



Cortland County Legislature

Special Meeting

Legislative Chambers

Cortland, NY 13045

<https://www.cortlandcountyny.gov>

~ Minutes ~

Thursday, May 22, 2025

5:30 PM

Board Room

The meeting was called to order at 5:55 by Chairman Kevin Fitch.

Salute to the Flag

Roll Call

Attendee Name	Organization	Title	Status	Arrived
Douglas Bentley	Cortland County	Legislator	Present	
Cathy Bischoff	Cortland County	Legislator	Present	
Reed Cleland	Cortland County	Legislator	Present	
Mitchel Eccleston	Cortland County	Legislator	Present	
Beau Harbin	Cortland County	Minority Leader	Present	
Paul Heider	Cortland County	Majority Leader	Present	
Linda Jones	Cortland County	Legislator	Present	
Dominick Mantella	Cortland County	Legislator	Present	
William McGovern	Cortland County	Legislator	Present	
Joseph Nauseef	Cortland County	Legislator	Present	
Christopher Newell	Cortland County	Legislator	Excused	
Jason Prentice	Cortland County	Legislator	Present	
Sandra Price	Cortland County	Legislator	Present	
Ronald J. Van Dee	Cortland County	Legislator	Present	
Keith VanGorder	Cortland County	Legislator	Present	
Eugene Waldbauer	Cortland County	Legislator	Present	
Kevin Fitch	Cortland County	Chair of the Legislature	Present	

Resolutions

AGENDA ITEM NO. 1 – Resolution Authorizing the Chair of the Cortland County Legislature to Withdraw from the County’s Commitment to the CNYNET Broadband Network Project

A recess was held from 6:33 PM to 6:43 PM.

A roll call vote was taken as follows:

	Votes	AYE	NAY	Total
Bentley (LD1)	2744		1	0
Bischoff (LD3)	2743		1	0
Cleland (LD10)	2995		1	0
Eccleston (LD17)	3379		1	0
Harbin (LD2)	2747		1	0
Heider (16)	3192		1	0
Jones (LD9)	2989	1		2989
Mantella (LD6)	2740		1	0
McGovern (LD 15)	2734		1	0

Nauseef (LD12)	2819		1	0
Newell (LD11)	2837		1	0
Prentice (LD5)	2744		1	0
Price (LD14)	3344		1	0
VanDee (LD4)	2743		1	0
VanGorder (LD7)	2743		1	0
Waldbauer (LD13)	2853		1	0
Chairman Fitch (LD8)	2990		1	0
Total	49336	1	16	2989
		Majority	24669	
		2/3rd	32892	

RESULT:	FAILED [1 TO 15]
MOVER:	Kevin Fitch, Chair of the Legislature
SECONDER:	Paul Heider, Majority Leader
AYES:	Linda Jones
NAYS:	Bentley, Bischoff, Cleland, Eccleston, Harbin, Heider, Mantella, McGovern, Nauseef, Prentice, Price, Van Dee, VanGorder, Waldbauer, Fitch
EXCUSED:	Christopher Newell

ON MOTION OF FITCH

RESOLUTION NO.

Resolution Authorizing the Chair of the Cortland County Legislature to Withdraw from the County's Commitment to the CNYNET Broadband Network Project

WHEREAS, the Cortland County Legislature adopted Resolution No. 244-24 on December 19, 2024, authorizing the execution of a commitment letter to the Central New York Regional Planning and Development Board (CNYRPDB) in support of the CNYNET Broadband Network Project, including a financial commitment of \$3 million from Cortland County structured as interim construction financing; AND

WHEREAS, said commitment was expressly contingent upon multiple conditions including, but not limited to, review and approval by the Cortland County Legislature of final project development plans, the award and disbursement of grant funds from the New York State ConnectAll Office, formal appropriation of funds by the Cortland County Legislature, the adoption of a corresponding commitment by the Cayuga County Legislature, and full compliance with the New York State Environmental Quality Review Act (SEQRA); AND

WHEREAS, the Cortland County Legislature has determined that it is in the best interest of the County to withdraw its financial and project support commitment to the CNYNET Broadband Network Project at this time, due to unresolved contingencies and evolving County priorities; AND

WHEREAS, no final appropriation of funds has been made, and the County has not yet undertaken or approved the final project plans; NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature hereby rescinds its prior commitment to the CNYNET Broadband Network Project as authorized by Resolution No. 244-24; AND BE IT FURTHER

RESOLVED, that the Chair of the Cortland County Legislature, upon review and approval by the County Attorney or designee, is hereby authorized and directed to issue written notice to the Central New York Regional Planning and Development Board formally withdrawing Cortland County's participation and financial commitment to the Project; AND BE IT FURTHER

RESOLVED, that the Clerk of the Legislature is hereby directed to send a certified copy of this resolution to the Central New York Regional Planning and Development Board and to any other

necessary parties to effectuate the intent of this resolution.

