

**TOWNSHIP OF WARREN
RESOLUTION NO. 2018-83**

**ADOPTING UPDATED POLICIES AND PROCEDURES
FOR ACCESS PROGRAMING**

WHEREAS, the Township of Warren operates a public access channel (Warren Media) for the benefit of the residents of the Township; and

WHEREAS, Warren Media's present policies and procedures manual was last updated in 2008; and

WHEREAS, the Township is in need of an updated policies and procedures manual for Warren Media.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Warren as Follows:

1. The Township Committee hereby adopts an updated policies and procedures manual for Warren Media, appended to this resolution as Exhibit "A."

INTRODUCED	SECONDED	COMMITTEE	AYE	NAY	ABSTAIN	ABSENT
		LAZO	x			
x		MARION	x			
	x	GARAFOLA	x			
		DINARDO	x			
		SORDILLO	x			

CERTIFICATION

I, Cathy Reese, Township Clerk of the Township of Warren, in the County of Somerset, New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted at a meeting of the Township Committee held on April 12, 2018.



Cathy Reese, RMC
Township Clerk

EXHIBIT A

Warren Media Channel

**Policies and Procedures for Access Programming
Warren Media Warren Municipal Building
46 Mountain Boulevard Warren, New Jersey 07059**

Issue 4 – February 2018

A THANKS

TERMS AND ABBREVIATIONS

Media Advisory Committee: The group of Warren Township residents appointed by the Warren Township Committee to oversee Cable Television activities.

Media Complaint Officer: The Warren Township appointed official (the Township Clerk) responsible for receiving complaints about Cable TV service. Note: This official is NOT a substitute for Cablevision's, or Verizon FIOS' or any other cable TV service provider's normal trouble reporting and maintenance people.

Warren Media: The local access channel originating from the Warren Township municipal building.

ACCESS PROGRAMMING OVERVIEW

The following pages outline the purpose and policies of Warren Media access programming. The Township Committee and its Media Advisory Committee want to ensure Warren Media's local identity, provide unique service to our residents, and respond to the needs, concerns, and interests of Warren Township residents. To accomplish these goals, Warren Media offers the following services on Cablevision and FIOS.

Warren Media's Community Calendar

Warren Media enables Warren residents and organizations to share information about non-commercial events and services. Any individual, organization, institution, corporation or entity with a non-commercial event or service can submit an announcement to be cablecast on the Community Calendar. The Community Calendar is cablecast on Cablevision and FIOS.

The Community Calendar is a free service.

Community-Produced Programming

Warren Media offers any Warren resident, organization, or entity access to channel time on the Warren Media system. Submission of programs for the public access channel is free of charge and free of content control by Warren Media subject to the policies and restrictions described herein. Responsibility for program content rests with the individuals and organizations submitting the programs.

COMMUNITY CALENDAR RULES AND PROCEDURES

The Warren Media Community Calendar is a 24-hour computer-generated listing of local events, activities and services. This service is available without charge for noncommercial use and to local non-profit organizations and local government entities wishing to call attention to social, educational and cultural events that are open to the public. Information can be submitted pursuant to the following guidelines:

- Submit an announcement form at least one week prior to the event to be publicized. Individuals or organizations that wish to submit a Community Calendar by accessing the online form at www.warrenmedia.org. Completed Announcement Forms should be sent to: Warren Media, Warren Municipal Building, 46 Mountain Blvd., Warren, N.J. 07059.
- The length and repetition of announcements in a given day will be determined by airtime availability.
- While Warren Media will attempt to honor requests for postings, the final determination is at the discretion of Warren Media.
- Announcements for ongoing activities must be resubmitted every three months.
- Photos may be submitted with notice of events via graphic file format only. These photos become the property of Warren Media and will only be returned with a self-addressed stamped envelope.
- The Media Advisory Committee retains the discretion to determine the length and number of repetitions of Community Calendar submissions.

