

Shutesbury Select Board Joint Meeting with Broadband Committee Minutes
March 27, 2017 Shutesbury Town Hall

Select Board members present: Mike Vinskey/Chair, Michael DeChiara, and Melissa Makepeace-O'Neil

Broadband Committee members present: Gayle Huntress and Asha Strazzero-Wild/Co-chairs, Eric Stocker, Steve Schmidt, Ayres Hall, Frank Citino, and Craig Martin

Staff present: Becky Torres/Town Administrator and Linda Avis Scott/Administrative Secretary

Guests: Tim and Nancy Logan

Vinskey calls the Select Board to order at 6:37pm.

Discussion Topics:

1. MBI Update: Huntress: MBI will not acknowledge town discussions with private providers unless a Select Board member is present. Per Huntress, the usual Monday pole survey update was not received 3.27.17; the survey is approximately 79% complete; Sephton has drafted a contract for a "pole shepherd" and Torres is investigating the hiring process; the anticipated cost for the shepherd is \$16,000. Schmidt is conferring with Gabe Voelker/Treasurer on the process for covering this cost. Huntress: pending the outcome of MBI's 3.28.17 Board meeting, borrowing may not be necessary as grant allocations for professional services may be forthcoming.
2. Comcast Cable Offer: Huntress, referring to Vinskey's 3.23.17 letter from Peter Larkin/MBI Board of Directors Chair: earlier today, Martin, Hall, and Huntress held a conference call with Alicia Matthews/Comcast Director of Regulatory and Government Affairs; Matthews will provide answers to the technical questions she could not answer; Comcast will only cover 96% of the town's premises; until they do a design for the whole town, the cost of covering the additional 4% will not be known and the town will need to commit to Comcast in order to obtain this information. DeChiara: if Comcast's offer is the same as Charter's, no further research is needed. Huntress: one difference is that under ideal conditions, Comcast could complete the build by the end of 2018; MBI's role will be to work with the Department of Telecommunications and Cable (DTC) to push licensing agreements forward; DTC would waive some of the requirements and MBI would provide a cable-licensing template to the town. Schmidt: Comcast would be providing a cable hybrid. Huntress: the offered speeds will be adequate for approximately five years; one positive is that Comcast will offer a lower cost service to families with children qualifying for the free lunch program. DeChiara: if the town said no to Charter, why would MBI offer the same program via Comcast; they are not listening to what the towns want. Huntress: negotiations delayed the offer from Comcast. Vinskey, referring to the 3.23.17 letter and noting that MBI asked for a response by 4.14.17, recommends the town send a response to MBI as soon as possible regarding Shutesbury's decision to build-out on our own. Huntress: yes, if the decision is to do a municipal build. Martin: the timeline Matthews referenced is not realistic. Vinskey: we are going through the same process with Comcast as we did with Charter; cites MBI's recommendation to hold a public forum with residents and asks if residents will feel they are being forced to do something they may not want; at some point, however, decisions have to be made without public input. DeChiara: holding a forum allows Comcast and/or MBI to have more input; the town will have no leverage with a private corporation; recommends the town build on its own. Vinskey requests a recommendation from the Broadband Committee before a

Select Board motion is made. Huntress: as of now, the effect of Axia's (Middle Mile) financial problems is not known; Shutesbury has an alternative for leasing dark fiber from a light tower fiber network. Schmidt: two years ago, 97% of Shutesbury voters approved building a broadband system. Huntress suggests relaying the Committee and Select Board's process to the residents during the 3.28.17 special town meeting. Martin: three things can initiate a licensing public hearing: the Select Board can decide to do so, a certain percentage of voters can submit a request, or the cable franchise could initiate the process. Schmidt: telephone service is regulated in Mass., i.e. it must be provided; cable would not have the same constraint to provide service. Hall moves the Broadband Committee recommend to the Select Board that Comcast does not meet our minimum requirements for service, i.e. 100% coverage and fiber to the home; as a result the Broadband Committee recommends the town build a municipally owned fiber to the home network. Stocker seconds the motion that passes unanimously. DeChiara moves that based on the recommendation from the Broadband Committee, the Select Board reject the Comcast proposal as it does not meet the town requirement for fiber to the home and 100% premise coverage and that the town proceed with building a municipally owned fiber to the home network. Makepeace-O'Neil seconds the motion. No further discussion is offered. Motion passes unanimously. Vinskey recommends the Select Board send MBI a letter using the same language as in the letter rejecting the Charter offer. Timing of signing the letter is considered; Huntress recommends doing so after the 3.28.17 special town meeting. Nancy Logan suggests the Select Board and Broadband Committee consider a press release explaining their decision making process. Huntress suggests the Broadband Committee consider a press release during their next meeting.

3. Special Town Meeting Preparation: Timing of the presentation is considered. Huntress reviews her presentation and feedback is offered. The reason for the special town meeting vote and the process for electing the Municipal Lighting Plant Board (MLP) are discussed. Torres: per Chapter 41 Section 11, an article may be added to the warrant allowing the Select Board to appoint a MLP Board. Per Vinskey, Jon Thompson and Jim Hemingway are interested in serving on the MLP Board. After further discussion, it is decided that the Broadband Committee presentation will occur prior to the vote.

Meeting is adjourned at 8:53pm.

Documents and Other Items Used at the Meeting:

1. 3.23.17 letter from Peter Larkin/MBI to Vinskey

Respectfully submitted,
Linda Avis Scott
Administrative Secretary