

**PUBLIC HEARING FOR CABLE FRANCHISE AGREEMENT
TOWN OF BRIGHTON - FRANKLIN COUNTY, NY
September 4, 2008**

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A Public Hearing was held on Thursday, September 4, 2008 for the Cable Franchise Agreement with Time Warner, at 6:00 p.m. at the Brighton Town Hall, 12 County Road 31 (a.k.a. Jones Pond Road) in Paul Smiths, NY, with the following:

PRESENT: Supervisor Peter Martin
Council Members: Sheila Delarm, Steve Tucker and Lydia Wright
ABSENT: Jeffrey Leavitt
OTHERS PRESENT: Elaine Sater - Town Clerk
RESIDENTS: There were several residents present

CALL TO ORDER:

The Public Hearing was Called to Order by Supervisor Peter Martin at 6:07 p.m.

NOTICE OF MEETING: Notice of this meeting was posted on August 22 on the Town Clerk's Sign Board and at three post offices and businesses in the Town. It was published in the Adirondack Daily Enterprise on August 22 and 28.

Supervisor Peter Martin opened the floor to comments on the proposed Time Warner Cable Franchise Agreement.

PUBLIC COMMENTS:

Tom Willis: Is there a representative from the cable company here?
There is no representative present

Rouse Fountain: Applied for cable and was told it would cost \$14,00 to get it. He is 500 to 600 feet off the State Highway. He thinks this is an unreasonable fee and everyone in the Town should have the option to have cable TV at their house for a reasonable fee. He is using dial up.

Robyn Burgess: Called to get cable and was told it would be about \$16,000 to get it to her house, she is at the end of the Clark Warner Road. Other services do not have as good reception so she is using dial up.

Bob Eckert: Is not interested in TV but would like internet access. Does not have access to cable in McColloms. From an educational and business point of view the Board should be firm in asking for more people to have access to internet. For businesses to stay viable they need cable to access the internet. Stores need access for inventory management. He and others have consulting firms that move big files. It is expensive to go with another service. There is only one company in town that provides cable access so the Board needs to be creatively stubborn with the company. The cable company needs to be more reasonable. The Board should use its lobbying power with the State and Federal government. Rural America should have the same access as cities to the information highway. Children and businesses are being out competed by those in urban and suburban areas who have instant access. Will be supportive in any way he can.

Bruce Sawyer: Asked about the increase in fees to the Town. He has cable TV, internet access, and telephone. The basic package has been increased and is more expensive.

Sheila Delarm: Spoke with the company when they ran their transmission line from State Route 458 to State Route 30. They said they would have gone through Plattsburgh if the Town had not allowed them to go up State Route 30. They are not interested in giving people access except the ones that had it already with the previous company. If the Town does not agree to sign the Agreement are the Town's residents who have access willing to have it shut off for a while until this is settled. Is willing to work with the company to get everyone access.

Diane Leifheit: The biggest consumer is the College. Are they going to be willing to get their service cut off?

Pat Willis: Would be willing to go without so others can get it.

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Holly Huber: Has a lower speed service “grand-fathered” in at a lower cost. This would cause her to lose it if she had to stop service and restart it.

Bruce Sawyer: It is an insult that there is not a representative here.

Supervisor Peter Martin: Called and left a message with Mary Cotter at the cable company about the hearing.

Bob Eckert: What would the reaction of the Public Service Commission be if the Town did not approve the 3% increase and the cable company shut off service. The line runs right through McColloms and people cannot get access.

Discussion was held on what if the cable company pulled up stakes and left the Town.

Supervisor Peter Martin: There is a fee of 3% of the gross revenues to be paid to the Town. The Town has never been paid a fee before.

Rouse Fountain: Any letters should be sent by registered mail, signed receipt back to the Board.

Bob Eckert: The Town could ask for a higher percentage of fees.

Bruce Sawyer: What will the fees be, what are the gross revenues? Are there any other companies the Town can get a contract with? This company is a monopoly.

Rouse Fountain: Verizon is putting in cell towers, maybe they will be interested.

Bob Eckert: The residents seem to be saying that there are two needs they have before the Town signs a contract. One is reasonable rates and the other is access to the infrastructure. There is a huge amount of data we don't have such as gross revenues. The Town needs to find out if it can bargain and use the leverage to get infrastructure available to all residents. Hold the rates, as much as you can in a commercial society, to a reasonable level.

Steve Tucker: We need a representative from the cable company here

Bob Eckert: The Board needs to contact the Public Services Commission first, Paul Smith College revenues should be easy to obtain.

Supervisor Peter Martin: Will contact Mary Cotter at Time Warner Cable by letter to ask about gross revenues and the Public Services Commission by phone to discuss the contact before the Board meeting on September 11.

Lauren Richer: Will contact Paul Smiths College for the cost of cable at the college.

There were no further comments from the public.

Motion to close the Public Hearing at 6:35 p.m., made by Supervisor Peter Martin, Second by Steve Tucker, Aye 4 (Delarm, Martin, Tucker, Wright), Nay 0, Absent 1 (Leavitt)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk