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SELECTMEN'S MEETING MINUTES
BROADBAND PUBLIC BENEFIT HEARING #1
February 17, 2021

Ms. Pitt stated, as Chairman of the Marlborough Board of Selectmen, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 Pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Chairman Pitt opened the public benefit hearing at 7:05 pm. Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during the meeting, which is required under the Right-to-Know law.

Roll call attendance:

Chairman Pitt	Yes – Present on Zoom	No one else in the room
Selectman Paight	Yes – Present on Zoom	No one else in the room
Selectman Nelson	Yes – Present on Zoom	No one else in the room

Also present in the Zoom public benefit hearing was Ellen Smith, Town Administrator; Jeff McIver, Mike Cannon and Tripp Legendre of Consolidated Communications, members of the broadband advisory committee and members of the public.

Chairman Pitt stated that in accordance with NH RSA 32:5 I, notice of this public hearing was published on February 8th in the Keene Sentinel and posted at the Town Office and Post Office as well as contained in a mailer that was delivered through the US Postal Service Every Door Direct Mail. This hearing also is being held in compliance with and pursuant to NH RSA 33: 3 which requires at least 2 public hearings prior to Town Meeting at which the public benefits of a public/private partnership for Broadband development have been presented to the public and have been found by the Selectmen to outweigh any benefit accruing to a private party.

Chairman Pitt then introduced the members of the Broadband Advisory Committee: Jeff Miller, Cody Lee, Sue Jenkins, Rich Jenkins and Bob Hill. She thanked the members of this committee for the months of work they did to get us where we are tonight. She noted that also present with us tonight are representatives of Consolidated Communications: Jeff McIver, Manager of Consumer Product Management, Mike Cannon, Construction Manager and Tripp Legendre, Product and Pricing Representative.

Chairman Pitt said she would be following the flyer that was mailed and will take questions after each segment and at the end. Anyone with a question during the presentation should submit them via the chat function or via email at esmith@marlboroughnh.org. She also explained that the bond hearing will be at 8:00 pm this evening so this hearing may need to

be recessed until after completion of the bond hearing. Chairman Pitt explained the four segments that will be explained this evening:

1. The Network and the Technology
2. The cost to bring Broadband to town and the Bond
3. Pricing for Service
4. Public/private benefit analysis and findings

First Chairman Pitt explained the process and how we got to this point. Senate Bill 170, which was passed in 2019, allows municipalities to issue bonds to build broadband infrastructure in unserved areas as defined by the Federal Communications Commission (FCC) as a location that does not have access to at least 25 Mbps download/3 Mbps upload speeds. The locations do not need to be subscribers to this service, but the service must be available at the "street level." The Town currently has uneven broadband access, availability and speeds. Approximately 86% of the Town does not have the availability of 25 Mbps download/2 Mbps upload speeds. The legislation allows us to enter into a partnership with a chosen internet provider and to obtain a bond for infrastructure development. It is no secret that Marlborough residents and businesses have been unhappy with current broadband capacity and the first year of the pandemic, 2020, brought this to a head. We received numerous calls and emails from families confronted with work from home challenges and kids sharing the internet with their parents as schools went to virtual learning.

In the fall of 2019, the Town sent out a Request for Information as required by SB 170 to a number of internet providers and the committee received one response from Consolidated Communications which provided the information about unserved locations in Town. In the spring of 2020, the Town established a Broadband Advisory Committee to pursue upgrading broadband service in Marlborough. The Broadband Advisory Committee met via Zoom on Sunday for months. The committee researched all the options available to the Town. The decision was made by the Board of Selectmen to pursue the private/public relationship taking advantage of the provisions of Senate Bill 170. Selectmen voted to accept CCI's proposal on October 21st.

In early September, 2020, a Request for Proposals went out to numerous internet providers. On October 1st we received one response from Consolidated which complied with the numerous provisions of our RFP and proposed to make available to every resident, business and public building in Marlborough broadband service up to FCC standards and beyond. On October 1st the Board of Selectmen, on recommendation of the Broadband Advisory Committee, approved the Consolidated proposal.

We are now in the final phases of planning for this project. Town Meeting approval of the bond to fund broadband infrastructure development is needed. Seeing no questions, Chairman Pitt turned the hearing over to Jeff McIver to give everybody a description of the proposed network and the technology behind it.

