

## CABLE TELEVISION ADVISORY BOARD

APRIL 14, 2006

A meeting of the Cable Television Advisory Board was held Friday, April 14 2006 at 8:30 a.m. in the Aldermanic Chamber.

### ROLL CALL

Members of Committee present:      Ed Lecius, Chair  
   Andrew Cernota  
   Charlie Matthews, Library  
   Diane Sweeny  
   Alderman Fred Teeboom  
   Rick Farrenkopf, School  
   Gordon Jackson  
   Dorothy Clarke, Esquire  
   Roger Hatfield, Fire Chief  
   Diane Sweeny  
   Nick Darchik  
   Bryan Christiansen, Comcast

Members of the Committee absent:    Ken Tyrrell

Also in attendance:

### REVIEW AND ACCEPTANCE OF MINUTES

**MOTION BY ROGER HATFIELD TO ACCEPT AND PLACE ON FILE THE CTAB MINUTES OF MARCH 10, 2006**  
**MOTION SECONDED**  
**MOTION CARRIED**

### COMMUNICATIONS

- Communication sent to former Chairman Larry Hersh in response to a letter he sent to Senator Sununu with regard to cable franchising, including the PEG channels

**MOTION BY ANDREW CERNOTA TO ACCEPT AND PLACE ON FILE A COMMUNICATION IN RESPONSE TO A LETTER SENT TO SENATOR SUNUNU**  
**MOTION SECONDED**

### ON THE QUESTION

Alderman Teeboom

Can you synopsise what's in this? I just saw this on my desk. It is written by Senator Sununu to

Mr. Larry Hersh, Chairman of the Nashua Cable Television – I don't know is Mr. Larry Hersh Chairman of a different advisory board?

Ed Lecius

No I believe that was an error. It should be the Nashua Cable TV Advisory Board Mr. Teeboom. Apparently it was a letter that Mr. Hersh had sent while he was chairman of this committee. It essentially dealt with his thoughts on cable franchising, public, educational, and government channels. Senator Sununu is a member of the Senate committee. He's on commerce, signs and transportation. They are considering legislation about telecommunications reform. From what I can glean from it, it had to do with video franchising and other issues related to that bill before the US Senate. At what point Mr. Hersh sent the letter, I do not know. I have been unable to contact him.

Alderman Teeboom

Could you just clarify what is happening? Do you have any idea what's going on?

Ed Lecius

The legislation is still in committee. Beyond that I don't know the exact status of it. When I contacted Senator Sununu's office to try to find out what exactly Mr. Hersh wrote, I was told that the bill he was referring to was still before the Senate. Mr. Christiansen can you shed any light on this? Were you privy to why this letter may have been sent?

Bryan Christiansen

There is a lot of talk down in Washington regarding a national franchising. There are a few bills down there. It certainly seems from reading the letter that Larry wrote about the one in the Senate; there is a campaign on bill in the House. I don't think either bill has passed the full membership of either chamber.

Ed Lecius

I was also in receipt of an e-mail from Mr. Matthews stepping down as the clerk of the committee but maintaining his representation for the Library.

**MOTION BY ALDERMAN TEEBOOM TO ACCEPT CHARLIE MATTHEWS RESIGNATION AS CLERK**

**MOTION SECONDED BY ROGER HATFIELD**

**MOTION CARRIED**

Alderman Teeboom

Mr. Chairman I have a series of communications relating to the next item on the agenda. When do you want me to introduce that at this point or when we get to the next item on the agenda?

Ed Lecius

If you'd like to do that now, that would be fine sir.

Alderman Teeboom

I'll just kind of have to walk it along here one at a time. First of all there's a memorandum from me to Chairman Lecius dealing with the approved draft as I call it. The CTAB Policies and Procedures Manual.

Ed Lecius

If any of the committee members attempted to send anything to me over at the police department the last few days I've been unable to get any incoming e-mails. We are in the process of doing an upgrade and installation of a new server. I apologize if you did send any communications.

Alderman Teeboom

The first one is a formal submittal of this draft to the committee. The next one is the actual approved draft, of which I have 12 copies. This was e-mailed in its current form on Wednesday, but there were only minor changes from earlier drafts. We can go through it. This is not a new document. It's been around now floating around for some time for at least 3 months. That's the next communication.

Rick Farrenkopf

Could I just ask a clarification question? Mr. Teeboom could you just explain what you mean by an approved draft for the committee?

Alderman Teeboom

I was just going to get to it when we get to that item. All I'm trying to do at this point is introduce the communications so we can discuss at the next item on the agenda. The next item that I want to introduce, again, these have been e-mailed to members of the committee. I don't know if everybody gets their e-mail and it was not done in a very timely fashion.

The next one is a legal opinion by Attorney Clarke who is our legal advisory, and I presume will address some of these issues related to questions that I raised. The questions I raised are on the back of the document and it relates to some comments made by the Nashua School District. It deals with questions I raised in the back of that document, and then her response in the front of the document. Again, we can talk about this later. All I'm trying to do is introduce this document. The final document, and this would be the final one I'm introducing, is yesterday after I submitted the approved document I had some comments from the director of services who is in the process of preparing the documentation to hire the PEG program manager and she had some minor comments. I put those comments and there's 3 pages that are extracted from the documents – 15, 16, and 19. It shows in color the red the additions and blue the subtractions that she wanted to make in the documents. Again, we can talk about that. I thought the easiest way to get that to

the committee was just to extract those pages so I didn't have to publish another copy. With that MR. Chairman, those are my 4 documents that should have been introduced.

Ed Lecius

For simplicity purposes, Mr. Teeboom would move that we accept these 4 communications.

**MOTION BY ALDERMAN TEEBOOM TO ACCEPT THE 4 COMMUNICATIONS**  
**MOTION SECONDED BY ROGER HATFIELD**  
**MOTION CARRIED**

OLD BUSINESS

- Proposed Policy and Procedure Manual and 4 communications

Alderman Teeboom

I have one question before I start Mr. Chairman. We have public here. It is up to you. I am moving to approve this document. I'm going to move to approve this document after some discussion. There may be members in the audience that have positions pro and con. Would you like to take that testimony before we discuss that so we can take it into consideration or do you just want to go ahead with the business at hand and then take some public comment afterwards?

Ed Lecius

I will leave it at the committee's discretion if they want public input now before we get into our discussion. Is that the will of the committee? I see a general sense of that. Yes, we will do that. Are there any members of the public here that would like to make comments on the proposed policy which Alderman Teeboom has suggested that he will be moving for approval this morning? If you do have comments, I would ask you that one by one to come forward to the microphone, state your name and address, and make your comments either pro or con.

PUBLIC COMMENT

Dee Hogan

My name is Dee Hogan. I live at 34 Dearborn Street here in Nashua. Thank you for the opportunity to speak before the board. I'm here to speak about the control of the education channel. As a parent of a non-public school student, I don't see how someone from the Nashua public education system can speak to the needs of my child. I think what's important is to not show that there might be a conflict of interest. I'd like the question asked why not someone from BG? That's where my daughter goes rather than the Nashua School District. It shows to me a conflict of interest. I think it should stay in the control of CTAB. Thank you.

Judy Hogan

Good morning. Judy Hogan, 71 Wason Street in Nashua. Thank you for the opportunity to speak

to the approval of the Policies and Procedures Manual whereby the control of the education channel remains with CTAB. It is imperative to the integrity of the operation and management of the education channel that it not be under the control of the Nashua School District or anyone else other than CTAB. This channel must offer equal and independent opportunities to educational programming to all educational institutions in the City of Nashua. To do less is to disenfranchise non-public school students and their respective educational institutions and deny equal opportunity to an educational forum that is paid for by cable t.v. subscribers with franchise fees. It is inconceivable to me that anyone would vote to allow a public school official to have control over program content produced by non-public schools. The Nashua School District should have no greater right to access on the education channel than any other educational institution in our City.

The following is a list of many of the educational institutions in our City. After hearing this list, I hope you will realize that having the office of the Superintendent of Schools of Nashua have control over the content of programming produced by these institutions is needless: Southern NH University, Hesser College, Daniel Webster College, Rivier College, NH Community Tech. College, St. Joseph's School of Nursing, St. Joseph's School of Home and Health Care, St. Joseph's School of Health Occupations, Bishop Guertin High School, Nashua Christian Academy, Nashua Catholic Jr. High School, St. Christopher's Elementary School, Infant Jesus Elementary School, home schoolers. These institutions have a long history of achievements and accomplishments in our City. Their educational program must never be subject to the approval of the Superintendent of Schools.

To subject them to approval of programming by the Superintendent of Schools is to diminish their stature in our community. These educational institutions are held in the highest esteem by most citizens of the City of Nashua. As such, each and every educational institution in Nashua must be given equal opportunity and equal access to the education channel free of control by any one of these. My recommendation is that a Nashua education network be formed reflecting representation from all educational institutions in our City. I would like you to consider the concept of a consortium being formed made up of organizations that develop and deliver educational programs in Nashua. A consortium that will have membership from institutions of higher education, the K-12 system both public and private, and appropriate non-profit organizations that have educational outreach as part of their mission. This will allow the consortium the right to develop policy for the successful operation of the educational access channel.

To allow the control of Nashua's educational channel to be given to the office of the Superintendent of Schools and to ignore the right to equal access to the institutions of higher learning is doing a tremendous disservice to all educational needs in the City of Nashua. We must not discriminate as to the availability of channel time and program content based on whether or not a program is produced by a public institution or a private institution. Equal opportunity for all educational institutions must be protected. The education channel is made possible through the franchise fees paid by cable t.v. subscribers to Comcast. The operation of this education channel falls outside of the operating budget of the school district. Therefore any control of content should fall outside of the control of the School District.

The goals of the Nashua School District should play no role in the governance of the education channel as suggested. This effort by the school district violates the spirit of the Comcast contract. Private schools do not necessarily share the same goal as the Nashua School District. However different they are equal and deserve to be treated equally. Any effort to place the education channel under the direct control of the office of the Superintendent of Schools of the Nashua School District violates the spirit of the Comcast contract. Thank you for your anticipated protection of the rights of all educational institutions in the City of Nashua both public and private as intended in the Comcast contract. Thank you.

Eleanor Casey Crane

My name is Eleanor Casey Crane. I'm a State Representative for Ward 2. I'm a former member of this board, and also I want to mention I'm a former member of a cable board in Lowell about 15 – 20 years ago as well.

