

**TOWN OF DEERFIELD
BOARD OF SELECTMEN
December 3, 2012
MINUTES**

Call to Order

5:30pm: Chairman, Steve Barry called the meeting to order.

Pledge of Allegiance to the Flag

Chairman Barry asked all to rise and pledge allegiance to the Flag.

Present: Steve Barry, Chairman; Alan O'Neal, Vice Chairman; Bill Perron, Richard Pitman and R. Andrew Robertson
Selectmen

Also Present: Leslie Boswak, Town Administrator; Jan Foisy, Finance Director

Recess to Public Hearing – Cable Franchise Contract Renewal

Chairman Barry opened a Public Hearing to hear public input regarding the Town's cable contract with Metrocast that is set to expire in December 2013. The Cable Committee provided an update. They have been meeting and have surveyed the community regarding their satisfaction with the current provider. Through an online survey, more than 100 responses were received. On a scale of 1 to 5, 1 being dissatisfied and 5 being highly satisfied, the following areas were reviewed, Picture Quality (3.2), Sound (3.6), Customer Service (3.2), Service Calls (3), Pricing (1.8) and Dependability (3.13). The Committee has contacted Comcast to see if they would be interested in servicing Deerfield and were told no, that it would be cost prohibitive for them to do so. M. Mann asked the Committee to confirm that cost and content were the two primary concerns and that both are not able to be negotiated. The Committee confirmed, adding that some of the finer points of the contract are open to negotiations, including local access, areas of distribution, and Town revenue sharing. Selectmen Robertson expressed that in his opinion the sources of frustration with the current provider have largely been internet and bandwidth, which are not included in this contract.

Maura Campbell, a Regional Manager with Metrocast, noted that much of the contract is dependent on the Federal Communications Act. Selectman O'Neal confirmed that the Town's 3% Revenue Sharing is on Video Service only, not including phone or internet. Ms. Campbell confirmed yes, noting that this is a stipulation of the Federal Communications Act. H. Cady asked if Metrocast had been approached by Comcast or any other competitors to sell its territory in Town. Ms. Campbell answered no and clarified that any provider, Comcast, etc. could come into the area without "buying out" Metrocast, but that putting the infrastructure in place to do so is likely cost prohibitive.

With no further public comments, the Public Hearing was closed at 5:55pm.

Reconvene Selectmen Meeting

Scheduled Appointments

A. Cable Franchise Contract Renewal

Ms. Campbell was asked to provide an overview of the current relationship, specifically how pricing and packages are determined. She explained that the largest cost to the providers is the programming expense, retransmission consents, which are determined by broadcasters such as ABC, CBS, etc., increased by over 200% last year. An example of this was that the NFL recently secured a contract extension with NBC for some \$27 billion, which is passed through to the broadcasters (Metrocast) and ultimately the clients. With regards to being able to offer ala carte packages she indicated that Metrocast would be very much in favor of this, but that the structure of many programmers makes this impossible to negotiate. She pointed out that ABC Disney owns networks such as ESPN and therefore the Ala Carte purchase plan doesn't always fit into the programmer's business model. Ms. Campbell reviewed the improvements to service that have been in Town since 2001 including On Demand, DVR, and HD video services along with a 24 hour customer service line an additional 21 miles of land service. She said that currently the Metrocast lines pass 1,769 homes in town and of those 1,380 are video customers. The 3% franchise fee yielded the Town approximately \$28,000 in 2011. Selectmen O'Neal asked whether the Franchise Fee structure was done on a town by town basis or is it regional based. Ms. Campbell responded that the pricing is uniform across all territories and noted that the Town can opt to impose a Franchise fee between 0-5%. The current contract was a 13 year term and they are proposing a 10 year term for renewal.

The Cable Committee informed the Board that it has connected with a Consortium out of Gilford who have contracted a

Lawyer to aid in these upcoming negotiations. There are currently eleven Towns in the group and thus far costs incurred have been \$18,050.50. They have invited Deerfield to join their unit with a shared cost of \$1,505.40 thus far, and anticipated \$1,000-\$2,000 additional costs per community. Selectman Robertson asked if the Committee had taken a vote, or if it has a sense if this is how they would like to proceed. The Committee responded that they do not feel qualified to conduct the negotiations without some legal aide, and given that they feel joining the Consortium would be the most cost advantageous approach.

