



CITY OF PORTSMOUTH, NEW HAMPSHIRE

**CABLE COMMISSION MEETING**  
**City Manager's Conference Room**  
**Tuesday, July 19, 2005**

The Portsmouth Cable Commission met on Tuesday, July 19, 2005 at 4:00 p.m.

**I. Call to Order**

The following were present: Gene Fisk, Chairman  
John P. Bohenko, City Manager  
Louis Vinciguerra, Commissioner  
John Gregg, Commissioner  
Jeff Landry, Commissioner  
Kathleen Pearce

Also present were Alan Brady, City of Portsmouth Webmaster, City Attorneys Bob Sullivan and Suzanne Woodland.

Gene Fisk informed the Committee that at this time he feels he no longer has the time to devote to the work that is involved as Chair. He would still like to be a part of the Commission and work as the liaison and to help wherever he can.

**II. Election of Chair** - City Manager informed the Committee he had previously spoken with John Gregg who has done a lot of work in New York, specifically negotiations of contracts and suggested a motion from the Commission to elect John as Chair.

**MOTION** made by Louis Vinciguerra to elect John Gregg as the new Chair of the Cable Commission. Seconded by Jeff Landry. Motion passed.

The Committee congratulated John who in turn thanked Gene for his many years of service and a job well done. John Bohenko stated that Gene was instrumental in the last few years in getting the Government channel to the point where it is today. When we came here in 1997 the only thing being televised was the City Council meetings. Now all major Boards and Commissions are televised. This has allowed people who cannot get out of their homes to view their City Government. He thanked Gene for staying on the Commission and bringing his experience and knowledge.

Gene then thanked Alan Brady for helping to bring this along in the last year or two.

John Gregg asked the two new members to introduce themselves, and John welcomed them to the Commission. The other commissioners gave a brief description of their background and involvement in this committee.

**III. Public Access Station Discussion** – City Manager stated there has been some discussion within the community and he has received a few telephone calls. There is a request or at least a thought to explore the issue of access TV. Suggested having the Cable Commission authorize starting to research. Stated that he and Alan have made some inquiries but would like the Commission to give the OK to start researching how other communities are approaching this, their by-laws and standards. It is important for people to understand that we would have a 3-channel situation where you have governmental channel which we have now, the others would be education access and a community access. Suggested the Commission authorize the staff to proceed to do research, come back at the August meeting with what we have found. We will be working with the Legal Dept. as well. Sometime in September have a public in-pur session that the Commission could run to see if there is interest from the public in having a community access channel. This is going to take a lot of work and dedication from a lot of people. A non-profit organization is run primarily by volunteers, so this needs to be established, standards need to be dealt with and by-laws written. The Commission needs to discuss all this and eventually make recommendation to the City Council. Does the Commission want the staff to start doing more research and establish by-laws?

John Gregg asked for comments or questions.

John Bohenko stated from his perspective and from what he has seen work, it really should be set up as a non-profit separated out from the Commission. If the commission says ok, City Council endorses it and then the non-profit is established, by-laws are established for non-profit so they can operate. There may be some money from the City to provide to the non-profit to get it going because we do have a franchise fee. The first step is to find the mechanism that has worked best in New Hampshire so that we can find that template and move forward, then gather public comments.

John Gregg stated it would be very helpful to have some sense of concept for discussion for the City, City Council and public.

John Bohenko would like to have a meeting in August, perhaps have a guest speaker from one of the more successful community access channels and if the Commission agrees we will start the process.

John Gregg suggested in doing the research perhaps identifying one or more communities to visit in order to be able to look at the studio and see the kinds of things they produce and discuss their guidelines, policies, etc.

Kathy Pearce stated she has an appointment in Londonderry and will report back. City Manager suggested that such efforts should be coordinated with the Commission since ultimately the Cable Commission and then City Council makes the decision.

Gene Fisk stated before the August meeting we come prepared to explain what the current contract with Comcast will let us do with regard to additional channels.

John Bohenko stated we will look at the contract and be in touch with Comcast. John Gregg pointed out that obtaining the use of additional channels would be achieved through negotiations, and perhaps we are in a stronger position, but there has been no enthusiasm from Comcast in the past to give us the extra channels.

Gene Fisk stated we are probably in a better position now because of Verizon and because the contract we signed with Comcast is for 3 years as opposed to a long-range ten-year contract.

City Manager stated this was a conscious decision by the Commission to do it this way, as we did not want to lock ourselves into a ten-year contract.

Jeff Landry asked if you are talking about a public access that would fall under the present contract if we meet certain programming and guidelines.

City Manager stated this needs to be clarified, do we have the capability in this contract to move forward before the time period is up or do we negotiate it for the next period or will they amend the contract to allow us to have it?

**MOTION** made by Gene Fisk to proceed as discussed with research and report back at the August meeting. Seconded by Louis Vinciguerra. Motion passed.

#### **IV. Financial Statements:**

City Manager presented the Committee a spreadsheet showing totals for the year. The City receives a 5% franchise fee from Comcast paid quarterly. 2004 we received \$265,000 in revenue, and up to the third quarter of the year we received \$218,000. If we go forward with the community access TV channel the Cable Commission may want to suggest to the City Council that received money be shown as an expenditure in the budget with an expenditure of some amount to subsidize community access TV as we presently do for our Channel 22 producers, probably about \$9,000 a year.

City Manager suggested before going into non-public session, to suspend the rules and allow the persons present to introduce themselves and offer them to speak.

Brian Gregg introduced himself and expressed his interest in the public access channel. Asked the Commission if the City is in contact with Communication with Alliance for Community Media and National Association of Telecommunications Officers and Administrators, two organizations in the business of assisting in obtaining best channels with cable companies. City Manager stated we would be in touch with them.

Shawn Rafferty stated he is interested in finding out what was going on as far as a possible community station and to see if one were to be set up what the rules and guidelines would be.

City Manager informed them the next meeting will be posted on the Web. It was decided that the meeting would take place Thursday, August 18<sup>th</sup> at 4:00 p.m. so that there will be time to collect data and put it together, and set up a time in September for an evening meeting for public input.

John Gregg suggested contact numbers for members as well. The members wrote down their e-mails and Elaine will forward to the members via email.

John Tabor was also present and stated he was in support of public access.

The members thanked them for being present.

**MOTION** made by Jeff Landry to close the public session and go into the non-public session. Seconded by Louis Vinciguerra. Motion passed.

**IV. Non-public Session:**

Non-Public Session closed.

**MOTION** made by Gene Fisk to adjourn. Seconded by Jeff Landry. Adjourned at approximately 4:55 p.m.

Respectfully submitted,

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Elaine E. Boucas