

TOWNSHIP OF MONTCLAIR  
TELEVISION STATION POLICIES & PROCEDURES  
March 11, 2008

I. Introduction

The Township of Montclair is and will be operating a municipal government television station with two channels. The call letters shall be TV-34 and TV-33. Both of these channels shall be municipal government access channels, but it is the intention of the Township, and the Township reserves the right, to assign TV-33 as a public access channel under terms and conditions set forth by the Township or to transfer TV-33 to a bona fide 501(c) 3 non-profit corporation designated by the Township to operate a public access channel under terms and conditions set forth by the Township. Until such time, both channels shall operate according to these policies and procedures. These policies and procedures shall be adopted by the Township Council and enforced by the Township Manager and his or her designee(s), and may be amended from time to time as conditions warrant. The dates of adoption shall be recorded by the Municipal Clerk, who also shall maintain copies available for public inspection.

II. Objectives

The following objectives are established for Montclair's Government Access Television Station (henceforth GATV):

- A. Develop educational and municipal programming to address the needs, concerns and interests of Montclair Township residents;
- B. Broadcast quality programs which are in conformance with community standards;
- C. Foster a cooperative effort between Montclair Township and community and area resources, including local schools, on projects serving the interests and needs of Montclair Township residents;
- D. Encourage residents, organizations, and students to be involved in the production and broadcasting of innovative community oriented programming;
- E. Provide a bulletin board which airs notices from municipal agencies and non-profit organizations in Montclair Township and neighboring communities which may be of interest or service to Township residents;
- F. Bring into the homes of persons with disabilities or special needs educational and non-profit programming in order to promote the objective that all residents are an integral part of the community.

III. Program Source

Program material may emanate from:

- A. GATV staff.
- B. GATV volunteer staff.
- C. Municipal and educational organizations.
- D. Residents or non-profit community groups as approved by the GATV Station Manager.
- E. Sources outside of Montclair Township submitting content must be in conformance with these policies and procedures.

#### IV. Editorial Control

- A. The Station Manager or other designee of the Township Manager shall initially ensure compliance with these policies and procedures. Final decisions concerning the editing and broadcasting of a program rest with the Township Manager for all programs from all sources.
- B. GATV is not obligated to air material submitted from any source or to air productions or bulletin board submissions in their entirety.

#### V. Program Content Guidelines

The Township of Montclair will not knowingly broadcast, from any source, programs, bulletin boards, announcements, or portions thereof, which are deemed in violation of these guidelines or that are, for any reason, not in conformance with the objectives of GATV.

The Township of Montclair will not knowingly broadcast or allow to be broadcast any material that:

- A. Is contrary to local, state, or federal laws.
- B. Violates state or federal law relating to obscenity or profanity that would be offensive to the general viewing public. This specifically includes a prohibition on the airing of those words that the FCC prohibits from being broadcast on over-the-air networks.
- C. Is a direct or indirect presentation of lottery information, gambling, gaming, or games of chance
- D. Represents a solicitation or appeal for funds other than for GATV or local non-profit 501(c) 3 organizations.
- C. Is libelous, slanderous or an unlawful invasion of privacy.
- D. Is copyrighted, trademarked, or subject to ownership or royalty rights without necessary releases, licenses or other lawful permission (with a copy of such provided to the Station Manager).
- E. Promotes any single religious belief or represents a portion or all of a religious service conducted by a church or religious organization. This shall not preclude the airing of:
  - 1. A school concert containing religious music;
  - 2. A documentary educational program explaining the beliefs or history of more than one religion;
  - 3. A concert or other musical program conducted in a church setting by a group or individual not affiliated with that church.
- F. Is an advertisement or endorsement by or on behalf of officially announced candidates for public office or that feature one candidate or promote one candidate or group of candidates over another. This shall not preclude the broadcasting of local election coverage consisting of any moderated forum open to all candidates conducted by a public or quasi-public non-partisan organization such as the League of Women Voters or established news media, or a

forum conducted pursuant to an agreement of the candidates, and said broadcasting is hereby encouraged by the Township as in the public interest.

