

**NOTES OF THE MILLVILLE
TOWN COUNCIL WORKSHOP
September 23, 2014 @ 7:00PM**

In attendance were Mayor Gerry Hocker, Deputy Mayor Robert Gordon, Council Members Harry Kent, Steve Maneri, and Susan Brewer; and Town Manager Debbie Botchie and Executive Assistant Matt Amerling.

1. CALL TO ORDER:

Mayor Hocker called the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. NEW BUSINESS:

A. Mediacom Question & Answer session

Mayor Gerry Hocker read off opening remarks to the audience. Mayor Hocker stated the Town has arranged this question-and-answer session with Mediacom to address concerns the Town has received regarding the internet service. Mayor Hocker stated Ms. Carrie Boggs is the government relations manager from Mediacom and she has kindly agreed to be here this evening all the way from Florida, showing a certain level of commitment. Mayor Hocker further stated Ms. Boggs is not the cause of any outage and for the audience to be respectful toward her, as well as Pat Hinds, the local technical operations manager for Mediacom; Tim Baker, the technical operations supervisor; and David Rickards, maintenance supervisor. Mayor Hocker stated by way of background, the Town and a few other surrounding towns have signed a non-exclusive cable franchise agreement with Mediacom, which focuses on cable television. Mayor Hocker stated if anyone has a complaint about their cable service, there is a process for written complaints to be sent to the local Mediacom office. Mayor Hocker stated the purpose of this session is to open up channels of communication regarding internet service so the Town and Mediacom get information about the Town's residents' issues, and so the residents can be better informed. Mayor Hocker stated to make the session as effective and informative as possible, the public need to speak one at a time, outbursts will not be permitted, and asked the public to identify themselves by name and address. Mayor Hocker asked the public to show a hand of who would like to speak this evening. Mayor Hocker counted five (5) people, so he gave each person five (5) minutes to speak. Mayor Hocker stated for the speakers to address their questions and comments to Council at the front of the room, and if a speaker has the same concerns as someone who previously spoke, then indicate that rather than repeat what was already stated. Mayor Hocker stated the goal for tonight is to allow Mediacom to receive information about the public's concerns and questions so Mediacom can address these concerns.

Ms. Carrie Boggs, of Mediacom, stated she has been with Mediacom for 20 years but this is her first town meeting and she has just recently been designated as the government relations manager. Ms. Boggs stated she was happy to hold this meeting so people could voice their frustrations. Ms. Boggs stated she

knows many people have had frustrating summer with Mediacom's internet and Mediacom has as well. Ms. Boggs stated after talking with Town Manager Debbie Botchie, there were two main areas of concern regarding the internet service: trying to reach Mediacom's call center (i.e., long hold times, busy signals, etc.), and getting technicians out to the site of the problem. Ms. Boggs stated Mediacom had a digital upgrade which happened at the beginning of the year, Mediacom shut off their channels on April 22, 2014, and customers received the little DTA boxes for those who did not own a digital television and knows this is a big deal for many around here but this is a big area (i.e., Millville, Dagsboro, South Bethany, most of Delaware) for Mediacom. Ms. Boggs stated Mediacom is about midway through upgrading their systems to digital so this area is not the first and will not be the last and Mediacom forecasts based on what they have done in other systems, the area, and Mediacom's forecast for this area was "way out" of proportion for what Mediacom had planned. Ms. Boggs stated there are a certain amount of customers who Mediacom expects will have to go out to their houses to install their digital equipment and because the area is so big, and the demand is so high to install equipment that Mediacom thought most customers would want to install on their own, Mediacom was overwhelmed with the high demand of customers needing assistance. Ms. Boggs stated Mediacom did bring in employees from other states to help out with the equipment installation, and Mediacom increased its HSD speeds so those who were receiving the regular HSD service which was 30 megabites per second (mbps) speed, Mediacom has upgraded to 50 mbps. Ms. Boggs further stated those customers who had 50 were upgraded to 100, and those who had 100 were upgraded to 150. Ms. Boggs stated there is a lot of effort that went into doing that across the Mediacom footprint – Delaware being one of those areas – which included new equipment and software and swapping out modems. Ms. Boggs stated this need generated calls into the call center and the field, putting the request number a little higher than Mediacom had projected. Ms. Boggs stated Mediacom tried to anticipate even higher numbers but sometimes it gets away from you and it is the cost of doing business in a rapidly growing area. Ms. Boggs stated with the internet and cable, you have to be ahead of these technologies as quickly as you can because the demand for the Mediacom's customers is "more speed, more channels, more options" and that is what Mediacom has been trying to keep up with for its customers.

