

Selectmen's Meeting Minutes 11/1/10

Board of Selectmen Meeting Minutes 11/1/10

The Easton Board of Selectmen met this evening at the Easton Town Offices, Selectmen's Office, 136 Elm Street, with Chair Colleen Corona presiding.

Members present: Colleen Corona, John Haederle, Irwin Cohen, Ellen Barlow, Sean Noonan and Town Administrator David Colton were present.

Corona called the meeting to order at 7pm and noted this meeting is televised.

Veterans Day Parade Announcement

Colton referenced the announcement for the parade on Thursday, November 11th beginning at 11am at Washington Plaza. Corona noted all Selectmen are invited to participate.

Lions Club Holiday Festival

Lions Club President Janice Melley and member John Morgan were present. Melley gave detail of the festival scheduled for December 4th and 5th 2010. See the attached request for road closings. Corona noted the Police, Fire and DPW have been notified and will coordinate the public safety issues with the Lions Club.

Voted: (Corona/Barlow) voted unanimously to approve the Lions Club's use of the public ways of the Town of Easton to hold the Annual Holiday Festival on December 4th and 5th. Specifically, the section of Main Street from 72 Main Street down to the Rockery area be closed during the Festival Hours of 8-8 on Saturday, 12/4 and 10-6 on Sunday, 12/5; Barrows Street will be closed for the weekend beginning 8am on Saturday. In addition, the area of Barrows Street, the area in front of the Oakes Ames Memorial Hall and the Rockery for set up on Saturday November 13th and Saturday November 20th from 7:30am - noon for the purpose of setting up.

Ceremonial Bonfire Request – Southeastern Regional School

Fire Chief Tom Stone was present to explain the bonfire request for November 10, 2010 beginning at 5pm. Fire detail will be provided at the school will pay for the detail cost.

Voted: (Noonan/Cohen) voted unanimously to authorize the Fire Department to issue the permit to the Southeastern Regional School

One Day Liquor License Requests

Stonehill College requested the following one day licenses:

One day beer and wine license for the Salameno Lecture on November 8, 2010 from 6pm - 9pm at the Martin Institute

Voted: (Noonan/Haederle) voted unanimously to approve the one day license

One day beer and wine license for the James Zumwalt Reception on November 16 2010 from 5pm – 7:30pm at the Martin Auditorium

Voted: (Barlow/Noonan) voted unanimously to approve the one day license request

Selectmen's Meeting Minutes 11/1/10

One day beer and wine license for the Alumni Volunteer Appreciation Dinner on 11/21/10 from 4:30pm-7pm at Alumni Hall

Voted: (Noonan/Barlow) voted unanimously to approve the one day license request

One day beer and wine license for a Gift Wrap Party on 12/3/10 from 7pm to 10pm at Donahue Hall

Voted: (Noonan/Cohen) voted unanimously to approve the one day license request

Traffic Safety Committee Recommendations re: Barrows Street

Chief Stone and Chief Krajcik were present as Safety Committee Members representing the attached recommendation to change Barrows Street back to two way traffic and to retain the "Do Not Enter" sign entering on to Barrows Street from Lincoln Street. As presented, people at Frothingham Hall or the apartments on Barrows Street can turn right or left when leaving the area.

Voted: (Haederle/Noonan) voted unanimously to approve the recommendation of the Traffic Safety Committee

The need to make the change to the Town Code was noted.

Discussion re: Agricultural Commission

Corona referenced the attached draft Steering Committee charge put together by the Land Use Agent.

Voted: (Haederle/Barlow) voted unanimously to approve the charge as drafted

Contract for Road Salt – Eastern Minerals, Inc.

Colton referenced the proposed contract with Eastern Minerals not to exceed \$139,320.

Voted: (Noonan/Cohen) voted unanimously to approve the contract as written

Response to TVL Broadcasters of RI, LLC re: Significantly Viewed Stations

Corona explained we are part of the Providence viewing area and we cannot get all Boston channels in High Definition (HD). They are proposing that they take away some of the HD Boston channels. See the attached letter and information from the Federal Communications Commission. Corona suggested we involve Special Counsel to help draft the letter to retain the current HD channels. The Board agreed to have Special Counsel draft this letter.