Adjournment

The meeting was closed at 6:46 PM



Central New York Regional Planning & Development Board
 126 N. Salina Street, Suite 200, Syracuse, New York 13202 • Tel. (315) 422-8276 • Fax: (315) 422-9051
 Paul W. Pinckney, Chairman David V. Bottar, Executive Director

Memorandum

To: File and Cortland County
From: David Bottar, CNY RPDB
Subject: CNY Broadband – CNYNET
Date: May 20, 2025

CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPEMENT BOARD

NYS CONNECTALL OFFICE – MUNICIPAL INFRASTRUCTURE PROGRAM CNYNET OPEN-ACCESS FIBER OPTIC NETWORK

Project Status and Supplemental Information

- The CNY broadband (CNYNET) remains under consideration in partnership with the NYS ConnectAll Office. The NYS CAO-MIP grant of \$26.1 million to the CNY RPDB remains in place. The NYS CAO is strongly encouraging the CNY RPDB, in partnership with Cayuga and Cortland Counties, to proceed with this project. NYS CAO is expecting that substantive progress on the project begin in July 2025 and is keeping the project deadline of December 2026 – this is a substantial completion deadline. It is expected that final project activities and grant close-out will occur in 2027.
- ECC Technology has prepared an updated project schedule that breaks the project up into 10 phases beginning in January 2024 and project completion by December 2026.
- The NYS CAO successfully drew down in April 2025 the first disbursement of the federal US Treasury Capital Funds – the first draw was \$47.5 million.
- A canvas of relevant financial information from other communities –the only solid number received is from Madison County. Madison County is projecting revenue of \$250,000 per year once their system is fully built and operational. It's important to keep in mind the Madison County broadband network will be 4x the size of the system planned for Cortland County.

Comparing the two systems, it is estimated that \$25,000-\$50,000 in revenue could be realized by Cortland County from CNYNET.

- As has been discussed, the bigger opportunity will be cost savings that the county and other public entities will realize in their internet service costs. As a partner in the project, Cortland County will have direct access/use of dark/surplus fiber that will be built into the network. The right to lease and use this dark fiber from CNYNET will save public entities 25-50% of the cost they are currently paying for ISP service. I do not know Cortland County's total internet cost, but a conservative estimate would probably be cost savings of \$25,000 /year. This number would increase significantly if other municipal and public entities in Cortland County also lease fiber on the system. Compounding the benefits would be any planned upgrade the County needs to make to its emergency communication/911 system – the fiber backbone network is a key resource for upgrading emergency communication systems in a more cost-effective manner.
- All parties should review information on the Southern Tier Network website - <https://southerntiernetwork.org> for an example of a very successful public open-access network. The STN is the model for what we are trying to accomplish with CNYNET. STN operates a 600-mile network in the Corning area.
- As part of this review, it would be useful to review the STN 2024 financial statement – noted here <https://southerntiernetwork.org/wp-content/uploads/2025/04/Southern-Tier-Network-FS-12-31-2024-FINAL.pdf>.
- The STN year-end financial report for 2024 shows total assets of \$30,230,060, liabilities of \$20,644,142, and net assets of \$9,585,918. Total revenue earned by STN in 2024 equaled \$2,931,849, expenses were \$2,214,066, and operating income equaled \$717,783.
- ECC Technology project schedule is attached here.
- A separate CNY RPDB Question and Answer memo, dated 05/12/25, is attached here.