CABLE/WEBCASTING RULES AND PROCEDURES

As stated above, Warren Media offers any Warren resident, organization, or entity access to channel time on the Warren Media system. Submission of programs for the public access channel is free or charge and free of content control by Warren Media subject to the policies and restrictions described herein. Responsibility for program content rests with the individuals and organizations submitting the programs.

Individuals will need to fill out a Cablecast | Webcast Request Form and Producer's Agreement and submit them with the completed program prior to the cablecast/webcast of any program.

The Producer's Agreement requires the program's Producer to indemnify Warren Media for any violation of Warren Media policies or the law. Minors submitting programs will be required to have a parent or guardians sign the Producer Agreement.

Individuals submitting programs on behalf of an organization must submit a letter from an officer of the organization on its letterhead. The letter must indicate whether the organization will accept the producer's responsibility and indemnification as reflected by the Producer Agreement.

Whenever possible, Warren Media will try to satisfy specific requirements for dates and times. There are specific hours set aside every day for access programming, so cablecast request should not be a problem unless they conflict with an earlier request or special programming.

Operating Policies

Individuals may produce programming to air on Warren Media using either their own resources and equipment, that which is available from Warren Media, or that which may be available through the Cablevision Access Training Program or that which Verizon makes available through NJEdge.Net.

Note that, as Warren Media operates and broadcasts independently from its Cable Television Service Provider(s), the Producer must contact them directly for information on any of their training programs and the policies and procedures that govern them.

Warren Media Equipment Use and Check-Out | Check-In Procedures

Warren Media has equipment available for use by local residents and organizations interested in producing programming. After a Portable Equipment Loan Request has been submitted and approved, a Warren Media staff member will schedule the pick-up date, time, and location. The Warren Media staff member may sign the equipment over to users when they pick it up or sign it back in.

A current inventory of all available loaner equipment can be found on the Warren Media website and as a flyer in the document rack on the first floor of the municipal building. Users may request listed equipment by mail or e-mail to the Warren Media address listed on the cover of this document. Telephone reservations are not practical as the Warren Media Committee does not maintain a fulltime employee. Loaned equipment will be made available to users on a first-come, first-served basis.

Reserved equipment shall be listed on a common calendar easily accessible by all members of the Warren Media Committee.

A valid reservation will contain the following information: User name; contact number/e-mail address; a list of items to be reserved; the name of the Warren Media representative that took the reservation and who will handle the equipment disbursement and collection; and, the dates and times for which the equipment is reserved.

The common calendar may be kept as a virtual calendar in care of the Warren Media webserver or on common server sites, such as Yahoo.com, and will be accessible by all designated members of the Media Advisory Committee by log in name and password.

The equipment will be tested at time of pick up to verify that it is in good working order and that the producer has an adequate knowledge of the proper operation and care of the equipment to be borrowed.

The producer will sign an inventory list of the borrowed equipment stating that he/she has taken possession of the listed equipment in full working order and will take full responsibility for returning each item listed in full working order by the specified return date directly to a member of the Media Advisory Committee. The producer will be liable for expenses arising from the replacement or repair of any equipment that is not returned in full working order outside of wear and tear from normal use. The user will be required to show a valid New Jersey driver's license establishing his/her Warren residency and a major credit card as security in the event of equipment loss or damage. The term of equipment use will be determined on a project-to-project basis.

Termination of Warren Media Equipment Privileges

The following may result in the termination of the user's ability to use the access equipment available from Warren Media:

1. Damage to the equipment caused by mishandling;
2. Failure to give notice of the cancellation of equipment request;
3. Failure to return equipment on time;
4. Use of equipment for private or commercial use;
5. Falsifying information on the equipment request form; or
6. Non-compliance with any other procedure or policy for access programming.

In addition, Warren Media reserves the right to refuse to loan equipment to any individual or organization that has made excessive reservation requests which limit fair access of Warren Media equipment by other residents or for such other reasons as determined in the best interests of Warren Media.

