

CABLE TELEVISION ADVISORY BOARD

JULY 17, 2006

A meeting of the Cable Television Advisory Board was held Friday, July 17, 2006 at _____ a.m. in the Aldermanic Chamber.

Members of Committee present: Andrew Cernota
Diane Sweeny
Ken Tyrrell
Alderman Fred Teeboom
Rick Farrenkopf
Kelly Dowling, Mayor's Appointee

Members of the Committee absent: Charlie Matthews
Dorothy Clarke, Esquire
Roger Hatfield, Fire Chief
Ed Lecius
Nick Darchik

Also in attendance: Paul Johnson, Citizen Nominee
Dennis Ryder, Citizen Nominee

INFORMAL DISCUSSION

- Search Committee

Andrew Cernota

Ms. Dowling perhaps you would be able to fill us in on the current status of the search for a PEG manager and where that stands.

Kelly Dowling

Absolutely. Thank you Mr. Chairman. I am here unofficially apparently as a member of the public. I can tell you that the search has begun for the PEG manager. That the posting per our rules and regulations internally has taken place in The Telegraph, the Union Leader, and in several on-line forms. We joined an organization called the NHCCM, which is the New Hampshire Coalition for Community Media. They basically are a non-profit organization formed for the purpose of supporting and fostering PEG access television in the State of New Hampshire. They have not only posted our opening on their website, but have distributed it to their massive e-mail list so that, I believe, we got maximum coverage. They have also offered to post it on their national site if we need to cast the net further. I did hear from a candidate in Cincinnati who got that posting. We continue to gather resumes. The process is that we will eventually close the posting,

review the resumes for qualifications, will convene the committee to review them, and then as a committee we will begin the interview process, have the candidates in, agree on a candidate, make the offer, and proceed.

Alderman Teeboom

I have a series of questions on this. First of all how long has it been posted?

Kelly Dowling

I want to say seven days.

Alderman Teeboom

Seven days. I saw the ads in The Telegraph. Can you tell us where it has been posted other than with the newspapers...

Kelly Dowling

The Telegraph and the Union Leader are our traditional places to post it.

Alderman Teeboom

How many resumes have we received?

Kelly Dowling

As of yesterday afternoon at the close of business we received 13.

Alderman Teeboom

Thirteen resumes?

Kelly Dowling

Yes Sir.

Alderman Teeboom

Okay. Let me ask some questions. In the ads it requires a 4-year degree. I don't remember initially talking about a 4-year degree in the initial requirements. Is the 4-year degree and impediment from the resumes you've seen coming in? Is that any kind of impediment of getting qualified candidates?

Kelly Dowling

I'm amazed we had 13 in 7 days. That's a phenomenal rate of return on 2 ads and a posting on line. I'm not familiar with how quickly people respond to ads for other things that we hire for, but that seems like a fairly high rate of return. Whether it would have impeded us from getting 50 resumes I can't say. I don't sense that there is a problem with that requirement slowing down the rate of return.

Alderman Teeboom

Did we ask for 4 years in equivalent experience or do you have to have a degree?

Kelly Dowling

I don't have the posting in front of me. I believe it says you have to have a degree.

Alderman Teeboom

So equivalent experience doesn't count?

Kelly Dowling

I don't know that it does.

Alderman Teeboom

The reason I bring it up is – that's good that we have 13 resumes. We haven't seen them yet. If we decide to waive that requirement, then we have to re-advertise. I was talking to Jane Joyce yesterday. I happened to be in a meeting with her yesterday and we discussed that.

The next thing is when is the search committee going to go into forum?

Kelly Dowling

We'd like to cast as wide a net as possible and allow as many people as possible to send their resumes in to us. If you missed it in The Telegraph and you missed it in the Union Leader but you say caught the posting on line and are planning to apply, we'd like to see those resumes. That posting on line has just happened with this NHCCM this week. I would say that probably by the end of next week we could start to pull together the qualified candidates and look at scheduling her first meeting of that group. There's nothing that says that during that process if a really qualified candidate comes in we can't

introduce them.

Alderman Teeboom

Has Maureen agreed to head up the search committee?

Kelly Dowling

Absolutely. We spoke about it.

Alderman Teeboom

And a search committee has been formed right?

Kelly Dowling

Yes.

Alderman Teeboom

So things are progressing okay.

Kelly Dowling

Yes Sir. We're moving a very rapid clip. I have the full cooperation of our HR Department who notifies me daily of the tally and I try to get in touch with you.

