

NHTV

North Haven Community Television, Inc.
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BY-LAWS

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Revised June 2, 2004

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NORTH HAVEN COMMUNITY TELEVISION, INC.
BY-LAWS

ARTICLE I: NAME and OBJECTIVES

Section A: Name:

The name of the organization shall be North Haven Community Television. For the purposes of advertising and promotion, the name of the organization will be NHTV.

Section B: Mission Statement

North Haven Community Television is a non-profit organization whose purpose is to stimulate and facilitate open community use of public access television. It will encourage members of the public to learn about and utilize public access for expression, education, entertainment and democratic exchange of ideas and information.

ARTICLE II: ORGANIZATION

Section A: Membership

Membership is open to North Haven residents, property owners or employees of a North Haven business.

Section B: Member Classes

1. Associate Member
 - a). Must be 18 years of age or older,
 - b). This class is eligible to utilize NHTV equipment and studio facilities per NHTV Policy, Rules and Procedures.
 - c). This class has no voting privilege.
 - d). Must complete, sign & submit a membership application form to NHTV.
2. Junior Member
 - a). Must be under the age of 18.
 - b). Must provide 2 hours of service annually to NHTV.
 - c). This class is eligible to use NHTV equipment and studio facility as defined in NHTV Policy, Rules & Procedures.
 - d). This class is not eligible for voting privilege.
 - e). Must complete, sign and submit a membership application form to NHTV.
 - f). In absence of parental supervision, a minor's apprenticeship contract must be completed and submitted to NHTV..
3. Full Member
 - a). Must be 18 years of age or older.
 - b). Must be an Associate Member.
 - c). Is subject to annual dues, which are set at the annual membership meeting.
 - d). Must fulfill five (5) hours of service to NHTV as annually defined by the NHTV Membership Committee.
 - e). Is eligible to vote at all Membership Meetings.

Section C: Governing Body

The Governing Body shall consist of a Board of Directors and Officers, both of which are to be elected by the Voting Membership (Full Members). The Officers shall also be members of the Board of Directors, and will not be subject to dues. Eligibility for the Board of Directors is open to voting members (Full Members) who have fully paid all dues, and fulfilled the

hours of service to NHTV .

ARTICLE III: MANAGEMENT

The business and affairs of the organization shall be managed and conducted by the Board of Directors.

Section A: Board of Directors

1. The Board of Directors shall consist of not less than seven (7) nor more than eleven (11) voting members and shall be made up of the Officers of the organization, plus up to seven (7) voting members. They shall be elected at the Annual Meeting. One additional position (non-voting) will consist of an ex-officio member, appointed by the cable franchisee serving North Haven.
2. General purpose: The Board of Directors shall have the responsibility and authority to manage the affairs of North Haven Community Television, Inc., to schedule meetings, to receive and disburse funds, and to develop and implement policy.
3. Tenure: The term of each Board member shall be one year. Should a vacancy occur, the Board may appoint a person who is a voting member (Full Member) to complete the remainder of the vacated term.
4. The Board shall meet bi-monthly unless otherwise specified.
5. A minimum of six Board Members, including two Officers, shall constitute a quorum. All matters requiring a vote shall require a simple majority of the Board members present in order to be enacted. Proxy votes will not be allowed. In special instances or emergencies, action may be taken by the Board of Directors by telephone concurrence by a majority of the Board Members. Such action shall be noted in a special memo placed in the minutes book and signed by the person obtaining such concurrence and shall be reported in the minutes of the next meeting.
6. The Board members shall be responsible for seeing that the rules and regulations governing the use of access production equipment, as are specified in the North Haven Community Television, Inc., regulations are observed.
7. The Board shall have the final decision regarding materials to be

telecast.

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8. As requested by the State of Connecticut, Department of Public Utility Control (DPUC), the Board of Directors shall conduct an annual review of the By-Laws, Policies, Rules and Procedures. In addition, the Board shall have the right to interpret these rules or add new rules and procedures in cases where particular matters are not specifically addressed or defined. Such additions to these rules and regulations shall be appropriately brought before the membership and be voted upon at the next membership meeting, but will remain in effect until the membership had had an opportunity to approve (or reject) the proposed rules or procedures.
9. Each year, the Treasurer shall establish an annual budget, which must be approved by the Board of Directors. The Board must also approve an unbudgeted capital expenditure exceeding over \$1000.00. Emergency capital expenditures, in excess of \$1000.00 need approval from a majority of the Board members. The requestor may obtain this approval, using a telephone or e-mail survey of Board members.

