

CONSUMER PROTECTION COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Consumer Protection Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on September 11, 2008.

MEMBERS PRESENT:

Legislator Lynne C. Nowick, Chairwoman
Legislator Jack Eddington, Vice Chair
Legislator Thomas F. Barraga
Legislator Kate M. Browning
Legislator DuWayne Gregory

ALSO PRESENT:

George Nolan, Counsel to the Legislature
Bruce Dragonette, Consumer Affairs
Barbara LoMoriello, Deputy Clerk
Joe Muncey, Budget Review Office
Debra Alloncius, AME Legislative Director
Gene Pritz, Advisory Board, Office for the Aging
Victor Santoro
Joseph DeFilippo
Augustus Cocuzza
Jennifer Ostranger, Cablevision
Joan Gilroy, Cablevision
Dodie Tschirch, Cablevision
Joe Darrow
William Shilling, Aide to Presiding Officer
And all other interested parties

MINUTES TAKEN BY:

Diana Kraus - Court Stenographer

THE MEETING WAS CALLED TO ORDER AT 12:07 PM

CHAIRPERSON NOWICK:

Good afternoon. We are going to start the meeting with a salute to the flag led by Legislator Barraga.

SALUTATION

I would just like to take a moment of silence today to remember seven years ago on this date and remember 9/11; and also not to forget everyday we walk out our door, to tell our loved ones we love them because we know how important it is.

MOMENT OF SILENCE

PUBLIC PORTION

Good afternoon and welcome to the Consumer Protection Committee. As we always do in our committee meetings, we do like to go right to the public portion to bring our public up first. Our first speaker -- and if anybody does want to speak, you just have to fill out a yellow card. Our first speaker is Joseph DeFilippo. And just so you know, it's a three minute time frame.

MR. DE FILIPPO:

Okay, I'll try to be brief. We're here representing, or at least I'm here representing Fairfield at St. James, a condo unit for seniors. And I'm on the board of directors in addition to a president of section one.

Recently Cablevision provided us with a letter that suggested that as of May 13, '08, we would be losing several of the channels that we had agreed to contractually with them to have provided. At the same time they proposed to provide a cable box for a period of 13 months at which time after that proposal the people would be charged a 10.95 or thereabouts from thereon after.

Now, the contract we entered into was considered a bulk contract that provided for family basic coverage, which included a lot of the channels that they were eliminating. This contract was entered into in 2002 and it was a ten year contract. Nowhere within the contract does it state that they can arbitrarily discontinue any of the channels which we've been paying for over all of these years.

So our basic complaint is that after negotiating with Cablevision over time, they have agreed eventually to provide and bring to the many adult people we have in the community these boxes, install them. However, several people prior to that insistence on our part had to pay a \$49 fee to have this box delivered and installed and what have you. So we're negotiating to try and resolve that issue of getting some of that money back to the people. And Cablevision eventually sent us a letter and verified that they would reimburse any of those people that had the charge given.

At this juncture we're mainly concern with their sticking to the original contract, which says that they will provide the coverage until 2012 without any additional cost to the people. Beyond that, we really don't have any argument with them. We're happy with the coverage. But for most of the people that live in the community -- and we pay -- let me say this -- in excess of 12 to \$15,000 a

month for this coverage because we have 674 units in the community. And we pay at this juncture because the rate is increased yearly, at this juncture I believe it's \$18 and change per unit. So each section pays their proportionate share. And it's in excess of \$12,000. And that's over \$100,000 a year that we pay Cablevision.

And most -- I was trying to say that most of the people only use that coverage that's been provided into them. They don't get bills separately. The sections get bills separately. And most of the units and the people that live there, as I say, are elderly. And they only want whatever channels that they've been given for nothing for all of this time because most of the payment is paid out of their common charges to the section. So basically they don't want to be charged come next year and the years until the contract runs out with this additional 10.95 charge.

CHAIRPERSON NOWICK:

Okay. Mr. DeFilippo, just so you know, I have two more cards and I believe it's from your neighbors in Fairfield.

MR. DE FILIPPO:

Okay.

CHAIRPERSON NOWICK:

And just so you know, I did invite Cablevision to come here today to address some of your questions. But I just wanted to ask you one question quickly. Your letter that I have in front of me, my aide has passed around letters to all of us so we all have correspondence and we all know what's going on, your letter from Fairfield, not particularly yours, but from the President --

MR. DE FILIPPO:

Right.

CHAIRPERSON NOWICK:

-- says that you referred to the Cablevision's legal department.

MR. DE FILIPPO:

Well, I can answer that answer very easily. We've had a very difficult time in finding anyone at Cablevision who wanted to take on the responsibility of answering the question. And we were Micky Moused around from person to person to person to person. And when I finally got to speak to a man by the name of, I believe, his name is {Toberg} -- {Toberg}? And he says, well, you really have to address this here question of a legal issue to our legal department. So I said, well, you have our letter. Are they anywhere else that we would have to say -- he says, no, they're in our same building. I said why don't you walk the letter over to the legal department? You want me to mail you another letter. And every time we call, we don't have any person that we can really address the question to.

