

At a special meeting of the Town Board of the Town of Almond, County of Allegany, State of New York, held at the Almond Municipal Building located at 1 Marvin Lane, Almond, New York, on March 16, 2021 at 9:00 A.M. there were

PRESENT: Dawn A. Wildrick-Cole, Supervisor
Daniel Hegarty, Deputy Supervisor/Councilperson
Larry Perry, Councilperson
Jo-Anne Freeland, Councilperson
Bryan Snyder, Councilperson

ALSO PRESENT: Michelle Stevens, Town Clerk

A public hearing was held before the Town Board at 9:00 A.M. to hear all persons interested in the matter of the adoption of the Resolution No. 1 of 2021 In the Matter of the Granting of a Cable Television Franchise Held by Spectrum Northeast, LLC. The Board members answered questions from those present for the public hearing. The Supervisor declared the public hearing to be closed.

Following the close of the public hearing the Town Board considered the adoption of the proposed resolution for which the public hearing had earlier been held. There being no comments in opposition to the adoption of the Resolution No. 1 of 2021 In the Matter of the Granting of a Cable Television Franchise Held by Spectrum Northeast, LLC, the Supervisor asked for a resolution that the proposed resolution be passed. The following resolution was made by Larry Perry, who moved its adoption, and seconded by Daniel Hegarty, in which was unanimously passed, to:

STATE OF NEW YORK
Town of Almond
County of Allegany

In the Matter of the Granting of a Cable Television Franchise Held by **Spectrum Northeast, LLC** in the **Town of Almond, County of Allegany**, New York

RESOLUTION

An application has been duly made to the Board of the **Town of Almond, County of Allegany**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for

the approval of a renewal agreement for Charter's cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held in the Town of Almond, New York on March 16, 2021 at 9 A.M. and notice of the hearing was published in the Spectator on March 7, 2021.

NOW, THEREFORE, the Board of the Town of Almond finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the **Town of Almond** hereby grants the cable television franchise of Spectrum Northeast, LLC and the **Town of Almond** for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years hence.

BE IT FURTHER RESOLVED that the Board of the **Town of Almond** hereby confirms acceptance of this franchise renewal agreement.

The foregoing having received a YES vote was thereby declared adopted.

Dated: March 16, 2021

Town of Almond Clerk

STATE OF NEW YORK }
 } SS.:
COUNTY OF ALLEGANY }

I, the undersigned, Michelle Stevens, Town Clerk of the Town of Almond, Allegany County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the special meeting of the said Town Board including the resolution contained therein, held on September 29, 2020 with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting, and that, pursuant to Section 104 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media:

<u>Newspaper and/or other news media</u>	<u>Date given</u>
Hornell Evening Tribune	March 7, 2021
Alfred Sun	March 7, 2021

and that further notice of the time and place of such meeting was given to the public by posting such notice in the following places on the following dates, and by giving such notice as follows:

<u>Location of posted notice</u>	<u>Date given</u>
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Town Clerk's Bulletin Board
Town Website

March 7, 2021
March 7, 2021

The undersigned was unable to attend the September 29, 2020 special meeting. The notes of the meeting were taken by Supervisor Dawn Wildrick-Cole and are on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town of Almond this date, ___March 16_____, 2021.

TOWN SEAL

Michelle Stevens
Town Clerk
Town of Almond