

Lower Makefield Township  
Electronic Media Advisory Council  
November 29, 2018  
Meeting Minutes

**Present:** Dave Kelliher; Lisa Gage; John Lewis, BOS Liaison; Ann Schreiber; Joshua Waldorf; Fred Young

**Call to Order** - Fred Young called the meeting to order at 7:30 p.m.

**Approval of the Sept. 27 minutes** - The September minutes were approved as written.

**Comcast's pedestals and permits** - Mr. Lewis explained that Comcast has been installing pedestals in places undesirable to homeowners and neighbors - including moving them from back yards to front yards, and tearing up yards in the process.

Mr. Lewis and Mr. Kelliher referenced a recent BOS meeting; it was determined in discussion with solicitor Dave Truelove and Kurt, township manager, that LMT has some say in safety placement. The recourse is that Comcast should abide by rules/ordinances, and apply for permits and inspections. Therefore the township and homeowners would be able to see where Comcast would place them via permits; if in disagreement, the township or homeowners could request Comcast move them to a more desirable spot.

**Status of Verizon Franchise Agreement negotiations** - Mr. Lewis said the township is attempting to force the 2010 cable franchise agreement; the BOS authorized immediate legal action if Verizon does not comply.

Mr. Lewis explained further that Verizon is trying to avoid franchise payments by claiming they are an Internet Provider and not a Cable TV company. Verizon argues that they provide everything over IP, not cable - and should not be eligible to pay the franchise fees because they are no longer using the municipality's rights-of-way to lay cable lines. Fees are based on a percentage of revenue that Verizon receives from its customers.

Kurt Ferguson is our rep for the multi-municipality negotiating team, led by the Cohen legal group; the challenge is taking on Verizon. The FCC may rule that a local franchise authority's ability to regulate cable service doesn't extend to broadband and other non-cable services, and that in-kind commitments those authorities get from providers as part of franchise agreements can be valued and subtracted from payments that municipalities get (and count toward the franchise fee cap), with the exception of PEG channels.

This is giving Verizon incentive to take their time in renewing the agreement; they want a shorter term. If they get approval from FCC they want out.

Challenges include - how do we extract revenue from people who use our rights of way to provide infrastructure? This may take away ability to get franchise agreements from two companies. LMT would need to get that revenue back and find a way to charge for it.

**Video Clips** - Lisa Gage showed the board two newly produced Community Clips: LMT is a Great Place to Live, Work and Play, and Doing Business in Lower Makefield Township. Mr. Waldorf asked how the videos would be distributed. Mrs. Gage said they were hosted by Swag, and would be published on YouTube and the township website, although the group was not sure who at the township is currently handling website updates. Mr. Lewis suggested sending the videos to local Realtors; Mrs. Gage said that was also planned. Jill Laurinaitis suggested distribution on LinkedIn might be ideal for the business community; the Economic Development Committee either has a group or account established on LinkedIn.

**Old Business** – Jill Laurinaitis said she was concerned that the township was relying too much on the unofficial Facebook Group of residents to disseminate township-related information, especially in the case of an emergency. Mr. Young said the turbidity issue should have been addressed immediately on the township website. Ms. Laurinaitis said she was also concerned that no funds in the new budget for 2019 had been allocated to address core and vital communication functions that are lacking (web site being updated; social media; email updates). The group agreed that Mr. Rubin and Mr. Waldorf attempt to meet with Mr. Ferguson in the near future to discuss.

With no new business to discuss, the meeting was adjourned at 8:15 p.m. The next EMAC meeting will be held January 24, 2019, at 7:30 p.m.