

Town of Hawley
8 Pudding Hollow Road
Hawley, MA 01339
(413) 339-5518

Town of Florida, MA
Town Hall
379 Mohawk Trail, Drury, MA 01343

FHMS Four Towns Broadband Committee Meeting
- and -
Town of Hawley Communications Committee Meeting (if quorum)

A meeting was held of the FHMS Four Towns Broadband Committee on Thursday, August 22, 2019, at 4:30 pm at the Florida Senior Center. These are the Minutes of the **Executive Session** that was held during a recess of that meeting.

MINUTES

In Attendance:

Florida: Christine Dobbert*
Hawley: Lark Thwing*, Rick Kean
Monroe: David Gagne*
Savoy: John Tynan*
WiValley: Brian Foucher
DesignNine: Jack Maytum
OTELCO: Trevor Jones
MTC/MBI: Carolyn Kirk, Michael Baldino,
Cornell Robinson

Minutes
Approved,
FHMS Four-Towns
Committee,
March 5, 2020

* Voting Members

1. Call to Order: The Executive Session was called to order by Chairman Lark Thwing at 5:54 pm.

2. Review and acceptance of minutes.
N/A – there was no prior Executive Session

- 3. First Item:** Explanation of attempted lawsuit, potential pole blockage and legal advice.
- a.** Lark stated that the Four Towns are not a direct party to the current threatened legal action regarding **Legate Hill**. Nonetheless, the Four Towns' lawyer had advised the four towns not to get into a legal fight as legal delaying actions could make the whole process very costly. Brian indicated that that advice was substantially the same as that of WiValley's lawyer.
 - b.** The advice: given that no pole hearing has been scheduled, there is nothing taking place that is CURRENTLY actionable, and therefore Brian should continue to focus on building the rest of the network as per the revised schedule.
- 4. Second Item:** Brian explained that the route offered as an alternative by the potential litigants' consulting firm would possibly work, but that it would not provide the same quality of service as it was not as robust (i.e., would not deliver much power to some sites), nor was it redundant. It probably would not allow us to attain the levels of service and speeds required by the CAF 2 agreement with Otelco.
- 5. Third Item:** There was a brief discussion of factors that could cause delay. In addition to adverse weather and pole transport problems, court actions could also have a delaying effect. If the latter were to take place, one attorney was quoted as suggesting that "no contest" regarding that particular pole site might be a better action than continued pursuit.
- 6. Adjournment:** The Executive Session was adjourned by Chairman Thwing at 6:10 pm.
- 7. Next Meeting:** No additional meeting of this type was planned at the time these Minutes were written.

Respectfully submitted

Rick Kean
9/19/19