- G. Is conducted in a private business establishment unless it is part of a municipal or non-profit event or a GATV authorized educational program or series.
- H. Contains any inappropriate spoken or physical behavior which could improperly or unfairly injure, violate or insult persons or groups or is contrary to generally accepted community standards.
- I. Presents demeaning or derogatory comments about, or representations of, individuals or groups based upon race, creed, color, national origin, nationality, ancestry, age, sex (including pregnancy), familial status, marital status, religion, domestic partnership status, civil union status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military status, or mental or physical disability (including perceived disability and AIDS or HIV status). The GATV Station Manager in concert with the Montclair Township Communications Director and Township Manager has the right to reject any program or announcement submission deemed in violation of these guidelines or which is, for any reason, deemed not suitable to the objectives of GATV.

## VI. Electronic Bulletin Board

- A. The bulletin board is a mechanism for airing public announcements or messages that are non-commercial and deemed to be informational to Montclair Township residents. These messages include the announcement of events or services sponsored or conducted by municipal, educational or non-profit community groups or organizations.
- B. Announcements of events or services sponsored by municipal entities or non-profit community organizations from neighboring communities that may be of interest to Montclair residents may be placed on the bulletin board if programming and editing time permit.
- C. All notices must be approved by the Montclair GATV Manager. GATV reserves the right to edit any such message.
- D. Personal ads will not be accepted.
- E. Ads for political campaigns will not be accepted.
- F. Announcements may not contain references to:
  - 1. Lotteries, bingo, or other games of chance or
  - 2. Alcoholic beverages or cash or open bars.
- G. Meetings of non-profit, non-municipal groups may be announced; however announcements of internal organization meetings (e.g., a finance committee of XYZ Club) will not be carried unless subject to Sunshine Laws.
- H. The starting times and locations of religious services conducted by religious organizations within Montclair Township may be posted on a religious services page.
- I. All messages should include the name of the event (e.g., a spring bazaar and luncheon) or service (e.g., flu shots), the name of the sponsoring organization, date, time, location, costs and contact person, phone number and website.
- J. The design of the screen including the colors, character fonts, style, and layout of the announcement will be decided by the GATV Station Manager.

- K. Requests must be dropped off at, or mailed to, the Montclair Cable Television Station, 205 Claremont Avenue, Montclair, NJ 07042. Announcements may be transmitted electronically to [cabletv@montclairnjusa.org](mailto:cabletv@montclairnjusa.org) for approval by the GATV Station Manager.
- L. All requests should be received at least two weeks prior to the requested air start date. Acceptance is solely at the discretion of the GATV Station Manager.
- M. The GATV Station Manager has the right to reject any message deemed not to be in conformance with these policies or the objectives of GATV.

## VII. Cable Productions

- A. Air time is available solely for the purpose of educational or community programming that is non-commercial and is in conformance with these policies.
  - 1. Educational programming is a program from any municipal, educational or non-profit source designed to inform or instruct viewers about matters which fall within the purview of GATV objectives.
  - 2. Community programming is a program featuring an activity of a unit of municipal government or an event sponsored by an element of municipal government or a product which is requested for airing by a unit of municipal government to inform, educate or entertain Montclair Township residents on matters which may be of local interest.
- B. All programming shall be reviewed by the GATV Station Manager and/or the Montclair Township Manager and Communications Director and is subject to editing to ensure that it is in conformance with these policies and scheduling requirements.
- C. An independently produced program is any program that is not produced under the auspices of GATV. Before airing an independently produced program, the producer must complete and sign a GATV Producer Agreement and Indemnification Form accepting full responsibility for the program content, saving harmless GATV and Montclair Township from any loss incurred in the defense of any claim or suit and certifying that the program is in full compliance with these policies. Independent producers developing programs at the request of a unit of Montclair Township government or the Montclair Township Manager must certify on the Producer Agreement Form that GATV programming has first and unlimited use of the program.
- D. A program and/or recording of a paid performer will only be aired upon receipt and approval by the GATV Station Manager and must include a signed Performer Release Form which includes a waiver of any right to compensation from GATV or Montclair Township for the broadcast of all or any portion of the performance.
- E. Liability for an unauthorized use of copyrighted or trademarked material shall rest solely with the producer.
- F. The GATV Station Manager has the right to reject any program submission if it is deemed not suitable to GATV objectives or not in compliance with these policies.
- G. Program proposals are required for all independently produced programs. If possible, proposals should be submitted in advance of program production.

All proposals should:

- 1. Include a justification indicating how it relates to the objectives of GATV, its potential value to the community, its goals, and target audience.