Ms. Boggs stated, for Mediacom's call centers, they have eleven (11) call centers across the country, as well as two (2) overflow contract call centers, which are not Mediacom employees, and Mediacom has hired sixty (60) new agents, coming out of training in the next 60 days, so the call and wait times should come down, and, according to reports, have been coming down over the past few months. Ms. Boggs stated Mediacom has launched a new mobile care application (app) which can be put on one's phone and helps with the self-help Web site. Ms. Boggs stated, with the app, a customer can chat with an agent, schedule a call, troubleshoot their service, and pay their bill. Ms. Boggs further stated if a customer wanted to avoid hold times, the app is an alternative option. Ms. Boggs stated Mediacom also has a Facebook and Twitter page they are on 24 hours a day, 7 days a week, which service representatives have access to so they can address questions and concerns from customers. Ms. Boggs stated over this past summer, with the Route 26 construction, Mediacom has had several both planned and unplanned issues, which also affected Town Hall. Ms. Boggs stated she knows some may think Town Hall may be a little special, but the Town is on the same grid as everyone else, and the Town gets the same service, speeds and everything else. Ms. Boggs stated on Monday, August 25, 2014, there was a long outage for an upgrade and she will have Mr. Dave Rickards address that outage.

Mr. Rickards stated on August 25, Mediacom was swapping one of their big routers and everything was going well until the job took longer due to software issues. Mr. Rickards stated Mediacom was not back up like they would have liked to have been at 6 a.m., which turned out to be 11 a.m., which is unacceptable to Mediacom. Mr. Rickards stated Mediacom's engineers were working Cisco to get this up and running by lunch time. Mr. Rickards stated this delay was something very unfortunate and the outage should have been invisible to the consumers; but it affected not only Millville but also Ocean View, Ocean Pines, Lewes, and quite a few other areas around, making it probably the largest downtime Mediacom has ever had in this area. Mr. Rickards further stated once everything got squared away, Mediacom was able to add the speeds previously mentioned by Ms. Boggs and gives Mediacom "more pipe" for downloads and uploads.

Ms. Boggs stated regarding Mediacom's call center and what they are doing to improve its performance, Mediacom not only has hired the 60 new employees but there are also local employees who are working overtime and seven-day weeks to work so there are more workers available for site visits and equipment installations. Ms. Boggs stated Mediacom has pulled some of its maintenance technicians from their special projects to help run the individual calls to get everything working at the right pace. Ms. Boggs stated Mediacom is getting back to its equilibrium but they are not quite there when it comes to returning to the normal operating procedure of which customers are accustomed. Ms. Boggs stated regarding the HSD speeds, this is to make the service faster so things like Netflix, Hulu, and Pandora, which take up a lot of bandwidth, can be used with a smooth speed, without freezing up. Ms. Boggs stated Mediacom also had a digital upgrade by adding 60 high definition (HD) channels due to the demand for HD channels. Ms. Boggs further stated Mediacom added 10 to 12 regular channels to the family, such as sports and information channels. Ms. Boggs stated she knows there were questions regarding building new cable provider facilities for Millville by the Sea (MBTS), and Mediacom has already started on phase one of MBTS, and hopes to start working on phases two and three in the near future. Ms. Boggs stated Coventry is a little outside of Mediacom's range so they have to build a new plant so they can extend their reach to Coventry.