Section B: Officers and Board Members

Officers of this organization shall be the President, Vice-President, Secretary and Treasurer. Addendum I to these By-laws will list the job duties of the Officers and Board Members. The President may assign additional duties.

Section C: Meetings of Members

1. An annual meeting of the entire membership shall be held in the spring, at which time, annual reports are to be given, Officers and Board Members are to be elected by voting members (Full Members), and such other business as may come before the meeting transacted.
2. Special meetings of the membership can be called by a minimum of six members of the Board of Directors, at such time and place as they may determine.
3. A minimum of eleven (11) members, including at least seven (7) Board Members, shall constitute a quorum. All matters requiring a vote shall require a simple majority of the Board Members present in order to be

- enacted. Proxy votes will not be allowed.
4. The rules contained in the current edition of 21st Century Robert's Rules of Order shall govern the organization in all instances when they are applicable and not inconsistent with these By-laws and any other special rules the organization shall adopt.

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Article IV: Violations and Penalties

There are two types of rules that, if violated, can result in restrictions on an Access User. The NHTV Board of Directors is authorized to issue warnings and suspensions, and will do so in writing, stating the violation and penalty.

Section A. Major Violations

1. Major Violations will result in a Member's immediate 90-day suspension. In the case of a Board Member, a violation will also result in removal from the Board for the remainder of his/her elected term.
2. Major Violations include, but are not limited to:
 - a). commercial or profit-making use of facilities.
 - b). misrepresentation of access users' affiliation with NHTV.
 - c). falsifying forms/documents.
 - d). taking or reserving NHTV property or equipment without Board/Staff permission.
 - e). abuse of equipment, including unauthorized attempted repairs.
 - f). changing wiring, connection or attaching accessories without Staff/Board authorization.
 - g). entering areas posted as "off-limits".
 - h). use of facility while under the influence of alcohol and/or drugs.
 - i). Possession of illegal substances and/or drugs while on NHTV premises/property.
 - j). abuse of Staff/Board Members and other access users.
 - k). installation/use of unauthorized computer software.
3. The Board of Directors may review a particular infraction, if not covered by the above, and determine, by a 2/3 vote, that a major violation has occurred.

Section B. Minor Violations

1. Minor Violations will result in the following series of actions within a one-year period:
 - First Violation: written warning
 - Second Violation: 30 day suspension
 - Third Violation: 90 day suspension

2. Minor Violations, in accordance with NHTV Policies, Rules and Procedures, will result in the above or other punitive measures as deemed appropriate by the Board of Directors.
Minor Violations include, but are not limited to, the following:
 - a). failure to cancel a reservation.
 - b). late pick-up or return of equipment without notification or approval.
 - c). mishandling of equipment.
 - d). eating, drinking or smoking in prohibited areas.
 - e). failure to clean up after using the NHTV facilities.
3. The Board of Directors may review a particular infraction, if not covered by the above, and determine, by a 2/3 vote, that a major violation has occurred.

To protect NHTV Staff, Board Members and Members, as a result of disruptive, inappropriate behavior. The Board may prevent any person from using the facilities, equipment, airing programs or prevent presence on NHTV premises.

Section C. Appeals

Anybody wishing to appeal a decision of NHTV may do so in the following manner:

- a). within 10 days of receipt of a written notice, the Access User may request the Board of Directors, in writing, a meeting with the Board in order to resolve the situation.
- b). The Board shall meet within 30 working days of the request. Action on the appeal will depend on the presentation of new information or reasons why the Board may have been in error in its original decision.
- c). Within 10 days of the above meeting, the Access User will receive, in writing, and answer to his/her appeal.

