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## Town of Grantham Board of Selectmen - Meeting Minutes August 23, 2016

The meeting of the Board of Selectmen was called to order at 2:06pm on Tuesday, August 23, 2016 by Chairman Kimball. The meeting was held in the Grantham Town Building, Lower Level Town Hall at 300 Route 10 South, Grantham, NH.

Present: Chairman Warren Kimball; Selectman Sheridan Brown; Town Administrator Melissa White; Administrative Assistant Ann Jasper; C. Peter James; Comcast Representatives Melissa Pierce and John Bairos

### ADMINISTRATIVE - APPROVED

- LighTec Contract
- Building Permits
  - 1) 1237 Route 114; M/L 235-025 – garage
  - 2) 22 Troon Drive; M/L 225-168 – finish basement
  - 3) 19 Island View; M/L 215-060-019 – remodel kitchen
  - 4) 3 Rolling Hill; M/L 213-026 – addition
  - 5) 98 Greensward Drive; M/L 225-187 – remodel kitchen
  - 6) 75 Learning Drive; M/L 233-075-002 – outdoor classroom
- Demolition Permit  
17 Trillium Lane; M/L 215-085-032

### APPEARANCES

- Comcast Representatives, Melissa Pierce and John Bairos: Comcast Representatives, Melissa Pierce and John Bairos, were present for a follow up meeting with the Board regarding the renewal of the Cable Franchise Agreement.

To begin with Selectman Brown addressed Pierce and Bairos with the following overview to clarify the timeline involved in the Franchise Agreement renewal process:

- The existing Franchise Agreement runs through October 1, 2018;
- There is a formal process for franchise renewals in federal law that starts 36 months out which is why the town received a letter from Comcast initiating the process.
- The Town is still able to negotiate yet an informal process but there is a timeline associated with the formal process that we also need to be aware of as well as the dates in our Franchise Agreement. The first six months from receiving the letter from Comcast we are to commence what is known as an Ascertainment Proceeding where we take public comment and try to determine what our future needs are. Brown said it is his understanding, and he wanted to make sure that they were all on

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the same page, that we are in that Ascertainment Proceeding phase of things. Brown stated he did not know if Comcast was bringing a proposal today for what the renewal agreement might look like but clarified that before we trigger any other timelines that we have to meet, the four month timeline for completing review of proposal, he wanted to make sure that it was clear what phase we are in; if needed, to commit something to writing to freeze the timeline for now so that we can continue informally but protect our rights under that formal process. Brown explained that we want to have as much public input as possible and that we are better served by not rushing the timeline on this.

John Bairos stated that Selectman Brown is correct in the federal guidelines to the 36 month process and the expiration date of the contract with the Town of Grantham being October 1, 2018. He said within that agreement is also a provision to allow for an automatic extension of five years and they were operating under the impression of going for that five year extension based on the fact that Comcast has complied with all the obligations of the agreement and they were here to give a follow up meeting to the meeting back in May regarding discussions toward that and also possible interest the town had in some build outs in a certain area of the town.

Selectman Brown asked Bairos if he was in agreement that we are in what would be considered the ascertainment proceeding phase. Bairos said yes, we are within the three years of the contract expiring. Brown stated that he wanted to be clear that the town is meeting its obligation to move this forward but also be sensitive to any other deadlines we have to meet to preserve either of our rights.

Chairman Kimball asked Bairos and Pierce if they had any new information to share about their future plans for the town. Bairos replied that they brought a map with future potential locations for build outs although specific cost estimates have not been finalized. He said some could be within the standard of 150 feet, others seem to surpass that standard and one of the things they found is that some of the areas would have to cross Interstate 89 or Route 10 which makes it somewhat prohibitive but they are willing to share their preliminary findings.

Town Administrator White asked Bairos how they acquired the home data of where the houses are located. Bairos answered that it's a ride out where one of their business partners goes out and drives his pick-up truck through the streets and counts telephone poles where you can see the poles, measures the miles on the odometer, and counts the number of homes where you can see homes, so it's official.

Resident C. Peter James questioned the 150 foot measurement. Bairos clarified that there are probably three types of build outs: the 150 foot standard; if it exceeds 150 feet and there is a cost to the customer they typically give a \$1,400.00 credit reducing the price to the customer and possibly resulting in no cost to the customer; and in some areas there could be substantial construction cost. Melissa Pierce clarified that the \$1,400.00 credit applies to the distance between the cable plant at the pole to the house, not from house to house.

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Bairos presented the aforementioned map and explained some of the different keys, etc. and apologized for it not being in color. The map was reviewed by Chairman Kimball, Selectman Brown and Town Administrator White. Selectman Brown commented that the map was spectacularly unhelpful as it is small and blurry. He asked Bairos to walk him through what the key would be if this map had a legend. Bairos pointed out different areas of the map in some detail and there were many errors and omissions discovered. Selectman Brown expressed more frustration and stated that it would be useful to have a readable map in order to identify the areas in town where residents are either underserved or not served at all. Bairos told Brown he was right.

Selectman Brown asked if they take into account the median income of the community when determining houses per mile because Grantham has one of the higher median incomes in the state. Bairos said that once they finalize the cost of the build outs, it might help them determine if the customer would be willing to pay that.

Chairman Kimball stressed that if we had a map that we could easily understand, we could invite the residents who live in the areas that are under served or not served at all and find out what the interest is in pursuing the build outs. Selectman Brown asked if the map could be enlarged and divided into four parts that are color coded and clear to read. Bairos said they will redesign the map.

There was more discussion about technology, internet speeds, the Franchise Agreement and the channels accessible in this area.

Selectman Brown asked about the status of the request for a cable box for Town Hall. Bairos apologized and said he will make sure to get the cable box to the town.

Selectman Brown asked to whom the Board should direct a letter to confirm that they are proceeding informally. Bairos stated to send it to his attention.

Town Administrator White asked how quickly they can generate better maps. Bairos said possibly by the end of September and Pierce said it's dependent on their construction department.

Bairos stated that they will revise the map, obtain some cost estimates and follow up with the Board.

## **NON-PUBLIC**

In accordance with RSA 91-A:3, II(e), a motion was made by Selectman Brown, and seconded by Chairman Kimball to enter into a Non-Public session at 3:15pm. Present were: Chairman Warren Kimball; Selectman Sheridan Brown; Town Administrator Melissa White; and Administrative Assistant Ann Jasper

*A motion to leave Non-Public session and return to Public Session at 3:25pm was made by Chairman Kimball; seconded by Selectman Brown. **Approved by majority vote.***

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## **ADJOURNMENT**

There being no further business, Chairman Kimball moved to adjourn, seconded by Selectman Brown; **by Majority vote, the Board adjourned at 3:25 pm.**

The next Selectmen's Meeting will be held on **Wednesday, August 31, 2016** at 5:00pm in the Grantham Town Building; Jerry Whitney Memorial Conference Room at 300 Route 10 South, Grantham, NH.

Respectfully submitted,



Ann Jasper  
Administrative Assistant