A couple things. One is that I'm here to endorse the concept that Judy Hogan has just spoke about having a consortium. I think that would be the best way to go. I think for a long time if you look at the history of these kinds of contracts, as I said I was actually involved in Lowell with some of the work that they did developing their channel, it seemed a natural that the education department at that time would control this type of channel. That's was just when things first started and these channels started first appearing. It seemed a natural. Since then, we have evolved quite a bit in the way that we handle education particularly on the State level. We've had, for instance, this year in the legislature we've had a bill concerning vouchers, a bill concerning school choice, a bill establishing charter schools. Schools by their nature have become more diverse. We seem to see a building more of the competition theory in the education world. We're finding more and more charter schools. More and more home schoolers. More and more of other types of alternative forms of education. So it is no longer sort of a one-size fits all that the education department represents all of the parents or schools. Things have changed in the history of this type of legislation.

I would recommend in the fairness of being able to accommodate all of those growing levels, and we may see more and more of this. I think the other areas are going to be expanding as far as their number of students that we consider a consortium that would represent all of those various types of education in terms of how they are going to be present, how they are going to communicate with the public, and of course the ultimate power there of the television.

The other thing I want to mention is I don't think that the Nashua School Department really has the time to adequately handle this issue. I'm going to give you a brief example of why I believe that. I don't feel the responsibility fairly really should be placed on them. I had a piece of legislation that I was interested in because it impacted Nashua. It was going to give Nashua \$600,000 for a pilot program for alternative education that came up recently. I sat through the hearing 2 or 3 days really of hearings because I wanted to see what was going to happen with the bill and I wasn't sure how I was going to vote on it. I was making up my mind. Unfortunately even though from what I understand, the Nashua School Department was informed by the Mayor's office that this bill was coming up and it was going to give Nashua \$600,000, there was no one there from Nashua. I sat that and waited, and waited, and waited. Finally I called Dr. Earl about 12 o'clock in the afternoon and said hey how come nobody from Nashua has come up and

testified? You're complaining we're not bringing you enough money, but nobody is here from Nashua. She informed me she didn't know anything about the legislation and she would try and get somebody up there by the afternoon. To her credit, she did get somebody up there right away. Two people came up and spoke, which I was glad to see that Nashua had some representation. I ended up actually voting against the bill because it mandated 18 years – people staying in school until they were 18, which had all kinds of other issues that I won't get into now, including taking parent's rights away.

The point is that if they couldn't track legislation, if they didn't have the time to do that when Nashua was going to get \$600,000 and they couldn't send anybody up there of their own volition without being prompted to send somebody, then how are they going to have the time to handle the scheduling of an education channel that is going to have multiple programming challenges, multiple – I just think that we're going to be adding to the bureaucracy of the school department. I think it is an onerous burden that should not be placed on them. For several reasons an impractical nature of how I have seen things operate in the past, I would not like to see this burden put on the school department. Again, that's just been my own experience in working with the school department. I think they do a lot of great things. Unfortunately, they are trying to get the things that they have to get done done. We already see some things slipping through the cracks. To add another burden, another responsibility to that department I don't think would be fair to us or them. Thank you very much.

#### Jack Kelley

Jack Kelley, 12 Skyline Drive. I'm also a member of the Board of Education. But unlike other people who speak for their boards I can only speak for my board when it tells me I can. I'm here as a private citizen. I have several objections to the comments that have just been made and to the proposed policies.

One of my understandings is that there are going to be 5 contact points for this educational channel. If I read the schedule right, Nashua South High School, Nashua North High School, the Nashua district office, Stellos Stadium, and the public library. Four of those points come under the control of the school department. We require our volunteers to undergo criminal record checks and to be approved by the Superintendent of Schools to work in our schools. You are asking for people to come into the school system, to have an office in the Nashua South High School if I understand correctly, and to work in that school. Without having the Superintendent have some authority over who that person is and who is in those schools, I don't see how this is ever going to pass.

The second point I have is I don't believe anyone in the Nashua school system is trying to take over the content of this. I believe we are looking in terms of making sure that there is a balance of content and that this committee that is set up in the procedures allows for that but it does not allow for any input from the Superintendent to the person in charge of this educational channel. That, I think, is something that is sorely lacking here. Thank you.

#### Greg Hoffwood

My name is Greg Hoffwood. I live at 34 Franklin Avenue and I represent private schools. I'm a

high school administrator for a private school in downtown Nashua. I do favor what is being proposed by the ladies before me in terms of not only some concerns about the specific regulation perhaps through the school Superintendent, but also some of the possible solutions. I am concerned that there needs to be a voice for the private schools that does represent a large sector. If you look at the private school citizens, they do pay taxes in terms of the same educational taxes, and we act a very few educational resources in the City. This would be one resource that is a public resource that we could access. I think that we should have some kind of means so that we don't have to go through a public school channel in terms of approval. I did understand what he said, but I do believe that there is a direct management through the Superintendent. There will be some level of control or some level of regulation perhaps that is not proper. I would like some other scheme set up.

Ed Lecius

Thank you for your public comment. Mr. Teeboom would you like to begin the discussion?

Alderman Teeboom

Yes I would Mr. Chairman. Before I get into different documentation, let me just give a synopsis of the draft that we have before us. This draft dated 14<sup>th</sup> of April and is labeled "approval draft" because I used to term final draft previously just to separate out some confusion. The date is 14 April, which is today's date, is the document before you. It supersedes any other previous draft. It says approval draft because I hope to get this passed today and I will address that later on why there's some urgency at this point.

Now if you look at this you'll find that there are comments from many, many sources. I was really quite pleased to see sources within the City, from public comment. One individual sent me a marked up document. I had a telephone conversation with that person. From the school department definitely and I tried to get everybody's comments into this document. I think I accomplished all of that except for one which I will address. I did so because I have myself been in the audience asking to have comments included and some of them discarded. I'll tell you that did not make me happy. So I go out of my way to try to get comments included, especially from the public and wherever else.

In terms of the school department, that gets me to a document that was not introduced but if Mr. Farrenkopf will introduce it later he can do so. That's his comments. But I will just synopsise what I got and Mr. Farrenkopf can go into detail on his comments. A week ago, and you all hopefully via e-mail got a copy of this, received Wednesday, April 5<sup>th</sup>, at 1:35 p.m. about a week ago, received comments which came on top of comments, and detailed comments already received from Mr. Farrenkopf prior, I think all of which I pretty much incorporated. Those new comments came out of a meeting that was held with the Superintendent and the Board of Education the previous night – Monday night, who had reviewed an earlier draft. I presume they had reviewed the draft marked 13<sup>th</sup> of March. They made some comments, and the comments amounted to what I felt personally as the main drafter was not acceptable.

The area in which was commented was in areas of 4.2 called "education channel". I incorporated some of these comments. I'm not saying I discounted them completely. It said the operations

manager will report to the Superintendent of schools and in addition will have a (inaudible) responsibility to the PEG program director. That comment I have accepted. If you look at the back of the document before you there's a chart. It's very easy – I don't have a nice (inaudible) presentation given all the other things that I have been (inaudible) these days. If you look at the back of that chart, it's a nutshell presentation about how the whole management works on this system. If you look to your left there's the education channel. The middle is the government channel, and the right is the public channel in this layout. Unfortunately for the viewing audience, I don't have a chart. Maybe when we get going here we can have a fancier presentation every time we meet.

The point here being that the PEG program director, if you noticed, has a dotted line responsibility to what I now call an education channel access manager. That used to be called operations manager. One of the comments I received was it's really more of an access manager than a business manager. So we've changed the title. That's one of the changes in this document. You can see there's a dotted line responsibility. Administrative only. So the PEG program manager administratively has control of the education channel access manager.

You see there's a solid line connection, which is what was exactly was asked for, to an E channel committee which is made of the consortium of schools. You see the schools listed above there. The non-public schools basically are represented on this committee. Religious schools, charter schools, home schools there's a committee. That was also at the earlier recommendation from the school department that we actually have an education channel committee that guides what goes on the education channel. It makes a lot of sense if you think about it.

That committee is chaired by the Superintendent of schools or his or her designee. I've added that in the document if you've read it. The Superintendent has clearly a dominant position because she or her designee chairs that committee, certainly the Nashua School District is on this committee. That took care, I think, of concerns about who is guiding (inaudible) education access manager. The education access manager takes direction about content on the education channel from this committee. Administratively only. After all, it's hired by the City so the administrative responsibilities are payment, salaries, reviews, performance that goes back to the PEG program director in terms of – and we can talk about how that flows forward up the chair of command. The chain of command in all of this, by the way, you can see very clearly is the education access manager, to the PEG program director administratively. The PEG program director reports to this board and was hired, make it on the agenda, make a report, and he or she operates on our guidance and our direction. From there to the Mayor and the Board of Aldermen who have ultimate responsibility for operation, funding, on top of the (inaudible) citizens of Nashua. So this takes care of concerns you have expressed earlier about who's in charge. Clearly the education consortium is in charge of the education channel.

So let me go further for additional comments from the school department that I did not accept. You do go section 7.1 and 7.2. 7.1 the comment I got from Mr. Farrington were as follows: "decisions around the content of the education channel remains under the exclusive control of the Superintendent of schools through the education manager and the E committee". I didn't like the word "exclusive control". The Superintendent should not have exclusive control over what goes on this channel. So I did not accept that.

The next comment I did not accept was under 7.2, which at that time was called “education channel operations manager” we now call the access manager. It talks here about, and these are some of the things that I have objection to, the operations manager will report to the Superintendent of schools to ensure the direction of content for the educational channel is align with district goals. That doesn’t just give some control, that gives us absolute dictatorial control, which I didn’t think was acceptable. That it is align with district goals. There is more than district goals here. We have schools systems outside the district namely the private schools. They should have an input and not just the Nashua district goals that set the standard of what goes on on this channel.

What I did add to the document is, and I think that it is correct, that the Superintendent of schools makes recommendation about who gets hired for the access manager position but doesn’t have the exclusive control over that person getting hired. In the 7.2 and the comments I received and last week was “the hiring of this person must include the approval of the superintendent of schools. The superintendent will also retain the ability to terminate the professional services agreement, which person has discussed”. Again, I didn’t accept that. I don’t accept the fact that the Superintendent should have control over the hiring and the firing of this person as exclusively. But I have in the new document if you’ve had a chance to look at it is the Superintendent advises on the hiring of this person, can advise on the firing of the person, but it is this board that should control the hiring and firing of personnel, namely the PEG program director, independent contractor when we finally get that person, and the education channel manager. The hiring and firing is ultimately to be under the control of the CTAB board. That’s the way it is written up. So the Superintendent of schools provides recommendations, input, and advice, will be a representative on the selection committee but does not have exclusive control of the hiring or firing.

I did not put anything in here about background checks. Obviously whoever works for the City has to fit City requirements. I know this is a 26-page document. It was not meant to be its own manual. If somebody wants to put in the background checks, I don’t have a problem with that. We do background checks not only for whoever works at the school, but also works in the City. After all, you have access to the public and a very special place in the City because the channel is an important channel. A lot of people watch channel 16. I’m surprised at how many comments from people who watch 16. I suspect many people will watch the education channel. Probably a lot of people are going to watch the public channel when it comes on line. I don’t object to background checks. I don’t have that in here.

