

Northbridge Cable Advisory Board Meeting
June 7, 2023

Approved
6/28/23

7pm Meeting called to order

23 JUN 29 AM 9:02

Present: Cable Advisory Board Members: Harry Berkowitz, James Hackett, JP Couriveau, Mike Yesko, Absent Ben Corman, Sharron Ampagoomian.

Studio Staff Present: Bill Tartaglia, Aaron Meadows.

Present: Adam Gaudette, Town Manager, Town Council, William Hewig.

Motion made by Mike Y. to accept the minutes of 3/20/23. Seconded by JP. C. Unanimous.

Attorney Hewig went over the list of what Northbridge Community Television suggests be in the cable license.

Attorney Hewig has not received a response from Charter Spectrum Rep. John Maher. Attorney Hewig also said Charter Spectrum will not give NCTV 5% plus capital funding like what happened in the last cable license in Grafton.

Attorney Hewig went over percentages of capital and operations scenarios all based on percentages.

Attorney Hewig said we should lowest gross annual revenue and highest amount of capital.

Harry requested yearly capital. Attorney Hewig will ask for annual.

Bill T. stated he has reviewed cable licenses that do get capital every year as in Grafton.

Aaron M. Can use capital money for operations? Attorney Hewig responded, Don't worry about it. All money is required to be used for cable PEG TV purposes.

Aaron M. Mentioned HR #3557 and how if this rule becomes law it will end NCTV's capital funding. Suggestion was made to not lock in a ten years of capital and say annual in the cable license so if the cable provider decides to no negotiate after 10 years, we would get both operations and capital. Atty. Hewig rejected the idea.

Jim Hackett asked what is needed to replace playback system and will NCTV have enough funds to make it happen. Bill T. said he has spoken with the manufacturer and they said they will work with us in the event the funding isn't there by repairing the system apposed to replacing it. We are also looking at other options.

Bill T. stated the TV subscriber count for 2022 is 3343.

Aaron M. said he suggests the 4% GAR per year \$175,510/year and capital \$44,128.00 per year for 10 years totaling \$441,280.00.

Harry asked for motion: Mike Y. made motion to accept Aaron's suggested funding explanation. Seconded by JP C. Unanimous.

3 HD channels. Attorney Hewig restates Charter Spectrum's offer to give us an HD channel for \$800.00 a month. He said it is not negotiable. Bill T. Mentioned that he talked to his technician and he said this change will cost a few hundred dollars. Attorney Hewig said, Charter Spectrum is not representing that is the cost for them to offer the service it is what they want from NCTV. Bill T. mentioned that he has seen a Comcast cable license that said no more that a one time charge of \$10,000. Bill T. also sited Winchester MA cable license that they may charge \$30,000 but after 3 year they have not charged the PEG facility.

Jim H. mentioned that he thought to \$9600.00 a year was for equipment. Aaron M. said no that is what they wanted to charge for a fiber uplink from here to their headend. That is why Bill T. at the last meeting asked about IP transmission of our signal. If this is done, we would not need the dedicated line for our transmission to the head-end. Bill T. goes on to say with the IP transmission there is no reason for Charter Spectrum to charge us for the fiber transmission fees and switches.

Aaron M. mentioned we do not have an I-Net (institutional network) as a result, the cost for Charter Spectrum to operate in town is relatively minimal. Bill T. mentioned we have not had any cable drop issues in 20 years so there has been no maintenance for the cable drops for 20 years and technology is going to change. Are we going to be cellular or IP based. Charter Spectrum sits on our resident's funding for a year so they are actually making money off of us. Bill went on to mention switch digital signal so our channel is not broadcasting 24 hours a day and only transmitting when the channel is accessed through a cable box.

Bill T. mentioned a cable license where the cable provider paid for the IP equipment for the access corporation, probably because of it is much cheaper.

Bill T. said he wants the town to request one channel to be converted to IP HD uplink. Bill Hewig said he will ask Charter.

Attorney Hewig stated, Charter Spectrum said that it is too complicated to move our channel into sequential order. Bill T. said, that's fine.

Channels cannot be locked in. We can however charge a fee to the cable provider for moving our channels when it happens.

Attorney Hewig said as far as the EPG (electronic programming Guide) if we can locate the vendor we can have our channel on the EPG. Bill T. stated, we already have located the 3rd party vendor. Attorney Hewig said if we want it it is a possibility. Attorney Hewig said he will approach Spectrum and let them know we have the third party vendor to see what comes of it.

All current drops will not be moved or removed by Spectrum.

Attorney Hewig discussed the GAR accounting breakdown. Bill T. mentioned for 6+ years we have received this breakdown. The past 2 checks we have not received this breakdown. Attorney Hewig said he will ask about that.

Attorney Hewig said Spectrum does not give senior discounts anymore.

Attorney Hewig said Spectrum does not do liquidated damages anymore. Bill T. asked, what happens if Spectrum violates the cable license again and now there is no liquidated damages? Attorney Hewig said there is a Massachusetts law (not cited) that would remedy the issue. There is also a bond that guarantees their performance and a public hearing.

Discussion about Spectrum asking the town for a report of how the access corporation spent the funding and what is left at the end of the year. Attorney Hewig said we will strike that part out of the license.

Bill T. asked if we will get a draft license from Spectrum to review? Attorney said this is the document and the cable provider will make adjustments. No mention of the ability to review the new proposed license.

Harry said what we need now is the cable license Spectrum is willing to sign for review and then a public hearing.

JP mentioned if Spectrum doesn't respond we would still get funding. Bill T. said not capital, only operations. Bill T. mentioned this is the first time in over 30 years that the cable provider didn't honor the cable license expiration date.

Attorney Hewig requested a meeting date. Harry scheduled a meeting on Wed. June 28, 2023 – 7pm.

It was requested for Bill T. to forward to the town manager, his comments so far about the license.

8:15pm - Motion to adjourn made by Mike Y., seconded by JP C. Unanimous.