

July 18, 2007
PUBLIC HEARING

Empire Video Cable Franchise

6:55 P.M.

Present:

Deputy Supervisor Underhill
Councilman Zambito
Councilwoman Michalak
Councilman Gerace

Absent:

Supervisor Post

Others Present:

Town Clerk Morasco
Kevin Earl, Attorney for the Town
Chris Mueller, Time Warner Cable
Kim Fleming, Attorney for Empire Video

The Deputy Supervisor called the Public Hearing to order at 6:57 P.M. and the Town Clerk read the notice as published in the Daily News.

Kevin Earl, Attorney for the Town addressed the Town Board. Mr. Earl informed the Town Board that he has been communicating with Kim Fleming, Attorney for Empire Video Service Corporation and had forwarded a copy of Time Warner's proposed renewal agreement to her. However, it wasn't the most recent negotiated agreement that he had. Ms. Fleming has amended the Empire Video Cable Franchise to reflect the amendments that were negotiated in the Time Warner Agreement and distributed a copy to Mr. Earl and Councilwoman Michalak.

Ms. Fleming briefly addressed the Town Board. Empire Video Services Corporation is wholly owned by Empire Telephone and will be providing cable service over the telephone line. There will be no construction involved. They have not yet established a rate schedule.

Councilman Zambito asked what the time frame is to have this service up and running. Ms. Fleming stated that they have to submit to NYS Public Service Commission a waiver to provide services only where they service phone lines, which is currently the west end of Batavia. She expects that to be granted and they may be ready to provide service as soon as September or October.

Deputy Supervisor Underhill declared the Public Hearing closed at 7:08 P.M. as no one spoke for or against the Empire Video Cable Franchise.

Respectfully submitted,

Teresa M. Morasco
Town Clerk