested persons will be given an opportunity to be heard at the Public Hearing. Following the Public Hearing there will be a **Special Town Board Meeting at 7:00 P.M.**

Dated Feb. 14, 2014  
Patricia Savarie  
Town of Schroon  
Town Clerk

**Public Participation**

Richard Schoenstadt stated that he thought we needed more time to research the franchise agreement. Rich asked Phil Wagschal, the representative from SLIC Network Solution, if we take 2 or 3 weeks to look this over will it set him back. Phil stated that it absolutely would not. Rich stated he had looked the map over where the broadband was going and had a lot of questions. It looked like the extension on Adirondack Road looked short by 3000 feet according to the map and wondered if that was a mistake or done intentionally. Councilman Sage stated that was the intent because there was so much to cover with the grant money that they knew they would not be able to get to everyone. Rich stated that the map shows us going out 3000 feet on Crane Pond Road to get 2 houses and wondered if you could use that 3000 feet in a better way to go down Adirondack Road to cover 8 houses. Could you make a trade? The other area he had a concern about was Johnson Pond Road, we are going out 4000 feet to cover 2 houses. Phil stated that they had looked at Rich's concerns and stated that they had

made some mistakes on the submitted franchise map and had a replacement map that was more accurate. Rich stated that there were other places that need to be looked at and feels we are not ready to sign a franchise agreement and should wait.

Bob Claus stated that Rich had a good point, but that the whole purpose of the grant was to bring broadband to these homes not cable T.V. Bob stated he had no problem waiting as long as it does not hold up SLIC. I don't want us to talk about these fine points as to where the cable is going to run, with the agreement contract, as this is a straight forward thing. Councilman Sage stated that we talked about the route over a year ago as to where the broadband was going to run and we all came to the conclusion that this is what you wanted. Phil came down to give a presentation in October and if anyone had any complaints about where we were going with it, they should of brought it up then, not wait until now. We all new there was going to be areas outside of town that we were going to have to go into later, possibly with another grant at a later time. Phil stated that if there is a pole gap that is a much more expensive issue and it can cascade into a much bigger thing. We like to use the poles that are available to us. We typically do not build where there are no poles because of the environmental impact.

Helene Vanderburgh stated that she lived on the last house on Adirondack Road and has never been given an answer as to whether our house is in the area designated. Councilman Sage stated that the maps have been in the Town Clerks office to look at and we have had meetings on this.

Mark Granger stated that he had concerns about trading off and moving the line when people think they are going to be hooked up to broadband. They will ask why we are rerouting the broadband and now taking them off. We have had the maps and it has been publicly available. Phil has been hugely assessable and his company has been around and down peoples roads. My worry is, when two weeks go by are we going to find out there are more things that we need to look at which may start interfering with the progress of hooking up broadband. We are amazingly fortunate to get this grant, mostly through Phil s efforts and I don't want us to jeopardize that. We need to move forward with the project. Phil stated, he appreciated what Mark is saying, the focus is on Broadband, the fact that we are able to offer Cable T.V. is an additional service , hopefully it is a benefit. I dont want to rush through this franchise agreement, I would personally prefer to take a breath. Having the franchise agreement or not having it will not effect the broadband, the franchise agreement is not a gating event.

Councilwoman Wood stated that she would like to see an inventory of the people we are not reaching and what it will cost. We need to be thinking in the future and have everything ready to go if there was another grant we could apply for. We are very blessed to receive this grant from the State of

New York.

Bob Claus asked Phil if after the project is done would it be possible to do more research to the people who do not have it and get a cost from him. Phil stated absolutely, and if we have money left from the grant that they will apply it towards those homes.

Councilman Friedman asked Phil where the primary service area is. Phil stated that the primary service area is the map. Councilman Friedman stated that on page 17 of the Franchise Agreement that it states dwellings of 35. Phil stated that was a typo and that it should say 20 dwellings. Phil stated that there Franchise Agreement must agree with what Time Warner has with the Town of Schroon. We must mirror one another.

Supervisor Marnell asked Phil if it would be in his best interest to look at the areas that Rich talked about. Phil stated that they had reviewed the area that Rich pointed out and most of the areas he has concerns about are covered. To do the trade off we would have to put more pole in and that would not be in our best interest. We have submitted all the pole applications and GPS has been done on the poles. The way the Franchise Agreement works is we collect the Franchise Fee and it is typically a pass through. 2% of the gross revenue is passed on to the customer and is based on the definition of gross revenue just on the Cable T.V. that is in the Franchise Agreement. We are able to reduce our property taxes associated with our facility, so anytime we put a cable on a pole we need to submit that to the Office of Real Property and pay property taxes on all these facilities. As you look at your tax bill and you see the cost per thousand there is a piece in the states general fund and that is how we are compensated. It is a small percentage of the Franchise Fee and a small percentage of our total taxes.

Mark Granger stated that he thought they needed to move this process along and that it sounded like Rich and Phil should meet to see who we need to reach and get back to the Board so they can make a decision. We need to see the new map. We need to get a cost for the homes that will not have it. It sounds like we are pretty much locked in as to what we can do. Phil stated that he had one map tonight and would forward more to the Town Hall.

Councilman Friedman made a motion to recess at 6:51 P.M. and resume the Public Hearing at 5:00 P.M. On March 10, 2014, seconded by Councilwoman Wood; carried. (Councilman Sage – opposed)

I, Patricia J. Savarie, do hereby certify the foregoing to be a true and correct transcript from the minutes now on file in my office and of the whole such original minutes.

Dated: February 27, 2014 \_\_\_\_\_

Town Clerk