



Salisbury Board of Selectmen

Meeting Minutes

February 3, 2021

Approved

Selectman John W. Herbert, Chair	Present
Selectman Jim Hoyt	Present
Selectman Brett Walker	Present
Town Administrator April Rollins	Present
Municipal Assistant Kimberley Edelmann	Present

Attendees: Several citizens attended the meeting held at the Town Hall including State Senator Harold French, State Representative Natalie Wells, Lenny Birke, Mindy Cote, Kelly Cote, Yvan Cote, Peter Mason, Henry Peter, Gene Shaw, Kyle Shaw, Matt Shaw, Rob Frink, Bill MacDuffie Jr, Bill MacDuffie Sr, Dot Swenson, Steve Walker, Dave & Dora Rapalyea, Marcia Murphy, Gayle Landry, Albert Laflamme, Jim Martin.

Some members of the public attended via Zoom.

1. Open Meeting

Chairman John Herbert opened the meeting at 6:00 pm. He requested that people in the room raise their hand to be recognized and to use the microphone setup in the middle of the room when addressing the board.

2. Meeting Minutes

Selectman Walker made a **motion** to accept the meeting minutes of January 20, 2021. Chairman Herbert **seconded**. The motion **passed** with all in favor.

3. Signatures

Chairman Herbert noted that the Board reviewed the Accounts Payable and Payroll Registers.

A contract with CAI for tax map maintenance was presented to the board for renewal.

A report of cut was filed by Forrest Hicks for the flood control state cut and required signature.

4. Old Business

4.1 Broadband / Internet Update

Selectman Jim Hoyt noted that Scott Brooks, TDS Manager of State Government Affairs, was present to help talk about internet issues on North Road. Selectman Hoyt noted that an estimated cost was now known and that he was still hoping TDS would help cover some of the costs as well as grant money. He expected to have firm numbers in time for Town Meeting.

Scott Brooks addressed the public, many of whom were residents of the areas which did not have broadband. He noted that North Road coverage had been a topic of discussion not only within TDS but also with Consolidated Communications. He shared that his understanding was that the areas served by Consolidated Communications had no intent to provide broadband service on that road. There have been discussions about whether TDS would be willing to provide fiber to homes since they already provide it to the majority of the town. Over the several months, Mr. Brooks had been working with Selectman Hoyt who has been working hard to get broadband to the uncovered areas. Because of that, from a Directors level within TDS, the cost of running fiber to the area was recently given.

Scott Brooks noted that traditionally, TDS does not go outside of its footprint as it can cause challenges. However, work was being done behind the scenes to work the process with a goal of getting fiber to North Road.

Q: In 2020, there were \$50,000,000 in grants to put broadband in Towns and a \$60,000,000 follow up grant. Why didn't Salisbury benefit from those grants? Governor Sununu was willing to spend money wherever necessary to provide education to children. And the grants were not fully used.

Scott Brooks noted that TDS didn't utilize those grants, even within their own footprint, due to the parameters of the grants. Also, the timeline to identify, design, engineer, and get equipment would be too long. He also noted that a big concern was that fiber was 30 weeks out. Demand was high, supply was low.

Lenny Birke ask, "Why would we pass up on millions of dollars that were available?"

Mr. Brooks replied that he couldn't answer that one.

Mr. Birke continued, "These meetings had been going on for 3 or 4 years and we are no closer than before. Now kids need their education. People are working from home, can't. When I want to get on the internet, I drive to Franklin. That isn't a reasonable thing in this day and age."

Selectman Hoyt noted that when COVID-19 hit was when he started talking with TDS. What happened before that, he could not speak to. Regarding the grants, by the time everything would get done, there was no way they would have met the December 15th deadline.

Mr. Birke believed that prior to COVID-19, there were no plans.

Mr. Brooks noted that within their own territories, they didn't feel comfortable enough to invest to apply for grants. Within the TDS footprints, not reaching outside into Consolidated Communication's footprint, 13% of the TDS customers still do not have fiber going to their homes yet. This is due to the cost; it doesn't make financial sense. TDS priority is to cover their customers first.

Mr. Birke noted that he appreciated Mr. Brooks answering his questions, adding that the questions were really for the Selectmen. He wanted to know how Bristol, Danbury and Ashland and a few other Towns got broadband without any problems.

