

**Telecommunications Commission Meeting Minutes  
June 4, 2009 Meeting**

**Members Present**

Cory Scott, chair  
Jim Downing  
Julianne Nery  
Timothy O'Brien

**Others present**

David Powers, Village staff liaison

Chairman Cory Scott called the meeting to order at approximately 7:05 p.m.

Chairman Scott asked Commission members to take a few moments to review the minutes from the May 6, 2009 meeting. He then called for a motion to approve the minutes. Commissioner Jim Downing so moved. Commissioner Julianne Nery seconded the motion. The motion to approve the minutes was approved 4 – 0.

Chairman Scott called the attention of the commission to documents and copies of checks from AT&T paid to the Village per the company's state franchise agreement. He estimated that the amount collected could mean that the company has between 1,000 and 1,200 customers. He said the estimate might be lower depending on the cost of the various subscriptions available to customers.

Chairman Scott moved the discussion to a cable needs assessment conducted for the Village in 2002. He asked the commission to consider whether the information is too dated to be used as a basis to restart franchise negotiations with Comcast.

Discussion shifted to the 2003 franchise agreement created by the Telecommunications Commission. Chairman Scott called the Commission's attention to the need to consider certain sections of the document, such as drops and two-way links. He said these sections should be revisited in any new proposal. He also suggested the question of the quality of the cabling in the Village and its impact on signal be addressed.

Commissioner Nery asked how a needs assessment applies to a franchise agreement.

Chairman Scott said the needs assessment led to many of the sections in the 2003 proposed franchise agreement, especially the customer service sections.

Chairman Scott made a motion to recommend to Village Attorney Heise that any needs assessment include a more thorough review of public access use, address live broadcasting infrastructure, need for drops between government building and review of the technical report.

Commissioner Timothy O'Brien asked about customer services components and pricing.

Chairman Scott said the state statute address customer service and pricing cannot be regulated by local governments.

Commissioner Jim Downing seconded the motion. The motion was approved 4 - 0.

A letter to the Village from Comcast announcing the closing of its facility on Madison Street was discussed. Chairman Scott said there was little the Village can do, and was glad customers would only have to go to Maywood and not Addison.

Discussion returned to the proposed 2003 Comcast franchise agreement. Chairman Scott said he still felt good about the document. All on the commission agreed it was a strong document and a good basis for a new agreement.

Chairman Scott gave a brief history and background on how the agreement was arrived at by members of the Telecommunications Commission who had crafted it.

Commissioner Downing asked how the state cable law will affect on the customer service provisions contained in the 2003 document.

Chairman Scott said the state law likely would override local provisions, alluding to a memo from Attorney Heise about the closing of Comcast's Madison Street facility.

Commissioner Downing asked about next steps.

Chairman Scott said the Commission might need to go to the Village Board for funding to have outside legal council update the proposed franchise document from 2003 so it can be used to restart negotiations with Comcast.

Chairman Scott called for a motion to adjourn. Commissioner Nery made the motion. Commissioner O'Brien seconded. The motion passed 4 - 0.

Meeting adjourned at approximately 8:10 p.m.

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