CHAIRPERSON NOWICK:

All right. Maybe today you'll be a little luckier.

MR. DE FILIPPO:

Okay.

CHAIRPERSON NOWICK:

Thank you.

MR. DE FILIPPO:

Okay.

CHAIRPERSON NOWICK:

And the next person that would like to speak is Augustus -- I'm sorry if I pronounce it wrong --

Cocuzza.

MR. COCUZZA:

I'm also from Fairfield on the board of directors. And I'm the president of section four. I was part of the negotiating committee at the time we entered into the contract with Cablevision. The contract is pretty simple. It states that they will provide basic and family coverage for a period of years for a set amount of money which escalates each year. And my question to -- my point is we pay -- we are adhering to the contract. We've paid our increases each and every year. Cablevision should adhere to their part of the contract and provide the service.

What they need to do to provide the service should not be our problem. That's their problem. They agreed in negotiation and signed off on a contract to provide those services. Provide them. Thank you.

CHAIRPERSON NOWICK:

Thank you. Gene Pritz.

MR. PRITZ:

Good afternoon. I'm Gene Pritz. I'm also a resident of Fairfield. I'm also a member of the advisory board of the Office for the Aging, Suffolk County Office for the Aging.

I want to tell you of my experience with Cablevision. When I first heard of this, I was told I have to pay \$40 for a box. I'd have to come to their office to pick it up. I'd have to install it myself. I went down, I picked up the box. I asked how do I install it? All the directions are in this package. I went home, installed it, but found that I could not get my DVD hooked up. I called. They answered the phone, press one, you know the drill, press two. Finally I get a message that says due to excessive calls, you'll have to call back later. After four tries I finally got a person -- not a person, a message that said leave your name and number and we'll call you back within 48 hours. Did they call you back? They didn't call me back.

However, I finally went back down and asked how I can do this. We'll send a technician to hook up your set. When? They gave me a date. He'll be there between eight and eleven. 1:30 I get a phone call, I'm on 347, where are you? I said I beg your pardon? Who are you? He said I'm the technician from Cablevision.

After four phone calls, and I've got all of this detailed, he finally showed up at my house and it took him 45 minutes to correctly install the equipment. I now have three remotes to operate my television set, which in the past only took one. In addition I got a bill. They said they're going to forgo the charges? I said, fine, then send me a corrected bill. This is going on since March. I haven't received a correct bill.

My point is they are not living up to their end of the bargain. And as my colleagues said, I think it's time that the Legislature or someone makes them live up to their part of the bargain. Thank you.

CHAIRPERSON NOWICK:

Is there anyone else that would like to address the Committee? All right. I would like to ask that Joan Gilroy from Cablevision and Dodie could come up. And I know that Cablevision wanted to come and answer some questions.

MS. GILROY:

Joan Gilroy, Director of Government Affairs for Cablevision. Do you need the address? 1600 Motor Parkway, Hauppauge. Chairwoman Nowick, Vice Chair Eddington and Legislators Barraga, Browning and Gregory.

CHAIRPERSON NOWICK:

Joan, how are you?

MS. GILROY:

Good, thanks.

CHAIRPERSON NOWICK:

I asked that you come here today because I've been receiving letters from my constituents and from other legislators' constituents over these problems. Maybe Fairfield is a little bit more individual because they have a contract they're talking about; and just wanted to talk a little bit about their contract, what they can, lack of communication, nobody calling them back, a way to help. Fairfield is a very prominent group of people in my district who I feel they need answers. They need some help and they need answers and they certainly need some communication. And maybe we can talk about what's going on and maybe we can help out; and maybe we can answer some questions. So you're on.

MS. GILROY:

Okay. What I thought I would do is give a general statement. And it's short, it's not long, about what digital is all about so we can lay the ground work. And then we'd be happy to answer questions. We'll go onto individual questions. Okay. So we'll do that.

As I said, I'm Joan Gilroy, Director of Government Affairs for Cablevision. And with me is my colleague, Dodie Tschirch, who's Vice President of Government Affairs and Jennifer Ostrager who's Director of Corporate Government Affairs.

I will begin by giving a brief overview. And then we'll go in and we'll be happy to answer particular questions be digital migration. It is undeniable that the media world is going digital. Following congress's lead in requiring broadcasters to go digital, cable operators have been converting their systems and cable programmers have been converting their services all in preparation for the near day that cable is delivered and received entirely in digital. Cable programmers no longer even develop new analog services.