Mr. Brooks noted that TDS, a large company, had hundreds of projects in the pipeline nationally. So, they have a hard time shifting the rudder that quickly.

Selectman Walker recalled that in 2019 or 2020, an agreement was put in place between TDS and Consolidated

Communications to allow TDS to go into Consolidated Communication's territory. The lines in that area belong to Consolidated Communications. From what he read, there was very limited timelines for the grants, including a project completion date that would have been impossible to meet.

Selectman Walker asked when TDS got access to North Road. Selectman Hoyt believed it was only 6 months ago. Selectman Walker noted that was the first hurdle. Prior to that, the existing cable provider didn't want to put in fiber, TDS had no ability to do it and by the time TDS had the ability to do it, the time between that and getting the funding was an insurmountable hurdle. There was money but the cost of the project wasn't know. Yes, it had been going on a long time. But each process had to happen, step by step.

Selectman Hoyt shared that he spoke with a Danbury selectman and learned they had started the process three years ago.

Chairman Herbert noted that the Salisbury Selectboard couldn't do anything because the territory was under Consolidated Communications and TDS could not access it. There was nothing the Selectboard could do until that issue was resolved.

Mr. Birke asked, "Why does North Road not have broadband? When can we get it? I signed a 2-year contract with Hughes Net. I can't get broadband while I'm tied into another contract. It does not seem like this process is being done the way it should be done; I don't know how it should be done. I'm not on the front lines. Six years is a long time to have to be waiting for this."

Selectman Walker believed it should have been addressed when the TDS contract was signed originally, if the town had any leverage then.

Mr. Brooks assumed that previous Selectboards had tried to work with Consolidated Communications, as it was their territory. He reiterated that TDS was focused on getting fiber rolled out to the 13% of their customers who didn't have fiber yet within their own territory. North Road was not part of their customer base. He had worked hard to get traction internally at TDS to even get eyes on the issue and to get someone to engineer and price the buildout.

Mr. Brooks noted that if the design had been ready 6 or 8 months ago when the federal dollars were available, they might have made a run at it but he doubted it, as it was not within TDS territory.

Mr. Birke asked if he should sign up with Hughes Net. Was there a timeline for when fiber would be available on North Road?

Mr. Brooks pointed out that a warrant was being written to be presented at Town Meeting on May 1st. What he was doing was to find out what TDS would put in to help subsidize the cost. He was also working with State Representatives (Natalie Wells) and State Senator (Harold French) to find out if more grant money would be coming in.

Selectman Walker noted there were two options. The first was to try to get help with funding via TDS and federal grants. There were approximately 40 households looking for fiber. Otherwise, ask the Town to fund it.

North Road resident Rob Frink asked what the options were in terms of service providers? Selectman Walker noted that only TDS had stepped forward to provide fiber. Mr. Frink asked what would happen if the warrant article didn't pass at Town Meeting. Selectman Walker noted that it could be presented again the following year.

Selectman Walker noted that the whole town was being asked to fund the broadband installation.

Another North Road resident asked if CARES Act funding was applied for by the town or the service provider. Selectman Walker said he'd been hitting the website once a week to see what information was available but there hasn't been anything to date.

Mr. Brooks added that TDS may apply for funding, if available.

Selectman Walker said there were several bills where broadband was included. If the town didn't get money from the bill passed on December 29th, there may be additional chances later.

Scott Brooks shared that TDS built out broadband starting in 2014 using their own funds. There were 26 towns, some partial and the build cost over \$30,000,000 with an average cost of \$1500 per house. The North Road project will cost TDS up to \$4400 per household. It was an expensive project.

Gene Shaw of North Road asked if the warrant article was going to be for \$150,000 with no guarantee of grants. Selectman Walker said there were no guarantees. Selectman Hoyt added that the warrant article could be amended at Town Meeting in May if additional funding was found. Also, the article is for a note with funding spread across several years. Scott Brooks added that by May, he might know if TDS was going to cover some (25%) of the costs.

Jim Martin of North Road asked if TDS can't find the dollars to do fiber, would they install DSL instead? Scott Brooks said that fiber already existed to the boundaries, so it would be easier to expand the fiber. DSL requires copper lines and they would have to be run all the way from the central office. And, in the end, the service would be much much better.