Article V: Programming and Scheduling

Section A: Programming

The use of the town P.E.G. access channels shall reflect the intent, spirit and purpose of community access, to enhance First Amendment Rights, and shall observe the rules governing the prohibition of lotteries and lottery information, obscenity and pornography, political for-profit, for-profit personal programming. Thus, no programming shall be cablecast on the town access channels by a public access user which contains any or all of the following

1. Lotteries: Any devise, scheme, plan, promotion, contest, or other program which involves directly or indirectly, the elements of prize, chance and consideration or any such device, scheme and/or presentation which has been or may be declared a lottery under applicable State, local or Federal law.
2. Lottery Information: Any advertising of information concerning any gift, lottery, enterprise or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list drawn or awarded by such lottery, gift, enterprise or scheme.
3. Obscene or indecent material: Any material in a program or presentation which would subject the producers, program suppliers, sponsor and or the cable company to prosecution or penalty under local, State or Federal laws for presentation of obscene or indecent material.
4. Audio or visual material designed to promote the sale of commercial products or services. This shall include the direct or indirect solicitations and/or address or other responses for the purpose of any of the above mentioned activities.

However, programs may be sponsored by or supported by grants or contributions from any person, corporation, organization or other entity provided that: such programs do not promote a sponsor's business activities.

Grant Sponsorship: NHTV and/or Producers MUST fully complete a “Grant Sponsorship Form” detailing all information requested for each grant sponsorship. All sponsorships must be declared via completed form prior to production.

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a). Station Bulletin Board Grant Sponsorship:

NHTV (herein “the station”) may seek Bulletin Board Grant Sponsorships from businesses and individuals (as allowed by State and Federal Law, which excludes political-for-profit messages). Recognition of respective grant may be in terms of announcements on the station Bulletin Board (example of allowed recognition: “Programming made possible in part through a grant from Bob’s Hardware, Washington Avenue, North Haven.”) Additionally, a business logo or picture of the business is allowed as long as there is no call-to-action (examples of calls-to-action/non-permissible are: “the best nails in Town” or “the lowest prices). All Bulletin Board Grant Sponsorship funding must be made payable by check or money order to “NHTV” or “North Haven Community Television, Inc.”

The Board of Directors shall determine amount/duration of recognition in respect to specific Bulletin Board Grant Sponsorship. These sponsorship messages (screens) will run at random times during NHTV programming

b). Independent Producer Program Grant Sponsorships:

NHTV (herein “the station”) permits and encourages Independent Producers (herein “Producer”) to seek grant sponsorships from businesses and individuals (as allowed by State and Federal Law, which excludes political-for-profit messages) for their respective program(s). Recognition of respective grant may be in the form of a “slide” at the beginning and end of the specific program. The slide may be displayed for no more than fifteen seconds (:15) per grant sponsor at the beginning of the program, and no more than fifteen seconds (:15) per grant sponsor at the end of the program. An example of allowed recognition: “Programming made possible in part through a grant from Bob’s Hardware, Washington Avenue, North Haven.” Additionally, a business logo or picture of the business is allowed as long as there is no call-to-action (examples of calls-to-action/non-permissible are: “the best nails in Town” or “the lowest prices). Business name, address and telephone number may be displayed. Also, internet web site and e-mail is permitted as long as it is not overtly commercial in nature or does not lead to the imposition of a charge. Funding for Independent Producer Program Grant Sponsorships may be made directly to the Producer. Producers who utilize

grant sponsorships must provide the following information to the station; name of individual or business providing grant(s), amount (\$) of grant(s), and specific information as to what the grant was used for. Grant money is only to be used for program production-related expenses (e.g.: signs, set decoration, refreshments, transportation costs, etc.). No personal financial gain is permitted.

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Section B: Scheduling

Programs will be scheduled according to regulations as specified in the North Haven Community Television, Inc., Programming Guidebook, maintained and updated by the Program Director and approved by the Board of Directors. The Programming Guidebook will be considered to be ADDENDUM #2 to these By laws.

Article V: Equipment Use

1. The Board shall formulate and implement Rules and Regulations governing the use of access production equipment.

Article VI: By-Laws Changes

1. By-Laws changes may be proposed by either the Board of Directors or the voting membership (Full Members).
2. Should changes be proposed, the Board is to appoint a committee from among the voting membership (Full Members) to study, make recommendations and draft the wording of such changes. By-Laws changes are to be voted upon at a meeting of the voting membership Full Members and notice of such changes are to be announced to the general public at least two weeks before the meeting.