Interviews for CPA Committee Vacancy

Corona referenced a total of five applicants for the vacancy. One applicant withdrew, one applicant expressed continued interest in serving but could not be present for the interview and the other two candidates were not present.

Kevin McIntyre

McIntyre spoke of his desire to become involved with the CPA Committee and noted his family's involvement in the community. He noted the reason for moving to Easton was because of Easton's open space and preservation. He referenced his background as an attorney and noted he has the time to get involved stating his patience, thoroughness and fair minded nature. See the attached volunteer form and statement of interest.

Selectmen's Meeting Minutes 11/1/10

Applicants Dan Burke, Andrew Corndell, Stephen Drown and James Gibson were not present.

Voted: the Board voted unanimously by roll call to appoint Kevin McIntyre to the CPA Committee
Cohen-McIntyre; Haederle-McIntyre; Corona-McIntyre; Barlow-McIntyre; Noonan-McIntyre

Town Counsel Request for Proposal Selection Process

Corona referenced the proposals submitted and firms expressing interest in serving as Easton's Town Counsel. Corona suggested we include a Town Committee Chair, specifically the ZBA Chair to assist with the evaluation process. Colton agreed, especially where land use issues often needs counsel support. After discussion, the Board agreed to have Corona, Colton and ZBA Chair Walter Mirrione review the proposals and narrow the pool to a manageable number to interview at an upcoming Selectmen's meeting.

North Easton Sewer District Update

Woodard and Curran representatives Joe Shea and Vonnie Reis were present. Colton noted a meeting was held last Thursday with Woodard and Curran and it became apparent that we are not ready to make a decision at this time. Corona suggested a workshop public meeting to show each parcel and figure out the best impact for the sewer district. Colton agreed with the idea of holding the workshop as part of a regular Selectmen's meeting before making a final decision. Shea agreed with the workshop concept.

Richard Connolly, owner of Connolly Insurance Agency on Main Street referenced the opportunity to incorporate underground utilities on Main Street and asked if this is something the Board is considering. Corona referenced the money that would be involved when considering the utilities. Connolly spoke of this as an opportunity to get resources to fund this concept to beautify the downtown area. The Board discussed at length the idea of underground utilities in this area. Dorothy Sundell of Main Street asked if the chosen route incorporates the area behind Main Street, would this also include underground utilities. Colton agreed to give costs for all options when researching the preferred route.

Contract for Comprehensive Wastewater Management Plan – Woodard & Curran, Inc.

Colton referenced the contract not to exceed \$302,000 which was funded at the annual town meeting.

Voted: (Haederle/Barlow) voted unanimously to approve the contract

Charter Reform Discussion

Corona referenced the recommendations of the Special Act Charter Committee submitted earlier this year. Corona asked for a volunteer to serve on a subcommittee with her to review the recommendations. Noonan agreed to serve in this capacity.

Minutes

Voted: (Barlow/Haederle) voted unanimously to approve general minutes dated 9/27/10

Voted: (Haederle/Barlow) voted unanimously to approve general minutes dated 10/18/10

Voted: (Noonan/Cohen) voted unanimously to approve general minutes dated 10/26/10

Voted: (Haederle/Barlow) voted unanimously to approve executive session minutes dated 10/ 18/10

Public Participation

None

Selectmen's Meeting Minutes 11/1/10

Selectmen's Notes

Corona thanked the Garden Club for all they do throughout the community.

Town Administrator Notes

Colton noted repairs to Long Pond Dam are complete. He thanked DPW Tree Warden Paul O'Neill and the entire tree crew and Land Use Agent Stephanie Danielson for all their hard work in getting this done. Colton also referenced the great cooperation with the Town of Stoughton and commended Town Manager Frank Crimmons and their staff for their cooperation. Colton asked for the Board to consider a brief executive session for the purpose of discussing collective bargaining.