Program Content Administration

Any program submitted for scheduling must be accompanied by a signed Producer Agreement and Cablecast/Webcast Request Form. Any minor must have an adult co-signer. The party signing the Agreement assumes liability for program content and warrants that the program does not contain any of the following:

1. Any advertising or material that promotes any commercial product or service or lottery;
2. Advertisement by or on behalf of officially announced candidates for public office. All legally qualified candidates, which are defined as eligible candidates who have formally filed for election, will be pre-empted from airing individual programming on Warren Media during the 'pre-election' period which is forty-five (45) days preceding the date of a primary and during the sixty (60) days preceding the date of a general or special election in which such person is a candidate;
3. Programming which identifies any product, service, trademark, or brand name which is not reasonably related to the non-commercial use of such product, service, trademark or brand name within the program;
4. Any material which is intended to defraud the viewer or designed to obtain money by false or fraudulent pretenses, representations or promises;
5. Any unlawful use of copyrighted material;
6. Any material that is libelous, slanderous or otherwise defamatory of character; or material that is an unlawful invasion of privacy;
7. Any material that violates state or federal law relating to obscenity. In determining obscenity, Warren Media will use the definition of same set forth by the Supreme Court of the United States in Miller v. California ("Miller Test"). 413 U.S. 15 (1973). The Miller Test provides that a work be considered obscenity if: 1) the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest; 2) that the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions; and 3) that the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.
8. Any material that violates local, state or federal laws.

If a program contains copyrighted material, the Producer should be certain that he/she has obtained all rights for the use of that material.

Potentially Objectionable Program Content

Warren Media requires that producers provide it with notice in the event that their program contains potentially objectionable content. Warren Media reserves the right to restrict cablecast programming with excessively violent material, offensive language, nudity or sexually explicit material.

If any program includes any of the aforementioned elements, a viewer advisory will be included immediately prior to the beginning of the program stating:

The following program contains material that some viewers may find objectionable or inappropriate.

The viewer advisory will be displayed on screen for 30 seconds.

These programs may also be subject to a decision by Warren Media that said program will air generally after 10 pm and before 6 am to preserve a "safe haven" for viewing by all audience members.

When violations of these content restriction policies are brought to Warren Media's attention, Warren Media will take whatever steps are necessary to comply with all applicable federal, state, and local laws, rules and regulations.

Warren Media reserves the right to review any programming prior to its airing. Where there is a violation of the above policy, Warren Media reserves the right to either delete any portion of programming that violates said policy or to refuse to air any such programming in its entirety.

Balance in Programming

Warren Media will provide opportunities for the presentation of a range of views on matters of public concern. No one individual or group's views should be allowed to dominate programming in a manner that could be interpreted as bias in programming. However, it is not the responsibility of Warren Media to produce dissenting viewpoints to add balance; it is the responsibility of members of the community to bring forth such programming.

Warren Media will also ensure that local residents and organizations holding a variety of viewpoints or issues of public concern have the opportunity to present their opinions within a reasonable period of time. The Warren Media Station Manager reserves the right to determine when shows will air in accordance with all federal, state and local laws and regulations.

Local programming focusing on local events will receive precedence in airing.

Program Credits for Contribution of Goods and Services

As stated above, programs may not contain any audio or visual material that present a commercial transaction. Nor may they contain a solicitation of funding or names and addresses that might later be used for non-political or commercial fundraising.

However, programs may include credit for individuals, businesses or other organizations that have contributed goods, services or funding used in the program production. Credits may include an acknowledgment of the contribution made. Credits cannot contain any advertising information. The credit may include a name and a logo of the organization beneath the following:

This program is made possible in part by [name person/organization].

Access Show Scheduling Procedures

The Media Advisory Committee Programming Sub-committee will allocate cablecasting time. We will try to accommodate requests for dates and time; however, final scheduling decisions are final. It is the producer's responsibility to pick up tapes after use. Warren Media will not be responsible for media materials left longer than thirty (30) days after their last airing.

