

(RePAC)
Rehoboth Access Inc

320 Anawan Street
Rehoboth, MA 02769-2600
(508) 252-9536
Fax (508) 252-9537


January 6, 2011

Kathleen Conti, Town Clerk
148R Peck Street
Rehoboth, MA 02769

Service By Constable

On February 16, 2010, Rehoboth Public Access Corporation (“RePAC”) served the Town of Rehoboth (“Rehoboth”) a thirty-day Demand to activate Channel 98 (Public Access Channel). On February 22, 2010, David Marciello (“Marciello”), formerly the Rehoboth Town Administrator, assembled an investigation of legal obligations and potential breaches of contract claims pursuant to Section 17 of an agreement between Rehoboth and RePAC, effective April 3, 2008 (the “Agreement”). Marciello launched said investigation upon the request by former Rehoboth Selectmen Frederick Vadnais (“Vadnais”) and Kevin McBride (“McBride”). On February 23, 2010, Vadnais and McBride served on RePAC a Section 17 Notice of Breach and Demand for Cure of seven (7) violations of the Agreement purportedly committed by RePAC (“Notice”). On March 19, 2010, RePAC commenced an action in Superior Court (Case No. BRCV2010-00353-C) to compel Vadnais and McBride to activate Channel 98 at the RePAC Studio. RePAC named Vadnais, McBride, and Marciello in a claim of civil conspiracy. On April 23, 2010, RePAC responded to the allegations of breach contained in the Notice. Neither Vadnais, nor McBride, nor Marciello took any further action concerning RePAC’s alleged breaches of the Agreement. In September 2010, Channel 98 was activated and RePAC moved to dismiss the action in Superior Court. Vadnais’, McBride’s, and Marciello’s tenure in office are also terminated. In the Rehoboth election held on April 5, 2010, Don Leffort defeated incumbent Vadnais for the seat on the Rehoboth Board of Selectman. On January 4, 2011, McBride resigned as Selectman. On January 3, 2011, Marciello’s employment contract as Rehoboth Town Administrator expired. Thus, unless I hear from you to the contrary, RePAC shall now consider all controversies arising under, and concerning, the matters enumerated in the Notice as moot.

Sincerely yours,



Roger Breault, Chairperson

cc. Board of Selectmen