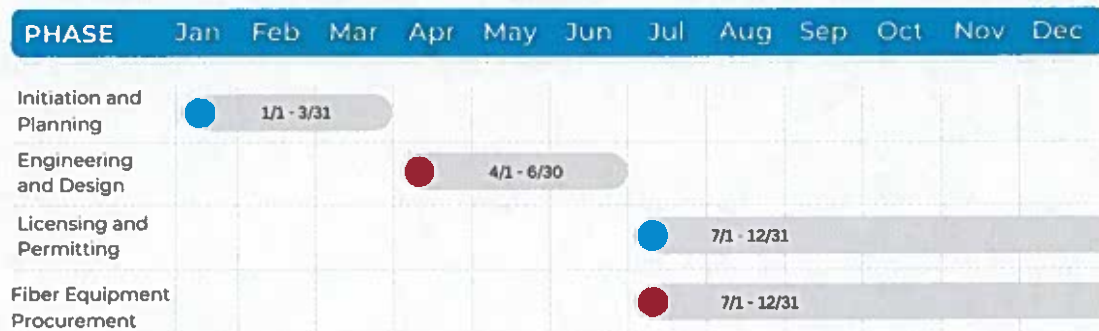


NYS CONNECTALL OFFICE – MUNICIPAL INFRASTRUCTURE PROGRAM CNYNET, Inc. OPEN-ACCESS FIBER NETWORK

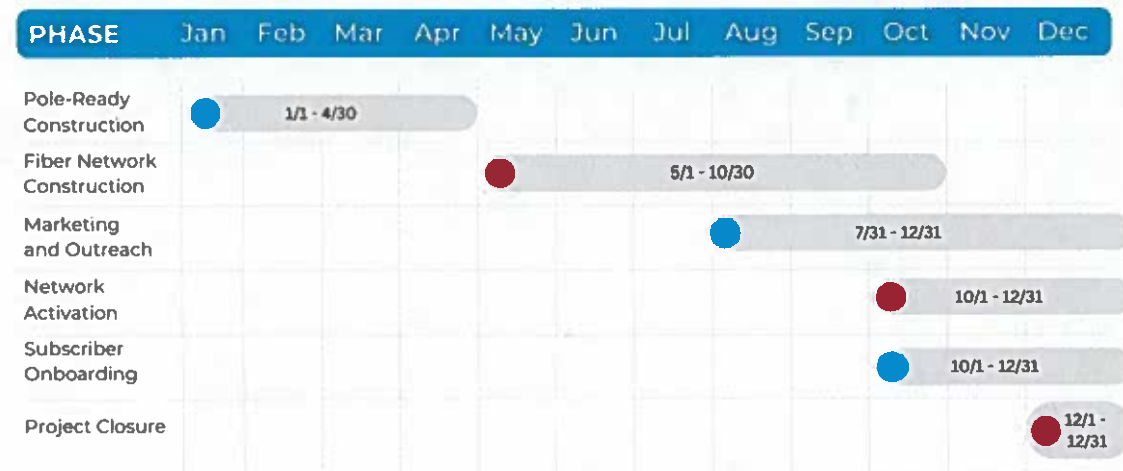
PROJECT SCHEDULE MAY 2025

The Central New York Regional Planning and Development Board has retained ECC Technologies, Inc. to serve as the technical consultant for development of the NYS CAO-MIP/CNYNET open access fiber network project in CNY. ECC Technologies has developed the following project schedule for CNYNET in accordance with general industry standards and current operating parameters and experience in the marketplace.

2025



2026



ecctechnologies.com

New York Office | 2136 Five Mile Line Road | Penfield, NY 14526 | 585-377-1850
North Carolina Office | 7901 Strickland Rd. Ste #113 | Raleigh, NC 27615 | 585-377-1850
Michigan Office | Lansing, MI 48912 | 585-377-1850

CENTRAL NEW YORK REGIONAL PLANNING AND DEVELOPMENT BOARD

NYS CONNECTALL OFFICE – MUNICIPAL INFRASTRUCTURE PROGRAM

CNYNET OPEN-ACCESS FIBER OPTIC NETWORK

MAY 2025

(051225)

A. Questions about CNYNET from Cortland County and relevant for Cayuga County

Governance and Transparency

- **Who will own CNYNET?** CNYNET – a non-profit local development corporation formed by the CNY RPDB, in partnership with Cayuga and Cortland Counties.
- **What is the timeline for rolling out the service?** Pending utility pole make-ready, construction, and fiber install processes that will take place between October 2025 and December 2026, service is scheduled to begin in April 2027.
- **What is the county's projected cost for the project (initial and ongoing)?** There is no long term cost incurred by the County for this project. The County will provide a short-term interim finance construction loan of \$3 million to the CNY RPDB/CNYNET to cover a portion of the construction cost of the project. The loan will be repaid in 2.5 years (December 2027) from a NYS ConnectAll Office Municipal Infrastructure Program grant of \$26.1 million that has been awarded to the CNY RPDB.
- **Will there be public reporting on the financial performance of the network?** Yes, contract requirements between the County and CNY RPDB will require the CNY RPDB to provide quarterly project and financial reports to the County.
- **What mechanisms are in place to ensure transparency in decision-making and spending?** Contract requirements between the County and CNY RPDB.
- **Will there be opportunities for public input or oversight throughout the process?** Yes, through the Cortland County Legislative Planning Committee and periodic community forums.

