

(RePAC)

Rehoboth Public Access Corp. Inc

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December 3, 2009

David J. Marciello
Town Administrator
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By Certified Mail: 7008 0500 0001 0567 6250

Rehoboth Public Access Corporation ("RePAC") received your letter, dated November 27, 2009, transmitted on behalf of the Board of Selectmen ("Selectmen"). Your proposal for a conference concerning RePAC's current and future activities is currently being reviewed by RePAC's Board of Directors ("Board"). The unavailability of the Public Access Channel (Channel 98) appears to be the keystone issue needed to be resolved prior to such a conference. You are familiar with the formality necessary to activate the Public Access Channel by Comcast Corporation for RePAC's use at its studio. For the sake of a common objective, once the activation and configuration of the Public Access Channel has been completed, the Board will propose a mutually acceptable date and time certain for scheduling the conference at RePAC's studio.

Attorney William Solomon has been retained by the Selectmen to attend the conference on their behalf. It is expected that Roger Breault and Ed Schagrin will attend the conference for RePAC. Albeit, the conference is not the proper forum for legal matters, the Board will contact its attorney to participate in the conference. In the interim, the Board has assembled an agendum intended as a guidepost to focus the conference:

1. The Existing RePAC Studio Facility at 320 Anawan Street:
 - a. The RePAC Studio, located in the Town Hall Annex, is leased from the Town of Rehoboth.
 - b. RePAC shares the Town Hall Annex with the Building Inspector's offices.
 - c. Improvements and installations are anticipated for 2010.

- d. RePAC already obtained approval from the Selectmen to install a storage container at the south side of the Town Hall Annex for the secure preservation of RePAC's past, current, and future recordings and records.
2. The Cataloging and Archiving of RePAC's Recordings as Official Records:
 - a. On April 13, 1998, the Annual Town Meeting voted to approve the means for producing the Town Meeting's official record by videotaping each session. On June 1, 1998, the Office of the Attorney General approved the videotape means as the official record of a Rehoboth Town Meeting.
 - b. Starting in September 2007, RePAC's newly restructured Board started to systematically store, catalog, and log the recordings produced by RePAC in accordance with the guidelines provided by the Office of Record Retention (Secretary of the Commonwealth). The archiving of RePAC's recordings continues to be monitored by the Office of Record Retention.
 - c. It is proposed that RePAC's electronic recordings of public meetings and government events, except executive sessions, could constitute the official records as a supplement to the written minutes of such proceedings.
 3. The Copies and Duplicates of RePAC's Recordings and Productions:
 - a. The processing of large numbers of requests for copies of RePAC's recordings can most efficiently be performed by conforming to a formal system that can easily retrieve and produce copies at a reasonable cost.
 - b. The costs of copying and duplicating RePAC's recordings and productions depends on whether the copies require attestation as to true copies for legal purposes. Prepayment for copying is required in many cases.
 4. Government and Education Meetings and Events that are Recorded by RePAC:
 - a. RePAC produces recordings pursuant to the contract between RePAC and the Town of Rehoboth effective April 2, 2008.
 - b. The April 2, 2008, contract requires the recording of Town Meetings, Selectmen Meetings, and School Committee meetings.

- c. In addition to the three (3) basic meetings, RePAC currently records at least fifteen (15) other Rehoboth board, committee, and agency public meetings and events, including Dighton-Rehoboth Regional School athletic events.
- d. The recordings of the 3 basic and at least 15 additional board, committee, and agency public meetings are archived by RePAC. Copies and duplicates are available to the public for a reasonable fee (see ¶ 3).
- e. RePAC installed a Video-On-Demand Pro System (“VOD”). The VOD allows the public to access, via the internet, archived programs that were recorded and produced by RePAC over a period of the last three (3) years.
- f. In light of newly available technologies and changing social, political, and economic needs of the community, RePAC expects expansion and increased specialization in the Government and the Education Access Channel sectors of its operation. It is proposed that RePAC will support such community needs by continuing to upgrade and modernize its technological resources through prudent equipment acquisitions.

5. Government and Education Meetings and Events that are Broadcasted by RePAC:

- a. Pursuant to the contract between Comcast and the Town of Rehoboth, effective March 29, 2004, Comcast was obligated to make available three (3) PEG access channels to RePAC at its Studios. Channel 9 and Channel 15 are currently available at the RePAC Studio. RePAC broadcasts the Selectmen meetings and additional board, committee, and agency public meetings over Government Channel 9. The Town Meeting, School Committee meetings, and school events are broadcast over Educational Channel 15.
- b. RePAC maintains a website where broadcast and re-broadcast schedules and meeting agenda are displayed. The website can be accessed at www.REPAC9.org.
- c. Rehoboth residents can select and view programs, that were previously broadcasted via Channel 9 and Channel 15, by accessing RePAC’s VOD (see ¶ 4(e)).

6. Activation of Public Access Channel 98:

- a. Contrary to the explicit terms of its contract, Comcast Corp. has neither activated nor installed the Public Access Channel at RePAC's Studio.
- b. The activation of the Public Channel (Channel 98) is important because it is intended for the public use of broadcasting programs that are produced by Rehoboth residents and/or by County, State, and Federal agencies so that Rehoboth's residents can achieve their broadcasting objectives.
- c. Fred Hallal is an instructor for RePAC. Once the Public Access Channel has been activated and installed at the RePAC Studio, Fred Hallal will commence the training and qualifying of the residents for use of RePAC's equipment. Training sessions are appropriately held at the RePAC Studio. Alternatively, whenever space and time is available, instructions could be held at other sites, e.g., at the adjacent Building Inspector's offices or at the Dighton-Rehoboth Regional School training center.
- d. RePAC's SX4 system capability is designed for the broadcasting of all three PEG Access Channels simultaneously. With this SX4 capability, REPAC can broadcast simultaneously to all cable subscribers, schools, and the Blanding Library (simulcast).
- e. A timely formal written statement from the Selectmen to Comcast Corp., requesting the activation of the Public Access Channel and its integration with the existing Government and Education Access Channels at the RePAC Studio, will complete the SX4 system and the VOD installation.
- f. Once the Public Access Channel is activated and made operational at the RePAC Studio, talent-bank forms will be available for recruiting volunteer residents for assistance in editorially reviewing the suitability of publicly produced programs for broadcasting by RePAC via the Public Access Channel.

Hoping that this agendum will serve as a focusing aid, I remain

Sincerely yours,

Roger Breault, Chairperson