

**Danby Town Board
Resolution for Consideration
March 12, 2012**

EXPRESSING INTEREST IN EXPLORING THE POSSIBILITY OF FORMING A CONSORTIUM OF MUNICIPALITIES FOR THE PURPOSE OF NEGOTIATING WITH TIME-WARNER CABLE.

WHEREAS, the Town of Danby is provided cable service by Time Warner Cable; and

WHEREAS, the Town of Danby recognizes the advantage of cooperation with other municipalities with regard to cable franchise issues; and

WHEREAS, the Town of Danby is interested in exploring, through the Tompkins County Council of Governments, the possibility of entering into an agreement with other municipalities to form a Consortium to negotiate, on behalf of the Town of Danby, a renewal franchise agreement with Time Warner Cable; and

WHEREAS, the intent would be to form a Consortium with the authority to conduct public hearings, conduct surveys, and engage in all activity, within the limits of applicable State and Federal Law, that is necessary and appropriate to negotiating a renewal franchise agreement for its member municipalities; and

WHEREAS, the Consortium may be charged with analyzing the financial, technical, and legal issues related to cable television regulation to enable the member municipalities to reach sound judgments in exercising their regulatory authority with regard to such matters as cable television rates, franchise fees, and nature and quality of service; and

WHEREAS, all member municipalities may, pursuant to the final consortium agreement, be required to contribute to the expenses related to negotiating a renewal franchise agreement with Time Warner Cable, including hiring consultants with expertise in cable franchise auditing and negotiation; and

WHEREAS, all members of the Consortium would individually reserve the right to approve, disapprove, or amend the franchise agreement so negotiated on their behalf; and

NOW THEREFORE, it is

RESOLVED, that the Town of Danby does hereby express interest in exploring the possibility of forming a consortium of municipalities to negotiate on its behalf for the renewal of its franchise agreement with Time Warner Cable; and it is further

RESOLVED, that the Town of Danby does hereby reserve the right to refrain from joining the consortium should the terms and conditions of joining the consortium prove to be unacceptable to the Town Board of the Town of Danby.