Technical and Operational Questions

- What technology will be used for the network (fiber, fixed wireless, etc.)? **Fiber**
- How fast will Internet access be? **Gigabit speed or greater depends on customer desires**
- Will the network have the capacity to scale up as demand grows? **yes**
- What will the average uptime or reliability of the service be? **99.99% targeted**
- What cybersecurity measures will be implemented to protect users? **Yes; also dependent upon ISP service provider and customer in-home systems.**
- How will outages and service disruptions be addressed? **CNYNET will have agreements in place through third party contractors to ensure a 2-hour response time for most fiber network outages. Vendor ISP and customer in-home outages will be the responsibility of those respective parties.**
- Who will perform maintenance? **A third-party service provider contracted by CNYNET.**
- To whom will maintenance and improvements be billed? **All operating costs for the fiber backbone network will be billed to CNYNET. No operating costs will be billed to the County. Fiber backbone maintenance and improvements will be provided for through an agreement between CNYET and third-party service provider. Residential in-home customer service and maintenance issues will be addressed by the ISP in accordance with the customer service contract.**

Community Impact

- How will this service impact property values in rural areas? **It will make them more competitive against properties who do not have access to fiber-based Broadband.**
- Will there be initiatives to promote digital literacy among residents? **This initiative is an infrastructure-based project. CNY RPDB/CNYNET will work with public and private entities, including vendors and ISPs, to secure public grants and private sector funding to undertake literacy programs in the County.**
- Will vendor ISPs also have access to the network to provide ISP services and under what terms? **CNYNET will operate as an open-access network available for use by multiple qualified ISPs under formal contract arrangements. The open-access network is designed to improve service and competition in the marketplace.**

- How much will vendors pay for network access to sell their ISP services? **Each ISP contract will be negotiated with CNYNET. Rates will be based, in part, on how much fiber is being used by the ISP, geographic areas served, and what services are being provided by the ISP.**
- Will the vendors be allowed to sell different access speeds at differing prices? **Yes, but must comply with the minimum system requirements established by CNYNET in accordance with the NYS CAO MIP program.**
- How will the service be marketed to ensure residents are aware of its availability? **All parties in this initiative will have opportunities to participate in a coordinated marketing program led by CNYNET and ISP providers. This marketing effort will include a project website, public service announcements, social media accounts, advertisements, direct mail campaigns, and engagement in a range of community networking events. The website will include an on-line mapping tool that can be used to track where fiber network improvements have been completed in the County along with information regarding relevant ISP providers. This marketing campaign will be initiated early in the project development process so progress can be tracked by community leaders and residents.**

Potential Usage

- How many households will have the potential to use this service? **Initially approximately 2,000 in Cortland County and a total of 6,600 along the entire network.**
- How many households are expected to sign up? **50-75% of unserved households in the service areas.**
- How many of the potential households currently use other methods, such as satellite services, to access the Internet? **Approximately 10% use Digital Subscriber Line (DSL) and 7% use Satellite.**
- If fewer households sign up than are expected, how will the shortfall in funding be handled? **In addition to the revenue generated from contract arrangements with ISPs, CNYNET will also sell dark fiber service directly to selected commercial, institutional, and public entities operating in the county. This alternate revenue stream is expected to make up for any shortfall in revenue from ISP residential business. The County will not have any contract obligations to address any shortfall in revenue.**

Legal and Regulatory Issues

- Are there any state or federal regulations that the county must comply with? **The County will not have any regulatory compliance issues to address from participation in this initiative. CNY RPDB/CNYNET will be required to comply with the federal and state provisions incorporated into the NYS CAO MIP grant.**
- How will the county address potential conflicts of interest with vendors or ISPs? **The County will require CNY RPDB/CNYNET to have appropriate public procurement and reporting processes in place to ensure there are no conflicts of interest with vendors or ISPs.**
- From the legal point of view, what will happen if the project fails to achieve its financial and connectivity goals? **There are no legal implications impacting the County if the project fails to achieve its goals. The project viability legal requirements will be addressed directly by CNY PRDB/CNYNET and the NYS CAO.**

Equity and Accessibility

- How will the county ensure the network is accessible to all households, including those in very remote areas? **CNYNET is designed to provide fiber backbone infrastructure in rural and unserved areas in the county. However, due to the limitations of grant funding, not every remote location in the County is guaranteed service. In those instances, CNY RPDB/CNYNET will pursue additional grant funding that can be used to introduce alternate technology to serve those remote locations.**
- Are there plans to provide affordable equipment (e.g., routers, modems) for residents? **This project is limited to building out the fiber backbone infrastructure in the County. The provision of affordable equipment for customer use will be the responsibility of the ISP service provider and customer.**
- How much will families pay to receive Internet access (without additional services)? **ISPs participating in the CNYNET program will be required to provide rates starting at \$50/month.**
- Will there be any subsidies, such as a tiered pricing model, for low-income families? **There is no funding provided for in the NYS CAO MIP grant to provide for user subsidies or a tiered pricing model. ISPs must comply with federal and NY State requirements regarding service and fees for low-income families.**