That’s a summary of my view on why I did not take those particular comments in place. However, everything else that came in – the E channel, the committee, the advice of the Superintendent, all that got into the document.

Ed Lecius

Questions or comments from the committee?

Roger Hatfield

Question through you, Chairman, to Alderman Teeboom. I’m happy to see that you did address a

lot of the concerns that were said in regards to the subcommittee, and the consortium, and all that. As an alderman, do you feel that we are going to have any problems with the rest of the Board of Aldermen? I look at this as 3 new positions that I'm looking at when you look at the PEG program director, educational channel access manager, and the independent contractor. Do we see any concerns with the rest of the board because of the budget being the way it is? I know how I've been impacted. Are we going to have any problems filling these positions?

Alderman Teeboom

Let me address that question. First of all, as a member of the Board of Aldermen I can guarantee I cannot predict the Board of Aldermen. I try to influence the Board of Aldermen, but I'm 1 of 15 members. As you all know, you've been involved longer than I have with the Board, but this is my second time around, I can't guarantee anything. But in terms of the positions and we are now obviously in a battle for our lives in terms of trying to get this budget under control, the taxes under control in the City, the positions right now – there's the PEG program director, the education channel manager are paid for through the 1 percent franchise fee which is exclusively dedicated – it's the one thing that really came out well out of that contract because it specifically said that 1 percent, and that represents 4 payments of around \$54,000, that represents \$216,000 that is exclusively dedicated into a fund that can only be spent on the G channel and the E channel. Some of the members don't quite understand the funding profile – the fact that this has to be dedicated for that purpose, so it got held at full board.

What the aldermen want to see is this document. This document is going to have to be introduced by resolution and then sent probably to Administrative Affairs Committee. Then I don't know what's going to happen. It might get tabled; it might get debated. I'll certainly try to get it passed. There's no guarantees. The question will come up about the positions. I will make very clear, again, that those positions for the education and government channel are paid from that funding.

Now in the document we are at least initially, and that's one of the comments that were made by the administrative director in the additional pages that I submitted with the color, she wanted to make sure that it emphasized the we're hiring someone as a contractor because she felt constraints in having that person forever work as a contractor, she wanted to add the words "initially" as a contractor. At least I wanted to make it a contract not an employee precisely for that purpose. First of all, this is a new position for us. We want to have some control of the hiring and firing and not have it sit as a merit situation at this point. As you know with all the positions, the positions aren't going to be gone. People are not going to be sympathetic – well that fund was dedicated here, and that fund is not dedicated there. People don't care. They seem to just come and go. I'm sensitive to their political opinion.

The money is set aside. The money is in an account reserved for this purpose. The PEG program director who we want to hire as quickly as we can so we can get going is an independent contractor. Initially means some indefinite purpose – period of time. We'll see how that works out.

Roger Hatfield

My other concern is that I like what you've done. I think that this organizational flow chart is perfect because it allows everybody to see it. Did the committee talk about if we didn't get these positions filled how this system would work? Like a Plan B?

Alderman Teeboom

I'll tell you Chief Hatfield, there is no Plan B. Because this has been stumbling along. We have in the past bought a server. I found out we bought a \$50,000 server. It was done with limited expertise. We have Mr. Jackson trying to fix it on a very limited budget. Basically, it just isn't working. It's not easy. This is a complex City. We're talking about 3 channels. Unlike in Bedford – no a lot of communities have theirs up and running and go nicely. This is a bigger City, more complicated, more diverse opinion. We're certainly well aware of that. Without a focal guiding force, that's full time on the job, not just appear once a month for a couple of hours, make some comments and disappear. Somebody dedicated, committed to making this work, responds back to us with expertise on how to make this work. There's some funding. We got money. We got \$216,000 sitting in a – close to \$150,000 sitting in an equipment account. Hopefully I can break loose the \$108,000 that sits in '06 account to pay for E and G. Then, of course, there's in the '07 budget under the same restricted ties is another \$207,000 for the E and the G channel. All set aside out of that 1 percent.

I should also mention that the 3 percent of the fee is \$650,000, which many of the communities dedicated to cable access television. That \$650,000 is gone in the '07 in what I call the black hole. It's gone. It's a revenue source that winds up everywhere else except on the cable access television. There is zero funding at this point for the public access channel. Not a penny. Even though I asked Mayor Streeter to fund something, he didn't do it. If you look at the account referring to the videographer, the 505 account, you'll find its zero funded in '07. I'm not going to raise my hand and try to get 10 votes of the Board of Aldermen to supplement that part of that budget. I don't quite know if we can do something. I hope that in the E channel as we get it going maybe people see the worth of it, and I can do a mid year transfer from some account to that account. Right now all we can do is run the government channel. We're running it now a little bit better and bring the education channel on line. Without this person, there is no Plan B. I don't know how we would do it. Thank you.

Roger Hatfield

I support that. I think for this system to truly work, you need to have these positions filled in the system. This system has to be funded appropriately. The money is there, and I would encourage this board to continue to support this system. I still have other questions that I'll bring up later but in regard to the concerns that the public had brought up about education, I think that the committee and Alderman Teeboom tried to do everything to identify and correct those.

Mark Sousa

Two things Mr. Chairman. One is yesterday Alderman Teeboom, myself, and Director Lemieux met in my office in reference to these little changes that we made. Out of that meeting, Alderman

Teeboom did make those changes that we talked about initially. From there, just so that everyone is aware, we are moving forward for an RFP for a program manager. We're sending that down to Janice Tremblay and we're going to move forward with that to look out for proposals. So that is moving forward so the committee is aware that out of that meeting, obviously the policies are going to have to be adopted. That shouldn't stop us from moving forward from what the Board of Aldermen and members in this committee have kind of charged this to move forward. So we are moving forward. So some people who think that this is kind of sitting back, I think we've done what we've needed to do. That will be going out soon. We're working on it. It's going to be a working document but it will be going out soon for proposals.

The second part of it is because there is no money in the 505 account under CTAB does not mean that we won't have videographers. They will be funded out of that funds that Alderman is talking about that are dedicated strictly to the channels. I just wanted to make sure everybody is aware of that.

#### Rick Farrenkopf

Before I comment on the educational channel, I just wanted to comment on the Chief's comments and the ones that Mr. Sousa just brought up. The funds are raised by cable bills, and they are dedicated to Comcast. I think there's \$201,000 in equipment and then a yearly sustaining fee to sustain yearly operations. That money cannot be spent on anything else as I understand it. The aldermen chose not to spend it. It does not affect the budget. It does not affect anything in the City. That money would just remain stagnant and do nothing. It is obligated for CTAB purposes as I understand it. Am I correct to understand?

#### Alderman Teeboom

You're correct. It has to be appropriated as I understand it. The attorney can address that. We have not received a vote yet. The '06 money has to – there's \$108,000 in '06. Two payments have been received. That sits now in what I call a CTAB savings account. Only CTAB can draw on that. Right now it is a locked account. The money that Mr. Sousa talked about is there is some '06 505 account, I think there's \$13,000 left after the videographers are paid for. That account lapses in 1 July and then be zero funded. Whatever money is left there lapses back into an escrow and doesn't go into escrow, it goes into what you call fund balance. The body of that is just a holding savings account. Then when it goes into that's left over at the end of year in '07 and 505 account is not funded. The videographers and all those get paid from that new account that pays for the same money that pays for this director's position we're talking about. Yes.

#### Rick Farrenkopf

Just as a follow up, then around the comments from the public and the CTAB so far on the educational channel, as several of us have commented before, Mr. Teeboom did an excellent job. I totally commend him on the development of these policies and procedures. He volunteered to chair a committee to pursue this. We had met and I think had a good working relationship and proceed to go over these. Initially the policies and procedures really had nothing in there around how the school district would interface with the educational channel. There were some concerns

I had around, as the public mentioned, resources within the district and how to accurately spell out how this might work. My vantage point is that it is an exciting opportunity the City has a government channel and at some point in the future would have a public access channel. Hopefully very shortly we'll have an educational channel. I think it's a very good and new and exciting thing that we're moving towards. I had met with the board last year and talked to them about what our thoughts were at the time. Again, the former chairman of CTAB came and actually made the presentation. I was there as a participant on our thoughts on the uses. We talked about basically making our education abilities within the town more available to our community at home whether it be showcasing student work, or sporting events, or perhaps some adult education opportunities that would be transmitted at home, or homework hotlines, or conveying philosophy of education. Basically to be able to bring into the homes of people more information about our educational environment. One of the immediate things would be to start broadcasting; this has been talked about at this committee many times, to start broadcasting Board of Education meetings that aren't always able to be broadcast live because of other conflicting things.

I think the policies and procedures and I think Mr. Kelley represented the concerns that we had at this point so far. I don't think anything that the school district is trying to do in any way violates anything in terms of the spirit of the contract. The contract basically was written or started to be written as I understand it well before I was involved with CTAB. It talks as Mr. Kelley mentioned about have origination points around the City, which are within Nashua North High School, within Nashua South High School, Stellos Stadium, within our district office, and the public library. I'm currently working with Comcast to understand and maximize the abilities of all of that working together in a cohesive way because in the district we've had concerns about we don't want an educational channel that some communities I know have that have lunch menus being broadcast 23 hours of the day and rebroadcast of a Board of Education meeting the other hour. We're hoping to have rich content that addresses the spirit of what we want. We know that is going to take a lot of work and effort.

The idea of having the education committee, if you would, was a concept where it's not just about putting tapes in a VCR. It's also about trying to find content, review content, come up with good ideas that are in the community and within our school district. So we thought of a committee that would include representation from private schools and whomever was interested, including the public library to help with that. I keep coming back to I think one of the things that needs to be here, and apparently isn't unfortunately maybe because of the environment of Nashua and it's financial troubles or whatever which I certainly don't want to get in to, I'm not a citizen of Nashua, but I can definitely relate. What needs to be is a spirit of trust is that within – to me the average citizen in Nashua is going to think of the education channel and think of the school district as being its steward for the most part. That does not mean that the school district expects it to be exclusive control. I believe that there would need to be certain trust amongst the library, and the library, and the school district, and private schools that we all care about the students of Nashua and the community in general and we work collectively to deliver good content.

