

MAY 27, 2015
SPECIAL TOWN BOARD MEETING

Town Hall

5:00 P.M.

Greg Post, Supervisor led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilwoman Michalak

Absent: Councilman Zambito
Councilman Lang

Others

Present: Town Clerk Morasco
Roger Muehlig, Daily News Reporter

The Supervisor called the meeting to order at 5:10 P.M.

RESOLUTION NO. 130:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO SCHEDULE A PUBLIC HEARING
REGARDING CABLE TELEVISION FRANCHISES FOR EMPIRE VIDEO SERVICES
CORPORATION AND COMMUNITY CABLE CORPORATION D/B/A NORTH PENN
VIDEO**

WHEREAS, Empire Video Services Corporation and Community Cable Corporation d/b/a North Penn Video each has submitted an application to the Town of Batavia to award a Cable Television Franchise to provide cable service in the Town of Batavia, and

WHEREAS, Title 16, § 894.5 of the New York Codes, Rules and Regulations requires any municipality to conduct a public hearing prior to awarding any Cable Television Franchise.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Batavia, New York, that a public hearing will be held before this Town Board on June 17, 2015, at 6:45 p.m., at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York regarding Cable Television Franchises for Empire Video Services Corporation and Community Cable Corporation d/b/a North Penn Video, and

BE IT FURTHER RESOLVED, that pursuant to 16 NYCRR § 894.7 the following procedures shall apply:

1. Empire Video Services Corporation and Community Cable Corporation d/b/a North Penn Video shall appear at the hearing by authorized representative(s).
2. The Town Clerk shall cause Notice of said public hearing to be published once in The Daily News, at least five (5) days prior to the date of said public hearing, which Notice shall contain

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the time and place of said hearing and the title and purpose thereof.

3. The Town Attorney shall mail a copy of the Public Hearing Notice to Empire Video Services Corporation and to Community Cable Corporation d/b/a North Penn Video.

4. All persons entitled to notice as set forth herein, as well as any members of the public, shall be given full opportunity to participate in the hearing and to ask questions of any applicant, however, the Supervisor as the presiding officer may establish reasonable time limits and otherwise limit repetitive statements or questions.

Second by: Councilwoman Michalak

Ayes: Underhill, Michalak, Post

APPROVED by unanimous vote (3-0)

ADJOURNMENT:

Motion Councilwoman Michalak, second Deputy Supervisor Underhill to adjourn the Special Town Board Meeting at 5:17 P.M.

Ayes: Michlak, Underhill, Post

MOTION CARRIED by unanimous vote (3-0)

Respectfully submitted,
Teressa M. Morasco
Town Clerk