NORTH HAVEN COMMUNITY TELEVISION, INC.
Job Descriptions

President

1. Serves as recognized Chief Executive Officer of the Corporation.
2. Point of formal contact with town administration, business organizations, civic groups, members and individuals in the town of North Haven. Responds to correspondence from these groups and individuals.
3. Assures conformance with all Town, State, Federal and Cable Franchise Owner regulations.
4. Completes and files annual reports to the DPUC and Cable Advisory Council of South Central Connecticut (completed in January of every year).
5. Completes and files biannual incorporation report with the State of Connecticut (generally completed in March of even-numbered years).
6. Completes and files annual incorporation report with the State Department of Consumer Protection (due by end of May, with form 990-PF).
7. Assures conformance with corporate by-laws and requirements of the Board of Directors.
8. Oversees all major activities of the group.
9. Prepares agenda and conducts bi-monthly Board of Directors meetings and annual membership meeting.
10. Appoint members to committees and assures completion of projects requested by the Board of Directors, and may assign additional job duties.

Vice-President

1. Fulfills all of the duties of the President in his absence or physical or mental incapacibilities.

2. Ensures that all new members are properly trained by himself, the Technical Director or a designee of the Technical Director.
3. Coordinates all recruiting activities and fundraising drives.

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Treasurer

1. Serves as recognized Chief Financial Officer of the organization.
2. Maintains financial records and bank accounts for the Corporation.
3. Prepares and files annual State and Federal tax returns.
4. Prepares and files annual Federal reports for non-profit corporations (990-PF).
5. Pays all outstanding bills and obligations of the Corporation using the Corporation's funds.
6. Reports financial status to the Board of Directors at bi-monthly meetings or at the request of the President.
7. Prepares budget forecasts and tracks expenses on a monthly basis.
8. Follow grant sponsorship money to ensure proper use (see article V).

Secretary

1. Serves as keeper of the Corporation's records.
2. Records and maintains minutes of all meetings of the Board of Directors.
3. Notifies members of meetings.

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Program Director

1. Along with the programming staff, organizes and prepares daily schedule of channel programming.
2. Is the recipient of all new and proposed programming.
3. Ensures cablecast, talent release and live program outline forms are properly filled out for each program.
4. Ensures tapes for cablecasting are up to technical and programming specifications.
5. Schedules studio/editing equipment use time for members certified by the Technical Director.
6. Coordinates proposed equipment purchases with the Technical Director.
7. Assigns duties to programming committee members.
8. Maintains and updates Programming Guidebook. (ADDENDUM #2).

Programming Committee members

Responsible for assisting the Program Director in creating and scheduling programs.

Religious Program Director

1. Reports to the Program Director regarding all religious programming issues.
2. Schedules all religious programming in conjunction with and approval from the Program Director or the Board of Directors.
3. Is liaison between church officials and the Board of Directors.

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Publicity Director

1. Coordinates publicity activities with the other Board Members, project coordinators, and programming producers.
2. Responsible for submitting weekly programming schedules to the local newspapers.

Technical Director

1. Is responsible for the use and maintenance of all broadcast-related equipment owned by the Corporation, as well as the operation of the broadcast transmission rooms at the North Haven Fire Headquarters (Channel 20), and the broadcast transmission room at 127 Washington Avenue (Channel 18).
2. Responsible for the maintenance, programming and operation of the computer bulletin boards for the P (18) and G (20) channels.
3. Schedules and approves all use of the studio and editing equipment along with the Program Director.
4. Assigns duties to the Assistant Technical Director.
5. Coordinates proposed equipment purchases with the Program Director.

Assistant Technical Director

Responsible for assisting the Technical Director in all the above duties as required.

Equipment Manager

1. Responsible for scheduling and approving the use of portable equipment in concurrence with the Program Director and the Technical Director.
2. Maintains general upkeep of portable equipment (i.e. recharging batteries, cleaning equipment, etc.)
3. Enforces regulations on use of the portable equipment
4. Maintains records of use of portable equipment

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ARTICLE V
ADDENDUM #4

NORTH HAVEN COMMUNITY TELEVISION, INC.. Procedures and Forms

Addendum #4 to these By-Laws will incorporate the following forms and procedures:

1. NHTV Cablecast Releases
2. NHTV Talent Release
3. NHTV Rules for Studio and Editing Room use
4. NHTV Rules for Use of Portable Equipment
5. NHTV Equipment Log
6. NHTV Expenditure Report (Request for Re-imburement)
7. NHTV Live Program Outline
8. NHTV 13 Week Series Timeslot Request Form
9. Parental Form/Minor's Apprenticeship Contract
10. Membership Application Form
11. Equipment Use Certification Form
12. Independent Grant Sponsorship Form

NHTV North Haven Community Television, Inc.

