

MINUTES BOOKTOWN OF COEYMANS**

May 18, 2017 – Public Hearing – 6:45

A Public Hearing was held Thursday, May 18, 2017 at 6:45pm at Town Hall, 18 Russell Avenue, RAVENA, New York

PRESENT: Philip Crandall, Supervisor
Thomas E. Dolan, Councilman
Kenneth C. Burns, Councilman
George E. Langdon, Councilman
James C. Youmans, Councilman

ALSO PRESENT: Diane L. Millious, Town Clerk
Scott Searles, Highway Superintendent

Supervisor Crandall opened the Public Meeting and led the Pledge of Allegiance.

Supervisor Crandall asked that Town Clerk Millious read the Notice of Public Hearing.

Town Clerk Millious read the following:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that pursuant to Section 452 of the General Municipal Law, the Town Board of the Town of Coeymans will hold a Public Hearing on Thursday, May 18, 2017 at 6:45pm at Town Hall, 18 Russell Avenue, RAVENA, NY 12143 for the purpose of receiving comments from the public on the Time Warner Cable Franchise Agreement Renewal.

Copies of the Franchise Renewal Agreement are available for review by the public at Town of Coeymans, Town Clerk's Office, 18 Russell Avenue, RAVENA, NY 12143 (518) 756-2100.

PUBLIC COMMENT

Supervisor Crandall asked if any members of the public wished to comment.

Mr. Dave Rossi read the following:

When I purchased a house in the Town of Coeymans I was told cable tv and broadband internet were coming soon, it is now 18 years later and there is no cable tv or broadband internet at my house. Earlier this year Governor Cuomo said “broadband is today what electricity was nearly a century ago, essential to creating economic opportunity, driving innovation and an absolute necessity for our way of life”. The Governor’s Office also announced that soon 98% of the state would have access to broadband. I am hoping that the 2% is not going to be somewhere in the middle of the Adirondacks and Cedar Grove Road in the Town of Coeymans. Time Warner Cable stops one mile from the northern part of the Town line, my house happens to be the last house on the Town line so we don’t have access. Every year myself and I’m sure my neighbors spend thousands of dollars for television, phone and internet, currently a lot of us are getting internet through Verizon packages, which say they are unlimited but really aren’t unlimited, we were unlimited for the first two months and we just got notice that they throttled us down after just using a few gigs, it’s terrible speeds, ridiculous cost and bad service. We pay the same taxes as all the other residents in the Town who have access to cable and broadband, all we are asking is that before the Town approves this contract, which I’m sure is worth millions of dollars to a parent company, Spectrum, worth over 22 billion dollars, is that they get assurances that they ask for assurances from this company and that they will run those cables another mile down the road so we can all be treated equally.

Supervisor Crandall asked if there were any other comments.

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Mr. John Palange stated that he agrees with everything that Mr. Rossi said and he is his neighbor.

Supervisor Crandall asked if there were any other comments.

Mr. Norbert Quenzer stated that he is with his neighbors pining for good internet and added that he wanted to reiterate that he has the same feelings about the inadequate service that they have now. He continued by saying that if you are trying to run a small business and you need large files or other things that are user intensive, the internet service that they have now is totally unreliable and insufficient. He concluded by saying that the only thing that he would add is that in the interest of the residents who pay their taxes, the Town may want to consider retaining an Attorney or an expert who can review the Franchise Agreement just to make sure what the Town is getting into on behalf of its residents, is an adequate and fair document.

Councilman Youmans interjected that they certainly will have the Attorney for the Town review it, which he's sure he has and it is a good point.

Supervisor Crandall asked if there were any other comments.

Ms. Joanna Peck stated that she lives on Cedar Grove Road and added that before they get into any signing of an agreement, they really need to get cable out her way; they have this little pocket with cable all around them. She continued by saying that she works from home and pays an exorbitant amount of money for just internet per month, she has looked into all the options and she wants them to really take time to think about this before they sign the Franchise Agreement because she wants a commitment from Time Warner that they can bring cable out and lay down those lines just a little further up the road.

Supervisor Crandall asked if there were any other comments.

Ms. Patricia Grogan stated that she had approached the Board in the past and added that she brought with her an invoice that she received from Time Warner. She continued by saying that she is one house beyond where Time Warner goes and to put it in perspective, 5,280 feet are in a mile, cable ends 2,100 feet from her house, Time Warner wants \$14,000.00 to run the cable to her house. She went on by saying that she went to an independent contractor to get a quote for the coaxel cable and it doesn't even cost $\frac{1}{4}$ of \$14,000.00, which infuriated her because they are obviously making a huge amount of money in profit when she is looking to become their customer and pay them in the future. She added that it is ridiculous to charge people for labor, etc. when all of them are present to speak at the Public Hearing to try and get cable and as Mr. Rossi said, it is no longer a luxury, it is a necessity. She continued by saying that she has three children, two are in the middle-school, they come home every night with work and have to sign in to a Google drive as well as having to use her phone, which uses more minutes and adds more fees. She went on by say that as a taxpayer, they pay taxes, the same amount if not more for having rural land as people in the Village and they can't get cable, they are the same tax base and it is a service that they don't have, which is not fair, not in 2017 and when she moved here 11 years ago Time Warner told her that they had internet and cable where her house is and said it was a serviceable area and when they put the lines in and called them to hook-up, they said there is no service there, which is not what she was told when she purchased the property. She concluded by saying that she knows this can't happen tomorrow, but before they sign the contract with them, there should be an agreement in there that they will put service, even 5% each year to all residents because it's not a wise move to sign an agreement while they let their town residents down that don't have cable without making an agreement to get it to them and just because they choose to live in a rural area, it's not fair that they don't have it.