The concern, to wind up because I don't want to go on and on, that the board had and that Dr. Earl had when I made the presentation to them was that we have a person in the policies and procedures at the time called an educational operations manager whose full-time position, according to the policies and procedures, was to administer – if I can use that word, the

educational channel. It would probably make sense for that person, I know CTAB has not made any decision on that, but it probably would make sense for that person to sit at Nashua High School South where my staff works. That's probably where a lot of the technology that we might buy would want to sit. It would make sense probably for that person to sit there. That person would also interact on a daily basis with Nashua District's staff, students, and other people in the community as well. The concern was that we didn't want a person in there that the Superintendent has really nothing to say about in terms of hiring or firing. The main concern that the Board brought up is they wanted the Superintendent to have more say so if we wanted to hire person XYZ and philosophically Dr. Earl or the Board just didn't think that was the right person, they wanted some more control of that. It's not trying to cut out private schools; the contract did not put origination points at every private school in the City. I think the spirit of the contract was, again, a certain amount of trust that the origination points would logically originate from within our school district but they must include private school content as well. I'm not advocating and the policies don't advocate taking any ultimate authority away from CTAB or ultimately the Board of Aldermen. The franchisee is the Board of Aldermen. They have ultimate control. If the educational committee was not living up to what it was doing in terms of, as an example not listening to one of the private schools who wanted content to be aired and was not participative in listening to their concerns, obviously the CTAB and the Board of Aldermen would ultimately have a say so around that.

I'll wrap up. It was more around the day to day operation and trust of getting content and that the Superintendent wanted more control as stated, because it's very ambiguous I think in the policies, ultimately the Mayor as I understand it would be the only person ultimately who has a say so around the hiring or firing of this person. Maybe the Board of Aldermen. I'm not sure how that works. The superintendent would have absolutely no say so except a recommendation. I'm not sure that gives her the input that she deserves around the educational channel for this community. That's the main concerns really I think at this point. The main concern I have with the document in front of me is it still does not give the Board or the Superintendent enough control on the hiring and firing of that person.

Gordon Jackson

Question for Mr. Teeboom. I presume that what we have here – these are the recent changes that have been made to the final draft? This supplement here now replaces these components?

Alderman Teeboom

Yes. Because I had this document out, I made this up last night. The red is in and the blue is out.

Gordon Jackson

Thank you. I just have some comments I'd like to make. There's a few areas in here that I think that need correction and they are minor. In a couple of spots you have lay on the table twice and one should be take from the table. Those sorts of typos that need to be perhaps looked at and fixed.

My concern with the organizational chart stems from my experience on this board over a period of many years. It seems like we have from our history a wasteland of errors made by this board and other because of their inexperience in the cable or broadcast industry. I'm concerned about what we might call dotted line connections between the program director, the educational, and operations manager, and the independent contractor, and just what those dotted lines represent. My biggest concern primarily is I think from my perspective should work as one large homogeneous operation. As an example of what we have today, we have servers that don't function with the rest of channel 16. We have access points that have been said about the City that are not capable of being interconnected, and so forth, and so on. What I'm trying to get at is just what control does the program director have with experience in order to tie all of this together into one cohesive operation? That is to say our education department now has already started out on a track on defining and putting together equipment and whether or not that equipment will work with other components or should it work with other components within this operation. I'm getting at in terms of its technical capabilities. So is it possible, for example, for equipment A to interface with equipment B, and so forth and so on. I'm wondering whether or not this dotted line connection between these 3 heads if you will is sufficient enough to guarantee that that sort of connectivity and integration takes place.

#### Alderman Teeboom

Let me address Mr. Jackson's comments first and I'll come back to your comments. I think your concerns are taken care of as follows. If you look at page 13 which deals with purchasing, I'm not going to go through the whole thing; it basically adheres to the City's procurement practices. This document got extensive review by Janice Tremblay who not only looked at this from a standpoint of the NRO, the Nashua Revised Ordinances, but also added over and beyond what is in that Nashua Revised Ordinances. That requires all purchases to come through the administrative links. If you look at your organization chart for the education channel, it comes through the education channel access manager. For the public channel it comes through the contractor. In the case of the government channel, it comes directly to the PEG program director. All recommendations through that chain have to come back to CTAB. The money to spend is substantial money. Anything over \$1,000 I believe is the number. CTAB can sign and make it pennies. It has to come back to CTAB for full recommendation. So this board has to decide do we want to buy this equipment? Then there will be discussion. The director recommending why probably gives us a technical view or an operational view to make sure that it is this board's ultimate responsibility that it all fits together.

From this point, it goes back to the administrative director for purchase. So the administrative director does not proceed putting together purchase orders to make a purchase. It does not proceed to make purchases for major purchases greater than \$10,000 without it coming to the CTAB. You see this under, I have an expense report purchases – meaning out of pocket things, small things like tapes. Small purchases are defined to be between \$200 and \$1,000. Medium purchases for the \$1,000 to \$10,000, and major purchases over \$10,000. Furthermore, if the purchase is over \$10,000 it not only has to come through this board, it has to go through the Board of Aldermen's Finance Committee. Anything over \$10,000 has to go to the Finance Committee for approval before it gets the go ahead. I can tell you I'm on the Finance committee, there's very little that goes to that committee that (inaudible) detailed screening.

So in point to your question is it filters through the system. It goes to the program director. It comes to the CTAB, and it filters up the system with your purchase. So that's the check and balance to make sure it all operates together. In the end, we're going to depend heavily on our technical staff being the program director to make sure that mistakes are not made. I don't think we're going to spend hours and hours looking at technical details on this board. So we're going to look heavily for that recommendation.

Gordon Jackson

Thank you Mr. Teeboom. I just hope that in essence functions as you'd like it to. I know, as I've said from our past experiences here, we've struggled mightily over the years and we've made considerable mistakes because there's no sort of guiding influence on how this is going to function together. Decisions are made by people, if I can say this kindly, without **...end of Tape 1, Side A...** I'm wondering about, and you'll have to help me with this and just guide me on this, one of the things I find that I would question is, for example, public access. When you look at that issue over there, there's also a dotted line connectivity to it. My experience with public access is there is a criteria set for who's allowed access to public access? That is to say one need 1) a citizen of the City of Nashua, 2) that you're expected to have certain responsibilities in using and handling equipment, and inasmuch as you're giving somebody a \$5,000 or a \$10,000 piece of equipment to go out on the road and do whatever you will with, how do we as CTAB provide the authority to this independent contractor who is running public access to ensure that they have the appropriate authority to either allow or deny people access? Does that authority have to be granted by the City through some authority or do we pin a little star on this guy and say go ahead and do what you want to do?

Alderman Teeboom

If you look at the description of how the public access works and the independent contractor to get legal separation between the City and public access, we basically set in place the independent contractor who gets hired through a bidding process. That independent contractor has to put in place procedures, which I've also outlined in the beginning in the Appendix dealing with the kind of things that have to be in place for the public access channel. It's fairly lengthy actually. I mean just pull it out. Appendix C starting on page 23 and it deals with some of the issues about public access channel. The public access channel contractor has to develop an operating manual that has to be approved by this board. It has to place certain safe guards. For instance, he has to review the information, the content that independent producers provide, make sure it meets federal guidelines, obscenity guidelines, he's a leader on – when he starts he says we have no liability. He makes a decision. There's indemnity in place for insurance.

Gordon Jackson

Let me interrupt though. Perhaps City Counsel might be better to answer this question. How do we invest that sort of authority and to this independent contractor so that contractor can say to an individual who presents themselves to him you may or you may not do this and what legal authority would they have to say to somebody you can't do that here? Or you don't have the legal right to be here to do that. Do we need to put that sort of language in this document giving

them that authority or how does this all work? I guess that's my question.

Alderman Teeboom

Mr. Jackson before we do – the procedure is that I finish my comments and then you get to (inaudible) through the Chair because we are going by formal procedure.

Gordon Jackson

I'm sorry.

Alderman Teeboom

What I was going to say is that I have put in here a certain amount of information about how this would independently operate. I'll ask the Chair to recognize perhaps the counsel to address this further. The counsel has reviewed this documentation. It is modeled pretty much based – some of this is based upon Manchester's MCAM. In fact, I gave recognition in the footnote. If you look at Appendix C the footnote says the description is based in part on MCAM's contract. MCAM's contract came around because of a law suit in the City of Manchester and they wanted to get legal separation. So I'll ask the Chair to recognize the counsel.

Dorothy Clarke

I think basically the legal authority to the independent contractor would come through the contract that they are going to enter into with the City. The City is going to be under contract with this organization that's going to give them the authority to run this public access channel. As a sort of secondary safeguard, once the independent contractor develops their policies and procedures manual, I believe it's mentioned in here that that would come back to this board and then the Mayor and Board of Aldermen for approval that yes these were the policies and procedures that the public access channel would work under.

Rick Farrenkopf

I just wanted to comment on what Mr. Jackson said originally going back to what the school district is or is not doing. The school district is not buying or looking to buy anything in terms of video equipment for this channel. I wanted to make that clear. We had talked a long time ago and I had actually been part of a recommendation. I won't say I made the recommendation that this CTAB really needs to hold off until this PEG manager is hired. I was with former Chairman Larry Hersh part of as were other members of this board looking at other communities at what they've done correctly and what they've done incorrectly. Obviously we've made a few mistakes that we recognize. So we had thought that what we wanted to do is to wait for the PEG manager to be hired and have interested parties with the PEG manager, which I would be very interested, to again go to other communities, look at what they have done right, what they've done wrong, and then make a recommendation on equipment. So we're not doing anything along those lines. The only thing that I'm involved with right now is that as the contract stated, Comcast was going to hook up these origination points. Comcast contacted me last week because they wanted to move forward with these origination points and they want to have some discussions with me on

logistically how to do that. I echo Mr. Jackson's concerns and I absolutely agree with him in the sense that there are these origination points throughout the City that we're currently trying to understand how they will interrelate and best operate and how we can with as few resources as possible give good control where we need to around the origination. That's the only thing I am doing right now is working with Comcast. They are currently wiring to these origination points. At some point, they are going to need to get into these facilities and they are talking to me about that. That's the only involvement the school district has right now. We're not looking at any intent on buying any equipment. We're waiting for the PEG manager to come on board to obviously participate as he'll be prime focus trying to keep this as one big unit. So I agree with that. I just wanted to clarify that.

#### Mark Sousa

As being part of one of the actual negotiators during the contract with Comcast, the process was always going to be, in our mind when we were sitting down, was once we got to the point of the origination points they would get the wires to the origination point. At that point, a PEG manager or at the time we were just talking about somebody overseeing all 3 channels. It would actually be somebody, hopefully, with the expertise and qualifications that could really move this forward.

I think, Mr. Jackson, we have volunteers if you will doing a lot of what we really believe somebody that is a professional director of whatever title you want to give them that can run this process forward. I think the idea was always to get to the origination points then get somebody in place and to really move this forward.