**REGIONAL ROUTER POLICY FOR NHTV
Adopted October 7, 2004**

Definition of Terms

Digital Submission – the term “digital submission” will be used to describe original programming, (and its equivalents) being submitted for narrowcasting in lieu of it being in a physical tape form.

Host Town – the PEG Access site where the physical tape/DVD/programming originates and where request for router connection to one or more PEG Access location is made.

Receiving Town – the PEG Access site where request for simulcast programming is received. Each of the seven recognized PEG providers have sole discretion as to programming and policy as allowed by Federal and State regulations.

Router – An offline device with multiple inputs and outputs enabling the interconnection of at one of the three town-specific channels to allow for multi-town reception of specific programming originating from the town-specific sites. (as defined in DPUC Docket No. 99-10-05, Section III. Findings of Fact, Item 22).

System Router Gatekeeper – one of two individuals (primary person and an alternate) that assist the local PEGs in the maintenance of all the input and output connections of the router. Said person(s) will act as repair/troubleshooter in the event of a router failure. NHTV reserves the right to participate in discussions and vote (with the seven other P.E.G. groups and Comcast) to determine the two (2) System Router Gatekeepers.

Town Router Gatekeeper – an individual responsible for coordinating router schedule arrangements between host town and receiving town.

System Set-up Requirements

Each PEG Access Group must have access to the Internet in order to set up with the Persistent IP Address of the Router, and each broadcast controller needs to be synched time-wise to the router time to ensure proper beginning and ending program times.

Each town designates a person to be in charge of the router switching. It is the responsibility of the receiving town to retain/designate either a paid employee, paid consultant, or volunteer to maintain the router arrangements.

Within the seven-town franchise area there will be two people designated as system managers for the seven-town router handling: one main contact person and one alternate trained at the same level. (They will that assist the local PEGs in the maintenance of all the input and output connections of the router.)

ADDENDUM #5 NHTV Policy: Use of Regional Router

Procedure To Initiate Shared Programming Using The Router

The same rules and policies used for cablecasting on the P,E, & G channels within the seven-town franchise will be used for programming requests that will use the router:

- the requester fills out a cablecast release form sends it to one or more PEG Access site(s),
- the PEG Access site reviews it as with other cablecast release forms for tape/DVD submissions,
- additionally, notification in some form is required to the district gatekeeper and each of the seven local PEG Access Gatekeepers.

As with traditional cablecast requests all final programming decisions rest with the individual PEG Access site. Each of the seven recognized PEG providers have sole discretion as to programming and policy as allowed by Federal and State regulations.

Also there will be a printed copy of a cablecast release form and any other forms required (talent releases, release of copyrights, grant sponsor/underwriters) on file for audit at the receiving PEG Access site as with traditional cablecast releases involving physical tapes.

The receiving PEG Access site can review the requested dates of broadcast with available time slots in compliance to Connecticut Law C.G.S. Section 16-331a[e][1-3], and if agreeable will a) program the controller of the PEG Access Channel that will carry the simulcasting, and b) ensure proper time synchronization to the router time clock before scheduled time of airing.

Procedure for Troubleshooting Router

Any technical difficulties experienced during the time an electronic submission is being simulcast on the router will follow three steps to try to fix it.

- First, the Town Router Gatekeeper will be contacted and will inspect connections etc at the Host PEG Access site, and if remedy is not achieved,
- they will then contact one of the District Router Gatekeepers.
- upon verification of the interconnected program carriage commitment, the District Router Gatekeeper will attempt a solution before requesting assistance from a technician at Comcast's Branford Facility.

Neither the NHTV or Comcast is responsible for any failure to cablecast a program as scheduled whether because of the breakdown of equipment, or data/operator errors, or any other reason. Producers acknowledge that their only remedy upon failure to cablecast a program is the cablecasting of the program at another time.

NHTV has designated it's Executive Director, Walter Mann, as the North Haven Gatekeeper.