The latest innovative creations, for example, Discovery's Planet Green, and the PBS Kids Sprout, are available only in digital format. The fact is Cablevision is the last source of cable analog programming in Suffolk County because everyone of Cablevision's direct competitors, Direct TV, Dish and Verizon are all digital systems. Today Cablevision carries virtually all of its television programming in a digital format because its customer base has become predominantly digital. 89 percent of our customers who were once analog only customers are digital customers. And they are demanding more and more digital services. Though it is noteworthy to mention here that Cablevision is unique in that we still maintain duplicative analog programming and we offer cable customers an analog option. So we still have an analog tier, analog channel, a network of 60 channels including local broadcast stations, cable networks and regional sports without a set top box.

Cablevision's migration to the digital world brings with it considerable benefits to our Suffolk County consumers. Our Optimum digital cable system delivers the crystal clear HD programming that consumers crave. Digital channels also take up far less capacity than analog channels. So in the place of every analog channel, multiple new digital services such as News 12 Interactive and our VOD can be offered.

In addition Cablevision supports an array of international programming, meeting the needs of our diverse community. Re-channeling the capacity once used for analog channels, Cablevision has been able to offer innovative services like IO Voice, Optimum On Line and now we've very excited about our OOL with WiFi capabilities. Yet the undeniable digital world will inevitably give rise to some transitional issues and a few growing pains. But the end results will be more channels, better quality picture and features and interactivity that can't be achieved in the analog world.

Cablevision is anxious to share its advanced digital technology with all of its customers. And a few months ago we launched a very consumer friendly initiative to introduce the remaining 11 percent.

So only 11 percent of our customers are still analog only and haven't moved to the digital world. And we introduced to the remaining 11 percent the customers the digital TV. And how did we do that? In May we did eliminate the duplicative analog fees of eight channels. And it required a digital converter box to view these channels.

To ease the digital transition, we provided customers with the option at no extra cost for one year to secure digital cable box and IO navigation services, which would introduce these customers to the additional features of what digital provides. So it's to introduce them to digital features such as, so they got in addition, 48 digital musical channels, what is it like to experience On Demand Programming and searchable cable guide; so introducing them to, wow, what is this digital world about that's different from the analog world? This offer expired August 10th, 2008.

On September 16th we announced the digital migration or will be announcing the digital migration of our public education and government access channels. With this second channel migration initiative, our -- we offered our analog only customers at no charge a free modified digital box for as long as they remain Cablevision customers. This expires October 16th. I just want to emphasize what this is is people that do watch the public access channels, our peg channels, so it would be in most areas channel 18 and 20; if you're out east, from out east I'm looking around, no, I don't think anybody here is from -- is from the east end, that would be channel 20 and 22. At no additional cost we are offering a modified digital box so that they can continue to see the government channels for as long as they remain Cablevision customers. There's no limit on that time limit on that offer. Okay?

At this point I'm going to end my prepared remarks and open up the floor to any questions that you may have either on general digital, specifically. Thank you.

CHAIRPERSON NOWICK:

You're finished. I have some questions. I just want to thank you for that run down. And, of course, after all that, who could -- darn, if I could figure out the difference between digital and analog, but I guess it really doesn't matter. Well --

LEG. EDDINGTON:

Quality wise.

CHAIRPERSON NOWICK:

Well, okay. But, you know, just let me ask you a question, Joan. What -- you said there's more services when you have a digital? When you flip over to digital. What are the services; more services? Was that the -- what you were talking about, the --

MS. GILROY:

Yes, you're going to get -- let me just -- let me just read some because it does give you -- I'm sorry. The difference between the analog and digital, when we have here, when we talk about what does a digital box give you and what you would have in addition that you would not have on your analog, there are things like you will get 40 HD channels free. This -- and actually this is --

CHAIRPERSON NOWICK:

Joan, if you don't have an HD TV, does that make a difference? You have to have a special TV for that?

MS. GILROY:

Sure. Yes.

CHAIRPERSON NOWICK:

Okay.

MS. GILROY:

HD TV. We talk about we have more than -- you would have access to our Video on Demand.

What's on Video on Demand. You have over 1800 channels. We are now putting -- which people are really picking up and watching -- on our Video On Demand we're putting a lot of our local programming. So if any of you have been on Meet the Leaders, and you care to see it for the month, we run it on Video On Demand so you can -- you can let your constituents know that you were on this program talking about some issue that would be significant to them. So we are putting our neighborhood journals.

So on this Video on Demand, there's free Video On Demand and that goes -- goes all into free Video on Demand. But you need the equipment to be able to access the two way equipment to access the Video on Demand. That you would not have as an analog customer.

We have the ability, of course, to pause and rewind. We were talking to Jack about this before, right on the digital that you would have with your digital if you have the DVR box. Okay, so that's another level up if you have the DVR box.

CHAIRPERSON NOWICK:

If you have a DVR box. Is that TiVo or something like that? No.

MS. GILROY:

No. It's our version of it. Okay. You have the music channels. I don't know if I mentioned 48 commercial free music channels. You have a searchable channel guide. So there are features that are on this digital box that are not on your analog box.

