

Wareham Cable Advisory Committee (CAC) Minutes

Thursday, April 6, 2023
Virtual Meeting via ZOOM
Meeting called to order at 6:33pm

I. Call to Order/Roll Call

- a. Matt Underhill present
- b. Dan Butler present
- c. Dave Rogers present

A quorum was established.

II. Public Participation

- a. A representative of WCTV's Board of Directors, Ms. Linda Scharf, was present. Mr. Underhill thanked Ms. Scharf for her participation.

- b. No public comments were offered.

III. Approval of Minutes. Mr. Butler moved that minutes for the CAC meetings held on December 22, 2022 be approved. Mr. Rogers seconded the motion. Vote:

- a. Chairman Underhill Aye
- b. Mr. Butler Aye
- c. Mr. Rogers Aye

Motion Passed 3-0-0

IV. Negotiations with Verizon

- a. Attorney Bill Solomon entered the virtual meeting and commenced a review of license renewal negotiations with Verizon's attorney, Mr. Paul Trane. Attorney Solomon offered numerous improvements to the draft he intended to relay back to Mr. Trane.
- b. Chairman Underhill called attorney Solomon's attention to section 2.4 of Verizon's proposal to provide only 180 days prior notice of Verizon's intent to terminate services to Wareham. He insisted 270 days prior notice was more responsible and better for Wareham's Verizon subscribers. He asked attorney Solomon to relay that improvement to Mr. Trane. Attorney Solomon agreed.
- c. Attorney Solomon and CAC members reviewed and discussed language in section 2.9.3. of Verizon's proposed license terms and all agreed the language had to be changed because it unduly impinged on the Town's right to change Town bylaws, rules, and regulations. The language was decidedly lopsided in favoring Verizon to the detriment of the Town, and attorney Solomon took particular exception to the notion that the Town would be required to submit to binding arbitration in the event of a disagreement between the Town and Verizon. Attorney Solomon stated he would discuss the provision with Verizon's legal team.

- d. Attorney Solomon reviewed licensing fees Verizon would pay to the Town and proposed payment schedules commenting these were fair and reasonable. The CAC concurred and offered no objection to Verizon's proposal.
- e. Attorney Solomon stated he needed more time to review indemnification language proposed by Verizon.
- f. Mr. Butler noted the Verizon draft did not contain "right of first refusal" language requested in a previous meeting by the CAC. Attorney Solomon stated he would insert that language in his response to Verizon's preliminary draft proposal.
- g. Attorney Solomon noted all parties are working to accelerate progress towards a successful agreement to renew Verizon's license.
- h. Chairman Underhill thanked attorney Solomon for his work on Wareham's behalf and stated he looked forward to continuing progress on the negotiations.

V. Business unknown until the previous 48 hours. NTR.

VI. Adjournment. Mr. Butler moved to adjourn the meeting, seconded by Chairman Underhill.

Vote:

- i. Chairman Underhill Aye
 - ii. Mr. Butler Aye
- Motion Passed 2-0-0 Meeting adjourned at 5:53pm.

Submitted: Daniel S. Butler
Clerk

