

FINAL



**WEARE BOARD OF SELECTMEN  
and  
CABLE COMMITTEE  
MEETING MINUTES  
September 6, 2007**

**PRESENT:** TOM CLOW, CHAIRMAN; DONNA OSBORNE, VICECHAIRMAN; WENDY CLARK, SELECTMAN; HELEEN KURK, SELECTMAN

**TOWN ADMINISTRATOR:** FRED VENTRESCO

**RECORDING SECRETARY:** Heleen Kurk

**Guests:** Will Ottery, Chairman Cable Committee; Peter Buono, member Cable Committee; Craig Slattum, member Cable Committee.

Chairman Clow began the meeting at 6:38 p.m. by explaining that this was a meeting between the Board of Selectmen and the Cable Committee for the purpose of reviewing changes to our cable franchise renewal as suggested by our attorney at Donahue, Tucker & Ciandella. They specialize in dealing with cable contracts. Chairman Clow in explaining why the Board would go into non-public session read the following from an email from that firm:

"I reviewed our preliminary bills and it appears that, for the work so far including today, the total is about \$3100. This covers preparing a comparison of Comcast's proposal and our counter proposal, doing a substantial revision to Comcast's proposal, plus several extended conversations with Mr. Ottery, a few shorter ones with you, etc. This has all happened in a very compressed time frame, and the cost is much lower than most Towns would face for a similar cable franchise renewal, so your Selectmen should feel pleased. While there is still some work ahead of us, if the Board of Selectmen is generally satisfied with the counterproposal, the subsequent work should be relatively limited.

On the public meeting question: the meeting should be in non-public session. The Board will be discussing communications from us and the proposed counterproposal, which are confidential, attorney client communications and also exempt from the public records law pursuant to RSA 91-A:5, IV. The meeting should be in non-public session pursuant to RSA 91-A:3, II (d) -- consideration of acquisition, lease or sale of real or personal property, i.e. the cable franchise for use of the public right of way. The Board should observe all the usual formalities for entering non-public session, including roll call vote, etc."

Chairman Clow stated that there would be a second public hearing on the cable franchise renewal at 7 p.m. Monday, September 10, 2007 at a regularly scheduled Board of Selectmen's meeting. He also said that a three-month extension for negotiating the contract has been granted by Comcast and that he would bring it up at Monday's regular meeting.

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Selectman Kurk moved to go into non-public session under RSA 91-A:3, II(d). Selectman Osborne seconded the motion. A roll call vote was taken: Selectman Clark, yes; Selectman Osborne, yes; Selectman Kurk, yes; Chairman Clow, yes.

The Board went into non-public session at 5:44 p.m.

Chairman Clow moved to come out of non-public session at 7:01. Selectman Osborne seconded the motion. A roll call vote was taken: Selectman Osborne, yes; Selectman Kurk, yes; Chairman Clow, yes. (Selectman Clark had to leave the non-public meeting early.)

Chairman Clow moved to seal and restrict the minutes of the non-public pursuant to the authority granted in RSA 91-A:3, II. Selectman Kurk seconded the motion. A roll call vote was taken: Selectman Osborne, yes; Selectman Kurk, yes; Chairman Clow, yes.

The meeting adjourned at 7:02 p.m.

Respectfully submitted,

*Heleen Kurk*