Alderman Teeboom

That's okay. That's an important visible position. We fought very hard to get this thing going. We've had our ups and downs about whether they are an employee or not. It's going to be a merit employee correct?

Kelly Dowling

An exempt employee.

Alderman Teeboom

So he gets full benefits. Okay. That's good information. We got 13. I'm glad to hear that.

- Technical Committee

Andrew Cernota

The other item on the original was the technical committee. I don't see that we have a huge showing from the technical committee, but Mr. Tyrrell has the committee met to discuss – I know you were appointed to the committee but I'm not sure where things stand on that.

Ken Tyrrell

We've had one meeting so far. We haven't really summarized everything formally as to what we covered under that meeting. It was a good meeting with Comcast. They explained their technical layout of their network, how it interfaces with the City. We also discussed potential use of the City's internal network to use for broadcasting from different locations potentially over the municipal network before it interfaced with the Comcast network. That's pretty much where we're at.

Alderman Teeboom

I attended that meeting too. I'm not quite as enthusiastic about the outcome of that meeting as Mr. Tyrrell is. We didn't talk necessarily about the details of any networks or overlaying any network that exists. We talked about basically the wired connections to the various buildings. As it was pointed out the last meeting, 3 of the buildings are wired into the fire department. There is no building said to be an access building, and those are non-government buildings. They are all government buildings. The school is well represented in terms of wired in. The public library is and the fire departments are and of course City Hall at 2 locations. We had some discussion about where do we have a central access point for the purposes of interference on the 3 different channels.

There's a lot of technical details that have to be worked out. The wiring is presented, and I didn't quite understand the chart that was presented, so I had a conference call with Bryan Christiansen and that wasn't all that satisfactory. He's basically not a technical guy. In a follow-up conference call was about an hour with his technical guy who is the installation person. That's a point man from Comcast that does the installation. He is knowledgeable. He explained more details about how the sensing is done at the head end of Comcast when they get different inputs from different sources which you have multiple sources (inaudible) in the middle of a building can all come in at the same time. All at different frequencies or the same frequencies and overlap. He explained that a little bit more. This is not the place to go into that. I hope in the next technical meeting we have much more details about how that works or doesn't work. I'll tell you it can work, but it currently takes telephone coordination to make it work which as we get going I don't think is satisfactory. At least it's a good start of the technical meeting.

I hope when we get the PEG program manager director on board we're going to make him or her the chairman of the technical committee. That person is going to be here all the time and all around all the time. It's hard for us part-timers to walk into the middle of these things. It certainly is for me. It's not the same as being present and have access because we don't necessarily have access at every location either. When you talk to a guy like Ken it's difficult to do when Ken is doing other things during the middle of the day. We don't want to affect the scheduling. I'm looking forward to this guy getting aboard, and when we get him aboard, and leading this whole technical thing get going. At least that was my comment on the technical meeting.

Andrew Cernota

Okay. Thank you.

- Mayor's Appointments
 - Dennis Ryder, Citizen Nominee
 - Paul Johnson, Citizen Nominee

Kelly Dowling

Both of our candidates for the CTAB Board – thank you for joining us this morning. We realize this is early in the middle of the summer. The process is that they go before the Board of Aldermen. They are then approved and moved into the Personnel/Advisory Committee for review. Then a recommendation is made back to the Board of Aldermen for their acceptance. They are currently on the schedule for the July 20th Personnel/Advisory meeting. I have been assured that their paperwork is in tact. I've spoken to both of them about the fact that they are moving forward and that we have their resumes. I will attend the Personnel/Advisory Committee meeting to ensure, even as a member of the public, that these candidates have a smooth transition through that committee. Then they will go to the Board of Aldermen and hopefully be appointed to this board.

Alderman Teeboom

First of all I appreciate Kelly Dowling putting personal attention on this thing as she has more so than the (inaudible). She spends appreciable time pushing it through and getting the description document through so that it goes to Personnel so we can get this posted and get it all done. I've been bugging her, but she's been quite responsive.

I should also mention that also on that same agenda for the Thursday's Administrative Affairs Committee there's a gentleman making a quick presentation. There is the revised O-06-23. I have a copy of it here. You can look it up on the website. If you go to the

website for anybody listening you go to the Nashua City website and you pull up government, aldermen, and then legislation. It's one way to get to it. The other way is through the City Clerk, legislation, and look up O-06-23. There are the changes that are being introduced to that committee and that will be voted on at the full Board hopefully at the meeting thereafter. That deals with a number of cleanup areas. One is the funding and the citation of the account. The most important change is that the program manager is no longer going to be a member of the committee in terms of voting but will attend and brief all technical and all program scheduling issues as a presentation to the Board. Our person on the spot sort to speak. In place of being a voting member, and that's because you can't have an employee working and at the same time under the control of this board and then be a member of this board. It's obviously in violation of conduct regulations. That should have been caught years ago actually. Now that this is going to be a paid position, a merit position, it is especially important that that person be separated from the board as being a voting member.