Press Notes

None

Voted: (Noonan/Cohen) voted unanimously by roll call to adjourn open session, to go into executive session for purpose of discussing collective bargaining, not to return to open session (8:10pm)
Cohen-yes; Haederle-yes; Corona-yes; Barlow-yes; Noonan-yes

Respectfully submitted,

Mary Southworth

List of Documents and Other Exhibits Used:

Agenda Notes

Lions Club Holiday Festival details and request for road closings

Memo from Fire Chief regarding Ceremonial Bonfire Request

Traffic Safety Committee Recommendation re: Barrows Street

Draft Agricultural Steering Committee Charge

Contract with Eastern Minerals, Inc. for road salt

Final Recommendations of the Special Act Charter Committee dated 12/09

FCC Petition for Special Relief re: Significantly Viewed Stations

Contract with Woodard & Curran, Inc., for Comprehensive Wastewater Management Plan

Volunteer forms submitted by candidates for the vacancy on the CPA Committee

General Minutes dated 9/27/10; 10/18/10; 10/26/10

Approved 11/29/10

Town Administrator Agenda Notes November 1, 2010

- Announcements/Proclamations

- A) Veterans Day Parade**

See the attached announcement for the Veterans Day Parade on Thursday, November 11 beginning at 11am from Washington Plaza.

- Licenses/Permits

- 1) Lions Club Holiday Festival**

The Lions Club submitted their annual request for road closings and temporary sign permits associated with the annual Holiday Festival. The Police, Fire and DPW have been notified and they are working with the Lions Club to help coordinate the road closing and public safety issues.

I recommend authorization of the following:

The Lions Club's use of the public ways of the Town of Easton to hold the Annual Holiday Festival on December 4th and 5th. Specifically, the section of Main Street from 72 Main Street down to the Rockery area be closed during the Festival Hours of 8-8 on Saturday, 12/4 and 10-6 on Sunday, 12/5. In addition, the area of Barrows Street, the area in front of the Oakes Ames Memorial Hall and the Rockery for set up on Saturday November 13th and Saturday November 20th from 7:30am - noon for the purpose of setting up.

Per the usual procedure, the Lions Club has submitted a certificate of liability insurance.

2) Ceremonial Bonfire Request – Southeastern Regional School

The Southeastern Regional School will be holding a Pep Rally on November 10, 2010 beginning at 5pm. As indicated in the attached memo submitted by the Fire Chief, approval must be granted by the Board of Selectmen in accordance with 527 CMR 10:23. Please note that the Fire Department issues the permit.

3) One Day Liquor License Requests

Stonehill College has requested the following licenses:

One day beer and wine license for the Salameno Lecture on November 8, 2010 from 6pm - 9pm at the Martin Institute

One day beer and wine license for the James Zumwalt Reception on November 16 2010 from 5pm – 7:30pm at the Martin Auditorium

One day beer and wine license for the Alumni Volunteer Appreciation Dinner on 11/21/10 from 4:30pm- 7pm at Alumni Hall

One day beer and wine license for a Gift Wrap Party on 12/3/10 from 7pm to 10pm at Donahue Hall

Easton Police Details are not required for these events.

- **Action/Discussion**

A) Traffic Safety Committee Recommendation re: Barrows St.

See the attached memo submitted by Chief Krajcik. Chief Krajcik will be present to explain the recommendation.

B) Discussion re: Agricultural Commission

At the Selectmen's meeting held on October 18th, Land Use Agent Stephanie Danielson proposed that the Selectmen consider appointing a Steering Committee for the purpose of establishing a bylaw for the annual Town Meeting. See the attached draft charge.

C) Town Counsel Request for Proposals Selection Process

D) Contract for Road Salt- Eastern Minerals, Inc.

Each year the Town participates in a regional salt bidding process procured by the Town of Plymouth. This year, the low bidder was Eastern Minerals. See the attached regional bid results and proposed contract with Eastern Minerals, Inc., in the amount not to exceed 139,320.00.

E) Charter Reform Discussion

See the final recommendations of the Special Act Charter Committee dated 12/31/09.

F) Response to TLV Broadcasters of RI LLC re: Significantly Viewed Stations

See the attached petition for special relief that the Board received on 10/25 proposing that WBZ-TV no longer has viewing levels necessary to demonstrate significantly viewed status in South Easton and Fall River and that the Bureau waive the significantly viewed exception to the network non duplication rule to permit WPRI-TV to assert its exclusivity rights in those communities.

Also attached is a copy of the letter submitted on behalf of the Board in May 2009, opposing the petition at that time to

eliminate WCVB-TV as a significantly viewed channel in Bristol County.

G) North Easton Sewer District Update

H) Contract for Comprehensive Wastewater Management Plan – Woodard & Curran, Inc.

See the attached proposed contract with Woodard & Curran in the amount not to exceed \$302,000.