Jeff McIver introduced Mike Cannon, the representative who will be heading the construction of the project. He noted that Consolidated is finishing projects in Chesterfield, Westmoreland, Dublin and Harrisville.

Mike Cannon spoke of the differences between copper and fiber. He explained that with copper, distance from the office determines the speed. Rain slows the service and creates electrical and mechanical issues. With fiber connections this all goes away. There are no distance limitations. Fiber is also quicker to repair as fiber breaks can be identified in seconds. He stated the consistency with fiber is a night and day difference from copper. He did state that they will set-up teams for excellent customer service. Appointment times will be reduced with fiber. Repair windows will be shortened to 4 hours. He stated that installation will be free as long as there is an existing pole line or underground conduit in place. All Town buildings will receive free internet service.

Jeff McIver stated Consolidated will create a "landing page" on the Consolidated website to keep residents updated throughout the process. For those residents who decide to subscribe to the service, there will be a Fiber Recovery Fee of \$10 or less. The exact amount has not yet been determined. Those current customers who stay on DSL will not pay the fee. This surcharge enables Consolidated to pay the monthly bond installments. Chairman Pitt noted that the fee can never go up and will be reviewed every 2 years to adjust down depending on the number of subscriptions. No taxpayer money will be included. Selectman Nelson read a question asking if all poles/lines are sufficient for fiber. Mike Cannon could not think of any reason why an existing pole would not be sufficient unless the pole was rotted or unsafe. Another question asked about underground utilities. Mr. Cannon said the installation might take a little longer but there was no other effect.

Jeff McIver stated that they will have an engineering team assessing poles for the fiber network. It was explained that for the 20-year contract Consolidated will be responsible for installation and maintenance of the network, including storm damage. New homes would be added under the contract as well.

Rick MacMillan, a Dublin resident who receives his internet from Marlborough, asked several questions about his connection. Consolidated Communications representatives provided their contact information to investigate this situation further.

Chairman Pitt stated the total cost to bring broadband to Marlborough is \$1,702,200. \$736,700 will be paid by Consolidated and Marlborough will secure a 20-year bond in the amount of \$965,500 which Consolidated will pay the monthly interest and principal payments on. The bond will be obtained through the NH Bond Bank and will have a term of 20 years. The rate for the bond has not yet been determined but the rate in January was 1.58% so our rate might be slightly higher. It will be a fixed rate. Consolidated will recoup the payments to the Town by charging subscribers an infrastructure fee of \$10 (or less) per month. Once set, the fee cannot increase but may go down depending on the number of subscribers. The Town and Consolidated will review this fee every 2 years. If you are not a subscriber you do not have to pay this fee. There are no taxpayer funds expended for this project. Chairman Pitt also noted that one important fact is that Marlborough retains ownership of the network and its value will be many times greater than the bond amount. If something ever happened to Consolidated, this valuable asset could be marketed to other providers. Chairman Pitt noted that Consolidated Communications is a billion dollar company that operates in 23 states. It is one of the 10 largest fiber networks in the country and the largest in New England and growing. The committee felt that the risk of bankruptcy was small and the fact that Marlborough owns the asset puts us in a good position to market to other providers.

Selectman Nelson read a question: is there any monthly data cap? Tripp Legendre, Product and Pricing Rep, answered no and that rates will remain competitive throughout the life of the bond. Mr. Legendre then explained the rates for the service outlined on the flyer. There will be 3 speed options and pricing is proposed at \$45 (50 mbps), \$70 (250 mbps) and \$80 (1000 mbps). The introductory rate will be effective for the first year. Base rate will stay the same for 3 years. No contracts or time commitments.

Selectman Nelson read questions:

Neutral network? Yes, net neutral.

Does the Town have a say in pricing? Mr. Legendre stated that base rates will stay competitive and that they are the same across the state. To answer the question, no, the pricing is determined by Consolidated. Chairman Pitt noted that a provision of the contract stated that Marlborough will be treated the same as other communities in NH.

Mr. MacMillan asked a question about pricing. Mr. Legendre said it will be simple to switch and no termination fee. Just the \$10 fee with fiber service. Customers may keep the copper service or change to fiber.

Selectman Nelson read a question: Will personal web servers require a business contract?