2. Be accompanied by a certification that the producer has read these policies and that the program will be in compliance with them.
  3. Be submitted at least 21 days in advance of the proposed airing time. If the program does not accompany the proposal, the earliest airing will be at least 21 days after receipt of the program to allow time for editing and scheduling. These time frames may be modified by the GATV Station Manager in accordance with production or broadcast needs.
  4. Proposal requirements may be waived when a program is produced at the request of the GATV Station Manager.
- H. All media submissions must be in an acceptable format (DVD or MPEG2), properly labeled and contain program title and length, name of producer and sponsoring organization and the home and work telephone numbers of the producer.
  - I. GATV is not responsible for any lost, stolen, or damaged DVDs or other media submissions.
  - J. All media must be picked up by the sender within 21 days of airing. After such time has elapsed, the media will be discarded by GATV.
  - K. A broadcast of a meeting of any municipal policy making or advisory body, commission or board will only be edited to the extent that formal breaks in the meeting or any regulated profanities or obscenities are deleted. Requests to delete comments or other portions of the meeting will not be honored.
  - L. Persons acting in the capacity of a GATV production team member creating a recording or other media on behalf of GATV shall complete a "Work for Hire Agreement" form acknowledging the "work for hire" capacity and agreeing that any created media is the sole property of GATV.

## VIII. Sponsorship

- A. GATV may accept sponsorship or support for all programs or services broadcast on or furnished by GATV.
- B. A sponsor may donate money, equipment, operational supplies, programming or services toward general GATV operations or toward a specific GATV production, service or broadcast function. Such donations become the sole property of GATV.
- C. Monies donated to GATV shall be placed in a fund dedicated to the operations of GATV. In the event that GATV ceases operations, all remaining funds and all equipment owned by GATV shall be turned over to the Township of Montclair.
- D. Sponsorship does not convey any right to the sponsor or donor to censor, alter, or influence program content.
- E. Program providers or sponsors may not advertise on GATV by the use of commercials as that term is traditionally used in advertising. Programs or bulletin board submissions containing material deemed by the GATV Station Manager to be commercial in the traditional sense may be rejected or edited to conform to these policies.
- F. Sponsorship announcements are not commercials and cannot be used to persuade or influence viewers, to advocate for public issues or candidates or as a call to action.
- G. The GATV Station Manager, under advisement from the Township Manager and Township Attorney, is authorized to establish rates for broadcasts, programming and services as follows:

1. \$100 per hour for underwriting bulletin board operations;
2. \$400 per hour for exclusive sponsorship of a program;
3. A reasonable fee, as approved by the Township Manager, reflecting time and materials costs for each media item reproduced as a copy for any individual or organization. This shall not apply to such an item when provided by the Station Manager to guests who appear on GATV.

Monies donated toward general GATV operations and equipment, operational supplies, programming or services donated to GATV are not covered by these rate limitations and may be acknowledged in bulletin board slides as the GATV Station Manager deems appropriate. Rates established within these maximums by GATV shall be published in the same manner applicable to the announcements of public meetings.

- H. Sponsorship announcements may be produced by the sponsor or GATV in a format and on media established by the GATV Station Manager. Control over content rests solely with the GATV Station Manager and/or the Communications Director and the Montclair Township Manager.
- I. Volunteers or organizations securing sponsorships, donations, or support for GATV operations may not receive any form of compensation for this service.
- J. Sponsors have the opportunity to be the exclusive sponsor of a program by contributing the full sponsorship rate.
- K. Sponsorship of a particular program may emanate from more than one of the same kind of business.
- L. The costs of cable productions or bulletin board operations may be underwritten in whole or in part by corporations, businesses, non-profit organizations or individuals. Such support may be acknowledged as follows:
  1. When a program is funded, the program may contain, for each funding source, a 20 second billboard within a 30 minute time slot (e.g., "This program was made possible in part by XYZ Restaurant"). Alternatively, acknowledgement could be a 10 second billboard display at the start and the conclusion of the program. The billboard can only display name, address, logo, picture of the facility of a corporation, business or non-profit organization and other data deemed appropriate by the GATV Station Manager.
  2. When the bulletin board operation is underwritten, a notation acknowledging the sponsor may appear at the base of the bulletin board, technology permitting, for a period of time determined by the GATV Station Manager. Moreover a billboard display acknowledging this support may be carried at least once during each bulletin board cycle.
  3. Acknowledgements of donations or support may take the form of a congratulatory or memorial message as requested by the contributor.
- M. The GATV Station Manager has the right to make appeals for funding or support for GATV operations or programming.