CHAIRPERSON NOWICK:

Okay. Joan, just -- because it's so not my technology, let me ask you a question. I have a television at home. It's maybe five years old. Is it a digital? What is it? Do I have to get a box for that?

MS. GILROY:

Yeah.

CHAIRPERSON NOWICK:

I mean what's going to happen in February? Will I turn it on and I won't see anything? I have no idea.

MS. TSCHIRCH:

I'm not sure I can clarify anything. I'm Dodie Tschirch, Vice President of Government Affairs.

CHAIRPERSON NOWICK:

That's -- you know. What happens?

MS. TSCHIRCH:

There are a number -- you know, this is really, this time for us, I think, is very similar to what people went through many years ago when they switched from black and white sets to color sets. It is a time of transition. And there are a number of different models and types of televisions that are sold. So it's not easy for any of us to say if I bought my TV five years ago it has this feature or this feature because in our world there are so many choices. The newer TV's typically are digital TV's.

CHAIRPERSON NOWICK:

Newer meaning.

MS. TSCHIRCH:

Newer, probably five years ago. If you bought a TV five years ago, it may have been an analog or it may have been a digital. If you go out and buy -- and look for a TV now it's going to be a digital or it's going to be a high definition digital because it's -- the transition has already taken another step

beyond. So there is no easy answer. And I think that's why this is so confusing because who thought about whether my television is analog or digital. You got channels and that's all you ever cared about.

And I think that's really what makes this so confusing now. I will say that part of -- and we can't answer individual questions for everybody because we don't have the answers here, but I can reassure you that our customer service representatives are trained to handle all these types of calls. So I would urge if you get -- if you get concerns from constituents who are confused, that they do call in to customer service so that they can help them work through this and work through the capabilities of the television and what they need, what piece of equipment they may need to get the channels that they want because there is no easy answer.

CHAIRPERSON NOWICK:

Okay. So in February when I turn on my TV -- I have to find out somewhere -- I'm thinking in terms, and I'm asking this -- I'm thinking in terms of somebody, you know, like my parents who -- although my Counsel here says I'm out of it, you're right, this is not my technology. I don't understand it. I have no idea. There are a lot of people that don't so the questions are good questions.

But customer service -- and I understand the change over. That's certainly not a problem. If customer service is going to be available to people to help out, that's going to be an important thing. We did hear testimony that four calls later there was no customer service, but just let me go -- let me not lose track here. What I wanted to say is Fairfield, I don't believe that they're complaining about whether they're or digital. I think they understand that. And God -- by the way, kudos to the gentleman that hooked up his own -- the box. Gees, I would be doing that for years before I -- but I think what -- I think what they're questioning was their contract, which is something that I think that bothers them.

And I wondered if there would be a way because it is not in the purview of the Legislature to go over their contract, but would there be a way for you to arrange for them to meet with you, to meet with your legal department? They have issues. From -- their complaint is they have a contract for a certain amount of money for a certain amount of channels. Must they pay now an additional monthly fee? They have issues that need to be addressed. I think their problem is that they just can't reach anybody. And that's what I would like to facilitate if we could. Would that be possible?

MS. TSCHIRCH:

I am -- yes. The short answer is yes. I think, though, from what I heard, and certainly correct me if I'm wrong, that it seems like they've worked through some of the bumps in the road. I do know that there was a letter that was sent. I do know that there was a response to that letter. That letter did go through our legal department. I heard the gentleman -- one of the gentlemen, and I apologize I don't remember the name, but I did hear him say that there was an additional issue that was raised about some people paying for an installation and others not. And he just recently got some correspondence back that that issue has been addressed.

So I'm certainly willing to give them my card and take this back again if they feel that there still is this lack of communication back and forth, but I -- we're certainly aware of the issues that were raised and working on them.

CHAIRPERSON NOWICK:

Just for my clarification, when you switch over to digital, does Fairfield lose a lot of channels that they've been getting now? And how do they get those channel back? Would they have to pay for them on a monthly fee the channels that they've already contracted for?

MS. TSCHIRCH:

What -- you're interested specifically in Fairfield or the general public. They are a different --

CHAIRPERSON NOWICK:

Well, because we had testimony from the public.

MS. TSCHIRCH:

Yeah, I guess they're slightly different because they are what's called a bulk agreement.

CHAIRPERSON NOWICK:

Only because the testimony here was from Fairfield. Of course I'm interested in everybody but right now that's the only one that actually came to the podium, that's the public.

MS. TSCHIRCH:

Right. I'm not -- I don't have the details of the contract. But from what I've seen I think that I have a sense that the contract talks about the family level of service. The family level of service, as Joan said, there is a migration that is going on with some of those channels on the family analog side being available only in the digital family.

CHAIRPERSON NOWICK:

Okay. So then it's not available anymore in digital.

