

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

September 20, 2005

A meeting of the Planning and Economic Development Committee was held on Tuesday, September 20, 2005 at 7:00 p.m. in the Aldermanic Chamber.

Chairman David Rootovich presided.

Members of the Committee present: Alderman Richard LaRose, Vice Chair
Alderman David MacLaughlin
Alderman Kathryn D. Vitale

Members Not in Attendance: Alderman Rob Shaw

Also in Attendance:

Chairman Rootovich

Alderman Shaw is away on business.

COMMUNICATIONS - None

UNFINISHED BUSINESS - None

NEW BUSINESS – RESOLUTIONS

R-05-299

Endorsers: Alderman-at-Large Brian S. McCarthy
Alderman Rob Shaw
Alderman-at-Large David Rootovich

ACCEPTING AND ADOPTING THE RECOMMENDATIONS OF THE REPORT
BY MT. AUBURN ASSOCIATES ENTITLED “BEYOND THE CROSSROADS:
POSITIONING NASHUA TO COMPETE IN THE GLOBAL ECONOMY” DATED
JULY 2005

Chairman Rootovich

I will entertain a motion to hold this in committee. Mr. Minkarah has representatives from the Mt. Auburn Associates to be here at our next meeting to go through that document in detail.

MOTION BY ALDERMAN LAROSE TO HOLD IN COMMITTEE
MOTION CARRIED

NEW BUSINESS – ORDINANCES – None

HELD IN COMMITTEE

Resolutions

R-05-270

Endorser: Alderman-at-Large Brian S. McCarthy
Alderman Kevin E. Gage
Alderman David D. Lozeau
Alderman-at-Large James R. Tollner

Authorizing CLarification and CONVEYANCE OF A conservation easement upon certain lands owned by the city of nashua to An appropriate agency; AND AUTHORIZING THE SALE OR LONG-TERM LEASE OF AN APPROXIMATELY FOUR-ACRE PARCEL OF SAID LAND TO THE NATURE OF THINGS, LLC D/B/A SECOND NATURE ACADEMY, SUBJECT TO THE CONSERVATION EASEMENT, In keeping with the provisions for an educational use within the conservation easement, FOR USE AS A PRIVATE ELEMENTARY SCHOOL, PRE-SCHOOL, DAYCARE, AND SUMMER CAMP, ALL WITH AN EMPHASIS ON THE ENVIRONMENT

Ordinances

o-04-19

Endorser: Alderman-at-Large Brian S. McCarthy
AMENDING THE PLANNING AND ZONING ORDINANCES OF THE CITY OF NASHUA IN THEIR ENTIRETY

DISCUSSION

Judy Hogan, 71 Watson Street, requested reconsideration be given to return to committee R-05-271 stating that the proposed agreement does not give equal consideration to the public access channel, does not provide for funding nor for broadcasting location, and lists channels as education access, government/public access channels, and government access channel – treats public access channel differently. She requested further public education be provided concerning this ten-year cable franchise agreement.

Fred Teeboom, 24 Cheyenne Drive, remarked that the question of public access was misleading when posed in the questionnaire that was utilized for public input on the franchise agreement. She stated that Comcast did a very complete survey – although it was a smaller sample, they claim it was statistically accurate. In summary this survey included 72 questions. Of the 72 questions 23 dealt with PEG channels (public, education, and government). Each question explained the acronyms. Education channel came in number 1 as most wanted – 43% supported it. When they found out that you had to pay for it 54% opposed. Public channel came in next with 22% support and 72% opposition. Government came in dead last with only 5% supporting and 92% opposing. Out of all of that up came two government channels, one education channel, and no public access channel. He

believes the process was highly biased.

Mr. Teeboom mentioned that the Board of Aldermen made a change to the contract wherein the public access channel is mentioned. However, it is mentioned as a shared channel. The funding is listed as 1% (each percent is about \$200,000) for the education and government, and no funding listed for the public access channel. He proposed that paragraph 7.2 of the contract dictate 1% for the educational and governmental access and that it add 1% for public access. The remaining 2% can then go to the general fund. Of the 20 communities in the area they all take the franchise monies and put them towards cable television. The second change he suggested was the amount listed for public access be similar to that listed for equipment for education and government (\$201,000). The third suggested change centered around censorship, and keeping the public channel free from censorship – he believes that the management model is that public television be managed by an independent non-profit organization.