Mayor Hocker stated at this time Council will accept comments and questions from the public.

Mr. Walter Bartus, of Huntington Street, stated he would like to thank the Town Council for calling this meeting, Town Manager Debbie Botchie, and Ms. Boggs and her group for coming tonight to hear the customers' concerns. Mr. Bartus stated the issue he would like to raise is the consistent service outages he has experienced since moving in in December 2013. Mr. Bartus stated he has had the opportunity to review the Millville-Mediacom franchise agreement, and in it, it says Mediacom shall operate, maintain, construct and extend the cable system so as to offer high-quality signals and reliable delivery of one-way and two-way cable service. Mr. Bartus stated also in that same agreement, in section 4.1, the final sentence in that section states the cable system shall be providing high definition television signals and internet access via cable modem, some people questioning the internet availability under the agreement. Mr. Bartus asked what constitutes reliable television and internet service, and is that what the public has been provided? Mr. Bartus stated he offers – as a starting point – the ratings provided in the March 26, 2014, issue of *Consumer Reports* where the magazine published a survey of cable service providers. Mr. Bartus stated in all four categories – that is the bundle service which typically is referred to as the "Triple Play" of internet service, phone service and TV service – Mediacom was the lowest rated cable

service provider – that’s last place in all four categories. Mr. Bartus stated this is essentially a repeat from *Consumer Reports* surveys of 2010 and 2012, so this is not merely some “blip in the radar” – this is four plus years Mediacom has managed to be in last place. Mr. Bartus stated using data of tens of thousands of servers on a national level for the last four years via *Consumer Reports*, Mediacom does not meet what Mr. Bartus would consider a definition of high quality and reliable – last place is not high quality or reliable. Mr. Bartus further stated on our local level, to ensure Mr. Bartus was using data rather than opinion, Mr. Bartus, out of frustration, commenced using an industry standard “ping test” on July 16, 2014. Mr. Bartus stated this is a test of one-minute intervals at his house to see if his service is operational. Mr. Bartus stated, in short, the service calls Mr. Bartus’ home and sees if the service is up or down. Mr. Bartus further stated, sadly, over the last sixty-eight (68) days, Mr. Bartus has logged one hundred (100) service interruptions, lasting from a few minutes to over nine (9) hours, making it 100 times the service was down, an average of 1.5 times per day, sometimes going as high as nine (9) or ten (10) times in a single day. Mr. Bartus stated the service does not meet any definition – by a reasonable person – as to high quality or reliable.

Mr. Bartus stated when service is down, most calls to Mediacom are met with a recording advising to hold times as was addressed – for at least fifteen (15) minutes – and that the caller should call back later or use the internet to resolve the problem. Mr. Bartus stated since his internet is down, it would be difficult to go on the internet to resolve the problem. Mr. Bartus stated this is also well below the “30-second definition” in the Town franchise agreement at which point penalties will accrue. Mr. Bartus further stated once the call is answered, Mr. Bartus and the customer service representative go through the “plug-unplug test” usually to no avail. Mr. Bartus stated this happens despite him advising the representative that he and his neighbors are all out of service, it’s not Mr. Bartus’ modem, and it is the Mediacom network. Mr. Bartus stated an offer to dispatch a service technician is made lastly and regrettably the wait time for the technician’s arrival is approximately two (2) weeks.

Mr. Bartus stated he believes it would be unconstructive to start down the path of invoking penalties in the franchise agreement as a first step and would rather suggest is for Ms. Boggs and Mediacom to put forth a viable, measurable service improvement plan. Mr. Bartus stated this would require a regular monthly report to the Town of all service issues that have occurred in Millville, and the plan should show the steps to mitigate these issues as well as improvements that will provide the service which has been contracted for by both the Town and residents. Mr. Bartus stated the agreement also says this should be operational within thirty (30) days so Mr. Bartus also believes this is proper and well.