The last point is that we do have, I think, \$201,000 that's sitting there for equipment. I think when that PEG manager gets in place or whatever the title is, I think that's when we really need to sit down and we'll hear from him or her with the qualifications to move this thing forward. I think that's always been, in my mind, during the negotiations way back when until now. I'm hoping that what happened before won't happen and we'll have that expertise to move forward.

#### Roger Hatfield

I know you guys are all on a different mode than I am right now, but I want to commend Alderman Teeboom and the committee that wrote this draft. The only concern I have – but we've had many conversations at many meetings in regards to channels. Reading through the whole document there's a certain word that is missing – 2 words – emergency management. We had this whole conversation with the public, at CTAB for 3 or 4 years now over what I would call the emergency management educational, whatever you want to call it, channel. At first I was very closed minded. I listened to the director of the Bedford public access channel. I've changed my feelings about it. I feel that there should be some compromise. I've suggested compromising, but I hope that maybe it's an oversight Alderman Teeboom that no where in the document does it talk about the emergency management component. I had made the recommendations that we share the public access channel or that channel together as emergency management and public access, but no where in this document does that say that. I would like to know why?

#### Alderman Teeboom

That's an easy one, and then I'll come back to the school comment. On page 4 deals with

emergency override. In fact I'll be very brief. It says, "a Nashua P, E, and G channel programming made separately or together to be interrupted at any time for the purpose of emergency service bulletins and cable casts that government public service, agencies, and departments in the interest of public health and safety". That's the area. So in the sense it shares it could share any channel that connects you to override any channel. Any one or all of them. If it's an emergency, obviously, you can override all but then people are going to watch all channels or whatever they want to see. You have control over all 3 channels. I presume they're coming from the same broadcast, whatever has to be done. You can now do your training on – I guess you could override that. It just says interest of public health and safety. The way this is structured for sharing, that is scheduled sharing, if that what you've referred. That is not in this document. There is no arrangement that says from 11 o'clock until 2 o'clock is going to be public access, and then from 2 o'clock to 9 o'clock there's going to be emergency access for training purposes. The reason I didn't do that is a) I did see where on the public channel that's really applied. If you have training to be done and you want to use training, which is not directly related to the public health safety as their own personnel, then that's what the government channel is for. That's the way I see it. Basically that's how I've addressed it in this document.

#### Roger Hatfield

Being the easy-going kind of guy that I am, I want to say that if we could follow the model that you've already established with the school's channel in regards to your little subcommittee or consortium and work some type of arrangement on the public access where, again it's flexibility. We have the health department that has a lot of public educational notifications. I'll bring up the Avian Flu as one that's a hot topic right now. The police department has plenty of public community policing type programs. The fire department has it. All the way around is emergency management has educational components that would be a benefit to all citizens. As we've talked about channel 16, we're very limited on the times. If we can use the same model that you've already used on the educational channel for the public access channel, I'd be very open to that and support that. But if we cannot come, I cannot support this document as written until we address that. Again, I'm looking for compromise. I think you guys have done an outstanding job on this document. I have to continue to look and say and speak the same thing I've been doing for 3 to 4 years that we need to have that component available so that we can keep the community safe.

#### Alderman Teeboom

I may now address the school comment and then we can come back and the board can take it.

#### Ed Lecius

Mr. Teeboom if I could indulge you for a moment to hold off on that. Unfortunately I do have to leave to attend another commitment that I was unable to move. But before I do, I'd like to take a point of personal privilege to discuss something that has become a little troubling to me based on some e-mails I've received and some calls I've received. I'd like to make it clear here and now that regardless of what might be being said around this room when other boards are meeting, I have no intention nor have I discussed, nor have I been approached about the PEG manager's position. It is my feeling that I am very happy in the position that I am in right now at the police

department. If the budget situation dictates that that changes, I guess that's a fact of life. I hope that's not the case, but I just wanted to make it clear because I have had individuals who have more qualifications in this area than I do. They've heard that it's greased for me. I want to make it clear that I am not applying. I have no interest, and no one has talked to me nor have I talked to anyone about applying for that position. If I were the least bit interested, the first thing I would do would be to resign as the Chair and as the police department's representative to this committee. I'd just like to get that on the record and make it clear because there have been several members of the Board of Aldermen, and e-mails have congratulated me on my potential new position. I want to make it abundantly clear that I have no interest. If nominated, I will not serve. Thank you and with that I'd like to turn the meeting over to the Vice Chairman. I apologize for having to leave. This is an appointment that was changed once already and the time could not be changed again today. I thank you all and happiest of holidays.

#### Alderman Teeboom

Let me get to the school thing and maybe we can come back to this other thing. On the school thing, let me point to you to page 16. On the bottom of page 16 I think we addressed the concerns about that was expressed by Mr. Farrenkopf. I'll read it. It's very brief. "The superintendent of schools or his or designate will chair an E channel committee which will determine the content to be aired on the E channel and its program guide. This committee will be made up of interested parties from within the Nashua School District and from other private educational institutions within the City at their request. These responsibilities include coordinating nonpublic school programming and public education programming not directly associated with the public school system. The E channel committee shall advise on the hiring of the access manager." (inaudible) that deals with professional services. I'll get back to that in a minute. "The E channel committee, through its designee, will work with the access manager to determine the desired programming. The access manager will work with content providers outside of the Nashua School District to provide them the means to deliver pre-recorded content and make it part of the weekly program schedule." As you can see the way it's written, the E channel committee and the Superintendent of school chairing that committee controls programming. It doesn't say anything about where the manager's office is, as somebody mentioned in the public. I think that is a detail that has to be decided by the committee, in fact. I'd like it to be in the South High School. A great place to be in Nashua, but if the committee decides that's not a good place to be. (inaudible) Yes. Is that person going to be in the South High School or do we want to (inaudible) not addressed in this document. What is addressed as policy and procedure manual is who is in charge. Clearly E channel is in charge.

I want to point one other thing Mr. Farrenkopf. I want to point out the professional services part about the hiring and the firing. 6.5 – professional services talks about how it is done. That is, how does an independent contractor and how is the consultant hired? It's done through the bidding process according to the Nashua Revised Ordinances. That's 248. That describes the whole process. Now it does say on the bottom here – professional service contracts. When it's an individual and when it's a company. "Professional services contract shall contain language that permit the contract agreement to be terminated at any time by the Mayor and (inaudible) contract of all services up to that date." The Mayor has ultimate responsibility of firing. The Mayor, I presume, would take into account all kinds of input according to CTAB. That is to give the individual a certain amount of freedom of fear over influence. I'm not sure the Mayor has sign

off on all firings. The Superintendent signs off on the firing to all the school district.

Roger Hatfield

The same with us. We have our board.

Alderman Teeboom

In this case, so the board in this case is CTAB, I did not think we would want to have ultimate firing responsibility on this board. WE can change that. Right now it's the Mayor. That's the way it is set up. If the board wants to have this ultimate firing capability, we can make that change. This board is a governing board just like the Board of Fire Commissioners, Public Works Commissioners.

Mark Sousa

May I interrupt just a minute Alderman Teeboom. This is an advisory board with the difference between the two is fire commissioners are elected, school board is elected. WE are advisory. So there is a little bit of a difference.

Alderman Teeboom

The police commissioners are appointed. So it's not that we are appointed. You don't have to be elected to be...

Mark Sousa

I understand that. I'm just stating that we're advisory only.

Rick Farrenkopf

The concern that remains, I think, with the Superintendent is the wording says that the E channel committee shall advise. So what that strictly means in the spirit of what's written is that Dr. Earl could express an opinion and it could be totally ignored. I think that's her concern. She would like more control of who that person would be because of her view of the importance of that role and the whole educational channel. It doesn't satisfy that concern as far as I'm concerned at that point. I'm not sure the best wording it would be. I think some of your wording actually was very good in terms of administrative versus operational control or whatever. I still think that's a concern that Dr. Earl and the board have.

Alderman Teeboom

I'll leave that up to this board to vote on. Just on the other point about Chief Hatfield, I guess he's recommending a committee that influences an input into the independent contractor. I guess. So the same relationship between Superintendent of school and the E channel committee, there would be an emergency access.

Roger Hatfield

Maybe we need to reterm or rephrase. I apologize. I should have gotten the floor. We can use any terms you want. Again, emergency access – I have that ability to just pick up the phone and dial a code and I get emergency access any time, any where. Maybe we should be calling this emergency educational or emergency notification because there is a lot of things that we have been talking about for years about how do you get the community educated? How do you get the communication out to the community on where if they have a concern or a question where they can go? That's why one of those mechanisms is television. Another mechanism is radio. We try to utilize those as best as we can. We just need to have a place to go that allows compromised flexibility on when we can get these messages out. The comment has been made multiple times – well you got channel 16. Channel 16 is so structured that it doesn't give us flexibility. That's the dilemma that I'm in. That's why I continue to go back to the public access to work with us. Don't work against us, and let's try to do something that is right for the community.

Mark Sousa

If the author of this document would allow me to add some language that might address what the Chief is stating, and we can put it in as an amendment to this or however we can do it. I just wanted to address – maybe there's a way we can just address it in a vague manner that will allow this to happen with the program director's kind of direction. I don't know if...

Alderman Teeboom

I'm looking for approval today. So if you can come up with some language – if you don't want approval today, we'll have to wait another month. We can do that and maybe that's what we should do. It's just that this document has to go to the Board of Aldermen. The Board of Aldermen said they want to see it before they release any money. So that's the urgency. I didn't know about it until earlier this week that that was going to happen.

Mark Sousa

Well if I could just state the language and if the board feels its okay then we can move forward. If not, I feel (inaudible). In 1.4 emergency override/emergency management/ emergency education – however you want to document it. I would leave the first paragraph alone and the second paragraph I would say something along the lines that the P, E, and G channel programming may also – it's on page 4...

Andrew Cernota

This is referring to page 4, section 1.4.

Mark Sousa

Emergency override/emergency management. Leave the first paragraph alone. The second paragraph I would add something along the lines that the P, E and G channel programming may also separately or together broadcast any emergency service bulletins and cable casts by

government, public service agencies and departments in the interest of public health and safety.

Roger Hatfield

That works for me.

Mark Sousa

I just think that just opens up the door that allows this to happen without any – and you could do it on 3 channels. You could do it one 1, altogether, or separately. Something like that.