MS. TSCHIRCH:

Right. We do, unlike some of our competitors, still have a very robust analog family for those people who do not want to incur a box charge or they just don't want digital because they find it confusing. Some people are very happy with what they've got. We still offer about 60 channels on that service. And they can -- they can have that option if they choose it.

If there are some channels -- I think the question that you have is are they losing channels? Some of those channels were shown in the digital format and the analog format and now are only shown in the digital format. So I don't know if there was a particular channel they would --

CHAIRPERSON NOWICK:

Okay. So if they're digital, they get the channels back again.

MS. TSCHIRCH:

If they want to continue to get exactly the same channel line-up that they had, they will need a digital box to do that.

CHAIRPERSON NOWICK:

Okay.

MS. TSCHIRCH:

Does that help at all?

CHAIRPERSON NOWICK:

Yes, it does. But I think that, which is why I think -- the questions, I think, that they were alluding to, if we contracted at one price for a certain kind of channels and it's changing to -- this is what I'm gathering, and I could be wrong, and they're changing to digital and they lose them, why are they being charged more? But this is a question for you, your legal department and for the residents of Fairfield. And that's why I think -- it sounds like they've been having a very, very difficult time getting through. And I know that you don't want that because Joan and I, we've spoken, and I know that you would like to at least address this with them. And I would ask that we could set up a meeting with them. They're here today. Set up a meeting and work with the legal department. I think it's important to them. And I know some of my colleagues want to ask questions. I want to just ask you two more things and more for my technologically challenged mind. Do I have to have a box for every TV?

MS. TSCHIRCH:

It depends on the television, the model of the television.

CHAIRPERSON NOWICK:

Well, let's say I have a digital TV I bought two years ago. Do you have to have a box on every TV?

MS. TSCHIRCH:

If you have a digital cable ready TV and you want basic service, no, you do not need a box. In the digital world, the family level of service -- the basic level of service will come through what we call unencrypted. It's either scrambled or not scrambled. The family level of service is scrambled or encrypted. So if you want to be a digital family customer and you have a digital television, you can get a digital box. You could have a cable card. Am I right? Those are the choices.

MS. GILROY:

Yeah. Yeah. Let me just add, this may help because one of our technicians said this to me and it really hit home. When you're speaking with -- somebody asks you an individual question, you have to stop and you have to just say to yourself what kind of equipment do I have at home? All right. So you have to just know, you have to just personally know if I have an analog piece of equipment or do I have a piece digital piece of equipment because --

CHAIRPERSON NOWICK:

Excuse me, Joan. Does it say it some where on the TV? How do you know? I mean do you know what your TV's -- it says it on the TV?

MS. TSCHIRCH:

Jen is saying usually it's on the back.

MS. GILROY:

On the back it may say. Okay. Once you know what piece of equipment you have, then they said you just simply ask yourself the question, okay, this is how Cablevision is going to deliver these signals. So if you're looking for HBO, you know it's coming in digital. So once you say, okay, this is what the entertainment that I would like to have in my home, well, if it's coming in digital and I have analog, you need some piece of equipment so they read each other because the signal's coming in digital, the piece of equipment's only reading analog.

Then I have to figure out what piece of equipment I need. And it's sort of helped me to say you have to start with what I have, what am I interested in as my entertainment, and what kind of box do I get? Do I want a tape? Then I'm going to a DVR box. If I have a digital ready TV and I'm happy with what comes in with the digital channels on the family level, then I'm okay. So that's where you have to -- that's how -- the road you have to go down. What I have, what entertainment I wish to purchase and what do I need to put the two together? I don't know if that helps but it helped me.

CHAIRPERSON NOWICK:

Well, this is really -- I can't even imagine my parents grasping this, you know, this is -- this isn't -- it's just not easy. I know my children, my grown daughters would. But it's just a little difficult. And I'm really understanding the problems that my constituents are going through. And I do -- I do understand flipping over. We've heard rumors that there are not going to be enough boxes available; they'll be times when -- one of the stores recently stated that they've run out of boxes. You don't find that's going to be a problem?

MS. TSCHIRCH:

Let me -- that's a whole other issue. If I could just say to you that I know there is confusion, there has been confusion. The good news is that we are through that digital transition that Joan addressed. So people have taken advantage of that box offer. Those that want to move over to digital have done so. That whole window of opportunity ended August -- in August. August.

The second phase of that is the movement of those few peg channels and our local programming channel. That is ongoing now. People are working through that. That will be over in October. And then we will be quiet for a while and let everyone -- let the -- sort of let the dust settle.

CHAIRPERSON NOWICK:

All right.

MS. TSCHIRCH:

I think what you have referred to in a couple of instances is the DTV transition, which is yet another event that's going to happen in February of '09. In February of '09 the government has -- it's the DTV transition. The government has mandated that the broadcast stations, your typical ABC, NBC, CBS must go to -- move to a digital format. So in February they will go from analog to digital.