7:15 Interviews for CPA Committee Vacancy

In response to the Town's recent advertisement for the vacancy on the CPA Committee, the following citizens expressed interest in serving.

Dan Burke – 22 Old Foundry Street, Easton
Andrew Corndell – 15 Summerfield Drive, Easton
Stephen Drown – 101 Mill Street, Easton
James Gibson – 40 King Arthur Road, Easton
Kevin McIntyre – 56 Williams Street, Easton

See the attached volunteer forms.

All applicants with the exception of Stephen Drown will be in attendance for a brief interview. Mr. Drown had a prior commitment but would still like to be considered. The successful candidate will fill the unexpired term of Colleen Less, June 30, 2011.

Minutes

General dated 9/27/10

General dated 10/18/10

General dated 10/26/10

Executive Session dated 10/18/10

Selectmen's Minutes 11/11/10
~~11-1~~ 11-1



EASTON LIONS CLUB

"WE SERVE"

**Post Office Box 1032
Easton, MA 02334-1032**

October 17, 2010

Town of Easton
Office of the Town Administrator
136 Elm Street
North Easton, MA 02356

RECEIVED
OCT 22 2010
Office of Town Administrator

Dear Mr. Colton,

Our Easton Lions Club is proud to be coordinating the 24th annual Easton Holiday Festival in 2010. The planned dates are Saturday and Sunday, December 4th and 5th. I write to seek your support and enlist the favor of our Board of Selectman.

This year's list of activities seeks to improve last year. To kick off this festive time of the year for our townspeople, we have planned a craft fair, live music, clowns, costumed characters, a big parade on Sunday, hay rides, as well as other amusements for the attendees. The weekend will also showcase the talents of the PACS and feature children's party sponsored by the Lions. The Easton Women of Today are hosting a breakfast on Sunday morning at the OA Hall, and several of our religious institutions in town are partaking in the merriment.

We will be lighting the Rockery on Saturday evening and again on Sunday evening. Holiday displays will be in full glow once again on the lawns of the OA Hall and Rockery. We have expanded the light show (choreographed to music people can listen to on their car radios).

I ask that the Rockery section of Main Street (from 72 Main down) be closed during Festival hours (Saturday 10-8, Sunday 10-6). This will be coordinated with the Police, Fire and DPW departments, and all efforts to address the public's safety will be made. I also ask permission to place our informational signs at four strategic locations in town, and this will also be coordinated with the Building Inspector. *Additional request for road closure on 11/13 and 11/20 from 7:30am to noon for set up.*
I appreciate your continued support and look forward to another fun time for the town of Easton.

Very truly yours,

Jon C. Morgan
238-1276
cc: Janice Melley, President

Allen Krajcik
Chief of Police
Easton Police Dept.
46 Lothrop St.
North Easton, MA 02356
Tel 508-230-3429
Fax 508-230-8632

Easton Police Dept.

Memo

To: David Colton, Town Administrator
From: Chief Allen Krajcik
Date: October 18, 2010
Re: Barrows Street recommendation

The Traffic Safety Committee (Chief Stone, DPW Director Wayne Southworth and Chief Krajcik) recommend that the Board of Selectmen change the street rules and regulations and make Barrows Street a two-way street again. We also recommend keeping the Do Not Enter prohibition at Lincoln and Barrows.

Barrows Street was changed to a One-Way Street years ago when the Lincoln Intermediate School was operational. This was done primarily to accommodate the school buses. Now that the school is closed the concern about the school buses is no longer valid. Also, there is a new concern regarding the limited sight visibility for vehicles exiting onto Lincoln Street. The homeowner at the southeast corner of Barrows and Lincoln Street erected cement posts on top of an existing wall which impedes motorists visibility when looking toward the center of town. We have received numerous complaints from citizens regarding this situation and we feel it is appropriate to make the change back to a two-way street. With the Council on Aging now located on Barrows Street and with the School House Apartments in the former school, we believe it is much safer for those motorists to exit Barrows Street onto either Oakland Avenue or Day Street at Frothingham Park.

We request keeping the DO NOT ENTER prohibition as we do not want to add any turning movements from vehicles going from Lincoln onto this portion of Barrows Street.

Allen R. Krajcik
Chief of Police
Easton Police Dept.

