

TOWN OF DEERFIELD
BOARD OF SELECTMEN

July 6, 2005

MINUTES

Joint Meeting with Sunderland Board of Selectmen

- I. Meeting Convenes at 7:07 p.m., Sunderland Town Hall.
- II. Present: C. Shores Ness (Chair), M. Gilmore, J. Paciorek.

Sunderland Representatives: T. Fydenkevez, S. Bergeron, T. Zimnowski

Whately Representatives: J. Palmer-Fortune

Absent: None

Also in attendance: R. Biagi, K. Nelson.

- III. Review of the Frontier Community Access Television, Inc. (hereafter FCAT) Bylaws:

Initial discussion covered particular segments of the FCAT Bylaws including appointments to the Board of Directors by the Boards of Selectmen, length of appointment, as well as meeting posting requirements and notification of meetings to all parties (including Board of Directors members, Town Clerks, etc.).

On the topic of appointments to the FCAT Board of Directors, J. Paciorek noted that he was in favor of the Boards of Selectmen making an appointment to the Board of Directors, for a length of time (three, six, or nine years) M. Gilmore was concerned that one appointee might either skew the Board of Directors' focus, or conversely, be unable to adequately present the needs of a member group—be it the School Committee, Frontier Regional High School, or a Selectboard. S. Bergeron would prefer that vacancies be

preserved as a control mechanism of the Selectboards. In response to M. Gilmore's concern that appointments to the Board of Directors might limit the power of FCAT to provide service to the member towns (capital expenditures, programming, personnel, operating expenses, etc.), T. Fydenkevez agreed that the Board of Selectmen, as Licensing Authorities and Signatories on the Cable Franchise Agreements for each town need to keep tabs on the money, but that Selectboards need to have a say in how funding is spent. Chair Ness stated that she weighed the appointments against the control of funding and vice versa. J. Paciorek disagreed, stating that he did not want the Board of Directors to have sole authority to recreate the make-up of their Board, nor circumvent the Selectboards' ability to control use of funds. M. Gilmore made a motion to ensure member Boards of Selectmen maintained their appointing authority to the FCAT Board of Directors. J. Paciorek seconded; motion tabled. Chair Ness mentioned that she'd like to see quarterly reports, annual reports, and budget review. She also noted that perhaps a definite Communication Policy in addition to the Bylaws would be useful as a mechanism to stay abreast of the functions of the FCAT Board of Directors and their activities. S. Bergeron agreed that an effective policy with which to interact with the FCAT directors should be created. J. Paciorek made motion to modify FCAT bylaws to ensure each Board of Selectmen maintain appointing authority over one member of the Board of Directors, that the appointment be recurrent for the period of three years, M. Gilmore seconded; unan. approved (3-0-0).

Communication issues: R. Biagi questioned earlier concerns about meeting notifications and posting requirements. Language had been added to remedy the potential problem, although the District Attorney's Office furnished an opinion that due to the type of committee being created, open meeting law would not be violated if such postings did not occur. J. Palmer-Fortune stated that these changes constituted a good faith effort to keep all work of the FCAT Board of Directors open to the public and easily accessible. M. Gilmore questioned the language in the bylaws that concerns the time required to legally post a meeting, as well as the qualification of posting in three different locations. J. Palmer-Fortune noted that language had been added to clarify that Town Clerks would be notified by the Clerk or designee of the Board of Directors and that

the term “business” or “working” days would be added to clarify posting time limits.

Discussion as to the problems experienced by the various town television committees such as audio or visual. T. Zimnowski suggested that Deerfield contact Wassman Audio, specifically Peter Nelson, to have an evaluation of the system done in order to solve the audio problems DCTV experienced. J. Paciorek will contact H. Wrisley to convey the information.

IV. Finances/Minor Spending: In terms of capital expenditures to upgrade or maintain equipment or add equipment where needed in each town/community space, M. Gilmore has been working with Comcast to make sure that the places in Deerfield that due to safety and training issues, he feels cable access should be available (i.e., School, Fire Station, Municipal Offices etc.) are wired by Comcast free of charge, as part of this initial grant of time and equipment. He recommended that Whately and Sunderland make it available in similar buildings in their respective towns. The members discussed contributions to FCAT via the proportion of the number of subscribers in each town—similar to FRHS. T. Fydenkevez noted each town may need to appropriate current and increased spending on Community Access until such time as each “station” is absorbed into FCAT. Example used was \$10,000 Sunderland appropriated to maintain the current operations, separate of subscriber fees (approx \$23,500).

J. Paciorek made a motion to appoint M. Gilmore to the FCAT Board of Directors; Chair Ness seconded, motion unan. approved. S. Bergeron felt contributions should be assessment driven, with review of each Selectboard on budget expenditures. The members further discussed the financial issues at length. M. Gilmore was concerned that FCAT, with no independent voice, might be able to push Annual Town Meeting for additional spending without Selectboard approval. Also, M. Gilmore reiterated T. Fydenkevez’s suggestion that the Selectboards support their respective cable committees or stations in the interim between now and when FCAT could support all three towns.

V. J. Palmer-Fortune noted that the timeline to complete the FCAT bylaws expires as of July 15, 2005. J. Paciorek requested that K.

Nelson contact the Deerfield Moderator and the Deerfield School Committee to request they make their respective appointments to the FCAT Board of Directors by that date. He also requested that K. Nelson discuss the criteria of those appointments with D. Nixon.

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Kayce D. Nelson
Administrative Assistant