Mr. Legendre said it will be a case by case basis according to the acceptable use policy.

Selectman Nelson read a question: Will there be hardware fees? Mr. Legendre said a ONT device allows a wifi gateway into the house. A potential \$10 fee for inside maintenance vs. \$11.99 now. Working to eliminate in 2022.

Chairman Pitt noted it was 8:00 pm and Selectman Paight moved to recess the public benefit hearing in order to open the bond hearing. Seconded by Selectman Nelson. Roll call vote: Pitt—yes, Paight—yes, Nelson—yes.

At 8:23 pm Chairman Pitt brought this public hearing back into session and asked for questions.

Selectman Nelson read several questions:

Is any special equipment needed? No.

Does the infrastructure fee remain after the bond is paid? No, the fee goes away.

Timeline? Jeff McIver explained the timeline of the project. He said the system should be completed in January or February 2022. Construction should start in August of this year. Construction should take 38 weeks—16 weeks for running fiber, 14 weeks for splicing and then testing of equipment. Chairman Pitt said the Town will continue to look for State or Federal funding for the project.

Selectman Nelson read several more questions:

Will Consolidated run a line cross country? Mr. Cannon replied that if there is an existing pole line then yes.

Public Benefit Findings for Broadband in Marlborough:

Chairman Pitt stated the public benefit findings for bringing broadband to Marlborough.

Today's homebuyers are looking for high speed Internet access. Selling your home will be easier if a high speed fiber optic network is available in Marlborough, whether you subscribe to it

or not. The Board of Selectmen has identified two major ways approval of the bond would impact the economic viability of our town.

Home Resale Feature: First, Marlborough will soon be surrounded by communities offering fiber optic networks. Chesterfield and Keene already have high speed internet capabilities. Walpole, along with Dublin, Harrisville and Rindge broadband projects are underway. Home buyers today want to locate in towns that provide high speed internet connections so they can work from home, allow their children to do homework, participate in virtual learning and enjoy streaming programs. In order to keep Marlborough as a town with a favorable home resale market, we need to be one of the towns with a fiber network.

Business Development: Second, for the Town to keep its business segment viable and expand its property tax base (and lower residential property taxes) it must keep and attract new business development along the Route 101 business corridor. Due to the communication needs of today's businesses, no company wants to locate in an area that does not have high speed internet access. By approving this bond, we will maintain the vitality of our business corridor and become more appealing for growth. New business means increased tax revenue which, in-turn, will help lower residential property taxes.

Safety: Town public safety departments (police, fire, public works, emergency management) will have faster, more reliable communication links. This translates into a benefit for all Town residents. In addition, all public buildings will be connected at no charge to the Town.

Education: With remote schooling a reality during the pandemic, students will have a faster, more reliable network for doing research, completing assignments and participating in on-line class meetings.

Telecommuting: Whether working from home is an option or a necessity, a faster, more reliable network connection makes telecommuting a reality, even with on-line students in the home.

Recreation, Quality of Life: A reliable, high speed broadband network will allow residents access to a variety of movies, TV and internet-based educational opportunities. It will also enable families to have better communication with distant family and friends without buffering or dropped connections.

Other: Telemedicine and Zoom. Ability to have discussions with your doctor without leaving home.

Selectman Nelson read several questions:

Will the Town own the lines after construction? Yes, Jeff McIver answered that after 20 years the Town will have the option to negotiate a new agreement with Consolidated, send out RFPs to other providers to run the network, or run the network ourselves.

Will the school be connected? Mike Connor noted that schools have different stipulations and Consolidated will have to deal with the school connection separately.

A resident noted that job opportunities were lost because existing service was below minimum requirements. Thank you for bringing broadband to Marlborough.

With no further questions, Selectman Nelson moved to accept and endorse the findings of public benefits. Seconded by Selectman Paight. Roll call vote: Pitt—yes, Paight—yes, Nelson—yes. Motion passed.

Chairman Pitt noted that the second public benefit hearing will be held March 3 at 7 p.m. via zoom.

Selectman Paight moved to adjourn the meeting at 8:45 pm. Seconded by Selectman Nelson. Roll call vote: Pitt—yes, Paight—yes, Nelson—yes. Motion passed.

Submitted by,

Gina Paight