Ms. Sally Griffin, of Huntington Street, stated she wanted to reiterate some of Mr. Bartus’ statements regarding the frequency of outages with the internet service. Ms. Griffin stated she has been a resident of Millville for four-and-a-half years and she has seen the number of outages increase as time goes on. Ms. Griffin stated she does not know whether it is all of the (Route 26) construction or Mediacom not being able to keep up with a higher number of people on the system or what, but Ms. Griffin has definitely seen a decline in the service and reliability, and that is a concern for her.

Mr. Richard Shoobridge, of Tybee Street, stated his comments relate back to last month’s outage and he notices people in his neighborhood (Millville by the Sea) who are relatives of people in the Town who for four or five days before the actual outage, they were having interruptions in their television (cable)

service. Mr. Shoobridge stated he does not have cable through Mediacom – just internet and telephone – but starting on Monday, the phone was out for a very long time as well as the internet. Mr. Shoobridge stated he plays “Candy Crush,” which is linked up through Facebook, and Mr. Shoobridge could not get logged on with his iPad for three or four days. Mr. Shoobridge stated he called Mediacom and the representative told Mr. Shoobridge he would try something. Mr. Shoobridge stated the representative tried whatever he was doing and the internet still was not working so the representative could not get back in touch with Mr. Shoobridge. Mr. Shoobridge further stated he called Mediacom again and after about forty-five (45) minutes, the representative tried to blame the outage on Mr. Shoobridge’s router, and the internet did not come back until four or five days later – and the outage had nothing to do with Mr. Shoobridge’s router even though the representative was making him believe he had to go out and buy a new router. Mr. Shoobridge stated he would like truth from Mediacom when someone calls the company and asks what is happening.

Mr. Paul DuCott, of Huntington Street, stated one of the most frustrating things for him is he will be sitting and watching TV or listening to music, and, all of sudden, the connection drops. Mr. DuCott stated the connection may reload after ten or fifteen seconds, but that becomes a real pain when he is trying to record something because now he’s lost it. Mr. DuCott stated the biggest thing he wanted to mention is he believes the phones are voice-over ID, and what happens when that phone goes down and he is trying to call 9-1-1? Mr. DuCott stated he does have a cell phone but what if someone does not and they are trying to reach out to medical services or the fire department, and the phone is down?

Mr. Chris Ludlow, of Pembroke Lane, asked if the network is Mediacom’s network or are they leasing a network from someone else, and if Mediacom is using one cable in to a modem for both data and TV, or have they divided it up to data and voice.

Mr. Pat Hinds, of Mediacom, stated this is Mediacom’s network – it originates out of Mediacom’s head end – and Mediacom does get feeds out of other areas but it is Mediacom’s network. Mr. Hinds stated the Cisco equipment was put in a few months ago. Mr. Ludlow asked if the Cisco system was new to Mr. Hinds. Mr. Hinds stated yes. Mr. Hinds stated it seems most people here are from Millville by the Sea (MBTS) and it seems like everyone is saying the same thing, which is the service is dropping out frequently. Mr. Hinds stated Mediacom has a reporting program that his department looks at which tells them if the modems are dropping in or out, and Mr. Hinds has not looked at any of the attendants’ modems but he will do that when he gets back to the office tomorrow to see if the internet has been dropping out. Mr. Hinds stated something seems to be tied together here and he would like some time to investigate this problem, but he cannot give any answers tonight until he investigates the issue. A gentlemen in the audience stated he would like to add the community of Bishop’s Landing to the list of issues with the internet and cable being dropped.