At the same time and the most important change, and exciting change to me, is the Mayor will have a representative on this board. It's always been a curious factor to me that the aldermen have a representative on that board but the Mayor did not – a voting member even though this board responds directly to the Mayor and the Board of Aldermen. It's an advisory board to the Mayor and the Board of Aldermen. Hopefully this will correct that. It doesn't say Kelly Dowling on this ordinance and it doesn't say administrative assistant on this ordinance. It says the Mayor or his or her representative. It's up to the Mayor to make the – I think the level is introduce that Kelly Dowling is the Mayor's appointed representative at this point. Hopefully that goes forward.

There's an important change, and this is a change that reflects the approved policies and procedures. By the way, the CTAB Policy and Procedures are posted now on the website. If anyone wants to see the document, go to this Nashua website, go to community, go to cable television advisory board, and up pops up 2 or 3 documents, including the Comcast agreement and the policy and procedures manual that we now go by.

Another important change in O-06-23 is introduced, maybe I'm out of sequence in business, it says employees and our contractors who provide services for the implementation and operation of the municipal access channel are functionally accountable to CTAB and administratively report to the Mayor and his or her designee. That's an important change to the ordinance. Because when the rest of this gets approved, this board is an advisory board but no one reports to this board. This says that any contract or employees of work on behalf of community access functionally report to this board. Anything that happens technically and functionally. Administratively report to the Mayor or his designee who presumably it's up to the Mayor again would be the same as the representative on this board. But he can choose to have a different representative do that. That mirrors the policy and procedures manual. I think that is an important

change also to the NRO. It has to be done through the NRO because we function through the NRO, which you call the Nashua Revised Ordinances. That's how we function. If you remember right, the Policy and Procedures Manual – any change in the Policy and Procedures Manual except for parliamentary procedure has to be approved by the Board of Aldermen and the Mayor. We cannot make changes to the Policy and Procedures Manual that prescribes how we conduct ourselves and how we operate. That change can only be made by the Mayor or the Aldermen. It was a specific requirement that was put in during the review of that document. Just as the change in the Mayor and the designee and the administrator, and the functional accountability. All that was approved and specifically requested by the aldermen during the review of the document. Thank you.

Andrew Cernota

I think that covers a number of the things that we can address without requiring a vote. The things on the agenda that would require a vote would be...

Alderman Teeboom

I have one other point – that's the minutes. If I can recommend, the agenda – the policy and procedures you start off with the minutes when we have a formal meeting. Then we review the minutes. Now I must say the minutes are exceedingly well done. Obviously professionally done.

Twenty-three pages and there are some corrections. Primarily the corrections are just understanding the tape, and therefore the transcriber either doesn't understand the tape or gets the words wrong. I didn't go correct all of it, but I did correct the cover page. I do want to make a couple corrections that I'd like to introduce now. The way this would work with our new procedure parliament procedure is when we have a quorum the chairman introduces the minutes and then asks for any comments. We can't change what is said just because you don't like something that was said. Certainly if you look at the minutes interesting discussions – Chief Hatfield and others about the public access channel. We can't change that just because when you said it is said. You can't change that, but you can make a correction if it is wrong.

Let me point just a few corrections on the cover page of the minutes. First of all, and I mentioned this before, and I don't want to be beating this but it says that Kelly Dowling is a member of the committee. It really should say Mayor's appointee to the committee. Then it should also say other members present; we should actually mention members present if you can. It should say Paul Johnson, Citizen Nominee; Dennis Ryder, Citizen Nominee; and we have in this case a member in the audience, but we didn't have (inaudible) last time. She asked our names and then entered them into the record. When they speak it could actually say public comment presented by these people. So

these are the corrections I would like to have made. I have a couple of pages and I'll give them to the Chairman.

I would also like to say that I understand that about 24 pages takes about 4 pages an hour to transcribe as I understand. So you get an idea of the cost. I think Kelly got a pretty good rate on the cost of the transcription. What's nice about having these minutes is we are a public body. We are being watched on television. Hopefully as the other channels take a speed more people get interested in what is being done.