What you see and what you're reading about boxes not being available, in conjunction with the DTV transition, the government has provided the opportunity for homeowners to order two \$40 coupons per household to offset the cost of a box that -- or actually there are a number of models of those boxes that are available at Walmart, Radio Shack, Best Buy. The functionality of that box is to move those broadcast channels back from the digital format to the analog format for those people that have analog televisions that are not hooked up to cable. Keep that in mind.

If they are hooked up to cable, you need do nothing. The cable -- our -- we plan, and the industry as a whole, has told the government that we will continue to carry the broadcast signals in both an analog format and a digital format until 2012. So you may see some ads on cable that say we've taken care of it, you don't need to do anything. That DTV transition will affect only those people who are non-cable customers or a person who is a cable customer who might have some odd television in the house that's not hooked up to cable. So you don't need to be overly concerned, at least from our standpoint.

CHAIRPERSON NOWICK:

Thank you. That was a bit little clearer in that regard. I'm going to open this up to questions because I have to decipher all this. And I think Legislator Barraga had some questions.

LEG. BARRAGA:

Thank you and good afternoon. Certainly I'm listening to your comments with reference to Fairfield. And I hope you make an effort to take your legal department, sit down with these folks and see if you can work out some sort of agreement because there's a tremendous amount of confusion. There's a contract in place and someone is violating the contract. I mean otherwise you're just going to wind up in court. They have enough resources to take you to court and they'll challenge you there. So it's better to really try to work it out in advance and avoid all that litigation.

MS. TSCHIRCH:

You have our commitment.

LEG. BARRAGA:

Okay. Thank you.

The other thing I want to talk about, and you alluded to it, Joan, this is very confusing to a lot of people, all the changes in your industry. And I'm not so sure as a customer I have to be aware of all these changes. I mean you're in the industry. You're supposed to have a customer service entity that takes care of my needs. And when I get complaints about Cablevision, besides what you charge, it's the lack of customer service.

I mean, for example, if I went out and buy a digital TV and I hear about high definition, I want high definition, I literally have to get that in my home and then maybe go down and get a box. I need a box. So I show up on 109, I get in line and they throw a box at me. And they're not equipped nor

do they want to know that I have a problem or that I may not be able to install this thing. I mean I would think if I have to get the box, the least I can do is admit to them, you know, I don't know how to install this, can we set up an appointment right now to get somebody to come to my home at no charge to me. They don't want to hear that. They don't want to hear that.

The last time I was in there which was several weeks ago, I had to wait 15 minutes for somebody to wait on me, they were all there, but this lady was on the phone with her mother. All right? And we're all backed up on the line. It's just an attitude. It's just an approach. If you try to pick up the phone and call Cablevision, you know, like that gentleman said, you're all over the place.

I think the point is you have to admit to yourselves that most people don't have a clue in terms of how to install all this stuff. That's your obligation. When I buy a car, you know, I go in, I'm looking at the outside of the car, I look at the engine, I don't bring the old car along with me and say why don't we figure this out before we buy this, I want a new car. I mean we're paying you. All right. It's built into the base. You've got to do better on customer service.

If I called Joan Gilroy tomorrow and I say, Joan, I've known you a long time, I got a problem with this box, I don't know to install it, you know what's going to happen? Within three hours, bingo, a guy's going to come and he's going to be the nicest person in the world and he's going to put that box right in there for Legislator Barraga. But if I was just Tom Barraga, like I was a couple of weeks ago, man, that's not good. I live in a bubble. I better never leave the bubble because the reality is if that's the way everybody's treated, we have a problem.

But you have to take a look at how you provide customer service. And I'm serious about that. Something has to change. Because there are many, many people, they don't know what to do with this system. And they don't want to know what to do. They want to enjoy what's available but they want you to take care of it from a technology perspective because that technology's always changing. Six months, a year from now, it's always different. You have all sorts of different programs.

But, you know, you have the influence to go back to your own people and say, you know, I went to this legislative meeting and this legislator, you know, he spoke up and, you know, maybe we ought to do something on the customer service end. Maybe we ought to change the way people are taken care of when they go to pick up these boxes or drop off these boxes. Maybe they should be able to make an appointment right then for a technology guy to come in and make sure they understand there's not going to be any charge. Or if they have to pick up the phone, and they're 40, 50, 60, whatever the age maybe, they don't have to sit there and go through the ritual of one number after another, we have a separate division, a separate unit. They can call right away and somebody's there to take care of them and schedule an appointment.

CHAIRPERSON NOWICK:

Yes.

LEG. BARRAGA:

All right, ladies?

MS. TSCHIRCH:

Well taken.

LEG. BARRAGA:

Thank you.

CHAIRPERSON NOWICK:

Legislator Eddington.