Supervisor Crandall asked if anyone else wished to speak, hearing none he continued by saying that he will not sign and he believes it is the feeling of the Board, any contract with Time Warner unless they give them something for the taxpayers and residents. He added that there is no need for them to be making millions of dollars without giving something back to the community, a service which is absolutely necessary today and concluded by saying that they have his promise on that.

Ms. Joanna Peck asked what their next step will be.

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Supervisor Crandall stated that their next step as a Board is that he is going to turn it over to their Attorney and take back to him everything that they said and tell him that they are not going to agree with anything until they give the residents something at a reasonable cost.

Ms. Joanna Peck asked how they will know the results of it.

Supervisor Crandall stated that it will be publicized at a Town Board Meeting and if they want to e-mail his office, he will be glad to e-mail each and every one of them and they can call his office tomorrow and give their e-mails to his secretary and get correspondence on it.

Councilman Dolan stated that as they probably know, part of the merger or consuming of Time Warner by Charter Communications is that they had to set aside a chunk of money to expand internet and there is a bit of a battle going on whether they can use the money to underserved areas, which means that the speed is not quite up to top speed and would be cheaper to make modifications to those lines. He added that there are others who assert that underserved means people with no service and there is a big fight on the State level and there is someone who he spoke with in the Town of Bethlehem who lives near those present who is an expert on this and he will talk to him again about it. He continued by saying that they have reached out to their Assembly and Senator as well as their County Legislator, and Congresswoman Pat Fahy who also has pockets in her District that are underserved also and they will keep fighting for this and won't sign the Franchise Agreement unless they get something more out of it.

A member of the audience asked if there has been any discussion, which he doesn't know if it is a possibility, to instead of cable, get fiber-optic because in terms of technology, fiber-optic is far ahead of cable. He added that he knows that cable is still servicing the area and he thinks that it has to do with agreements but if anyone follows technology they would realize that it is so far ahead of cable that it is unbelievable in terms of speed and capabilities and then asked if it is option that has been explored.

Supervisor Crandall stated that it hadn't been discussed but will be discussed soon and continued by asking if there were any other comments.

Ms. Patricia Grogan stated that if you call Spectrum and ask them to do a serviceability study they will come and do exactly what they did for her and reiterated that it was \$14,000.00 to come .3 mile but they did say that the further down it goes, the more houses that tap in, the price comes down. She continued by saying that everyone should call and ask for it and give the ticket number that she has because they said they would tack them on and it would bring the cost down so this could be another starting point.

Councilman Burns interjected that he doesn't see why you would have to pay anything because as Supervisor Crandall said, it is a multi-billion dollar company and if they can't fill in the areas that aren't serviced now, maybe they don't want them.

A member of the audience stated that he did what Ms. Grogan did many years ago and was told that if he could get every one of his neighbors to do it, it would be \$4,000.00 each, which obviously wasn't feasible.

Councilman Burns interjected that it is a multi-billion dollar company and they are only talking about \$4,000.00.

Councilman Langdon stated that instead of getting more monthly fees, they keep raising their rates for the people that do have service.

Councilman Burns stated that there is no cap on what they can charge and his has gone up dramatically since he signed on with them and added that he hopes that they can negotiate something.

Supervisor Crandall interjected that there is no end to their greed.

Ms. Patricia Grogan asked Supervisor Crandall what it means to their current customers if he doesn't sign the agreement and then asked if it will hurt the business that they currently have.

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Supervisor Crandall stated that he is going to find out and he will be putting the whole thing in the hands of their Attorney to handle and they will come up with an equitable Agreement or else there will be no Agreement at all.

Councilman Youmans interjected that he thinks if they don't have a Franchise Agreement with them, it means they can't provide service to anyone so this may be some leverage and in the past when an Agreement was in force and you would call to ask for internet to those not served, you were told to have a nice day. He added that Supervisor Crandall is a tough negotiator so he is hopeful and he gets it completely.

Supervisor Crandall asked if there were any other comments, hearing none he asked for a motion to adjourn the Public Hearing.

ADJOURNMENT

On motion of Councilman Dolan, seconded by Councilman Youmans, the Public Hearing was adjourned.

VOTE – AYES 5 – NAYS 0 – SO MOVED

Time – 7:01pm

Respectfully Submitted,

APPROVED –

Diane L. Millious, Town Clerk