Peter Mason of North Road noted that the numbers were wishy-washy, but that hard numbers would be ready for Town Meeting. Voters would be choosing between \$156,000 or less. He assumed Consolidated stepped out because there was zero funding. Now there's funding. Maybe Consolidated has fiber options. Even Elon Musk's Starlink was in beta where homes could get it.

Chairman Herbert noted that Consolidated was pretty firm about not installing fiber. Selectman Walker added that Consolidated had given up their rights to TDS.

Peter Mason asked what other options might come open, suggesting that in the next couple years, research about what other vendors might be interested in coming in could be done. Selectman Hoyt replied that they had been doing that for a long time. Selectman Walker noted that each service provider has rights to particular areas. The only reason TDS would be able to provide service to North Road is because the other provider relinquished their rights. There was no other vendor.

Mr. Mason believed everyone could agree that the vendors still might not put in fiber. He asked how many of the 40 homes would actually sign up for broadband. If only 12 homes signed up as subscribers, we're asking the town citizens to fund 12 homes.

Mr. Mason noted that there was a tower up on Humphrey Road owned by American Towers. It has a line of sight of one mile. He suggested one could possibly do an aerial backhaul network. Selectman Hoyt said he had contacted Verizon and US Cellular and neither was interesting in doing anything there. Chairman Herbert added that the state sets up the territories and the board has no say over it. It took several years to get to the point of TDS having access. TDS was the only option.

Mr. Mason continued to talk about backhaul and suggested that it be more thoroughly invested. Scott Brooks noted that backhaul required line of sight and that would be difficult with the foliage. If going from tower to tower, there would still be significant cost involved.

Scott Brooks suggested that if the residents who wanted to see the project go through they could sign a petition, it would help him sell the project internally at TDS. He pointed out that TDS offers broadband up to 1gb, voice and TV. Residents can purchase all three as a package.

Yvan Cote didn't feel there would be a problem getting North Road residents to sign up. He had heard there was a possibility of getting Comcast. Selectman Hoyt said he had contacted all of the vendors.

Gene Shaw asked what areas needed broadband. Selectman Hoyt noted it was North Road, part of Flagpole Road and a couple houses on Montgomery.

A resident of North Road on the call via Zoom asked, "Is there a number of subscribers that TDS needs over a specific time period to cover the cost of installation." Scott Brooks didn't believe the time frame was important, but instead how many people would subscribe. In any business, return on investment was important. Typically, within 3 years is what they want. If enough folks say they will sign up as subscribers that would help him sell the project internally.

A member of the public asked about the cost of subscription. Chairman Herbert said his was about \$150 per month.

Selectman Hoyt noted that TDS had generously put Wi-Fi in at the Town Hall, free of charge. In the interim, anyone can come use the Wi-Fi.

Selectman Walker noted that May 1st was not far away. Everyone had a vested interest in making the project happen. If anyone had other options, they should bring it to the Selectboard who is trying to solve the problem for the residents.

Peter Mason said it's a big strain to do so much research. But even in the state of New Hampshire, there were a lot of higher end homes who were suffering with DSL. They brought in independent contractors who were not part of any pole infrastructure, dropping down direct link signals from a central tower or point or multiple ones; think of a mesh network like what you would have in your home for Wi-Fi mesh. Those were bowl situations, a valley with a lake. There were a lot of lines of sight. We don't have that on North Road. But it is an option to see how other towns have done it. And funding options. Selectman Walker encouraged Peter Mason to send him information.

Another North Road resident offered thanks to the Selectboard for pursuing getting internet and putting the time in. He hoped to see the problem get resolved soon. He noted that satellite reception was not reliable.

Selectman Walker recommended the residents talk to other citizens about the problem to get support at Town Meeting. Peter Mason commented that he wanted internet but ethically he couldn't ask his neighbors to help.

Yvan Cote asked Scott Brooks if TDS had the equipment to install broadband. Mr. Brooks said they did. Of course it would depend on the timing and the status of other projects. He did not want to speculate on timelines.

Selectman Walker reiterated that until May 1st, they would be interested in hearing any other ideas residents had to offer.

