

# Cable TV Advisory Committee

## Meeting Minutes

Thursday, July 21, 2022

1. A meeting of the Cable TV Advisory Committee ("Committee") of the Town of Hingham ("Town") was duly called to order by Chairman David Jones on Thursday July 21, 2022 at approximately 7:01 PM. The meeting was held via a Zoom audio-visual conference call.

Mr. Jones commenced the meeting by discussing the Open Meeting Law and communicated the following: "This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording."

Mr. Jones informed the Committee that the meeting was being recorded and will be submitted to Harbor Media for potential use in future programming.

2. Members in attendance were Chairman David Jones, Vice Chairman John Rice and Recording Secretary Michael Leary. New Committee member John Lawler was not able to attend. In addition, President of Harbor Media Laura Burns and Superintendent of Hingham Public Schools Dr. Margaret Adams were also present. Attorney Bill Solomon joined at 7:05 PM to discuss the Verizon license renewal. Executive Director of Harbor Media Michelle Balconi is currently on vacation and could not attend.

Cable TV Advisory Committee members present constituted a quorum. This quorum remained present throughout the meeting. There were no other individuals present.

Chairman Jones welcomed Committee member John Lawler. He asked Vice Chairman Rice to introduce the new member. Per Mr. Rice, John Lawler is a long time Hingham resident that currently manages the Apple Store at Derby Street Shoppes. With his position at Apple, he has extensive experience with technical training and class management/organization. He is also involved with the Hingham Arts Walk and other Hingham community endeavors.

Mr. Jones also introduced and welcomed Dr. Margaret Adams. Ms. Adams recently was hired as the new Superintendent of the Hingham Public Schools. Mr. Jones thanked her for attending and noted that she is welcomed to be a regular attendee or she can appoint someone else to be the representative to the Committee. Dr. Adams stated that she will get back to the Committee regarding who will be the permanent representative.

It was also noted that Committee member Nathaniel Stillman resigned his position.

Finally, President of Harbor Media Laura Burns requested Chairman Jones to modify the agenda order to allow discussion of Harbor Media topics (#4 and #6) to occur in consecutive order. Mr. Jones agreed to the request.

3. The first order of business was a review of minutes from the June 14, 2022 meeting. Chairman David Jones requested comments from Committee members. There were no comments noted.

***A motion was made by Recording Secretary Michael Leary to approve the June 14, 2022 minutes. Vice Chairman John Rice seconded the motion. A roll call of Committee members was initiated and all voting members present approved the motion.***

4. Chairman Jones introduced the first topic relating to CAC/Harbor Media issues. This includes Exhibit #1 (Hingham CAC Requests) incorporated into the minutes as a separate file. Mr. Jones noted that there was one open item relating to a “buzzing” noise on the bulletin boards during broadcast on the cable channels. Per President Burns, a support ticket was initiated with the vendor and the issue was resolved. Vice Chairman Rice agreed that the issue was resolved. Mr. Jones asked whether there is a formal process to notify Harbor Media of issues (IE: “Tickets”). Ms. Burns stated that there is no “Ticket” process. Typically, a call or email is received regarding potential issues. Mr. Jones concluded the topic noting that there were no other items for discussion.
5. The next order of business introduced by Chairman Jones was the discussion of the written checklist for reporting relating to the new Harbor Media agreement with the Town of Hingham (formerly agenda item #6). Mr. Jones updated the Committee that Vice Chairman Rice has been working on refining the checklist. Mr. Jones next inquired to the Committee which items should be prioritized. Mr. Rice responded indicating that the grant process was the most important checklist item. Per Mr. Rice, the development of the grant process is currently being worked on by Executive Director of Harbor Media Michelle Balconi. He then discussed some of the issues regarding the creation of the grant approval committee such as conflict of interest. Specifically, citizens that would be qualified for this committee are also individuals that would apply for grants. Mr. Rice asked the Committee to communicate to Ms. Balconi and himself any potential candidates.

