

Fellow Cable Committee members,

The following minutes were kept by Peggy at the last meeting. I am forwarding them to you verbatim. My feeling is that these should not go into the on-line official minutes. Nor should we include anything about Ricochet which Peggy did not write down. The next meeting is at Town Hall a week from Tuesday. As Doug wrote, we will have David Green of Cablevision there. Did everyone see the news item that a company has extended DSL another mile? The article I read said that the equipment was expensive, however.

Marty Cable Committee minutes 10/13/99

Present were committee members Hal Barnett, Peg Fredrickson, Marty Greenstein, Doug Smith, Mark Thompson, Jeff Winston, and Attorney Peter Epstein. The meeting was at Sudbury Town Hall and began at 7:30 p.m.

Chairman Smith opened with a progress report. On September 30 a certified letter was sent to David Green at Cablevision. He signed receipt of the letter on October 5.(?). The letter requested several documents be sent to the committee by October 12 and that Mr. Green meet with the committee the following week. By Oct 13 there had been no response from Mr. Green and he wasn't available by phone. Mr. Epstein offered to call David Green and tell him that he must continue negotiating with Sudbury. There was discussion regarding the extent and motivation for Cablevision to continue negotiations since they are anticipating being sold. In Epstein's opinion a new purchaser would most likely pick up and continue anything that had been negotiated and we should press to negotiate as much as is possible and productive at this time. Cablevision can't just put off negotiations and hope for an extension of the current license. The current license can't be extended. Regarding the 5% fee for "the studio": According to Epstein it is very unusual for cablevision to go from paying no fee to paying a full 5%. The City of Gardner negotiated 3%, (up from nothing) in their license. In that case, Cablevision waived paying on Internet and wanted a "telecommunications license". Sudbury can ask for 5% but Cablevision can negotiate on that subject. Out of the 5% will come fees for town, state and Federal governments, which will add up to slightly less than one percent. Media 1 always figures the % by including Internet incomes, but Cablevision hasn't done that in the past. According to Epstein, if Cablevision balks at the town having the option of running the access studio, we may have to give evidence that cablevision has not done the job - i.e. not provided programming filling the town's needs. We might need to have a public hearing and solicit statements of dissatisfaction. First we should meet with Green and learn what their position will be. We could offer to buy the present studio equipment for \$100 or we could say "Take it out and give us cash to buy new". We need to get David Green in here to start going over these things. Cablevision can do Local Origin programming with their own personnel and equipment in their own studio. Local access is what the town is interested in managing. Jeff Winston said we need a policy for line extensions, new development and non-standard installations. Epstein suggested just requiring that the whole town be cabled, and specifically name Streets which have not yet been cabled. Winston asked for examples of appropriate language for a line extension policy. Winston also suggested that the license should include a schedule of costs for special installations. The purpose of this list would be to prevent over charging by

Cablevision. Epstein said such a schedule would be a legitimate issue for discussion. Regarding town management of the access programming. Winston explained that a town managed arrangement would have the advantage of the town accountant and town manager keeping an eye on the cash flow and the town would have expertise in purchasing needed insurance. Such professional continuity could be helpful since there might not be capable and responsible volunteers interested in working on a non-profit corporation and there would be opportunity for corruption in managing the non-profit. Epstein said it could be done that way. Most non-profits which Epstein has observed tend to be more professional due to the hired staff and he has only heard of one case of fraud or graft in such organizations. A major consideration if the town ran the facility would be protection of first amendment rights. The first amendment protects against government censorship. Doug Smith received a note from Fred Walker, Communications Director at the high school. Walker has several complaints about current administration of the cable studio. Specifically he complained that channel 54, the educational channel, is not functioning. Peggy Fredrickson volunteered to find out what is happening with channel 54. Epstein said an effective way to get results regarding complaints is to describe the problems to the selectmen so they can send requests to Cablevision for rectification of the problems. Regarding quality of the Access channel, Epstein suggested recording the image for evidence of the problem. The town can ask that the access channel be put at a more favorable location. FCC standards are required, but those standards aren't very high. The town can get their own engineer to describe the problem, but the town can't set standards. On the other hand, Green might act quickly if a certified letter from the selectmen cited non-compliance with the license. Regarding The 5% fee for access: Epstein said it can't go to the general fund, but it can be used for cable related purposes what have a distinguishable benefit to cable subscribers.