## IX. Program Scheduling

- A. All program scheduling will be approved by the GATV Station Manager.
- B. Subject to the GATV Station Manager adjustments, broadcast priorities will be as follows:

1. Live events (e.g., school sports or musical programs).
  2. Montclair Township Council meetings.
  3. Board of Education meetings.
  4. Montclair Township sponsored events.
  5. Montclair Township government commission, board, and committee meetings.
  6. Other programs of specific community interest approved for broadcast by the GATV Station Manager.
- C. The GATV Station Manager will attempt to broadcast live or recorded Council, School Board or Montclair Township government commission, board, and committee meetings or sponsored events as requested, personnel and equipment availability permitting. When such resources are limited, priorities for live broadcasting or recording will be in accordance with subsection B above.
- D. Emergency Management announcements of the Township will be broadcast on a priority basis overriding all other scheduling decisions.

## X. Facilities and Equipment

- A. GATV is a local, non-profit cable access Television production and broadcast operation wholly owned and operated by the Township of Montclair.
- B. GATV broadcasting will emanate from the Montclair Township Municipal Building.
- C. Access to GATV editing or storage areas in Montclair Township facilities will be subject to Township policies.
- D. Access to Montclair Township facilities for the purpose of recording or producing activities or events is strictly under the jurisdiction of the Township government.
- E. Equipment and supplies purchased by or donated to GATV will remain the sole property of GATV regardless of its location.
- F. Access to the broadcast equipment located at the cable insertion point in the Montclair Township Municipal Building will be strictly limited to persons updating programming and scheduling or performing maintenance on such equipment as approved by the GATV Station Manager.
- G. GATV equipment may only be used for the production or recording of events or activities approved by the GATV Station Manager. Access to this equipment should be available to:
  1. GATV production team members; or
  2. Independent producers approved by the GATV Station Manager. A GATV Equipment Request Form shall be used when any equipment is removed from the Township of Montclair facilities or storage areas.
- H. A log developed by the GATV Station Manager must be located in each area where GATV equipment or supplies are stationed. Persons using such equipment at the work station must sign in and out when the equipment is used.
- I. Any equipment that is damaged or malfunctions must be reported by the person using the equipment at the time of the incident on a GATV Incident Report Form. The form must be submitted to the GATV Station Manager.

## XI. Production Team

- A. The GATV Station Manager may establish a volunteer group, the GATV Production Team, to assist in the production and broadcasting of GATV programming.
- B. Volunteers may be of any age; however persons under the age of 18 must have a GATV Student Release Form signed by a parent or guardian providing consent for them to participate in GATV production or broadcast activities.
- C. Persons volunteering shall complete a "Work for Hire Agreement" Form acknowledging that when they are performing services for GATV in the capacity of a production team member they will be considered to be in a work for hire capacity and agreeing that any media created while working in that capacity is the property of GATV.
- D. Production team members may be involved in activities such as filming, editing, writing, narrating, interviewing, bulletin board creation, program development, and scheduling.
- E. Training and/or certification processes for the use of equipment by production team members or others will be determined by the GATV Station Manager.
- F. When using station facilities, equipment, resources, or property, production team members may only tape or perform other services for activities or events approved by the GATV Station Manager.
- G. Volunteer staff shall be provided with proper photo identification issued by the Station Manager under rules authorized by the Township Manager.

## XII. Technical Standards

- A. All media submitted must be in a format approved by the GATV Station Manager.
- B. All media submitted for broadcast will be reviewed for technical quality standards and may be rejected for airing if deemed by the GATV Station Manager to not meet broadcast technical standards.
- C. VHS tapes will not be accepted. Such tapes must be converted to a DVD format.
- D. Media submitted to air in a 30-minute or a 60-minute time slot should be 28:30 or 58:30 minutes in length respectively. Only submissions meeting general production standards will be accepted. Submissions that include dropped audio, inconsistent or excessive camera motion, or programs that contain "raw" (unedited footage) will not be accepted for broadcasting.

## XIII. Technology Purchases

- A. The GATV Station Manager with the approval of the Communications Director, Township Manger, or Finance Department, may purchase equipment, operational supplies, programming and/or services required to carry out and meet the objectives of GATV.
- B. Equipment purchased will be capable of broadcasting to a server via MPEG2, MPEG4 and Video Streaming format.
- C. All purchases will be made in accordance with Township of Montclair purchasing policies and procedures and subject to available appropriations.