We have a record of what was done, and it is an important public record. It doesn't have to be verbatim. This is practically verbatim transcription. It's like a court transcription. It doesn't have to be verbatim under the Right-to-Know Law, but I think it turns out it is more difficult for transcribers that did not attend the meeting and didn't take notes. It is more difficult for them to summarize what is being said than just transcribe it verbatim. So it is interesting reading to see what you said. Since it is verbatim said, you may not like what you said. You can't change what you said, you can only correct an error – a type-o, inaudible, but you can't take words back that we said. Thank you.

Paul Johnson

One other correction, minor, but the first sentence the meeting was not held in the aldermanic chamber. It was actually held in the conference room. And a question just new to this process. In cases where there actually isn't a meeting held because there isn't a quorum are there still minutes?

Andrew Cernota

I'm not sure if we have a policy on that whether there would be minutes for meetings that didn't have a quorum.

Alderman Teeboom

I can answer that. The Right-to-Know – Dorothy Clarke is not here, but under the Right-to-Know Law you have to keep minutes of meetings public or non-public. We can non-public too. It doesn't matter. You keep minutes public or non-public. They have to be made available to the public if the request was in 5 days or you have to give a reason why they are not available. You also have to have tapes available for a certain length of time. If you don't have a meeting, you don't need minutes. Under the Right-to-Know Law for instance conditions of having a non-meeting like negotiations of collective bargaining agreements. They are taken in non-public or public depending on what the case may be are considered non-meetings and no minutes are necessary.

Discussion with an attorney is usually non-public. They do not require minutes. We don't

have a quorum here. Do we have a quorum now?

Andrew Cernota

I'm just counting to make sure – I think we need 6 for the quorum, so we'd still be 1 short.

Alderman Teeboom

We need half of the membership.

Andrew Cernota

Right. I think the membership currently stands at 11. So it would be 6.

Alderman Teeboom

How many do we have here?

Andrew Cernota

I think we have 5 committee members.

Alderman Teeboom

So as soon as – this is why we need you on the board all of you so we have a quorum. So technically we do not need minutes. If the Chairman wants to make minutes it is optional.

Andrew Cernota

Since we discussed a number of things that would be of interest to the members of the committee and possibly to the public as well, it might not be a bad idea to have these minutes done since it is a fairly short meeting today. It probably won't be that prohibitive, so we should have minutes done on this.

Alderman Teeboom

You can ask for a vote if you wanted to. It seems to me we can do this on the (inaudible) of your authority.

Diane Sweeny

Could you do an attendance so that we will have it on the minutes?

ROLL CALL WAS TAKEN

Alderman Teeboom

I have two more questions. First of all since Rick joined us maybe he has an update on the technical issue. Can we ask Mr. Farrenkopf when he has an update on the technical meeting and the wiring?

Rick Farrenkopf

The wiring at the two high schools and (inaudible) is complete in terms of the points of origination. So we currently have points of origination at Nashua South in the auditorium and in the gymnasium. Then we have points of origination at North in the auditorium, gymnasium, and in the north lecture hall where the Board of Education meets. Then we also have points of origination at district office in the Superintendent's office and in our large meeting conference room. The library I am unaware of. The library feeds in through district office, but I don't know whether – I was told that they did library but I haven't seen it. I was also told they completed Stellos Stadium, which flows in through Nashua South. I haven't seen those 2 locations. So the points of origination are complete. The next steps would be Comcast coming in and putting in some additional equipment, including modulators so that the video feeds could get on to the educational channel.

Alderman Teeboom

Do we have a schedule on the modulators and all of that?

Rick Farrenkopf

I do not have a schedule. I believe the contract stipulates that they need to complete by the end of August. I have to call Comcast today just to give them a quick little update anyway. I'll ask them what their schedule is and I'll send out an e-mail with anything that I find out.

Alderman Teeboom

I have one other question. The last time we met, and it's in the minutes of the 23rd, that Chief Hatfield left but the fire department is supposed to have a representative on this board. That is Chief Hatfield or someone he appoints. Have you as Chairman have any discussions with Chief Hatfield what he intends to do?

Andrew Cernota

Chief Hatfield will stay on the committee.

Alderman Teeboom

He will stay on the committee?

Andrew Cernota

Yes.

Alderman Teeboom

Thank you. That's grand. I'm glad to hear that.

ADJOURNMENT

MEETING ADJOURNED

The meeting was declared closed at _____ a.m.

Committee Clerk