

Cable TV Advisory Committee

Meeting Minutes

Tuesday, March 9, 2021

1. A meeting of the Cable TV Advisory Committee ("Committee") of the Town of Hingham ("Town") was duly called to order by Chairman David Jones on Tuesday March 9, 2021 at 7:03 PM. The meeting was held via a Zoom audio-visual conference call.

Chairman David Jones commenced the meeting by discussing the Open Meeting Law and noted the changes allowing these types of meetings to be held remotely pursuant to an order issued by the Governor of Massachusetts dated March 12, 2020. Chairman Jones reminded participants that this meeting may be recorded by the Town of Hingham in accordance with this Open Meeting Law.

2. Members in attendance were Chairman David Jones, Vice Chairman John Rice, Recording Secretary Michael Leary, Christopher Baron, and Jeffrey Cutler. Executive Director Michelle Balconi, and Director of Operations Adam Sayre from Harbor Media were also present. Superintendent Paul Austin of the Hingham Public Schools was not able to attend the meeting.

Cable TV Advisory Committee members present constituted a quorum. This quorum remained present throughout the meeting. There were no other individuals present.

3. The first order of business was a review of minutes from the February 9, 2021 meeting. Chairman Jones requested comments from Committee members. There were no comments noted.

A motion was made by Jeffrey Cutler to approve the February 9, 2021 minutes. Vice Chairman John Rice seconded the motion. All voting members present approved the motion.

4. The second order of business was a review of the annual Town Report submission for the Cable TV Advisory Committee prepared by Chairman Jones. Mr. Jones reviewed the report noting that information included in its contents also came from Executive Director Michelle Balconi, Vice Chairman Rice and Recording Secretary Leary. After a brief discussion, there were no comments noted.

A motion was made by Christopher Baron to recognize Chairman Jones efforts in preparing the report and approve its submission to the Town as written. Mr. Cutler seconded the motion. All voting members present approved the motion.

5. The next order of business was to approve the retention of counsel for the Verizon license renewal. Chairman Jones shared the contents of the high-level, flat fee proposal from Attorney William H. Solomon to assist in the Verizon cable contract renewal process. Per Mr. Jones, the current five-year contract expires on April 22, 2023. Mr. Solomon has assisted the Committee in past years with cable contract negotiations.

A discussion ensued. Per Vice Chairman Rice, the Town of Hingham's new agreement in 2023 with Verizon will be one of the first renegotiations for municipalities in Massachusetts. In addition, there are questions within the industry regarding Verizon's commitment to this business segment. Ms. Balconi stated that other access providers have communicated that Verizon might be shortening the length of their contracts in the future from five to three years. She also noted that the increase of streaming services also may play a role in Verizon's future business plans.

Ms. Balconi then briefly discussed a potential bill (sponsored by State Representative Joan Meschino) to require periodic payments from streaming providers to assist in the funding of public access. Per the proposed bill, 40% of the revenues would be allocated to public access, 40% would be allocated to the Town(s) for unrestricted expenses and 20% would be retained by the State of Massachusetts. The fee proposed is 5% and would be collected by the State of Massachusetts and distributed periodically to the underlying municipalities.

Based upon the above discussions, Mr. Rice questioned whether a flat rate fee structure with Mr. Solomon was appropriate, especially if there are only minor changes to the contract terms and language. Recording Secretary Leary agreed with Mr. Rice's statements and along with Mr. Rice suggested adding language to reduce the flat fee if a set minimum of hours devoted to contract negotiations are not met. Mr. Jones agreed to reach out to Attorney Solomon regarding the amount of the flat rate and the Committee's proposal for a minimum number of hours to be worked on this engagement. In addition, Mr. Jones will also determine when formal and nonformal negotiations will commence. The Committee agreed to address Mr. Solomon's revised engagement proposal at the next committee meeting.

6. The next agenda item was an update provided by Chairman Jones relating to the Harbor Media review. Per Mr. Jones, the Town Administrator Tom Mayo will be running the project and has selected a consultant, Bob Kelly, from Newton TV. Although Mr. Kelly is qualified to perform the review, Vice Chairman Rice expressed his concern with this selection. Specifically, Mr. Kelly previously was a paid consultant by Harbor Media. Mr. Rice noted that the Committee's recommendation from Nantucket TV was equally qualified and did not have any independence issues. Mr. Cutler inquired whether Mr. Mayo interviewed other consultants before selecting Mr. Kelly. Mr. Jones replied that he did not know.

Per Mr. Jones, the Harbor Media Sub-Committee (comprised of Chairman Jones, Vice Chairman Rice and Recording Secretary Leary) had previously sent to the Town of Hingham a proposed scope of work document. After no action on the review, Mr. Jones reached out to Mr. Mayo and was informed that the scope of work was either misplaced or not received. Based upon this communication, the Sub-Committee reconvened on March 5, 2021 to update and redistribute the scope of work document to the Town of Hingham.

