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**Town of Ayer  
Cable Advisory Committee**

TOWN OF AYER  
TOWN CLERK



**Meeting Minutes for December 13, 2022**

**Attendance:** Scott Kurland (SK), Chair; Jannice Livingston (JL), Vice Chair; Janet Providakes (JP); Julie Murray (JM); Chief Brian Gill (BG)

**Also in Attendance:** Attorney William Hewig (WH), Town Counsel

**Call to Order:** The meeting was called to order at 8:34am by SK.

SK: Due to the ongoing COVID-19 Pandemic, in accordance with Chapter 22 of the Acts of 2022, suspending certain provisions of the Open Meeting Law (OML), public bodies otherwise governed by the OML are temporarily relieved from the requirement that meetings be held in public places, open and physically accessible to the public, so long as measures are taken to ensure public access to the bodies' deliberations "through adequate, alternative means," This meeting will be live on Zoom. The public may participate remotely by joining Zoom [Meeting ID# 813 1850 5727] or by calling (646-931-3860). For additional information about remote participation, please contact Carly Antonellis, Assistant Town Manager at atm@aver.ma.us or 978-772-8220 ext. 100 prior to the meeting.

No prior meeting minutes to approve.

**Review & Discussion of the Board's Comcast proposal, and of Comcast's proposal**

SK: Comcast's proposal was the same of the prior contract, with the date changed. They make clear the \$15,000 or \$30,000 that we ask for equipment or facilities use.

JP: Language also includes PEG related expenses.

SK: To successfully run APAC we need to have as a minimum \$175,000. We should ask Comcast for more money.

WH: The license language is not constraining, the only thing you can do wrong is spend it on non-cable money. They will not care if you happen to take \$1500 from capital grant and apply it to operations. It's still cable related expenditures. Don't think of it in those terms. Be sure that the total package you get is roughly adequate to meet the needs you foresee in the next 10 years, operating and capital grant.

SK: We should ask for the 5%.

JP: Ok, the 5% is what, for a franchise fee for individuals?

JP: The Comcast information says the breakdown of Ownership and Financial Information p82 – Home service area is 4846, Cable subscribers are 2174.

WH: New Information, I'll go back. The math with the current \$150,000 the pass through cost is \$0.57 per subscriber per month, if you go up to \$180,000 it is \$0.68. If we go to 5% and \$180,000 the increase is \$0.55. I don't think the increase is that large.

WH: You can't go higher than 5% with the annual operating grant, that's the cap. But you can go higher with the capital. The license might use words regarding equipment, but you are not constrained by that.

SK: What can we go up to?

WH: You would need to show the cable needs, it looks like \$250,000 would keep you below or at the \$1. I have in my notes the 4.56% is roughly equivalent to \$127,000/year. You can ask for the \$250,000 in equal amounts every year (\$25,000/year), you also can have it paid intermittently, like years 3, 5, and 7. Or 50% and 50%. Assuming you don't have large capital infusion needs, you will be looking at \$150,000 per year for ten years.

SK: Presenting this to the Select Board next week.

JL and JP will attend with SK.

SK: Will present these numbers, and answer any questions at that time, as well as the public hearing on January 18<sup>th</sup>.

JP: Please bring the slide outlining why we need the additional funds.

SK: Will do.

WH: If you go below \$1, keep it closer to \$240,000. You want to be able to show: here's our annual operating budget, here's how we meet that, we get the, say, \$130,000 from 5%, and we'll get an additional \$25,000 a year. So \$155,000 a year for access purposes including capital needs each year. If you are able with that additional budget to improve your staffing or something, like that part time person something like that show that to them.

JL: Keep it high level, and interesting at that level. The public hearing will go more in depth.

SK: Confirming the 18<sup>th</sup> of January 2023 at the high school. It will be video taped. Scheduling our next meeting, two weeks is the 27<sup>th</sup>, but that is a bad week.

JP: Tuesday, January 3<sup>rd</sup> 8:30am

JL made a motion to adjourn. JP seconded. Unanimous vote. The meeting adjourned at 9:06 am.

Meeting minutes recorded and submitted Julie Murray.

Meeting minutes reviewed and approved by the Cable Advisory Committee on January 24, 2023.