The Board will request the documents and will work with the Consortium Chair to complete the necessary paperwork given all looks well. The Cable Committee will attend the Consortium's December 6th meeting as an observer.

B. Mr. Harvey – Contra Dance

Mr. Harvey provided a brief overview of the history of Contra Dances in town and requested that the Board waive the Town Hall rental fee along with any heating charges. In the past they have had an individual benefactor supplement the costs of hosting dances where attendance did not cover expenses, but the group feels it is unfair to rely too heavily on that individual. Selectman Robertson spoke in favor of waiving the fee noting that in the past the group has helped with Town Hall expenses, for example the piano tuning.

Motion: Selectman Robertson moves to waive the rental and heating fees of the Town Hall for Contra Dances

Second: Selectman Pitman

Vote: All in Favor – Motion Carries

C. Jan Foisy - Quarterly Financial Report (July – September)

Town Finance Director Jan Foisy presented the Board with an updated Financial Report. Vice Chairman O'Neal noted that the Town Hall Rental Revenue has an estimate of \$20,000 and asked if that includes all Government Building rentals, J. Foisy confirmed yes, nothing that the rooms and meals taxes payment from the State is expected in the last week of December.

- *Selectman Robertson was excused for the remainder of the meeting -*

D. 2013 Warrant Articles

The Selectmen reviewed the proposed 2013 Warrant Articles finding no major issues with the items as presented. Additional wording and specifics to terms, such as on the interest term for the Safety Complex, will continue to be worked polished by the Town Administrators office.

Regular Business/Signatures

- Approval of Minutes from November 19, 2012 and November 26, 2012

Motion – Vice Chairman O'Neal moves to approve the Minutes as written

Second – Selectman Pitman

All in Favor – Motion Carries

- Approval of Payroll Manifest - \$729.57

Motion – Vice Chairman O'Neal moves to approve the Minutes as written

Second – Selectman Perron

All in Favor – Motion Carries

- Accounts Payable - \$554,103.89

Motion – Selectman Perron

Second – Vice Chairman O'Neal

Discussion – Vice Chairman O'Neal noted that \$498,426 of this was a payment sent to Rockingham County for owed taxes.

Vote - All in Favor – Motions Carries

-Request to Waive Town Hall Rental Fee – Cabin Fever Arts Fair, hosted by the Friends of the Library

Motion – Vice Chairman O'Neal moves to waive the rental fee

Second – Selectman Pitman

Vote - All in Favor – Motions Carries

-Notice of Abatement - \$743 to Don and Patricia Fisher

Motion – Vice Chairman O'Neal moves to approve

Second – Selectman Perron

Vote - All in Favor – Motions Carries

-Notice of Abatement - \$283.45 – result of Current Use Rate Adjustment for 15 properties

Motion – Vice Chairman O’Neal moves to approve

Second – Selectman Pitman

Vote - All in Favor – Motions Carries

- Refund Checks in the following amounts:

\$184 to BNY Mellon (McCarron Rd), \$41 to Sharon Hanley (Fairgrounds), \$176 to MJP Trust (Lewis Dr), \$2.95 to Francis Danze (Griffin Rd), \$255.50 to Paul Reault (Haynes Rd)

Motion – Selectman Pitman moves to approve

Second – Vice Chairman O’Neal

All in Favor – Motion Carries

Unfinished Business None

Town Administrator’s Report

L. Boswak noted that the Parks and Recreation, Police and Fire departments are working on putting together a Winter Carnival on Friday, February 22nd and Saturday 23rd and will have more details to come.

Other Business None

New Business None

Citizens Comments

Harriet Cady commented in the past Town Hall rental waivers have been done with the stipulation that any extra money came back to the Town for Town Hall repairs and other projects and that she hopes the same will be done going forward.

Adjournment

7:00p

Motion – Selectman Perron moves to adjourn the meeting of December 3, 2012

Second – Selectman Pitman

Vote – All in Favor – Meeting is Adjourned

Next Meeting Monday, December 10th @ 8:00am

*The Minutes were Transcribed and Respectfully Submitted by Katherine A. Libby, Recording Secretary.
Pending Approval by the Board of Selectmen*