Senator Harold French commented that Selectman Hoyt had reached out to him many times on the broadband issue. He explained, "If the town applies to the state for grant money, there has to be a proposal. Now there is a number. From what he understood, if TDS knows how many people would subscribe, they could give a number as to how much they would contribute to the \$150,000. If 30 of the 40 homes say they will subscribe at \$1400 per home TDS might drop the price down to \$100,000. The taxpayers would look to borrow \$100,000 on a warrant article in May. Then, with all this, you go to the state. The state is your money. With a proposal that we can take to the Governor's office, we say this is the proposal which will cost the town \$100,000, the town has voted to put \$100,000 into it but would like to recoup \$50,000. Then I can take that and I can stuff it into the budget this year and try to recoup as much as possible. But first, the town has to commit to some money."

Chairman Herbert thanked Scott Brooks and Senator French for coming to the meeting.

Kyle Shaw asked Scott Brooks how to get a petition to him. Mr. Brooks said Selectman Hoyt was his contact.

4.2 Broadband Warrant Article

Selectman Hoyt spoke about the broadband warrant article. It would be for \$156,000 to be paid back by a note over the course of 10 to 15 years, depending on the interest rate, and would be presented at Town Meeting in May. Hopefully, the number would come down quite a bit by May. However, to get the article in, it needed to cover the full amount.

Selectman Walker suggested that the wording was broad enough to indicate that it was to expand broadband in town. He didn't want to see one or two houses get left out.

Selectman Hoyt made a **motion** to add the warrant article in the amount of \$156,000 with the purpose to expand broadband. Selectman Walker **seconded**. The motion **passed** with all in favor.

4.3 Salisbury Land Purchase Warrant Article

Selectman Walker made a **motion** to add a warrant article in the amount of \$2000 to establish a new Salisbury Land Purchase capital reserve fund. Selectman Hoyt **seconded**. The motion **passed** with all in favor.

5. Department Updates

5.1 Road Agent

Road Agent Bill MacDuffie Jr. had nothing to report.

5.2 Fire Chief

Selectman Hoyt asked if anything had happened with the old ambulance. Fire Chief Bill MacDuffie Jr noted that there was an interested party. Also, the price had been reduced to \$17,000.

Chairman Herbert noted that the Fire Department had been busy. The Chief noted that usually the department got 10 to 14 calls per month; January had 25. Chairman Herbert commented about the snowmobile incident in Webster and a recent tractor trailer accident.

5.3 Transfer Station

Selectman Hoyt explained that the Transfer Station was experiencing problems with turkey vultures. He called Fish & Game who put him touch with a USDA expert, Carrie Stengal.

Selectman Walker noted that Ms. Stengal loaned the town an effigy / taxidermy stuffed turkey vulture, apparently they don't like to see other dead turkey vultures. She recommended running a wire across the roof line where they were roosting. Another recommended option was to cover the containers with tarps. She also recommended battery powered motion activated noise makers to scare them off.

The vultures like to roost in conifers. It's warm up there. They have dinner in the containers then roost.

Turkey vultures are federally protected. However, if all else fails, a permit can be obtained to harvest some of the birds.

There is an open season for crows. When the dump is closed, select hunters could be brought in to shoot the crows. That may scare off the turkey vultures.

Selectman Walker noted that a trash compactor would also reduce the problem, reducing the food supply for the turkey vultures.

Chairman Herbert said the problem with turkey vultures was that they travel in large groups and throw around the trash when it's closed. He added that propane powered cannons were available to make loud noise, but the turkey vultures would get use to it.

6. New Business

6.1 Town Meeting in May

Chairman Herbert noted that the Governor's Emergency Order #83 gives towns the option of postponing Town Meetings. The Selectboard wants to take advantage of that, holding the Town Meeting on Saturday, May 1st at 1:00 p.m. at the Safety Complex / Fire Station. Voting would still be on Tuesday, March 9th from 11 a.m. to 7 p.m.

Selectman Hoyt made a **motion** to move the business portion of the Town Meeting to May 1st under Emergency Order #83. Selectman Walker **seconded**. The motion **passed** with all in favor.

6.2 Wi-Fi Temperature Alarms

Selectman Hoyt made a **motion** to have Town Administrator April Rollins to look into getting a Wi-Fi enabled temperature sensor / alarm for the Town Hall. Selectman Walker **seconded**. The motion **passed** with all in favor.

7. Selectmen's Reports

Chairman Herbert expressed concern about how often the town attorney was being contacted. He recommended that all contacts be done through the Town Administrator to avoid duplication and a high bill. Selectman Hoyt only contacted him once. Selectman Walker said he uses the NH Municipal Association.