Mr. Rice next provided an overview and goals of the grant process including its origins (Excess reserves at Harbor Media) for the benefit of Dr. Adams. He then discussed a high level timeline of the grant implementation as follows: (1) Hiring of consultants including RFP, preparation of grant production guidelines, budgets and the creation of a three-person grant committee composed of two Hingham residents and one Harbor Media representative, (2) Advertising of grant program in September and (3) Implementation starting in November with the first grants delivered in December.

Discussion ensued regarding the creation of the grant process. Per Mr. Rice, the process should be finalized during the August timeframe. President Burns agreed with this timeline and stated a formal document will be completed by Executive Director Michelle Balconi. Dr. Adams inquired whether teachers and students from the Hingham Public Schools could apply for grants. The Committee preliminarily agreed that these individuals would be eligible. At the request of Mr. Jones and Mr.

Rice, Ms. Burns stated that Executive Director Balconi will provide the Committee with a formal timeline for the grant initiative. Mr. Rice agreed to reach out to Ms. Balconi regarding the request.

A related topic was then introduced by Recording Secretary Leary regarding the new contract with the Hingham Public Schools (Relating to the partial funding of the Media Production teacher position). Dr. Adams stated that she was familiar with the contract and Mr. Leary agreed to send the finalized document for her records. In addition, Mr. Jones agreed to send a document prepared by a former member of the Committee Schuyler Thaxter that provides an overview of the Cable TV Advisory Committee in relationship to the Hingham Public Schools.

Mr. Rice next inquired to Dr. Adams her experience with cable access. Per Dr. Adams, she has significant experience in her previous position with student driven involvement including taping of high school sports, and video production of community and school events. She noted that many of the students' work counted as community service in her previous school system. Mr. Rice added that Harbor Media has equipment, training and other support to assist the students with potential projects.

Ms. Burns left the meeting at approximately 7:25 PM.

After the departure of Ms. Burns, Mr. Rice informed the Committee that Recording Secretary Leary and himself have been reviewing the proposed change in By-Laws recently delivered to the Town of Hingham. A list of observations and potential issues regarding the draft By-Laws have been prepared by Mr. Leary and Mr. Rice, which have been communicated to the Town. He informed the Committee that he participated in a brief meeting with the Town Administrator Tom Mayo yesterday regarding the topic. Town Administrator Mayo agreed to reach out to Harbor Media in the near future within the 45-day deadline comment period (If no comments are received within 45 days, the By-Law changes are automatically approved). Harbor Media is planning on approving the revised By-Laws during their annual meeting in October. Discussion then concluded on the agenda item.

**Action Items: (1) Vice Chairman Rice to request from Executive Director Balconi a formal timeline for the grant initiative (2) Recording Secretary Leary to send a copy of the partial funding of the media teacher position contract to Dr. Adams. (3) Chairman Jones to send overview document prepared by Schuyler Thaxter to Dr. Adams.**

6. Chairman Jones opened discussion on the next agenda topic relating to the Verizon license renewal (Formerly agenda item #5). Mr. Jones introduced Attorney William Solomon who is assisting the Committee on the 5-year renewal with the Town of Hingham. Mr. Jones noted that Attorney Solomon provided the Committee a draft of the agreement referred to Exhibit #2 (Verizon Cable Renewal Contract) incorporated into the minutes as a separate file. He thanked Attorney Solomon for his attendance and asked him to provide an update and presentation to the Committee.

Attorney Solomon commenced his presentation by noting that Verizon has a new negotiation team and he has been working on standardizing the contract referring to Exhibit #2. This has caused some delays. Vice Chairman Rice inquired whether the draft was created by Verizon or Attorney Solomon. He stated that he prepared the

draft and it is similar to the Town of Wareham's which was agreed to by Verizon approximately three years ago. Attorney Solomon noted that the fees in the contract are utilizing standard revenues based upon the cable act with some revisions. Mr. Rice elaborated, for the benefit of Dr. Adams, that there are two cable contracts in the Town of Hingham: Verizon and Comcast. Dr. Adams thanked Mr. Rice for this information.

