

A Public Hearing to allow public input on the Adelphia Cable Franchise Contract was held Thursday, June 13, 2002 at 6:30 p.m. at the Brighton Town Hall, Paul Smiths, NY, with the following:

PRESENT: Deputy Supervisor Alicia Bodmer
Council Members: Linda Dobson
John Quenell
Steve Tucker

OTHERS PRESENT: Elaine Sater-Town Clerk

RESIDENTS: There were 3 resident present

ABSENT: Supervisor (Vacant)

Public Hearing was **Called to Order** by Deputy Supervisor Alicia Bodmer at **6:45 p.m. for the Purpose of public input on the Adelphia Cable Franchise Contract with the Town of Brighton.**

Public Notice was published in the Adirondack Daily Enterprise on Thursday, May 30, 2002 and posted at the three local post offices and local businesses and on Town Clerk's Sign Board at the Town Hall.

Mr. Al Sutphen from Adelphia Cable did not appear to answer questions. The residents can present their concerns but the Board is not prepared to answer questions.

The Floor was opened for discussion and this is a summary of the discussion:

Tom Willis-Garondah Road-Rainbow Lake:

Page 1, The Town should not sign the "Where As" clause that starts with "the technical and financial ability of Grantee and its principles". Should put a 1 on this page.

Page 5, 2.01 Last line: "Such consent shall not be unreasonably withheld." Sounds like they mean they want the Town to rubber stamp anything they want to do.

Page 11, 6.01: Schools and Grantor Facilities: There are no public or private elementary and secondary schools in the Town. Could the new library at Paul Smith College be considered a Public Library? Deputy Supervisor Alicia Bodmer stated that when the library was built it was promoted as being for the public to get funding.

Is the Town Hall or Highway Garage more that 150' from the service drop? John Quenell said we would have to measure to determine this.

Page 13, 8.02: Second Paragraph, "Grantee at all time shall keep on file with Grantor a schedule of rates. If at any time any change is made in the schedule of rates...Grantor will always have on file a list of the current charges made to subscribers." Does the town have this on file? Last letter received was 1998.

Page 15, 9.01: Amount is spelled out "three percent" but number reads "0%", should be corrected to agree.

10.01, worded as "Save harmless" as opposed to "hold harmless" is this a legal term? Yes it is.

Page 16, 10.02 Liability Insurance: Does Adelphia carry the minimum or more?

Section 12, Assignment or Transfer and Page 17, Section 13, Enforcement: Does this allow someone to buy the company and assume the contract?

Page 21, Section 15.05, Force Majeure: Third line should read "Act of God" not "Act of Got"

Terry Monteau- Does the current agreement have extenuating circumstances for line extensions to certain areas? This can be put in a contract. John Quenell asked if Mr. Monteau would send a letter to board for line extensions with the legal wording.

There were no further comments from the public.

John Quenell will notify Mr Al Sutphen to see when another Public Hearing can be scheduled.

Motion to Adjourn the Public Hearing was made by Deputy Supervisor Alicia Bodmer at 7:05 p.m., second by Linda Dobson; Aye 4, Vacant 1 (Supervisor)

Respectfully Submitted,

Elaine W. Sater
Brighton Town Clerk