**MOTION BY ROGER HATFIELD TO ACCEPT THE VERBIAGE – PAGE 4, SECTION 1.4 – EMERGENCY OVERRIDE/EMERGENCY MANAGEMENT. ADD SECOND PARAGRAPH THAT STATES: THE P, E, AND G CHANNEL PROGRAMMING MAY ALSO SEPARATELY OR TOGETHER BROADCAST ANY EMERGENCY SERVICE BULLETINS AND CABLE CASTS BY GOVERNMENT, PUBLIC SERVICE AGENCIES AND DEPARTMENTS IN THE INTEREST OF PUBLIC HEALTH AND SAFETY  
MOTION SECONDED BY RICK FARRENKOPF**

ON THE QUESTION

Gordon Jackson

I'm perplexed by all of this quite frankly. It would seem that that's redundant. That first paragraph seems to already say that that you can interrupt at any particular time. Secondly as those departments are part of the municipal government, I don't see why they have not accessed to channel 16 at any particular time and can request time whenever they need it or, I think, can make a statement at any time that this needs to go on the air now. I think would be accommodated. I think they have at the present moment they have this access as stated in 1.4. What we're proposing just seems to be redundant. I'm confused by this so help me out.

Roger Hatfield

I think the big buzz word here that confuses everything is emergency. Right now if you look at the word "emergency", every single one of us has our own terminology in our head of what emergency means. By me coming up with an educational program, and again the one that has been hammered on us a lot at the LEPC is the Avian Flu. For me to educate the community on how to protect yourself from the Avian Flu is that considered an emergency? In some people's eyes it is. In others it isn't. So I think what Mark is proposing allows for us the flexibility to put education – because they are educational programs in a light, out there so people know how to protect themselves on a multiple avenues that deal with preparedness. That's why when you use the word "emergency" it clouds things. It scares people. But then if you use the other buzz word "preparedness" it kind of gives a little bit more meaning.

How I read 1.4 right now is that I have a crisis. I have an all steady situation where we have a flood and the rivers are overflowing. That's an emergency. That means I've got to get everybody aware. That's how I read 1.4 right now. The other avenue I gave you is really not truly identified

or addressed.

Rick Farrenkopf

I think I agree with the Chief. That's how I read that. What that is saying to me is that if there is an emergency in the City of Nashua that the public authorities that are charged with our safety can immediately interrupt programming and override. I think this additional paragraph, to me the way I read it when I heard it, says that educational content that addresses public safety could be included in the public, education, or government channel. That's an appropriate place. That would probably be good content for the public and educational channel and the government channel, or all 3 depending upon the importance of it. To me it just adds some explanation that there is a public safety content that could go on any of those 3 channels based on program time, etc. It sounds like it clarifies to me.

Gordon Jackson

I grant you that, but at the same time I don't see anywhere in here that would disallow that. You are authorized as a municipal department. You are authorized as a provider of educational material, and you are authorized as a citizen to use public access. I don't see anywhere in this document that it prohibits you from doing exactly what you are expressing.

Roger Hatfield

Flip the coin. There is nothing in this document that it says it can. That's why we're just putting a very – I think the verbiage that Mark is proposing gives it a little bit more of that both sides of the coin is addressed. It's not harsh where it is direct. I think a lot of people are concerned that I'm going to say or the health department is going to say or the emergency management team is going to say I need to have that channel at x, y, z time on x, y, z date. I'm not saying that. Give us a little flexibility that we can work with everybody. Both sides of the coin are identified and addressed by what Mark is proposing.

Alderman Teeboom

One question. What a straining fit.

Roger Hatfield

Right now most of our emergency management team is being the police, fire, and EMS have private channels that we get through the federal government. We don't need to tie up our cable channels with that.

Alderman Teeboom

I have no problem with it. Some redundancy. There's lots of repetitive redundant statements in this document. If it helps the Chief and clarifies and makes him comfortable, redundant or not I'm not here to – I'm not trying to make this a perfectly 10 commandments. I'm must trying to get this document going. I have no problem with it.

## **MOTION CARRIED**

### Alderman Teeboom

That brings us back then to the final issue about the education channel that's down to the Superintendent. Right now it sits here is the Mayor has ultimate firing control. Not even the CTAB board does. That's the way I feel comfortable with it. I personally do not feel comfortable with the Superintendent having that kind of control on that person being that I can visualize an issue coming up between home schooling, disagreeing with whatever might invoked in the Nashua School District, if there's a conflict the access manager now feels that he has a problem. It's very possible. It could happen. Now the Superintendent says if you don't do what I do I'm going to fire you. I don't like that idea. I want separation. If anything debated in this country right now is creationism as an example versus (inaudible). The creationism is the religious school. They have a new name for it now. I forgot the name.

### Dorothy Clarke

Intelligent design.

### Alderman Teeboom

A rose by any name is still a rose as far as Shakespeare says. The terminology doesn't matter. It's creationism design, intelligent design. It's all the same thing as far as I'm concerned. It's dark matter views on either sides. I don't want the Superintendent to come along and say it's our policy that we teach (inaudible), creationism is the (inaudible) that leads us through. The next thing I know there's no more programming on creationism. Some of my friends would get very upset. I don't want the Superintendent to have that kind of power. Whether it's a mild superintendent or a very strong superintendent like we have now, she is a very strong superintendent in terms of her positions; I just don't this position to be subjected to that kind of pressure.

### Andrew Cernota

Could I just make a brief comment or possible a suggestion? In keeping with the discussion that we heard earlier from the public and from our discussions here, one thing that came to my mind was with regard to section 1.1 on page 3. The third paragraph dealing with the education access channel. Retained from an earlier revision, I believe, the terminology here is that the E channel will be operated by the Nashua School District. I think in light of the rest of the document, in reality the E channel is going to be operated by the City of Nashua as opposed to the School District. While the school district is given their resources and their size, it's certainly going to be an important consumer of time on the E channel. They are not actually going to be the operating entity. I propose that we strike the words "Nashua School District" and insert the word "the City of Nashua".

**MOTION BY ALDERMAN TEEBOOM THAT THE SUBSTANTIVE WORD "NASHUA SCHOOL DISTRICT" IN THE SECOND BULLET OF PARAGRAPH 1.1 REPLACE THE NASHUA**

**SCHOOL DISTRICT WITH THE WORD THE CITY OF NASHUA  
MOTION SECONDED BY GORDON JACKSON**

ON THE QUESTION

Rick Farrenkopf

I guess the discussion I would have is that in various parts of this document it becomes very unclear how things will happen. I think that, again, the spirit of the contract suggests that the school district operate the educational channel but include content from communities where it makes sense to. Obviously the educational channel is not going to include certain content that's not educational in nature. Use this as a silly example, if someone wanted to advertise for their restaurant. That's not going to be on there. I'm sure in some way or shape it dictates that somewhere in the policies. Somewhere there's got to be an understanding that it's got to be appropriate educational content. The idea that the school district is not the prime player in terms of the educational channel I think is silly. I think that the City of Nashua should rely on its school district to "run", whatever that means, its educational channel. Clearly there is ultimate control. Again as I said, back to CTAB and the Board of Aldermen as the Board of Aldermen is their franchisee. We anticipate and would want total cooperation and partnership with these folks, these contractors that we're talking about to work collectively so that we're all making appropriate decisions and spending money that is ultimately citizen money through Comcast in good ways so we've got complimentary equipment, we can participate in help, and we work with the public library, etc., etc. I just think that further clouds the issue and does not clarify the issue....**end of Tape 1, Side B...**

Gordon Jackson

Just to go back to something I said earlier about the school district and the equipment. My intention there in saying that is that the school department has already acquired significant amounts of equipment. Again, I'm concerned about interconnectivity. I wasn't inferring that it would be future equipment; I was just saying that you already have substantial infrastructure already in place and make sure that it all interconnects.

My overall concern is, again from a technical standpoint, because this industry is changing so rapidly and there is so much competition in the industry for standards for protocols from various manufacturers and from various areas. I think it is critical that there be a single control over the entire operation so that those standards and protocols are ensured that at least we have interoperability between all of these various channels. Again, I say that looking at what Chief Hatfield has just brought to our attention. We need to be able to in the case of an emergency, for example, to be able to use all of this for the benefit of the citizens of this community. So that would be my concern for making sure that this whole thing functions together as a cohesive unit. I hate to say this, as we've seen in the past, there has not always been that spirit of cooperation between various departments in the City that we would like to see. That's one of the things that causes me some anxiety over some of the comments that have been said today about how this should be structured. I would definitely encourage us to try and make sure that we try and keep all this operating as a single functionally, cohesive unit under CTAB.

Andrew Cernota

If I might briefly just address Mr. Farrenkopf's comments regarding the proposed amendment. The same section goes on to specify that it would be educational content. So I don't think we necessarily worry about the issues relating to advertising or non-educational content. This would still be reserved for educational content. The amendment is primarily to clarify that the City of Nashua is in fact the franchise authority and would be responsible for the channel under the contract. That was pretty much the extent of my comments.

Roger Hatfield

I think that the amendment that has been posed is to help clean up language so that it can help unconfused things. I think the concern with the superintendent should really be addressed somewhere on page 16 when we get to 7.2. If we can look at that area and find some way of helping this thing pass, because I agree with Alderman Teeboom, we need to get something out of it today so that he can do the work he needs to do with the Board of Aldermen to get this thing rolling. The longer we delay this document from being approved by CTAB, the longer it's going to take us to get this thing rolling. I think the amendment is to help clean up some language. I'm in support of that. The concern about the superintendent's role I think we have to look at page 16, 7.2 and see if there is any area there that we can address that concern. I am in support of the amendment.

Rick Farrenkopf

First of all to Mr. Gordon Jackson's comment. The school district has no infrastructure in place at all to support the educational channel. So I think that's a little bit of a misnomer. We do have video equipment to support the current curriculum. We don't have infrastructure ready to go to be tied in to support this educational channel. So that gets to be a little bit confusing. The clarity, we'll all part of the City of Nashua and we've got language that we just introduced to clarify emergency broadcast for the City and the fire department, which is still the City of Nashua. I think the language that is currently existing is trying to emphasize, which I think is appropriate, that the main player, or the main person, or the main entity that's going to be charged with good content on our educational channel is our school district. I'll go back to, I think, the average citizen is going to look to the educational channel as part of the school district. I think it just helps clarify. Again, in no way are we trying to exclusively control the content. We're trying to as cooperatively as we can given what the contract states and where the origination points are. I don't know what else to do except, as an example, to work with Comcast to help create the best infrastructure that we have within our schools to support the content dissemination and creation. I think this just helps clarify and makes it more clear. I just think changing this language at this point makes me more confused. So I would not be in support of the language.

Andrew Cernota

I've seen several hands go up in the gallery. If the committee will consent, if we could allot some time to hear public concerns. Is there any objection?

Mark Sousa

Mr. Chairman can I make a suggestion that maybe this board convene next week or something? I can't make that motion, but what I'm getting at is we are 2 hours into the meeting and I think there's still some issues. I don't want to hold this up Alderman Teeboom. I'm not trying to do that. I think there are so many questions that are coming out of this thing that we could be here another 2 hours before we even get a document done. I think if we e-mailed concerned to Alderman Teeboom can we reconvene? We don't have to in another month. We can do it within a week. I'm just suggesting that, and I just want to throw that out there.

