

BOARD OF SELECTMEN SPECIAL MEETING
Minutes
MONDAY, DECEMBER 29, 2014
@6:00 P.M. TOWN ADMINISTRATOR'S OFFICE – TOWN HALL

Chairman Leo Janssens called the meeting to order at 6:00 p.m.

Present – Leo Janssens, Chair, Duncan Phyfe, Member and Doug Briggs, Town Administrator.
Nick Davis, Clerk was absent.

Doug Briggs gave a brief overview of the negotiations and advised the Board to vote a PRELIMINARY DENIAL OF CABLE LICENSE per the recommendation of William Solomon, Town Counsel. ***Duncan Phyfe made the motion as recommended by the Town Administrator and Leo Janssens seconded. Vote was unanimous.***

At 6:32 p.m. Duncan Phyfe motioned to adjourn and Leo Janssens seconded. Vote was unanimous.

Respectfully submitted,
Doug Briggs, Town Administrator

Sylvia Turcotte

From: William H. Solomon <attywhs@comcast.net>
Sent: Saturday, December 20, 2014 1:21 AM
To: Doug Briggs; Sylvia Turcotte
Subject: RE: Preliminary Denial
Attachments: Ashburnham Preliminary Denial of Cable License sent 12.20.14.rtf

Doug

Hello. I have attached the document which the Board should use for its motion to issue a friendly "Preliminary Denial" of the cable license in order to protect the interests of all parties, including the Town.

Please have the Board use this document for its motion.

As mentioned, Westminster is scheduled to vote the same this coming Monday evening.

The vote should take place by December 30th.

As discussed, this vote and the Preliminary Denial, is simply to protect the Town's interests in the event under circumstances not likely to occur.

As you are aware, the parties have an understanding of the basic financial terms of the next renewal licenses. (I will provide a brief written update of those terms, which we have discussed, going forward.

The issue which we are trying to resolve is the build-out of some roads in Westminster.

I will discuss with the Comcast gov't affairs manager, Ben Pearlman, moving ahead with the Ashburnham license, if the build-out issue looks like it will not quickly be resolved.

As mentioned, I do not think Comcast will want to take that approach.

Please feel free to call me if there are any questions or if I can be of assistance.

Bill Solomon
(C) 781-367-7500

**TOWN OF ASHBURNHAM
BOARD OF SELECTMEN
AS CABLE TELEVISION LICENSING
ISSUING AUTHORITY**

**Preliminary Assessment That The Cable Television Renewal License of
Comcast of Massachusetts III, Inc.
Should Not Be Renewed
Pursuant to Section 626(c) of the Cable Act
(December __, 2014)**

WHEREAS, the Town of Ashburnham (“Town”) is desirous of completing a Cable Television Renewal License (“Renewal License”), pursuant to the informal licensing process set out in Section 626(h) of the Cable Act to be issued by the Town to Comcast;

WHEREAS, Comcast has engaged in a diligent license negotiation process; and

WHEREAS, the Board of Selectmen as Cable Television Issuing Authority deems it prudent to protect the interests of all parties, including the Town, Comcast and the public, with respect to the formal license renewal process.

NOW THEREFORE, because a Renewal License has not yet been issued by the Town, and in order to protect the interests of all relevant parties, the Board of Selectmen votes, pursuant to Section 626(c)(1) of the Cable Act, this “Preliminary Assessment that the Cable Television License of Comcast of Massachusetts III, Inc. Should Not Be Renewed”.

In order to provide the best opportunity for the parties to expeditiously reach an agreement regarding a Cable Television Renewal License, as the Town anticipates and is committed to achieving, the Town will file a motion with the Department of Telecommunications and Cable of the Commonwealth of Massachusetts (within which the Massachusetts Competition Division/Cable Division is located) to extend the time for the Board to file a “written statement detailing the reasons for its preliminary denial” pursuant to 207 CMR 3.06(3) so as to provide additional time for the parties to finalize their agreement without the need to devote time and attention to matters other than the completion of the License agreement, or to otherwise effect the working relationship between the parties.

**BOARD OF SELECTMEN
TOWN OF ASHBURNHAM**