DRAFT

For Discussion Purposes Only

Agricultural Steering Committee Charge

The Steering Committee shall consist of five members, with representation from the Natural Resources Trust, the Conservation Commission, a local farmer and two citizens at large.

The Committee will be charged with drafting a bylaw for an Agricultural Commission, preparing a warrant article for the Annual Town Meeting in May 2011 and to gather public support for the Commission.

The Steering Committee will finalize the bylaw and article within 90 days. The Committee will present the information to the Selectmen prior to the Annual Town Meeting and will hold a public information session.

Approved by the Board of Selectmen xxxxxxxxxxx

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re:)
)
TVL Broadcasting of Rhode Island, LLC) CSR No. _____
)
Petition for Special Relief for Waiver of)
Section 76.92(f) of the Commission's Rules)

To: The Secretary
Chief, Media Bureau

PETITION FOR SPECIAL RELIEF

TVL Broadcasting of Rhode Island, LLC ("TVL Broadcasting"), licensee of WPRI-TV, Providence, Rhode Island, hereby requests, pursuant to Section 76.7 of the Commission's rules, waiver of the significantly viewed exception to the network nonduplication rule (Section 76.92(f)) for WPRI-TV. Pursuant to this exception, cable systems are permitted to carry the entire signal of distant television station WBZ-TV, Boston, Massachusetts, in the communities of South Easton and Fall River, Massachusetts, both of which are in the Providence, Rhode Island-New Bedford, Massachusetts DMA (the "Providence-New Bedford DMA"). TVL Broadcasting seeks this waiver so that WPRI-TV can enforce its rights to network program nonduplication against WBZ-TV.

Although WBZ-TV is included as part of the Commission's 1972 list of television stations that are "significantly viewed" in Bristol County, Massachusetts,¹ WBZ-TV no longer attains the viewing levels required for that status in the Bristol County communities of South

¹ See 1972 Reconsideration Order, 36 FCC 2d 326, Appendix B (1972).

Easton and Fall River. TVL Broadcasting therefore respectfully requests that the Commission waive the "significantly viewed" exception with respect to WBZ-TV in those communities.

WPRI-TV is an affiliate of the CBS Network and is licensed to Providence, Rhode Island in the Providence-New Bedford DMA, while WBZ-TV is licensed to Boston, Massachusetts and operates in the Boston DMA. Pursuant to its network affiliation agreement with CBS, WPRI-TV acquired network nonduplication rights from CBS for the entire Providence-New Bedford DMA, to the extent permitted by the FCC's rules. Nevertheless, WPRI-TV cannot fully exercise its network nonduplication rights against WBZ-TV because WBZ-TV is included on the Commission's 1972 list as being significantly viewed in Bristol County. As a result of the significantly viewed exception, cable systems in Bristol County are currently not required to delete the duplicating programming of WBZ-TV.

Pursuant to the Commission's Rules and case precedent, in order to obtain a waiver of the significantly viewed exception, a petitioner must demonstrate, "utilizing community- or system specific data, to one standard error . . . that the station in question has not met [the Commission's] standards for significant viewing for two consecutive years."² For a network affiliated station such as WBZ-TV to be significantly viewed, it must achieve in non-cable/non-ADS homes both a share of viewing hours of at least 3% (total week hours) and a net weekly circulation of at least 25%, calculated to one standard error.³ WBZ-TV fails to meet these requirements in the two communities. Nielsen Media Research conducted a special community-specific survey, which is attached hereto. The survey consists of a special tabulation of over-the-air viewing using diaries from noncable/non-ADS homes for the specified ZIP codes of

² *KCST-TV, Inc.*, 103 FCC 2d 407, 413 (1986).

³ See 47 C.F.R. §§76.5(i), 76.54(b).

South Easton and Fall River.⁴ TVL Broadcasting gave notice of the special survey tabulation as required by 47 C.F.R. §76.54.

The first year's survey audience estimates for South Easton are based on May 2007 and November 2007 data, combined, and the second year's estimates are based on May 2008 and November 2008 data, combined. Fall River viewing estimates are based on first year survey data from July 2008 combined with November 2008, and on second year survey data from July 2009 combined with November 2009.

