

**Town of Charlton
Saratoga County**

PUBLIC HEARING

**Regarding the granting of a cable television franchise agreement by and between the
Town of Charlton and Time Warner Cable Northeast a/k/a Charter Communications**

June 25, 2018

The Public Hearing began at 7:00 p.m. at the Charlton Town Hall. Supervisor Grattidge stated that this is a Public Hearing regarding the granting of a cable television franchise agreement by and between the Town of Charlton and Time Warner Cable Northeast a/k/a Charter Communications.

Present: Councilman Grasso, Councilman Ranaletto, Councilman Robbins, Supervisor Grattidge, Town Clerk Brenda Mills.

The Town Clerk read the following Legal Notice and confirmed that it was published in the official newspaper, The Daily Gazette on June 13, 2018:

**TOWN OF CHARLTON
TOWN BOARD**

LEGAL NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, that the Town Board of the Town of Charlton, Saratoga County, New York, will hold a public hearing on **June 25, 2018 at 7:00 p.m.** at the Town of Charlton Town Hall, 758 Charlton Road in the Town of Charlton, Saratoga County, New York regarding the granting of a cable television franchise agreement by and between the Town of Charlton and Time Warner Cable Northeast a/k/a Charter Communications.

A copy of the proposed agreement is now available for public inspection during normal business hours of the Town Clerk's Office, 758 Charlton Road, Charlton, New York.

At such public hearing, all persons will be provided an opportunity to be heard regarding this matter. Written and oral statements will be taken during the public hearing. Time limitations may be imposed for each oral statement/comment, if necessary in order to allow for all interested persons present at the public hearing to be heard.

Dated: June 11, 2018
Brenda Mills
Town Clerk

Supervisor Grattidge said that when cable television began, franchise agreements were made between cable companies and municipalities. Charter Communications is here to enter into a new agreement with the Town of Charlton.

Kevin Egan, Director of Government Affairs for Charter Communications said that he is here to seek approval of the franchise agreement. He gave the following highlights of their services:

- 2018 completed conversion to HD (High Definition) TV
- Provide Spectrum TV app on other devices
- Increased internet speed since HD conversion
- Instituted a nationally uniform pricing model

The floor was opened for public comment.

Dave Arnold, resident on Route 67, said that there is a 2 mile stretch of Route 67 that does not have any cable access, and he feels as a tax payer, they are entitled to have the same cable opportunities as everyone else.

Mr. Egan said that Charter is not obligated to provide service to any area with less than 20 houses per mile. They are obligated to build in any area with over 20 homes. The PSC regs say 35 houses per mile. Mr. Egan said that he would look into Mr. Arnold's situation.

Supervisor Grattidge said that the agreement with Time Warner is to wire areas with 20 house per mile, which is better than the standard 35 houses. Unfortunately, that area of West Charlton does not have enough houses. He also noted that Mr. Arnold's house sits far back from the road and that would also be an issue since a standard cable run is maximum of 150 feet.

Suzanne Voigt, resident, said that she does not understand how Galway and Scotia got their whole Town's wired including areas with less than 20 houses per mile, and Charlton cannot. She said that cable is vitally important to farmers and the operation of their business. She asked Time Warner to make it work for everyone.

Cheryl Doyle, resident on Featherbed Lane, said that her house does not even have 20 houses, but her whole house has cable. It is not fair to farmers to not have cable.

Mr. Egan said that the first step to see if cable is a possibility to a property, is to have the owner put in a service request. If wiring is not available for free, a survey is done, and the company will advise the homeowner of the cost to have the cable installed.

Kathy Arnold, resident, said she has had a survey done twice in the past 15 years, and she was told that her cost would be \$3,000.00, and she is not going to pay that.

Supervisor Grattidge explained that the reason that Galway had leverage when their cable agreement was made was because there were 2 cable companies competing in Galway, so the Town was able to require that the company that got the franchise agreement would have to wire the whole Town. Charlton never had an option as we only had one cable company available, and therefore no leverage. It was basically a "take it or leave it" situation. Unfortunately, the PSC lets the Cable Companies keep operating the way that they currently are, and has not mandated changes. He has heard that within the next couple of years, internet service will be available through a cell tower.

Councilman Grasso said that he has been part of the franchise agreement review for several years, and from his perspective the Town has extremely little leverage to require the cable company to provide service to the Town. He feels that it is awful that residents can not have internet service in the rural areas. He equates cable/internet service as important as cell phone service. It is a basic necessity and becomes a security issue for people. He feels that the Town Board will continue to fight hard to get cable service to every household. He said that in reviewing the franchise agreement and negotiating over the few things that can be negotiated, it is as good as we can get. The drop length of 150 feet is critical. The 20 homes per mile is as low as they will go. He said that there is a formula that the cable company uses that includes the average cost per mile, total construction cost per project, and the more houses per mile means the lesser the cost per home. He feels that it is incumbent on the Cable company to go through the exercise and make sure that an accurate cost sharing arrangement is proposed to those seeking service. The Town Board will continue to monitor the areas that need to be served.

Councilman Grasso asked how Governor Cuomo can say that the whole State of New York is served by internet. How can those statements be made publicly when we have 25% of the Town not serviced by internet?

Kevin Egan, said that there are places in New York State it just does not make sense and is not going to be cost effective from Charter's prospective for them to provide service, such as mountainous areas and places with no poles. Other technologies such as satellite were in the Governor's broadband program. There was an award for satellite.

Councilman Grasso asked if there is any public funding or assistance available for this area? He has looked online but it does not look like Charter was awarded funding. Kevin said that there was 500 million dollars

allocated to fund extensions. There were 3 phases, Charter was excluded from the 1st phase, but they did apply for phase 2 and 3, and they were not awarded money.

Councilman Grasso asked if this franchise agreement was non-exclusive. Mr. Egan said that all franchise agreements in the State of New York are non-exclusive.

Cheryl Doyle, resident asked if was feasible to ask Stewarts Shops to help pay for wiring for farmers.

Dawn Szurek, resident, said with farms so far off of the road, what are their options for internet? Satellite.

Supervisor Grattidge informed the audience that this franchise agreement is only for cable TV service, not internet service.

The Supervisor said that the Board will not be voting on this tonight.

RESOLUTION #120

Motion to Adjourn of Public Hearing

Motion by Councilman Grasso

Seconded by Councilman Ranaletto

Vote: All Ayes, No Nays. **CARRIED.**

The Hearing adjourned at 7:46 p.m.

Respectfully submitted,

Brenda Mills
Town Clerk