LEG. EDDINGTON:

Yes. I just wanted to make sure based on Legislator Nowick's question, I want to sure I have it in my head straight; that if you get basic cable, you're getting basically channel 2 to 72 or something like that. And then -- maybe 86 -- I don't know, but I'm just saying that you get --

MS. GILROY:

That would be family.

LEG. EDDINGTON:

Oh, that would be family, not basic, okay. Basic is just like the first 13 or 21 or something, okay. So if I have that, I have so many channels. And then when -- then there's packages like gold and silver and stuff where you can get like 999 channels, okay. And -- now when we change over, and I'm one of the few people I know that has had a TV for about 14 years and hopes that it will go down so I can justify to my wife buying this new TV, but I'm going to, based on talking to you, plead my case again.

But the other three TV's in my house will not be high definition digital. And basically my understanding is that when February comes, nothing is going -- I'm going to still be able to watch my basic family coverage cable on those channels. It won't have 2 to 99, that'll be on my one basic TV that has the box; is that correct? Because right now if I want to see a, you know, movie on cable, I can't watch it on the TV that's in front of my running machine. I can only watch it in the living room where I have the box. And that would remain the same, I'm assuming?

MS. TSCHIRCH:

The only -- right. The only thing that changes in February are those broadcast channels. And they won't change for you because you're television is hooked up to cable. It doesn't affect the 99 other channels at all.

LEG. EDDINGTON:

Okay.

MS. TSCHIRCH:

All of that stays the same. The only channels that are affected are the ABC, NBC, CBS, Fox, the network channels.

LEG. EDDINGTON:

I hear what you're saying. I want to just make sure.

MS. TSCHIRCH:

Yep.

LEG. EDDINGTON:

So that I'm going to have the same service --

MS. TSCHIRCH:

Right.

LEG. EDDINGTON:

-- that I have now.

MS. TSCHIRCH:

You will have the same --

LEG. EDDINGTON:

Nothing will change.

MS. TSCHIRCH:

-- service that you will have now with everything.

LEG. EDDINGTON:

On all the different TV's.

MS. TSCHIRCH:

With everything on any TV that is hooked up. Doesn't matter whether --

LEG. EDDINGTON:

Okay. Because if I wanted to be able to get whatever, HBO, whatever, I would have to get another box for that specific TV if I wanted to. Okay. You're shaking your head yes. That's my understanding now. Okay.

MS. TSCHIRCH:

Yeah.

LEG. EDDINGTON:

Okay, as long as everything remains the same.

MS. TSCHIRCH:

Stays the same.

LEG. EDDINGTON:

Okay. What else? No, I think that's it. Thank you very much.

CHAIRPERSON NOWICK:

Did anybody have any questions? Okay, we have two confused. One -- let me just see if I have any other questions here.

LEG. EDDINGTON:

I got another question real quick.

CHAIRPERSON NOWICK:

I think that covers -- sure, Legislator Eddington, go ahead.

LEG. EDDINGTON:

I just even -- I don't even know if you can answer this but, with basic cable, are there any TV's, brands, that are more compatible or it doesn't really matter? I mean, like you have see advertisements that Sony TV this and --

MS. TSCHIRCH:

Doesn't matter.

LEG. EDDINGTON:

It doesn't matter. Okay. Thank you.

CHAIRPERSON NOWICK:

The Optimum On Line, that's Cablevision; right? When you subscribe to Optimum On Line, that's the basic cable you get there? Unless you pay more? Is that what you have? You know, it's the three things. You have your telephone, you have your computer and you have your cable. Is that your basic as opposed to family coverage?

MS. TSCHIRCH:

The online service is the computer; is the internet --

CHAIRPERSON NOWICK:

That's the --

MS. TSCHIRCH:

-- portion. There's voice. There's voice. There's on line and video as we call it, which is -- that's the TV. Optimum TV is the video.

CHAIRPERSON NOWICK:

Is that -- when you subscribe to that, is that your basic cable? That's not a family package?

MS. TSCHIRCH:

It can be any package that you want it to be. We just brand everything, Optimum TV --

CHAIRPERSON NOWICK:

Depending on how much you spend to do it.

MS. TSCHIRCH:

Yeah. You can be basic family or IO gold, IO silver, whatever.

CHAIRPERSON NOWICK:

Okay. So what we're understanding is if we're hooked up to Cablevision, we don't have to go out and buy a box.

MS. TSCHIRCH:

In February, that's right.

CHAIRPERSON NOWICK:

In February. Okay. So why did all those people have to go out and buy boxes? Oh, that's a different kind of thing?

LEG. BARRAGA:

It's different.

MS. TSCHIRCH:

That's different.

CHAIRPERSON NOWICK:

Okay, I'm not even going to go there because --

MS. TSCHIRCH:

But people are confused about that also.

LEG. BARRAGA:

They're confused about a lot of things. That's what I'm saying. Customer service part of this has to really be improved.

MS. TSCHIRCH:

It's a very -- it's a confusing time.