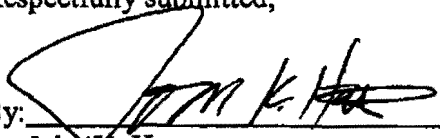
As the studies show, WBZ-TV fails to meet the FCC's benchmarks for significantly viewed status because the share of viewing in non-cable homes falls below 3%, within one standard error, and the net weekly circulation falls below 25%, within one standard error, for both of the communities.⁵

Based on the data presented in this petition, TVL Broadcasting requests that the Bureau find that WBZ-TV no longer has viewing levels necessary to demonstrate significantly viewed status in South Easton and Fall River and that the Bureau waive the significantly viewed exception to the network nonduplication rule to permit WPRI-TV to assert its exclusivity rights in those communities.

⁴ The specified ZIP codes are: South Easton, 02375, and Fall River, 02720, 02721, 02723, and 02724. The ZIP codes were obtained from the city/town ZIP code lookup page on the United States Postal Service website (<http://zip4.usps.com/zip4/citytown.jsp>).

⁵ Because TVL Broadcasting is submitting community specific data, rather than system-specific data, there is no requirement that the data provided be proportional. *See, e.g., WGFL License Corporation*, 22 FCC Rcd 1708 (2007); *WNTH Broadcasting, Inc.*, 16 FCC Rcd 16377 (2001); *KCST-TV, Inc., supra*.

Respectfully submitted,

By: 

John K. Hane
Paul A. Cicelski

*Counsel for TVL Broadcasting of Rhode
Island, LLC*

Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, NW
Washington, D.C. 20037
(202) 663-8000

Dated: October 22, 2010



The attached report provides audience net weekly circulation (cume) and share information among non-cable/non-ADS households for WBZ during the Nielsen Station Index (NSI) survey conducted over four week periods during multiple measurement periods. The report is based on a series of zip codes. Households will maintain the reported Nielsen Viewers in Profile (VIP) weights used to project in-tab sample households to universe estimates for their respective measurement periods. This study measures non-cable/non-ADS household viewing between 7AM-1AM, Monday to Sunday.

The sample source for this survey consisted of non-cable/non-ADS TV households returning usable television viewing diaries. NSI procedures were used for distributing diaries and for compiling the estimated audience projections in this report. Average quarter hour projections were computed by summing weights for quarter hours in the daypart for the non-cable/non-ADS in-tab households and dividing by the number of quarter hours in the daypart. The weights which were used for projections are those used to project in-tab sample households to universe estimates in the regular Nielsen Viewers in Profile analysis. Share and cume estimates as well as their respective standard errors are computed for each of the geographies as follows:

Shares of total viewing are computed by dividing average quarter hour M-Su 7AM-1AM projections of a given station for the non-cable/non-ADS in-tab households by the average quarter hour M-Su 7AM-1AM projections in non-cable/non-ADS households across all stations. The associated standard error is calculated using the accepted formula for computing the standard error of a ratio estimate and is shown below:

The average weekly circulation (cume) is an average of the four weeks of the measurement period. The cume was computed by summing the weights for all non-cable/non-ADS households tuning at least one quarter hour to a given station within the cycle during the M-Su 7AM-1AM daypart and dividing by the sum of all non-cable/non-ADS weights within the given measurement period for each week. The cume for each week in the measurement period is then summed and divided by the number of weeks in the measurement period to compute the average weekly cume. The associated standard error for the average weekly cume is calculated using the accepted formula for computing the standard error of a ratio estimate. This standard error is the error of the average weekly cume; it is not an average of the weekly standard error. The formulas used are shown below:

Share

$$Share = \frac{\sum_1^n (w * Qhrs(s))}{\sum_1^n (w * Qhrs(t))}$$

Share Standard Error

nielsen

$$\text{Std Error} = \sqrt{\frac{n}{n-1} * \sum_1^n \left[\frac{(w * Qhrs(s)) - (\text{Share} * w * Qhrs(t))}{\sum_1^n (w * Qhrs(t))} \right]^2}$$

where n = number of intab households

where w = household weight

where $Qhrs(s)$ = total quarter hours tuned to station of interest by household

where $Qhrs(t)$ = total quarter hours tuned by household

Average Weekly Cume

$$\text{Average Weekly Cume} = \frac{1}{z} * \sum_1^z \left[\frac{\sum_1^n (\text{HH Weight} * x)}{\sum_1^n \text{HH Weight}} \right]$$

Average Weekly Cume Standard Error

$$\text{Std Error} = \sqrt{\frac{1}{z^2} \sum_1^z \left[\frac{n}{n-1} * \sum_1^n \left[\frac{(x - \text{Week Cume}) * \text{HH Weight}}{\sum_1^n \text{HH Weight}} \right]^2 \right]}$$

where z = number of weeks in analysis (with non-zero intabs)

where n = number of intab households in week

where $x = 0$ if household did not tune station of interest

where $x = 1$ if household did tune station of interest

The attached report is representative of the viewing patterns of the non-cable/non-ADS households of the geographic area surveyed.