Attorney Solomon continued that his contract is based upon GAAP accounting at the cable service company rather than the dollar amount contained in the customer invoices. This ensures that the fees are based upon total fees rather than specific line items that could be lower if Verizon charges less for internet or other services. He then discussed the three-year "out" provision in Section 4 where Verizon can give six-month termination notice. Recording Secretary Leary expressed concern and suggested that a nine-month notice was more appropriate. Attorney Solomon agreed. He next discussed the 5% cap on revenues. Discussion ensued including the unlikely event that the cap would be reached, since revenues are 4.85% and there are no "In-Kind" services provided by Verizon (Comcast provides wiring to the schools and Town).

The Committee next discussed the capital revenue. Currently, Verizon pays ½ percent a quarter plus \$19,000 annually totaling approximately \$39,000 to \$40,000 per year (Information provided by Mr. Leary). This is compared to Comcast's capital payment of \$25,000 per year. Both Mr. Leary and Mr. Rice suggested a premium in the next contract is warranted, since Verizon is proposing a shortened five-year contract plus a three-year option to "Opt Out". Discussion ensued including concerns by the Committee of the reaction of customers regarding the potential discontinuation of service. Attorney Solomon suggested a flat capital fee be proposed. After additional discussion including analysis contained in Exhibit #3 (Outline of Upcoming Tasks and Significant Issues) incorporated into the minutes as a separate file, he recommended an initial capital amount of \$35,000 per year (preliminary) based upon approximately \$1 per month per subscriber. This would be paid on an annual basis with the last two years remitted at the end of year three (if the "Opt Out" clause is invoked). Mr. Rice suggested that Attorney Solomon be firm with this proposal regarding capital revenue.

Attorney Solomon then discussed the provision in the current contract requiring that Verizon provide the ability for customers to pay invoices at a Town location. He indicated that this is a provision that Verizon dislikes and potentially could be a negotiating point (Assuming that Town of Hingham residents do not utilize this feature). Mr. Leary asked Attorney Solomon to check whether this provision is currently being utilized by residents. Attorney Solomon agreed to ask Verizon if they have set up this function.

The Committee next discussed the likelihood that the "Opt Out" clause would occur. The general consensus (Mr. Jones and Mr. Rice) concluded that Verizon's exit from the five-year contract would be unlikely. Attorney Solomon then summarized the discussion points and next steps including the following: (1) Update the license for next meeting (2) Create a change document for Committee review (3) Inquire with Verizon as to whether bill payments are occurring at a Town location (4) Updates to the draft license agreement for the \$35,000 flat fee capital revenue proposal and extended termination notice of 270 days. Mr. Jones then confirmed with Attorney

Solomon that the contract expires in April 2023. Per Attorney Solomon, he plans to have the renewal completed well before this deadline. He then suggested a meeting to review the updated license agreement and deliverables in the first week of September.

**Action Item: Attorney Solomon will reach out to Verizon to determine if a bill payment location in the Town of Hingham exists and whether it is utilized. He will also prepare and distribute various documents for the next meeting with the Committee.**

7. Chairman Jones opened dialogue for any other matters. There were no topics brought up for discussion or review.

Mr. Jones proposed the next regularly scheduled meeting to be held on Wednesday September 7, 2022 at 7 PM. Mr. Jones stated that he will send the room and/or virtual room request via Zoom to the Town of Hingham and will distribute the agenda in advance.

8. There being no further business to discuss, a motion to adjourn the meeting was proposed.

***A motion was made to adjourn by Vice Chairman John Rice and seconded by Recording Secretary Michael Leary. A roll call of Committee members was initiated and all voting members present approved the motion.***

The meeting adjourned at approximately 8:12 PM.

Submitted for review to the Cable TV Advisory Committee on July 23, 2022 by Recording Secretary Michael Leary.

Approved by the Cable TV Advisory Committee on September 7, 2022