In Article 8 where the franchise fees are discussed he believes it ought to say general fund gets 2%, the education/government gets 1%, and the public access channel gets 1%. In Exhibits 4 and 8, he believes there should be access points for the public access channel. As a final point he believes that Article 4.2, which talks about emergency audio alert, should include more than simply audio. It should include video override system so that the fire department has access to all three channels for emergency purposes.

Asked that the committee reconsider the forwarding of the legislation to the full Board and instead make a motion to hold in committee for further review and amendments.

Alderman LaRose questioned whether his belief was correct in that the contract now sits before the full Board, and that the committee cannot reconsider the contract unless the full Board sends it back to committee. Chairman Rootovich assured Alderman LaRose that his opinion was correct.

Mr. Teeboom was of the opinion that since the full Board has not had its second reading of the legislation the committee could reconsider its recommendation.

Dan Hogan, 71 Watson Street, stated the conclusion he has drawn from review of the survey run by Comcast was he couldn't imagine anyone being able to sit through the length of the telephone conversations that took place. Comcast reported that most customers reported they were aware of PEG access programming (75%). He disputes that figure. He urged the committee to review the survey. He made mention the survey stated that 74% were aware of channel 16 and 58% said they watched it at least 10 minutes in the last month. Of those that watch channel 16, 66% said somewhat or very satisfied with the programming of this channel. He disagrees with this figure. He believes that all of the questions were written in such a manner that the desired answer was achieved and reflected favorably on Comcast. He stated that the State requires that the community be informed of this device. He stated that Comcast has a very different opinion of their responsibilities as the cable provider than the people who deal with public access television.

Chairman Rootovich reminder Mr. Hogan that it is in the agreement now that we are going to have a public access channel. Mr. Hogan said that is so, but nothing is written up. Things have to be worked out in advance. Chairman Rootovich stated those issues will be worked out. Mr. Hogan was of the

opinion that those issues should be determined before the agreement is signed.

Mr. Hogan mentioned that in the Comcast survey it asked how many people were aware that 3% of the franchise fee was collected by Comcast and paid to the City of Nashua with a response that 19% were aware prior to be contacted for the survey. He does not feel that this represents an informed public. The survey stated that 87% were opposed to an increase to provide additional funding to the City of Nashua.

Judy Hogan, 71 Watson Street, concerning the shared channels she stated that she has spoken with many of the other media managers throughout our surrounding towns, and they have suggested that if you must have a shared channel the best concept they could come up with would be a government/education channel because a public channel is opinion where a government channel is fact. The sharing of a public and a government channel is in conflict.

Barbara Pressly, 11 Orchard Ave., is excited about what has happened with this issue. She has heard a great level of excitement in the community over this issue. She is hopeful that the Alderman will follow the work that will be done in determining how a public access channel will be run.

Chairman Rootovich stated that the Cable Television Advisory Board addressing this issue is one of the ways it could be handled. There could also be a committee set up by the President of the Board of Aldermen with members of the Board itself and members of CTAB, public, the Mayor's Office, Legal Department or any combination that the President of the Board feels is acceptable to work out all of the things that have been brought up. However, none of this will happen for at least 6 months.

Barbara Pressly, 11 Orchard Ave., believes it is wonderful. She knows of many people who support such an endeavor. She is hopeful that this issue will be opened up to everyone in the community that is willing to be a part of it.

Alderman MacLaughlin thanked the Chairman for allowing for public comment on this issue, which allowed much information to be brought to the committee. His view is that whatever a government body can do to dispense information more broadly, effectively, and inclusively is a health thing. He believes that any concern over content or quality can be addressed through the governance of the public access station.

Chairman Rootovich stated that he fully endorses a public access channel. With regard to utilizing 1% for the operation of the channel, the amount needed for the operation will not be known until after a committee is set up, a manager is hired, and we start putting some of the facts on paper to realize the amount of money needed. This will not take place for at least 6-8 months. The prime time to begin this is during the budget cycle where legislation can be put forth for the running of this channel. A governance mechanism will be discussed as well as everything else that is necessary to put this together. He believes that a lot has been gained by the changes in the document before the Board.

Alderman LaRose echoed the comments of Chairman Rootovich.

ADJOURNMENT

MOTION BY ALDERMAN LAROSE TO ADJOURN
MOTION CARRIED

The meeting was declared adjourned at 7:50 p.m.

Alderman Kathryn D. Vitale
Committee Clerk