Significant Viewing Study
Providence - New Bedford DMA
Various Sweeps
Su-Sa 7A-1A
WBZ

		Combined May 07 & Nov 07	Combined May 08 & Nov 08
	Number of Intabs	2	3
	Average Weekly Cume	0.00	0.00
	Cume Std. Error	0.00	0.00
	Share	0.00	0.00
	Share Std. Error	0.00	0.00

		Combined May 07 & Nov 07	Combined May 08 & Nov 08
	Number of Intabs	11	8
	Average Weekly Cume	14.37	9.31
	Cume Std. Error	10.35	8.60
	Share	1.48	0.59
	Share Std. Error	1.26	0.48

CERTIFICATE OF SERVICE

I, Cherie L. Mills, a secretary with the law firm of Pillsbury Winthrop Shaw Pittman LLP, hereby certify that a copy of the foregoing "PETITION FOR SPECIAL RELIEF" was served via first class U.S. mail, postage paid, on this 22 day of October, 2010, to the following:

Richard H. Altabef
Vice President and Assistant General Counsel
CBS
51 West 52nd Street
New York, NY 10019-6188

WMFP-DT
1 Beacon Street
Boston, MA 02108
Attention: General Manager

City of Fall River
One Government Center
Fall River, MA 02722
Attention: City Clerk

WMFP-DT
MTB Boston Licensee LLC
C/O Multicultural Capital Trust
11077 Swansfield Road
Columbia, MD 21044 – 2724

Town of Easton
136 Elm Street
N. Easton, MA 02356
Attention: Town Clerk

WLWC-TV
274 Westminster Street
Providence, RI 02903
Attention: General Manager

Massachusetts Department of
Telecommunications and Cable
1000 Washington Street
Suite 820
Boston, MA 02118-6500

WLWC-TV
Providence TV Licensee Corp.
C/O KUTV
299 South Main Street, Suite 150
Salt Lake City, UT 84111

DIRECTV
2230 East Imperial Highway
El Segundo, CA 90245
Attention: Linda Burakoff, Senior Director of
Programming

WLVI-DT
C/O WHDH-TV
Government Center
7 Bulfinch Place
Boston, MA 02114-2977
Attention: General Manager

DISH Network, LLC
9601 S. Meridian Boulevard
Englewood, CO 80112

WLNE-DT
10 Orms Street
Providence, RI 02904
Attention: General Manager

Comcast Cable
440 Myles Standish Boulevard
Taunton, MA 02780

Comcast Cable
One Comcast Center
1701 JFK Blvd., 26th Fl.
Philadelphia, PA 19103
Attention: Michael Nissenblatt, VP
Broadcaster Relations

Verizon FiOS Television
140 West Street, 22nd Floor
New York, NY 10007
ATTN: Terry Denson, Vice President
Content Strategy and Acquisitions

WYDN-DT
P.O. Box 2684
Worcester, MA 01613
Attention: General Manager

WYDN-DT
Educational Public TV Corporation
3901 Highway 121 S
Bedford, TX 76021 – 3009

WUTF
33 Fourth Avenue
Needham, MA 02494
Attention: General Manager

WUTF
Telefutura Boston LLC
1999 Avenue of the Stars, Suite 3050
Los Angeles, CA 90067
Attention: General Manager

WWDP-DT
2 Bert Drive, Suite 4
West Bridgewater, MA 02379
Attention: General Manager

WLNE-DT
Freedom Broadcasting of Oregon, Inc.
1440 Rossenley Drive
Medford, OR 97501
Attention: General Manager

