

Bedford Hills, New York
June 19, 2012

A public hearing was held by the Town Board of the Town of Bedford on June 19, 2012 to consider the adoption of two (2) cable franchise renewal agreements between the Town of Bedford and Cablevision. The hearing was held at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 7:47 P.M. by Supervisor Roberts.

Present: Lee V. A. Roberts : Supervisor
Peter Chryssos : Councilman
Francis T. Corcoran : Councilman
Chris Burdick : Councilman

Lisbeth Fumagalli : Town Clerk
Joel H. Sachs : Town Attorney
Jeffrey Osterman : Town Planner
Steven Fraietta : Building Inspector
Amy Pectol : Receiver of Taxes

Absent: David Gabrielson : Councilman

And fourteen (14) residents/observers.

Proof of Publication was presented and ordered filed. The notice was published in the Bedford Pound Ridge Record Review on June 8, 2012.

Attorney Whitney Singleton and Communications Committee Chairman Peter Michaelis were present to explain the proposed renewals with Cablevision for all of the Town of Bedford except the Stanwood area of town, and Cablevision of Wappingers Falls for the Stanwood area. They noted it was a nine (9) year agreement, with an origin point to be installed in the Town House for life for broadcasting.

Robert Hoch of Governmental Affairs for Cablevision noted that this would trigger Verizon to give the Town an origin point with an unconditional waiver.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby close the public hearing to consider the adoption of two (2) cable franchise renewal agreements between the Town of Bedford and Cablevision.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

WHEREAS, The Town of Bedford (the "Town") is a "franchising authority" in accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

WHEREAS, the Town executed a franchise renewal agreement with Cablevision Systems Westchester Corporation (the "Franchisee") on January 9, 2002, which was subsequently approved by the New York Public Service Commission on September 16,

2003 (Case # 97-V-0585); and

WHEREAS, Franchisee has submitted a proposed Franchise Renewal Agreement to operate a cable system within the Town; and

WHEREAS, The Town and Franchisee have mutually agreed to the terms of a Franchise Renewal Agreement; and

WHEREAS, the Town has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchise and applicable law; and WHEREAS, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a cable system within the Town and that Franchisee's proposal for renewal of the franchise meets the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Town to be heard on the proposed Franchise Renewal Agreement, was held before the Town on June 19, 2012.

NOW, THEREFORE, be it

RESOLVED, that the Town Board determines that it is in the best interest of the public to award a Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a Franchise Renewal Agreement with Cablevision Systems Westchester Corporation, and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Town of Bedford.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

WHEREAS, The Town of Bedford (the "Town") is a "franchising authority" in accordance with Title VI of the Communications Act of 1934, (the "Communications Act"), and is authorized to grant one or more nonexclusive cable television franchises pursuant to Article 11 of the New York Public Service Law, as amended, and Title 16, Chapter VIII, Parts 890.60 through 899, of the Official Compilation of Codes, Rules and Regulations of the State of New York, as amended (collectively the "Cable Laws");

WHEREAS, the Town executed a franchise renewal agreement with American Cable Systems of New York, Inc. d/b/a Continental Cablevision on March 15, 1996 which was subsequently approved by the New York Public Service Commission (the "Commission") on June 6, 1996 (Case # 11365); and

WHEREAS Cablevision of Wappingers Falls, Inc. ("Franchisee"), or its predecessor, with the approval of both the Town and the Commission, acquired certain assets from American Cable Systems, including the cable system and franchise in the Town, on January 5, 2001; and,

WHEREAS, Franchisee has submitted a proposed Franchise Renewal Agreement to operate a cable system within the Town; and

WHEREAS, The Town and Franchisee have mutually agreed to the terms of a Franchise Renewal Agreement; and

WHEREAS, the Town has determined that the Franchisee is and has been in substantial compliance with all terms/provisions of its existing franchise and applicable law; and

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WHEREAS, the Town has determined that Franchisee has the requisite legal, technical and financial capabilities to operate a cable system within the Town and that Franchisee's proposal for renewal of the franchise meets the cable related needs of the Community; and

WHEREAS, a duly noticed Public Hearing, affording an opportunity for all those interested parties within the Town to be heard on the proposed Franchise Renewal Agreement, was held before the Town on June 19, 2012.

NOW, THEREFORE, be it

RESOLVED, that the Town Board determines that it is in the best interest of the public to award a Franchise Renewal Agreement to the Franchisee; and be it

FURTHER RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a Franchise Renewal Agreement with Cablevision of Wappingers Falls, Inc., and to execute any other documents necessary to effectuate the granting of the franchise renewal on behalf of the Town of Bedford.

There being no further discussion the hearing was adjourned at 7:55 pm.

Lisbeth Fumagalli, Town Clerk