Technical Standards for Programs to be Cablecast I Webcast

Only COPIES of programs may be submitted. NO MASTERS WILL BE ACCEPTED. Warren Media has the capability to cablecast DVD as well as VHS.

Please note that the DVD must be playable on any conventional consumer video DVD player. Programming that contains audio that is not intelligible or is distorted or too low in level will not be broadcast. Programming that contains video with poor exposure, excessive distortion or camera movement will not be broadcast. If in VHS format, the program must have continuous control track throughout the entire length of the videotape, regardless of program length.

All submissions must be properly labeled. The following must appear on the outer label:

1. Program title
2. Program length
3. Date of completion
4. Name of producer and sponsoring organization
5. Producer's home and work telephone numbers

The label on the submission itself should contain the same information. A graphic slate on videotape just before the program is optional. If used, it should contain the same information.

PLEASE NOTE: Warren Media will not be responsible for any lost, stolen, or damaged videotapes submitted. That is the main reason why we will not accept masters.

WARREN TOWNSHIP CABLE (WTC) RIGHTS.

Warren Media reserves the right to waive any of these regulations when such waiver is determined by Warren Media to be in the public interest.

These rules are also subject to periodic revision without prior notice. Any violation of the rules previously stated may, at WTC's discretion, cause Warren Media to withhold the use of, and access to its facilities from the violator.

TELEPHONE NUMBERS OF PERSONNEL

Cablevision Operations Supervisor of Local Programming and Community Relations	732-317-7071 (ext. 57053)
Verizon Video Management	(908) 559-5568
Cable TV Officer/Twp Clerk	(908) 753-8000

ATTACHED FORMS

Form 1: Equipment Acquisition Form

Form 2: Cablecast I Webcast Request Form

Form 3: Producer Indemnification Agreement

FORM 1

WARREN MEDIA PUBLIC ACCESS CHANNEL EQUIPMENT ACQUISITION AGREEMENT

Equipment user's information:

Name _____

Address _____

City, State, Zip _____

Phone _____ E-mail _____

Drivers Lic. No. Exp. Date CCV _

Credit Card No. (Please circle: Visa or Mastercard): _____

Expiration Date:- _____ Cardholder Name: _____

Pick-up date/time _____ By Warren Media representative _____

Return date/time _____ By Warren Media representative _____

Items to be loaned:

Quantity	Item Description	Asset No.

FORM 2

WARREN MEDIA PUBLIC ACCESS CHANNEL CABLECAST/WEBCAST REQUEST FORM

This form must be completed and submitted with DVDs I VHSs. **DO NOT SUBMIT MASTER DVD/VHS OF YOUR PROGRAM!**

PRODUCER'S NAME (print): _____

ADDRESS/TOWN: _____

HOME PHONE: _____ BUSINESS PHONE: _____

E-MAIL: _____ SPONSORING ORGANIZATION: _____

FOR BROADCAST ON: CABLECAST WEBCAST BOTH

The information above must also appear on your submitted tape(s).

TAPE LENGTH _____

FORMAT: DVD-R_ VHS _ SPECIAL NOTES:

DESCRIBE LAST VISUAL ON SUBMITTED WORK: _____

FORM 3

PRODUCER INDEMNIFICATION AGREEMENT

Upon signing this document, the user accepts all terms and conditions herein and warrants the following:

1. I have examined the items listed above and find them to be in full working order;
2. I will accept full financial responsibility for returning all of these items in the same working condition on the date and time listed herein;
3. In the event that I am unable to return the items listed herein on the date and time specified in full working order, I authorize the Warren Township administrator the use of the credit card information I have provided to effect the repair and/or replacement of said missing or damaged items.
4. I am a resident of Warren, NJ.
5. I intend to use these items to produce programming for the benefit of the community.
6. All information I have provided is correct and true.

User's signature and date

User's printed name

Warren Media representative signature and date

Warren Media printed name