- If there will be subsidies, who will pay for the subsidies? **ISP's are responsible for the provision of any user subsidies in accordance with federal and State regulations and the ISP business plan. The County is not responsible for the provision of any operating subsidy under this program.**

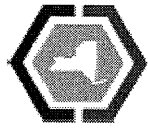
Long-Term Sustainability

- What is the expected lifespan of the network infrastructure? **30 + years**
- What provisions are in place for future upgrades or replacements? **Capital improvement funds will be collected and set aside on an annual basis.**
- How will the county ensure the network remains competitive with private-sector offerings? **The open-access fiber model is designed to introduce additional competition into the marketplace. CNYNET will continuously monitor rates in the marketplace to ensure the network remains competitive.**

Cortland County consequences

- How many, if any, full-time and part-time county employees will be added? **The County will not need to add any employees to support this project. All staffing requirements will be addressed by CNY RPDB/CNYNET.**
- How will the Legislature manage its relationship with the new company building the rural network? **The County will have representation on the board of directors of CNY NET and through its ongoing membership in the CNY RPDB.**
- How will Cortland County repay any necessary loans? **The CNY RPDB will repay the County the \$3 million of interim construction financing provided for this project through the NYS CAO MIP grant of \$26.1 million that has been awarded to CNY RPDB.**

(Cortland County - original/revised questions 2025.01.20)



Cortland County

Business Development Corporation

40 Main Street, Cortland, NY 13045 www.cortlandbusiness.com

May 21, 2025

Chairman Fitch
Cortland County Legislature
60 Central Avenue
Cortland, NY 13045

Dear Chairman Fitch and Members of the Cortland County Legislature,

I am writing to express my disappointment with the Legislature's decision to step away from millions of dollars in grant funding intended for broadband expansion and infrastructure improvements in our County. This choice, in my view, is a step in the wrong direction for Cortland County's economic future.

Reliable and accessible broadband is no longer a luxury, it is a necessity for economic development, education, healthcare access, and workforce growth. Our small businesses, farms, remote workers, and students all depend on high-speed internet access to compete and thrive. Without it, we risk being left behind while neighboring counties continue to modernize and attract new opportunities.

I fully recognize and empathize with the difficult financial situation the County currently faces. However, this funding represents an opportunity to leverage external resources for long-term gain. Investing in broadband infrastructure is a strategic move that could open doors to new businesses, support existing employers, and improve quality of life for all residents. By declining this funding, we are not just pausing progress; we are potentially forfeiting a more prosperous future.

While I understand the challenges before you, I would be remiss not to voice my concern. It is my hope that the Legislature will explore alternative paths to secure these essential improvements for the people of Cortland County.

Thank you for your service and for your commitment to the future of our community.

Respectfully,

Melanie Vilardi

Executive Director

CORTLAND COUNTY LEGISLATURE

3.1.b

(Please complete this form and submit to Clerk of the Legislature if you wish to speak at this meeting.)

Please Note: Five Minute Time Limit

Rules for Speaking under Privilege of the Floor

7. I agree to a five minute time limit;
8. I agree not to raise my voice;
9. I agree not to use lewd, obscene, profane, slanderous or libelous language or speak or act in a manner that would tend to incite a breach of the peace;
10. I agree not to speak about County personnel matters. Personnel matters include comments about the job performance of named County employees, other than elected officials;
11. After five minutes I agree to leave the microphone and yield the floor. Transferring time to another person is not permitted;
12. I agree that if I cause a disruption and am asked to leave, I will leave the Chambers.

Name (please print): Patrick Clune

Municipality of Residence: Homer N.Y. Broadband - Special Session

Representing (organization, etc.): Village of Homer Topic: Sales Tax / Cemetery

Patrick M. Clune
Signature

Written materials may be submitted to the Clerk of the Legislature.

Personnel matters should be directed to the relevant Department and/or Supervisor or in the case of a Department Head to the County Administrator except for the County Administrator, County Attorney, Finance Director, and Clerk of the Legislature, which should be directed to the Chair of the Legislature.

CORTLAND COUNTY LEGISLATURE

3.1.b

(Please complete this form and submit to Clerk of the Legislature if you wish to speak at this meeting.)

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Name (please print): Kim Cameron

Municipality of Residence: Preble

Representing (organization, etc.): _____ Topic: Broadband

Kim Ca
Signature

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