

**PUBLIC HEARING FOR CABLE FRANCHISE
TOWN OF BRIGHTON - FRANKLIN COUNTY, NY**

April 12, 2012

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A Public Hearing for the Cable Television Franchise was held on Thursday, April 12, 2012 at 6:30 p.m. at the Town Hall, 12 County Road 31, Paul Smiths, NY, with the following:

CALL TO ORDER:

The Public Hearing was Called to Order by Supervisor Peter Shrope at 6:30 p.m.

Recited the "Pledge to the Flag"

ROLL CALL OF TOWN OFFICERS

PRESENT: Supervisor Peter Shrope, Council Members: David Knapp, Brian McDonnell, and Lydia Wright

ABSENT: Council Members Steve Tucker

OTHERS PRESENT: Elaine Sater - Town Clerk

RESIDENTS: Nine residents were present

GUESTS: None

NOTICE OF PUBLIC HEARING: Notice of this public hearing was published twice in the Adirondack Daily Enterprise on Thursday, March 29 and April 5, 2012. The notice was also posted on the Town Clerk's Sign Board and at three post offices and businesses in the Town on March 28, 2012.

Supervisor Peter Shrope said the purpose of the Public Hearing was to hear comments from the public on the Cable Franchise with Time Warner LLC.

The floor was opened to the public for comments.

KerryAnn Cowan-McColloms: Against – has children in High School and Middle School, said that her life has been impacted by the poor infrastructure on State Route 30 in McColloms, there is no internet service and phone service is not reliable. A drop line for cable service was provided near the town line for the old "Meacham Lake Inn" property so she doesn't see why they can't drop another line in the McColloms area. The Town should be in the forefront of providing broadband to the rural areas. There was grant funds available for rural areas but because Time Warner covers the 12970 zip code area so it doesn't qualify for the grant. The Town should provide a "hot spot" so residents can have wireless internet access in the Town.

Devin Cowan-McColloms: Against – said the lack of internet has severely impacted his school work as he has research projects to do. He also could not take the Driving Permit test on line from his home; he had to go out of Town to take the test. Most college applications have to be submitted through the internet.

Gary Cowan-McColloms: Against – there is a pole at the end of his driveway with cable television but Time Warner won't run it into his house. Called the Public Service Commission to ask about a line.

Jeffery Leavitt-Gabriels: Against - It is possible that the people higher up in the company can make it possible to have cable along State Route 30 and other roads in the Town. The Town Board needs to tell Time Warner "No" to the franchise. There was a franchise fee of 3% agreed to by the former Town Board and the Town should be collecting the fee. The franchise has been misplaced and not signed in the past. The length of the franchise is too long based on the speed of changing technology. The fee could be used to set up a telecommunication area like a street lighting district to provide services. Adirondack Broadband could provide service. The transmission line along State Route 30 needs to have drop lines every 250 feet for feeder lines to residents. The line could go a low as 100'. A node has to be put in to reduce the transmission line for household use. The Town Board has the opportunity to make Time Warner provide service. Asked what the people can do to get it going.

Sheila Delarm-McColloms: Against - Would like to know the difference between a "trunk line" and a "drop line". She was told by Time Warner that there needed to be 20 subscribers per 2 miles for a feeder line to be installed. She asked for 40 subscribers in 4 miles. She did a survey of residents and gave that information to Time Warner. She

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asked what the franchise fees were used for. She asked how Beech Hill Camp Road got access to cable. She said all residents should have cable access. The Town should go with fewer years on this franchise. When she was on the Town Board, permission was given to Time Warner to put in a transmission line from State Route 458 to State Route 30. She thinks the Board did a great disservice to the Town by giving permission without getting more for the Town.

Supervisor Peter Shrope said that he has been looking into several options for internet service. He has spoken with Time Warner and the Public Service Commission (PSC). This franchise is for cable television services not internet. It is not an exclusive franchise so other providers could come into the Town. The franchise can be changed at any time. The PSC does not want to go less than 10 years on this franchise. In October 2008 the PSC said the Town cannot make the franchise company provide wide cable service. The Board looks at the franchise fee as a "hidden tax" that goes to the subscribers so the Board removed it. The subscribers have not been charged the fee and the Town has never received any funds from fees. According to Time Warner a drop line can be put in by a contractor, the density of subscribers for good business is 20 per mile. Broadband needs to have line of site to work and the McColloms area has hills and valleys with lots of trees. He spoke at length with Steven Horn of McColloms who has been looking into this issue for some time. The density of homes in the area is the drawback.

Lydia Wright said that Time Warner is within their legal rights to not provide free drop lines in low density areas. She has been asking the PSC about increasing the service every time she goes to the Association of Town's Annual training in New York City. She said Paul Smith's College's library provides a "hot spot" near the library for anyone who needs it 24 hours a day.

David Knapp said a "trunk line" is a "transmission line". He said a petition by the residents on State Route 30 submitted to the Board would give the Board something to take to the FCC and State Legislature addressing the internet issue.

There were no further comments from the floor.

Supervisor Peter Shrope thanked the citizens for coming to the Public Hearing and for their comments.

Motion to Adjourn the Public Hearing at 7:20 p.m. made by Supervisor Peter Shrope, **second** by Lydia Wright, Aye 4 (Knapp, McDonnell, Shrope, Wright), Absent 1 (Tucker)

Respectfully Submitted,

Elaine Sater
Brighton Town Clerk