Roger Hatfield

Just to bring up a point. We have to finish the motion first of all. The second thing is that time is everything. I know next week and the following week we're getting into school vacation. I know that Chairman Ed Lecius is out of town next week. I know I'm out of town next week. This is a very important document to allow for this whole process to continue to move. I am also running out of time. I don't think we've ever seen a meeting go past 10:30. If we're going to continue with this, the earlier of next week – because I think Ed leaves on Friday and I leave on Wednesday, we'd have to do it Monday or Tuesday. We have to get this document done.

Alderman Teeboom

We still have the motion, but I believe we're almost done. The motion before us now we need to resolve. You're looking for comment from the public; I'm not sure what you're looking for.

Andrew Cernota

I noticed that several hands went up when we were talking about the amendments. I assume the comments are...I guess if they are not related to the amendment we'll put them off.

Alderman Teeboom

The comment I would make is I have no problem either way. It doesn't say the P channel is operated by the City of Nashua either. If you look at the next bullet, that was not a big thing in my mind about obviously (inaudible) the City of Nashua. The original language was fine. I wonder why – did some one in the school board have a problem with the language? What motivated you to recommend this change Mr. Chairman?

Andrew Cernota

The feedback that I had received from members of the school board was that the concern was that by having the Nashua School District be the operating entity that we would be taking resources from them that would otherwise be going about their ordinary business as school district employees. This sets this educational channel up as being a function of those employees and would be taking resources and time from them from their ordinary positions without necessarily providing the budgetary support for that.

Alderman Teeboom

I'm going to see now. I'm not sure that person read this document. But the fact that the words change from City of Nashua through there or whatever doesn't change anything about how this thing operates. This is strictly an overview of each of the channels. The way it operates is what the rest of the document is all about. I don't know if that person had actually read the document, but if that's the motivation, I'd just like to stay with the wording we have unless Mr. Farrenkopf has an objection. I don't see what this changing those words really means to us.

Andrew Cernota

If I could briefly respond. I think it also addresses the issue of whether the school district would be the one in control. This seems to be inconsistent with the discussion in section 7.2 and in the 4. (I can't remember the exact subsection) in section 4 where those are described as being under the control more or less of a combination of the PEG director and the educational committee, which would in turn be chaired by the superintendent or her designate. In this particular instance, it is not a direct function of the school district.

**MOTION BY ALDERMAN TEEBOOM TO AMEND BY RESTRIKING THE FIRST SENTENCE**

ON THE QUESTION

Alderman Teeboom

It was not meant to be, and I can withdraw that if there's an objection, that was not meant to designate any notion about who operates what in terms of details. If there's confusion about that bullet and 7.2, then we have a problem because the intent of 4.2 and 7.2 was to get into the management organization – the management model of this thing. That's what section 4 is all about. Section 7 is all about generally who runs what. That bullet was not intended to designate any notion of what operates what. If that's confusing, then perhaps we should strike that first sentence altogether.

Gordon Jackson

I think I could support something like that. If I'm looking at 1.1 to back up what Mr. Teeboom is saying, to me that's explaining what the 3 channels are. The government access channel talks about the City of Nashua, and public meetings, and the public access talks about the public. I think he's just trying in the statements here to explain what the education channel is and if it described that it contained educational content from a variety of sources, including public and private, I think that explains what the channel is all about. I think that that type of change would be more consistent with what he's trying to do.

Andrew Cernota

I think we are in agreement as far as what the intent is here. I think the question is more of one of clarity of expression.

**MOTION BY ALDERMAN TEEBOOM TO AMEND AND STRIKE THE FIRST SENTENCE  
MOTION SECONDED BY DOROTHY CLARKE**

Rick Farrenkopf

I would simply think that it would read better if we just replaced that sentence with something that said the channel is meant to broadcast educational content from a variety of sources for the benefit of its citizens, or something like that. It would just read better than just jump into the appendix. That's generic I think. I think that's the intent of the channel.

Alderman Teeboom

I will clarify my amendment to that point. That is the sentence will be struck and will be replaced with some word. I can't think of it right now as quickly. If someone wants to suggest language we'll move on it right now.

Dorothy Clarke

Perhaps we could just use the language from the definition of the educational channel in the contract with Comcast. E channel is available to educational institutions and/or educators wishing to present non-commercial educational programming and/or information to the public.

Alderman Teeboom

Which paragraph are we reading?

Mark Sousa

It's in the contract.

Alderman Teeboom

Which paragraph of the contract?

Unidentified Male Speaker

Which page?

Dorothy Clarke

It's in the Comcast agreement, page 7. The definition section is section 1.1. It's definition number 17.

**MOTION BY ALDERMAN TEEBOOM TO AMEND MOTION TO STRIKE THE FIRST  
SENTENCE AND SUBSTITUTE IT WITH THE LANGUAGE IN THE COMCAST CONTRACT,  
PAGE 1.1, DEFINITION #17**

Charlie Matthews

If I could also make a comment too as well. There's something confusing in that same paragraph. The last channel says both public and private schools could participate in the E channel and the public library is also included in the E channel as well. So we could either strike that sentence or just stick with educational institutions, which I think would be a broader definition. It would be more inclusive.

**MOTION BY ALDERMAN TEEBOOM TO AMEND MOTION FURTHER BY STRIKING THE LAST SENTENCE AS WELL**

ON THE QUESTION

Andrew Cernota

With the consent of the Board, perhaps we could hear from the public regarding this amendment.

Alderman Teeboom

Is it on this motion?

Andrew Cernota

Yes on this motion.

Roger Hatfield

As long as it is kind of short. I have no problem. As long as we don't...

Andrew Cernota

That's a good reminder for everyone both board members to remember that everyone has other commitments. Mr. Hogan...

Dan Hogan

My name is Dan Hogan. I'd like to point out. The Chief is here representing his position. You have 2 people representing the school department. Since CTAB is not exactly a household word, did anyone invite anybody from Southern NH University to be here to defend their position? This is all new ground that is being laid. Nobody really knows what this education will do. Did anyone invite Hesser College? Did anyone invite Daniel Webster College? How about Southern NH Medical Center? We keep speaking of other educational institutions, private and public as educational institutions, but this is a hospital. I know that they conduct classes in the evening perhaps once a month on generic areas of that hospital operation. All of these things are important and yet no one is here. Was any one of these people that Mrs. Hogan read out – NH University, Southern NH University, Hesser College, Daniel Webster College, Rivier College – did anyone invite them to this meeting? Did anybody ask them to make inputs or inquire what they

thought about the terminology that's being put in here that will determine forever more how this educational channel is used? Did anyone invite them?

Roger Hatfield

To answer Mr. Hogan's concerns. I think the thing you have to look is for – I have been on this committee for about 4 years. The educational channel was talking about our school system, our school network.

Dan Hogan

Maybe that's too narrow.

Roger Hatfield

It was at the point of the contract being negotiated. It was focusing around the educational components about our school system. It has now gotten broader as a lot of people have given us feedback, having given comments to this committee. Everything that we originally talked about in regards to the contract with Comcast has expanded. I think that's good. I think that we have been open minded. I think the City has been open minded and has allowed for this system to expand. In regards to have we brought folks in? These are ideas that have been posed to Alderman Teeboom and his subcommittee over the policies and we've added it in. It's no as you've brought up. We are expanding. I think that for people to wonder why they are not here right now is because it's still very, very new.

Dan Hogan

But that's why it's important for them to get in on the ground floor. There' 2 representatives from the school department here fighting as they should be.

Jack Kelley

I am here as an individual.

Dan Hogan

Fighting as they should be for their interest. But there are other interests out there. I simply want to make sure that everybody is fairly represented. Thank you very much. We're already being told why we can't get certain people into the schools. If that's a limitation, it's got to be overcome. We can't start off the very first thing with reasons why people won't be able to be involved. That will translate later on to why certain programs can't be broadcast.

Andrew Cernota

I'd suggest that many of those issues are not ones that have been addressed by this document and probably will be addressed in the course of the operation of both the education committee and of CTAB over time and would welcome input as time goes along. I think both the invitation to

the other educational institutions will be things that as we establish our policies and go ahead. As you point out, this is new ground for us and we're trying to do the best we can.

Dan Hogan

That's fine. I understand. I just want to make the point that I don't think that everyone was adequately represented. I think Mr. Teeboom has done a great job on this. Hats off to him. There's still perhaps some things that need to be worked in.

Unidentified Male Speaker

Could I make a motion that we vote on the motion and move forward?

Andrew Cernota

There's a motion to move the previous question.

**MOTION TO AMEND THE AMENDMENT IS TO STRIKE THE FIRST SENTENCE IN SECTION 1.1, PARAGRAPH 3, TO INCORPORATE BY REFERENCE THE DEFINITION OF EDUCATIONAL ACCESS CHANNEL FROM THE COMCAST AGREEMENT, SECTION 1.1, DEFINITION #17, AND TO FURTHER STRIKE THE THIRD SENTENCE IN SECTION 1.1, PARAGRAPH 3, TO DELETE THE REFERENCE TO PUBLIC AND PRIVATE SCHOOLS TO LEAVE IT OPEN FOR THE PUBLIC LIBRARY AND OTHER EDUCATIONAL INSTITUTIONS**

ON THE QUESTION

Alderman Teeboom

So we'll strike the first sentence. The first sentence is gone.

Andrew Cernota

Yes. We're striking the first sentence and the last.

Alderman Teeboom

The first sentence is gone and the substation is (inaudible) #7. Thank you.

**MOTION CARRIED**

Andrew Cernota

So the amendment has been amended. So we're back to the original motion to amend.

**MOTION CARRIED**

Andrew Cernota

So Section 1.1 has been amended according to the amended amendment.

Alderman Teeboom

I'd like to finish up with the superintendent question on the firing. I'll defer to Mr. Farrenkopf at this point. We need to get through the (inaudible).

Rick Farrenkopf

The comment I was going to make is obviously with the interest of time, I would ask CTAB to allow us not to make a final vote on this today. I don't believe, and it's obviously up to the Board of Aldermen, I don't believe that this not passing the contract ought to bind them from moving forward. The educational operations mentioned that we're talking about, I think, is somebody that we're not even planning on hiring for a good time to come. The person that we're looking at hiring first is the PEG manager. There's no discussion about concerns with the PEG manager. I'm proceeding with working with Comcast in the spirit of the contract to as efficiently as we can set up the infrastructure within the origination sites to work. I think that as Mr. Sousa mentioned, we can move forward with the posting, and hiring, and whatever their process is of the PEG manager. I don't think all things are stopping because we're not approving this policies and procedures, unless that's kind of an arbitrary decision. So I would like us to not decide on this because quite honestly I sent out my revisions last week so that we'd have a chance to review them. I'm getting these kind of late. I need a chance to review them with the Board of Aldermen.