CHAIRPERSON NOWICK:

Yeah, the customer service is going to be a very, very large part of this. And something we as County Legislators and this Consumer Protection Committee can keep monitoring because it's important. So I'm going to thank you very much and ask that you will meet with these gentlemen, set up an appointment and hopefully get to the legal department and figure it out.

MS. TSCHIRCH:

Work through the issues.

CHAIRPERSON NOWICK:

Please.

MS. TSCHIRCH:

We will. Thank you for having us.

CHAIRPERSON NOWICK:

Thank you. Okay, we are going to go onto the agenda. Table resolutions.

TABLED RESOLUTIONS

1272, adopting local law number - 2008, a local law to protect children from accidental poisoning by requiring the proper storage of toxic chemicals in retail stores. (Schneiderman) I'll make a motion to table, second by Legislator --

LEG. BARRAGA:

Second.

CHAIRPERSON NOWICK:

-- Barraga. All in favor? Opposed? **1272 is tabled. (Vote: 5-0)**

1364, adopting local law number - 2008, a local law to promote fair business practices. (Cooper) We have a motion? I'll make a motion. Legislator Browning makes a motion to table, second by Legislator Barraga. All in favor? Opposed? **1364 is tabled. (Vote: 5-0)**

1657, adopting local law number - 2008, a local law, to require the licensing of sign hangers in Suffolk County (PO Lindsay) Motion to approve.

LEG. EDDINGTON:

Second.

CHAIRPERSON NOWICK:

Bruce? Bruce, come on up.

MR. DRAGONETTE:

Good afternoon. The sign hangers, I know when Mr. Gardiner was here and I sat in on one of the meetings with Mr. Lindsay who proposed this law, we approved and thought it was fine to go as it is right now.

CHAIRPERSON NOWICK:

Okay.

LEG. BARRAGA:

I have a question.

CHAIRPERSON NOWICK:

For the purposes of discussion, we have a motion by Legislator Gregory, a second by Legislator Browning. And Legislator Barraga has a question.

LEG. BARRAGA:

The application fee will be \$200; right?

MR. DRAGONETTE:

Correct.

LEG. BARRAGA:

So why do you need a five member board? Why don't you put the application in, someone makes a decision and they pay the fee and that's the end of it? Why do you need a five member board that's going to meet, I guess, throughout the course of the year? Every time they meet, there's a per diem involved for each official \$100 and then there's X amount of dollars. To me it's like a bureaucracy you don't need.

MR. DRAGONETTE:

We don't -- there isn't anyone in our department that knows anything about sign hangers. Basically this board is going to handle the entire law itself.

LEG. BARRAGA:

There's nobody in your department that can learn something about sign hangers so they have enough knowledge to evaluate the application?

MR. DRAGONETTE:

No.

LEG. BARRAGA:

You need a five member board to make this evaluation?

MR. DRAGONETTE:

Correct, because they're going to look through and approve every application. And if there's a complaint or anything, they're going to do the investigation.

LEG. BARRAGA:

Well, how many applications do you think you'll have?

MR. DRAGONETTE:

That I couldn't tell you.

LEG. BARRAGA:

Well, are you talking a hundred, two hundred, thousand, ten thousand?

MR. DRAGONETTE:

Possibly a hundred.

LEG. BARRAGA:

A hundred.

MR. DRAGONETTE:

Possibly.

LEG. BARRAGA:

And there's nobody in your department that can learn the nuances associated with this to make a decision on an individual's application?

MR. DRAGONETTE:

No.

LEG. BARRAGA:

That you need a five member board?

MR. DRAGONETTE:

We need a five member board.

LEG. BARRAGA:

And then get per diems when they show up?

MR. DRAGONETTE:

Correct.

LEG. BARRAGA:

Amazing. It's amazing.

CHAIRPERSON NOWICK:

Are there any other questions? Is that a yes or a no? No. Okay, we have a motion and a second. All in favor? Opposed?

LEG. BARRAGA:

Opposed.

CHAIRPERSON NOWICK:

One opposed. **1657 is approved. (Vote: 4-1-0-0. Legislator Barraga opposed)**

INTRODUCTORY RESOLUTIONS

Okay, **Introductory Resolution 1750, adopting local law number - 2008, a local law to increase and improve gasoline price notification to consumers. (Losquadro)**

MR. NOLAN:

Has to be tabled.

CHAIRPERSON NOWICK:

Okay. This has to be tabled. I'll make a motion to table, second by Legislator Eddington. All in favor? Opposed? **Tabling motion is approved. (Vote: 5-0)**

Okay. There is nothing else on the agenda. I'll take a motion to adjourn.

LEG. EDDINGTON:

Motion.

CHAIRPERSON NOWICK:

Motion by Legislator Eddington, second by myself. All in favor? Opposed? This meeting is adjourned.

**THE MEETING CONCLUDED AT 1:01 PM
{ } DENOTES SPELLED PHONETICALLY**