

Lakeville Cable TV Advisory Committee **MINUTES**
February 16, 2023

Present: Robert Marshall, Tom Cirignano & Walter Healey

Guests: Bill August, Esq.
Jose Invencio, Executive Director, LakeCAM

Location: Zoom Meeting

Call to Order; 1:04 PM

1. Approval of Minutes.

Motion made by Tom Cirignano to approve the minutes of September 15, 2022, and seconded by Walter Healey.

Tom Cirignano-Aye, Walter Healey-Aye, Bob Marshall-Aye

So Voted

2. Verizon Negotiations.

Robert Marshall, Chairperson, stated that the major outstanding issues with the Verizon proposal had been reconciled between Cable Advisory Committee subcommittee with the Verizon representatives.

*****Mr. Marshall reviewed the highlights of the new proposal:** *The following are changes and highlights of this Verizon proposal:*

1. PEG Grant Funding: The annual PEG grant (the largest source of cable funding for Lakeville) will be increased from 4.0% of Gross Annual Revenues (GAR) to 4.75%, which matches that of Comcast's license. Sec. 5.4.1. Our citizens should know that NO TAX MONEY is used to fund LakeCAM.

2. Capital Funding: (largely for equipment) has decreased from \$82,500 to \$62,500 over that 5 year period, but paid out in 4 installments over the first 3 years. This is an annual decrease from our previous V license but an increase from Comcast's \$10,000 per year (vs. V's \$12,500/year), despite V's recent subscriber losses. Sec. 5.3.1.

3. Term of License: Five years only. Try as we might, we could not convince Verizon to accept a ten-year renewal as we did with Comcast. This is an ongoing problem, but, to some degree, it allowed us to make a few gains (eg. Capital \$\$). Having to revisit their license every five years is...a pain, not to mention more costly for us, timewise and budget wise. Sec. 2.3.

4. Definitions: We were able to agree on some necessary definition language of import: Access Designee/Corporation, Public Rights of Way definition, and Service Area, among them. Sec. 1.1, 1.29, 1.34, and 1.35.

5. Termination Generally: Once again, we were unable to convince Verizon to remove this clause which allows them to terminate this license within three years, if they give us six months' notice. We see this as unlikely to happen, but they would not budge (their rationale being that the technology is changing rapidly, and they need the flexibility). Sec. 2.4.

6. Studio-Police Station Interconnection: We were able to strengthen and clarify language regarding the connection equipment used between our present (and future) studio(s) and the police department in terms of obligated Verizon equipment and processes to be used to make those connections. Sec. 5.2.1 and 5.2.2.

7. Customer Service Office: A great deal of time was taken discussing how our subscribers can reach Verizon personnel to help diagnose customer cable troubles and exchanging equipment, along with existing language in our present license. Sec. 7.1

a. More time was taken to confirm the location of the Middleboro Verizon Store (@Trucchi's) and that it would likely remain operational for equipment exchange at that location. Sec. 7.2

8. Service Area Map: The IA/SB can request a copy of a service area map which will be located at a Verizon office no further than 45 miles from Town Hall (Boston). Sec. 1.35 and 8.2.5.

9. Verizon Indemnification: The following section was successfully removed: Verizon had originally requested that the town indemnify Verizon for any damages incurred due to Lakeville's willful misconduct or negligence. V Eliminated Sec. 9.2.3.

10. Performance Bond: In place and still at \$100, 000. Caught a "typo" and correction was made. Sec. 9.3.

11. Public Rights of Way: Much time was taken to explore and discuss Verizon's obligation to provide cable TV service for residents in private developments.

- a. *Important: Given Verizon's corporate position on not being obligated to provide cable TV service to those residents along private ways, it is critical that all builders, developers, and potential home buyers be informed that they "may not" be able to get Verizon cable TV service in their development. After our discussions, V is very aware that we dispute their position.*
- b. *It should be noted that, to date, we are unaware of any difficulties with Comcast in this regard. In the most recent example at LeBaron Hills, Comcast had all stages, old and new, wired and open for sale as soon as they could. Sadly, this was not so with Verizon, BUT we are told that Verizon has finally completed LeBaron's cable wiring and is/or soon will be open for business.*

12. *Change of Laws: Sec. 2.7: We were unable to get Verizon to keep our old language that would provide us stronger support if/when cable laws change and might have helped make our license language survive for a bit longer... to our advantage. Again, Verizon would not move on this issue.*

13. *DTC 3-year prior requirements vs. Verizon's unwillingness to start negotiations prior to 1 year before the expiration date. This made the time frame too compressed and the process more anxious than it should have been.*

14. *On February 16, 2023, the Lakeville Cable Advisory Committee voted to recommend that Lakeville's Issuing Authority, the Select Board, accept and sign Verizon's latest cable license proposal.*

15. *Again, I want to thank Walter, Tom, Jose, Bill, Niall, Chief O'Brien, Ari, Tracie, Christina, and the Select Board for all their*

help. It does take a village, whether we're trying to sign a new cable license...OR run a town, as you all know only too well!

A motion was made by Tom Cirignano and seconded by Walter Healey to recommend to the Lakeville Select Board the proposed new 5 year License Agreement between the Town of Lakeville and Verizon for the Board's review and approval.

Tom Cirignano-Aye, Walter Healey-Aye, Bob Marshall-Aye

3. Adjournment.

Tom Cirignano moved to adjourn the meeting, and Walter Healey seconded it.

Tom Cirignano-Aye, Walter Healey-Aye, Bob Marshall-Aye

So Voted

The meeting adjourned at 1:45 PM.