8. Public Comments

Dora Rapalyea asked about the \$2,000 that would go into the Salisbury Land Purchase capital reserve fund and asked how much was currently in the fund. Selectman Walker pointed out that it was being proposed that the Land Acquisition capital reserve fund be repurposed to purchase the trash compactor for the Transfer Station. It currently holds \$50,746. If the article passed, then another warrant article would be voted on to see if the town would establish a Salisbury Land Purchase capital reserve fund.

Selectman Walker explained that the full \$50,746 was not needed for the compactor. If the funds were repurposed, they would become available for immediate use. If the town dissolve it, the money would not be available until October or November of 2022. It was a matter of timing. There would be money left over after the purchase of the compact. After that, the excess could be moved back to the new Salisbury Land Purchase fund.

Dora Rapalyea asked if the 2/3rd vote was a paper ballot. Chairman Herbert said that could be requested via 5 signatures. A hand vote would be faster.

The compactor's highest price would be \$35,000. The propane generator to run the compactor was \$21,000. Some facility upgrades would be needed, with a high estimate of \$10,000. The total package installed should be under \$60,000.

Gene Shaw recommended trying to get power to the Transfer Station. Selectman Walker agreed that would be great to have.

Marcia Murphy asked about the upcoming Public Hearing for the budgets and warrant articles. She asked if there would be any information about the tax impact? Selectman Walker believed they would have some estimates in time for the meeting.

Marcia Murphy asked if any interaction with the Webster Police Department had taken place since the signing of the MOU. Chairman Herbert was not aware of any. Selectman Walker saw Webster PD chase a 4-wheeler past his house. Marcia Murphy asked if anyone would be notified if Webster PD did any work in Salisbury. There was no official notification. She asked if Webster had to go to court, in the MOU it said the town would have to pay. Was that true? Selectman Hoyt said as far as he knew, if Webster PD had to go to court it was on them.

Another citizen asked about the State Police statistics and the amount of information provided. Chairman Herbert noted that the reports were not detailed. Addresses and incident codes were provided, but no detail.

Another citizen asked if the Selectboard envisioned any big ticket items in future years. Chairman Herbert said the next big thing was a new fire engine. Selectman Walker offered that in 10 years time, the town may need to think about a highway department. Planning needed to start soon. The Town Hall building would also need work.

Marcia Murphy shared that the Merrimack Valley School District website has the list of projects planned in upcoming years. She also noted that the tax rates had flip-flopped for the towns.

9. Town Administrator's Report

9.1 Unitil

TA Rollins commented that she had a meeting with Unitil scheduled for February 11th to discuss an estimate to get 1-phase power to the Transfer Station. 3-phase was too expensive. Bill MacDuffie Jr and Selectman Walker speculated on where utility poles would be situated.

9.2 Joint Meeting with Budget Committee

TA Rollins scheduled a meeting for the Selectboard to meet with the Budget Committee on Monday February 8 at 6:30 pm.

9.3 Auditors

TA Rollins reported that the auditors had completed the audit as of today. There may be some further questions. It seemed to go well.

9.4 Repairs to Academy Hall

TA Rollins noted that work was almost complete on the installation of new railings on the external stairs to the Tax Collector / Town Clerk office. It looks good.

10. Public Comments

No one on Zoom had any questions or comments.

11. Non-Public Session 91-A:3 II

Chairman Herbert made a **motion** to enter Non-Public Session at 7:45 pm. Selectman Hoyt **seconded**.

Roll Call Vote – Herbert; aye, Hoyt; aye and Walker; aye. The **motion passed** with all in favor.

Selectman Walker made a **motion** to reconvene the Public Session at 8:08 pm. Selectman Hoyt **seconded**. The **motion passed** with all in favor.

No motion was made to seal the minutes of the Non-Public Session.

Chair Herbert announced that the Board unanimously voted to promote Albert Laflamme to the position of Part-time Transfer Station Manager effective February 20, 2021 and at the budgeted salary amount of \$9,360 dollars annually.

12. Adjournment

Motion to adjourn made by Chair Herbert and **seconded** by Walker. With **all in favor**, the meeting adjourned at at

8:09 p.m.

Respectfully Submitted,
Kimberley Brown Edelman
Recording Secretary

These meeting minutes were reviewed and accepted on February 17, 2021.

Selectmen, Town of Salisbury