Mr. Hinds asked Mr. Shoobridge about the details of Mr. Shoobridge’s outage. Mr. Shoobridge stated the outage started on a Sunday when he noticed he had no phone or internet, so he called Mediacom and the representative tried to call him back to return his call, but the phone was not working. Mr. Shoobridge further stated he had to call the Mediacom representative back, wait in line (over the phone), and the representative tried to blame the outage on Mr. Shoobridge’s router. Mr. Shoobridge stated he would deal with it and ultimately received a one-day credit from Mediacom but Mr. Shoobridge was expecting a

credit for three days (for the time the service was down). Mr. Shoobridge stated three or four days after he called Mediacom, the service returned and Mr. Shoobridge had access to Facebook once again. Mr. Hinds asked if Mr. Shoobridge was experiencing video outages too. Mr. DuCott stated his cable dropped three times yesterday in one hour. Ms. Sharon Rogers, of Huntington Street, stated the longest time she was without service was during the period of the Cisco change-over and, after that, the service was dropped all day for about three days. Ms. Rogers stated her phone was out for about two days, and, with the internet, she was doing the standard “plug-replug thing” and she was ready to throw her computer out of the window because she was so frustrated, but she found out everyone in the area was having the same problem. Ms. Rogers stated she does not know how it was affecting her television because she did not have the TV on to see if she could use any of the service; but the internet was down and the phone was down. Ms. Rogers further stated the service would keep going down – even when it would come back up, it would go right back down. Ms. Rogers stated she did not even bother reporting it because she knows there have been issues and, had it stayed down any longer, she may have called, but she figured she would try and fix the problem herself. Mr. Hinds asked if he could get the phone number and contact information of everyone who spoke tonight so he could give them a call back after he’s had a chance to check on the system. Mr. Hinds stated he thought the service issues were only with the internet but he noted the addition of the cable going out too.

Mr. DuCott asked Mr. Hinds if Mediacom has a way of tracking down time per customer, per area. Mr. Hinds stated yes, he can take the customer’s Mac ID of their modem and Mr. Hinds can plug it into Mediacom’s system and Mr. Hinds can then look back three (3) months and the system will ping every fifteen (15) minutes. Mr. DuCott asked if Mr. Hinds can know how long all of the customers’ systems have been down. Mr. Hinds stated yes, but he needs to know whose modem to plug into in order to check on the system. Ms. Rogers asked since Mediacom is able to track the outages, will Mediacom be able to give the customers a credit for each customer’s down time or is it up to the customer to provide the system information so she can get a credit. Ms. Boggs stated it is in Mediacom’s standard customer agreement that, in order to get credit, the customer must contact Mediacom and request the credit within thirty (30) days of the outage.

Town Manager Debbie Botchie stated the Town Hall uses Mediacom’s cable and internet, and the Town administration is dependent on the internet seven-and-a-half hours per day. Ms. Botchie stated the Town does not have these same issues that MBTS is having, although the Town did have an outage the same day (August 25, 2014) that everyone else was out. Ms. Botchie further stated the Town runs financial software – run off the internet – and the financial department is on it all day, every day, so the Town Hall is not having this problem. Ms. Botchie stated she saw Mr. Bartus’ drops in the report he had, and this issue was happening at Windhurst about a year ago, but it seems like it has gotten straightened out. Ms. Botchie stated these issues seem all concentrated in this one development and the Mayor has mentioned that he also has Mediacom and has not experienced these same outages. Ms. Botchie stated Town Hall, the Mayor’s house, and the developments of MBTS and Bishop’s Landing are all on the same grid so she does not understand why these outages are happening so much.

Mr. Tom McCollum, of Longs Chapel Lane, asked if there is new equipment that customers in the area are not getting because it seems like there is a conflict when it comes to that, relative to what customers should have in their home versus what Mediacom might have available to the customers, and it seems