Per Chairman Jones, the Sub-Committee has reached out a number of times to Tom Mayo and Selectman Mary Powers to schedule a meeting to discuss the review and to also receive guidance on how to utilize the Town of Hingham Procurement Department in the Harbor Media contract negotiation process. The Sub-Committee is awaiting a reply from the Town.

7. The next order of business was a review of ongoing and completed Committee requests from Harbor Media. Chairman Jones referred the Committee to the tracking spreadsheet and informed the Members that he added an additional item requesting details surrounding the spend down of reserves at Harbor Media. Executive Director Balconi informed Members that the budget to actual analysis periodically shared with the Committee now includes this analysis. Based upon an approximate \$400,000 reserve balance, Harbor Media is spending down \$40,000 this year on various areas including an allotted \$10,000 for programming.

Recording Secretary Leary questioned the amount of the reserve balance. Vice Chairman Rice agreed and suggested that debate surrounding the actual amount of the reserve and the appropriate level of money held for float and/or a “rainy day” fund be included in the contract negotiations with Harbor Media. The Committee agreed to table further discussion on the matter. There were no other open requests noted and discussion concluded.

8. Chairman Jones introduced the next topic of discussion relating to Harbor Media programming initiatives. Per Mr. Jones, he just received the monthly programming chart (produced through the Tightrope system) from Director of Operations Sayre shortly before the meeting. He then shared the programming data with the Committee and asked for comments. Based upon initial review, Vice Chairman Rice observed that the quantity of the report was good but questioned whether the quality of the programming could be interpreted from the data. For example, Mr. Rice asked whether the data could indicate information such as number of times repeated, length, content and whether production was hyper-local.

Operations Director Sayre responded to the inquiry by stating that the majority of programming is local and/or regional with the exception of certain public service announcements utilized for the Government channel. Mr. Rice inquired about the airing of aged content greater than seven months old. Executive Director Balconi noted that the majority of programming is recent with the exception of special requests from groups of viewers. She then described how Harbor Media utilizes standardized times for programming content such as the regular Harbor Light series. In addition, Ms. Balconi discussed local organizations that provide program ready content including the League of Women Voters, Hingham Unity Council and the Senior Center exercise series. Overall, she noted that there are about four to five groups that submit regularly on a monthly basis.

Ms. Balconi next described her involvement with production. She has increased her participation in video creation by providing guidance and real time evaluation of content. She elaborated that the scheduling video on demand capability on the Harbor Media website allows management to receive limited feedback on the popularity of current programming. Unfortunately, information on viewership from the cable companies is not available. Mr. Jones concluded the agenda item by requesting Committee member’s feedback on programs watched during the month. Several members noted that they watched the mountain bike program about Wampatuck State Park. Various other observations and comments were communicated to Harbor Media by the Committee.

9. Due to the absence of Superintendent Austin, Chairman Jones requested Executive Director Balconi to provide the Hingham Public School update. Ms. Balconi informed the Committee that there are plans to have a live National Honor Society induction ceremony at the High School with up to 100 guests. Harbor Media is planning on filming the event. In addition, three pieces of content were received from the school system over the past month. The Committee requested Mr. Jones to reach out to Mr. Austin to provide a proxy when he is unable to attend meetings. Mr. Jones agreed to the request.
10. Chairman Jones next requested a finance update. At the request of Recording Secretary Leary, Executive Director Balconi gave the Committee an update on the preparation of the audited financial statements. Per Ms. Balconi, the financial statements and audit are completed and the Board of Directors at Harbor Media have recently approved them. Harbor Media is now awaiting the acceptance of Form PC (Charitable Nonprofit filing) before sharing them with the Committee.
11. The next agenda item introduced by Chairman Jones related to the Town of Hingham infrastructure update. Director of Operations Sayre stated that the clean out of the media closet at the Town Hall is still in process. Chairman Jones offered his assistance. Mr. Cutler then gave a brief update on his efforts to create a guide on how an idea becomes a show. Discussion ensued including several ideas to use as a basis for this initiative.
12. Chairman Jones opened dialogue for any other matters to be presented to the Committee. There were no other topics brought up for discussion purposes. Mr. Jones recommended that the next meeting date be held on Tuesday April 20, 2021 at 7 PM. All members were in agreement with the proposed date. Mr. Jones stated that he will send the room/virtual room request via Zoom to the Town of Hingham and will distribute an agenda in advance.
13. There being no further business to discuss, a motion to adjourn the meeting was proposed.

A motion was made to adjourn by Christopher Baron and seconded by Jeffrey Cutler. All voting members present were in agreement with the motion.

The meeting adjourned at 8:18 PM.

Submitted for review to the Cable TV Advisory Committee on March 11, 2021 by Recording Secretary Michael Leary.

Approved by the Cable TV Advisory Committee on April 20, 2021