If I can make one last point, I got a little beat up by my Board of Education because they were concerned why all of this information was sent to all of the aldermen as final drafts before they even heard of it or saw it. We've only met as a policy committee once. I know that we worked very well together. You've done a marvelous job. I can't underestimate that. There's a lot things going on right now that we're trying to decide on the fly. So I would earnestly ask us to take the time to do this the right way. I don't think that stops us from moving forward.

Alderman Teeboom

Unfortunately it does Mr. Farrenkopf, and I would like to move on this one point, get it out of the way, and get it approved. The reason nothing moves at this point. (inaudible) the Board of Aldermen last Tuesday. Just this week, voted to hold the legislation for appropriating the money to hire the PEG program manager not the access manager. It's standing in limbo. Until I get that off the table, the Board of Aldermen, there's going to be no funding. The Board of Aldermen want two things. They made it very clear. One they want this Policy and Procedure introduced, sent to committee, and discussed at the Board of Aldermen. It hasn't been discussed at the Budget Committee at length, but now the full board got involved. This seems to be a hotter topic than I ever imagined it would be. So they want to see the Policy and Procedure Manual, and they are holding up the funding. I think it will be down to this last point of the superintendent's hiring and firing. Delaying this another week or 4 weeks is not going to change that. That's been around now for at least a week. I've asked for Attorney Clarke's opinion on it. It's up to this board to decide on that point. I'd like to move to approve the document as is. I expressed myself a number of times now on the superintendent's control of the hiring if that's the remaining issue –

the firing (inaudible).

Roger Hatfield

I like most of the citizens have watched channel 16 every night. I watched that meeting. The comments that Alderman Teeboom are bringing up are totally correct. That's exactly the message that the rest of the board had given him. So that's why I also agree that this is important for us to get this document moving.

The question I guess I have is that if we were to – because it's still going to go to a subcommittee of the Board of Aldermen, if I'm not mistaken...

Alderman Teeboom

I suspect that will happen.

Roger Hatfield

Could we vote on the approved draft because we know that the aldermen are going to bring it to that committee. There could be potential aldermen points brought up on the document. I'm bringing it up because I've seen that happen before if that is something that would benefit you Alderman Teeboom.

Alderman Teeboom

I would (inaudible) this was approved by the board as is. If the aldermen make changes, they may have problems with this and send this back to CTAB, which we will have to take it up again with our comments. At this point in time, I would prefer seeing the politics that's playing in the Board of Aldermen. I have a document that's been approved. I could save as an introductory letter like this – here's a document. This document has been approved by the board and now we go forward. They have also by the way there's one other thing holding it up. They wanted a budget and they need a separate input. The Board of Aldermen wants a budget on how to spend the \$106,000. Alderman McCarthy was very insistent that I needed it backed up and several aldermen on that. We have to present a budget as well for how we spend the \$106,000. You could say that's pretty simple, but I got a piece of paper you've got to say here's the budget, and I'll have to work with Chairman Lecius on that. I think I'll work with Mr. Jackson on that.

I'd like to go forward on this point. I would at this point like to make a motion if that's in order at this point. Given the addition on the emergency management paragraph, given the addition on the education channel paragraph – most of which I have in writing in reference – I would like to now move that with those changes this document be approved by this board.

**MOTION BY ALDERMAN TEEBOOM THAT GIVEN THE ADDITION ON THE EMERGENCY MANAGEMENT PARAGRAPH, GIVEN THE ADDITION ON THE EDUCATION CHANNEL PARAGRAPH MOVES THAT THE CHANGES IN THIS DOCUMENT BE APPROVED BY THIS BOARD**

**MOTION SECONDED BY RICK FARRENKOPF**

**MOTION BY ALDERMAN TEEBOOM FOR ROLL CALL VOTE**

ON THE QUESTION

Roger Hatfield

If the only component the school is concerned about is the superintendent's role on that position. Is that the only component that you see that they're concerned about?

Rick Farrenkopf

Yes.

Mark Sousa

I would make a suggestion, Rick, that if this does pass today that I agree it will go to committee – probably what Infrastructure?

Alderman Teeboom

Administrative Affairs.

Mark Sousa

Personnel/Administrative Affairs. That's a good position to be in. I think any suggestions or changes that can be made should probably be brought out at that point. I don't know the language right now without really looking at it to make an amendment to this.

Rick Farrenkopf

I just want to cover myself a little bit. I think the main concern the board had with this document as written is what the Chief mentioned. Their concern obviously is having appropriate and a good channel, and the amount of resources that it will take because obviously we have money to pay videographers, but Dr. Earl and the Board's vision of what an educational channel would be will take resources from within the district to make it a quality operation. They did express a concern and have a concern around our limited resources that are already being pulled in adding these responsibilities. So that is still a concern. The main sticking point in the language, I think, is the fact that Dr. Earl's concern is that her view of this person she would like more control.

Charlie Matthews

If I could just make a point as well. I think I want to congratulate Alderman Teeboom for putting so much work into this document. I know that this is holding back the hiring of a program manager and that's very important for this committee. I don't want to rush this document if people are not comfortable with exactly the way it is right now. I think perhaps getting a little more time for people to look at it, to cogitate, and perhaps feel more comfortable with it might be a good thing. That's just my comment.

Roger Hatfield

Again, I'm in that same conflict situation where I really believe we need to move it. I understand not to rush. WE have been under this wave of waiting for such a long time. I do believe that Mark Sousa brought up a valid point. There is one place for language to be brought. I don't have the language here, but I know if it's just that one little piece, we could maybe have the folks from the school work with us on some language, and bring that up when we go to the aldermen.

Alderman Teeboom

I've already done that.

Roger Hatfield

There's got to be a happy medium somewhere here on that one little piece, and I don't know what it is.

Mark Sousa

Rick is there an opportunity here to make – I hate committee and subcommittees, but is there a way that we have the superintendent or her designee, a member of CTAB, and a member of the public interview and be involved in the hiring process of this person?

Unidentified Male Speaker

I think the document already states that that would happen.

Unidentified Male Speaker

It's the ability to say I just don't think this person is going to work out in terms of the hiring particularly. I understand the concern around the hiring. I don't want to be in a position getting down to semantics at this hourly of wording like that because it is very important. I've been on CTAB, I think, for a year and a half. We've been talking about this for a year and a half. It's been on hold; it's been on hold; it's been on hold. We finally got the contract approved. Comcast is now coming in with a lot of technical details finally because I've been asking for a while to understand some of the more – what does connection mean? Now we're getting into that. So we've moving forward in all of those things. Alderman Teeboom has worked very hard putting this Policies and Procedures Committee, and he's drafted it and we've redrafted it. Now at the 11<sup>th</sup> hour, and I hate to do stuff like that, we're going to try to ram it forward because the Board of Aldermen have stated that they want this in order to appropriate funds, which can be used for nothing else but CTAB. In the business of being an alderman, I don't understand their position on that. If we don't hire a PEG manager then nothing is going to happen. Those funds are dedicated to that. If they wanted an explanation of the roles of simply the PEG manager, we could extract what's in there and perhaps approve part of that. I know that Alderman Teeboom is shaking his head. Maybe that's not how they want to operate. I'm not going to be in a position of voting yes at the 11<sup>th</sup> hour on language that just doesn't make sense to me just to satisfy that

makes no sense to me. I plan to vote no on this.

Gordon Jackson

I'll try and choose my words carefully. We've (inaudible) this word "spirit of cooperation" around a lot in this meeting. I think that this committee has worked real hard. I think there is a spirit of cooperation here. We tried to iron out all these details to the benefit of everybody. I think at this point we are asking, again, to show that there is a spirit of cooperation for the benefit of the citizens of this community. I think with that in mind, I would hope that we could move forward and accept what we have here in front of us so that we can proceed.

Alderman Teeboom

Quick question. This is an issue that's not a complex issue. It's a question of hiring or firing on the part of the superintendent. You can form all the subcommittees you want, and you can debate it until the cows come home for the next 5 years. The fact is it's a point of principle. There's a point in life where you have to start making decisions and go forward. This is such a point. Until this document gets approved and gets submitted to the Board of Aldermen nothing happens. There's no guarantee that once it gets to the Board of Aldermen we get public comment again. That committee is particularly known for encouraging comment. Alderman Tollner, the Chair, is very much into comment. It can be amended and certainly the expression can be made. It will come up because there's a lot of debate about, as you know the City just got sued by the Board of Education and they won their case on the salary issue. This is not the end of the subject. I just would like to get this board going. We're caught in something that's almost nothing to do with getting television going. It's got to do with what person controls the firing of a manager. I'd just like to get on with it and let somebody else make that decision. Let this board make a decision.

ROLL CALL

Yes: Alderman Teeboom, Attorney Clarke, Roger Hatfield, Andrew Cernota, Gordon Jackson

No: Charlie Matthews, Rick Farrenkopf

**MOTION CARRIED**

Alderman Teeboom

Procedurally Mr. Chairman I will update this document with the two changes. I will submit it to the CTAB Board – you can check and make sure it's properly in there. It will say CTAB approved document and the date. I'll (inaudible) cover letter (inaudible) submit that to the Board of Aldermen. I will contact the Chair separately long enough for a budget. I don't have time to get a budget back before the full board. Generally my approach to budget this we need a few months funding for the manager and then some equipment that we need to buy. I need to talk to Mr. Farrenkopf about what equipment to buy. That will be the budget. Those two documents will be submitted to the Board of Aldermen. We're done with this document for now. Until the aldermen send this back or if they send it back, they may not send it back after that. They have plenty to

worry about without worrying about all the details in this document. I can guarantee you that. Who knows. This is a hot topic. It may come back here again. Thank you.

NEW BUSINESS - None

DISCUSSION

Mark Sousa

I just want to state one thing to get it on record. Just so everyone is aware, our office has been contacted by Verizon who is running fiber throughout the City. They have indicated that they will eventually meet with us to talk to us about a franchise agreement. They are going to try to get video service to Nashua. No dates have been said. This is very preliminary. I wanted to let the board to know that our office has been contacted. I have been contacted probably 2 or 3 times. SO the board knows that they are thinking about coming down, and they will be sending a franchise agreement or discussing a franchise agreement so the board knows.

ADJOURNMENT

**MOTION BY ALDERMAN TEEBOOM TO ADJOURN  
MOTION SECONDED  
MOTION CARRIED**

The meeting was declared closed at 10:55 a.m.

Committee Clerk Charlie Matthews