WHDN-LP
c/o Guenter Marksteiner
12949 SE Suzanne Drive
Hobe Sound, FL 33455

WGBX-TV
WGBH Educational Foundation
125 Western Avenue
Boston, MA 02134

WGBH-DT
WGBH Educational Foundation
1 Guest Street
Brighton, MA 01235

WFXT-DT
25 Fox Drive
Dedham, MA 02026-4595
Attention: General Manager

WFXT-DT
Fox Television Stations, Inc.
5151 Wisconsin Avenue, NW
Washington, DC 20016

WDPX-TV
1120 Soldiers Field Road
Boston, MA 02135
Attention: General Manager

WDPX-TV
ION Media Boston License, Inc.
601 Clearwater Park Road
West Palm Beach, FL 33401

WWDP-DT
Norwell Television, LLC
c/o Valuevision Media Acquisitions, Inc.
6740 Shady Oak Road
Eden Prairie, MN 55344

WBZ-DT
1170 Soldiers Field Road
Boston, MA 02134
Attention: General Manager

WSBK-TV
1170 Soldier Field Road
Boston, MA 02134
Attention: General Manager

WBZ-DT
CBS Corporation
2175 K Street NW
Suite 350
Washington, DC 20037-1843

WSBK-TV
CBS Corporation
2175 K Street, N.W.
Suite 350
Washington, DC 20037

WCVB-DT
5 TV Place
Needham, MA 02494
Attention: General Manager

WSBE-TV
Rhode Island Pubic Telecom Authority
50 Park Lane
Providence, RI 02907
Attention: General Manager

WCVB-DT
WCVB Hearst Television, Inc.
P.O. BOX 1800
Raleigh, NC 27602

WPXQ-TV
3 Shaws Cove, Suite 226
New London, CT 06320
Attention: General Manager

WPXQ-TV
1120 Soldiers Field Road
Boston, MA 02134
Attention: General Manager

WPXQ-TV
Ocean State Television, L.L.C.
601 Clearwater Park Road
West Palm Beach, FL 33401

WPXQ-TV
ION Media Boston License, Inc.
601 Clearwater Park Road
West Palm Beach, FL 33401

WNAC-TV
c/o WNAC, LLC
34 Main Street
Wenham, MA 01984
Attention: General Manager



Cherie L. Mills



Town of Easton Volunteer Information Form

Name: Kevin G. McIntyre, Esq.

Address (include zip code): 56 Williams Street, North Easton, MA 02356

Phone: _____ Cell Phone: € _____ Email: _____

Occupation: Attorney

Board/Committee for which you are applying: Community Preservation Act Committee

Board/Committee 2nd choice if any (or a new board not listed above)

Please outline any relevant experience for the position sought:

My legal practice includes real estate and land use.

Please outline any education, or training that may be relevant to the appointment sought:

BA Stonehill College, 1979, JD St. Louis University School of Law, 1985

Please list any prior volunteer experience or service on town boards:

Chairman of Fair Housing Committee

Please list special skills or talents pertinent to the position sought:

As an attorney for 25 years, I have had extensive experience interpreting and understanding statutes, regulations and judicial decisions, and dealing with land use issues through various transactions and litigation matters. I am patient, thorough and fair minded.

Please explain why you are applying for this position:

Please see attached.

Date: 9/30/2010

You must have the latest version of Adobe Reader to be able to save this form and send the completed form to kminsky@easton.ma.us. You must first save a completed copy of the form and then email the PDF. Submitting this form will serve as your official application for a volunteer position. If you want, you may attach a resume to the email. We will confirm receipt of your application and let you know if an interview by the Board of Selectmen will be required. You may also fax this form to (508) 230-0519 or mail the form to: Town of Easton, Board of Selectmen, 136 Elm St., Easton, MA 02356 Thank you!

I am applying to be on the Community Preservation Committee for the following reasons. Having lived in Easton since 1986, I have come to appreciate the historic and rural character of the town. I feel that any citizen who wants to live in a community of which he or she is proud should be willing to devote his or her own time and effort to improving and maintaining the positive attributes of the town. I see the CPC as providing an opportunity for me to contribute to the preservation of open space, preservation of historic properties, and the provision of community housing. The character of the town has changed substantially during the time my family and I have lived here, and I have followed with great interest recent proposals for the use of CPA funds. I would like to be part of future efforts to preserve those aspects of the town character which attracted me to Easton in the first place and have kept me here since then.



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