like it is a “lottery pick” because he was expecting technicians to come out to his house and deliver new equipment. Ms. Boggs asked whether the equipment was for cable or internet. Mr. McCollum stated it was for both cable and internet. Mr. Hinds asked if the new equipment was for a service issue. Mr. McCollum stated it was for multiple service issues but Mediacom thought maybe the new equipment would resolve the continuous issues. Ms. Boggs stated this is a normal business practice with cable industries to refurbish equipment and put it back into the field. Ms. Boggs stated there are times when equipment simply goes bad and she apologizes for that, but, as far as new equipment goes, Mediacom does get a certain amount of new equipment to replace outgoing, bad equipment and it is just one big cycle which is a regular industry practice throughout the cable industry. Ms. Boggs further stated Verizon, AT&T, Comcast all do that general practice refurbishing equipment. Ms. Regina McNamara, of Pembroke Lane, stated she had three boxes for her phone and internet brought out to her until she finally received a new box and she was without phone service for two weeks (14 days), but no technician would come to her house. Mr. Michael Cassera, of Reedy Point Road, stated he had the same issue when Mediacom came to install his service, and it took them two (2) hours to install the box, but not thirty (30) minutes after the technician left, the modem shut down and would not turn back on. Mr. Cassera stated he called a technician but they could not ping it; and it took fourteen (14) days for a technician to come out to Mr. Cassera’s house and replace his modem. Mr. Cassera stated the technician who tried to fix the box stated the box was bad and he had a new box in his truck. Mr. Cassera stated the technician started installing the new box but Mr. Cassera stated he still has go through the trouble of “plugging and replugging back in” the modem four (4) to five (5) times per day, every day. Mr. Cassera stated he does not even call Mediacom anymore because all he hears from the representative is “Did you unplug and replug the modem?” Mr. Cassera stated after doing the plug/replug, the service works about two (2) or three (3) hours before Mr. Cassera has to do the process all over again. Mr. Cassera stated the internet speed is also slow and he pays for thirteen (13) and he’s lucky if he gets five (5). Ms. Boggs asked what service Mr. Cassera has with Mediacom. Mr. Cassera stated he has Mediacom’s basic service.

Mayor Hocker stated, to reiterate, the internet agreement is between Mediacom and the individual (customer) and is not a part of the Town’s franchise cable agreement, which the Town signed with all of the other three neighboring Towns (i.e., Bethany Beach, South Bethany, Ocean View). Mayor Hocker further stated part of the cable franchise agreement allows individuals a credit based on a cable outage, but internet outages are different. Ms. Botchie stated she knows the term “internet access service via cable modem” is used in the Town’s cable franchise agreement, but the base of the Town’s franchise agreement with Mediacom is strictly cable and no telephone or internet. Mr. Bartus stated when he did some investigating on the cable franchise agreement, he looked up on the internet some other cable service agreements and the Town of Selbyville, Delaware – their Code does not have the clause including the mention of internet, and neither does the unincorporated areas of Sussex County, yet all four Towns (including Millville) that went into this agreement, included the internet in their franchise agreement. Ms. Botchie stated “internet” was mentioned just one time and the one word of “internet” and the entire sentence ends with “via cable modem” so the whole agreement is based on cable and the Council wanted to make that clear for the record.

Ms. Boggs stated the internet credit is still there but the customer has to request it. Mr. Cassera stated he requested the credit from a phone representative and they were the rudest person he’s ever spoken to, as well as refusing Mr. Cassera any credit for any down time and telling Mr. Cassera a technician would be

out to his house for service in ten (10) to fourteen (14) days. Ms. Boggs stated she will make sure that is rectified. Ms. Maureen Walker, of Ogelthorpe Lane, stated she has had many “ups and downs” with internet and cable outages – especially internet. Ms. Boggs stated she would leave her notepad out on the table at the end of the meeting so anyone in the audience who wants to have their issues can be addressed on an individual basis by Mediacom.

4. PROPERTY OWNERS/AUDIENCE COMMENTS:

There were no comments.

5. ANNOUNCEMENT OF NEXT MEETING – October 14, 2014 – Mayor Hocker announced the next meeting of the Town Council would be a Town Council Meeting on Tuesday, October 14, 2014, at 7:00 p.m.

6. ADJOURNMENT:

Council Member Kent motioned for adjournment at 7:49 p.m. Deputy Mayor Gordon seconded the motion. All present voted yes. Motion carried 5-0.

Respectfully submitted,
Matt Amerling, Executive Assistant