

BOARD OF SELECTMEN

June 22, 2020

MEMORIAL BUILDING

4:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

The meeting was called to order at 4:00 p.m. and began with the Pledge of Allegiance.

Selectmen present: Tamara Butcher, Chairwoman, Dick Hendl and George McCusker
Others present: Dan Saulnier, Tanya Callan, Peter Abair, Whit Smith and Dick Petrin
Others present via ZOOM: Andy D'Amico, Terry Smith, Jim Tinkham and John Trachy

Scheduled Appointments:

Bring Internet to Springfield Update:

Dan gave an overview of his report (shown below) to the board of selectman.

TO: Springfield Select Board
FROM: Internet Advisory Sub-Committee
DATE: June 22, 2020

IMMEDIATE ISSUE:

The Town of Springfield has a very brief window of opportunity to take advantage of grant funding from the United States CARES Act (Public Law 116-136) to pay for high-speed internet built out to the entire town with no cost to the town, and no cost to residents.

WHAT IS REQUESTED?

To have any chance of securing this funding we need from you – today:

- **Authorization to work with Internet Service Providers (ISPs)**
- **Authorization to sign a Non-Disclosure Agreement**
- **Authorization to prepare and submit a grant proposal**
- **Authorization to use non-confidential demographic and geographic town data**

WHAT IS THE OPPORTUNITY?

\$1.25 billion of federal CARES funding was awarded to New Hampshire, and Governor Sununu has allotted \$50 million of this funding to expansion of broadband internet in unserved and underserved communities. On Thursday, June 18, 2020, the NH Office of

Strategic Initiatives announced the *Connecting New Hampshire Emergency Broadband Expansion Program* and issued a Request for Proposals (RFP).¹

The RFP is soliciting proposals to build out broadband internet to properties that are not already served by at least 25 Mbps download and 3 Mbps upload speed. This means that most, if not all, of Springfield qualifies for the funding. The program provides outright grant funding, so it will not need to be repaid. Although applicants are allowed to contribute to the cost of construction, this is not required.

HOW DOES THIS DIFFER FROM WHAT WE'VE BEEN DOING?

The grant program described above is similar in many respects to the bonding program we have been considering for the past several months. However, there are also key differences.

The bonding program we have been exploring through S.B. 170 and RSA 33:3(g) would allow Springfield to solicit proposals from multiple Internet Service Providers (ISPs), evaluate the proposals, and select what we deem to be the best one before moving forward with developing a final contract and issuing a bond to raise the capital. The bond would be paid down by the selected ISP using monthly fees added to customers' monthly internet bills (likely around \$10 per month per household, based on the experience of other NH towns). If approved by the Town, construction under the bonding program would likely occur during the summer of 2021.

In contrast, the grant program would allow Springfield to partner with an ISP of its choice to compete for a share of the available CARES Act funding. If awarded, the grant money would be used directly by the ISP to build out the internet infrastructure immediately, and construction would occur during the late summer and fall of 2020.

WHY THE TOWN SHOULD MOVE FORWARD WITH THIS OPPORTUNITY

This opportunity would bring high-speed internet to every home and business in Springfield that wants to connect and would do so almost a full year before the original plan we have been exploring. It will be hugely beneficial for our students, families and businesses as the need for remote learning, telework, telehealth (including mental health services), and other remote services continues due to the COVID-19 pandemic.

Eliminating the need for a bond issue would also reduce the Town's legal fees and would eliminate approximately \$120 per year per household in fees (for households that choose to connect).

¹ The 35-page RFP (RFP # NH-BROADBAND-2020-1) is submitted as a separate PDF file.

WHAT DO WE NEED NOW?

The window on this program is quite short. See Event Calendar below. The Proposal is due back to the State on Thursday, July 2. That gives us ten calendar days from today to forge a partnership with an ISP and assemble a complex web of documents that fulfill the requirements of the RFP.

EVENT CALENDAR	DATE/DEADLINE	TIME
Request For Proposals Issued (RFP)	6/18/20	4:00 PM
Question Period Closes	6/22/20	4:00 PM
Responses to Questions Posted	6/25/20	4:00 PM
Proposal Due Date and Time	7/02/20	4:00 PM
Anticipated Contract Start Date	Mid July 2020	
Work Completed by	December 15, 2020	

To have a chance to secure this funding, the Sub-Committee needs your authorization to move forward. We do not have the luxury of time for extended debate and we cannot negotiate with the state. We need - today:

- **Authorization to work with Internet Service Providers (ISPs)**
- **Authorization to sign a Non-Disclosure Agreement**
- **Authorization to prepare and submit a grant proposal**
- **Authorization to use non-confidential demographic and geographic town data**

NOTES:

Neither the Select Board nor the Town would be committed to accepting any grant based on a proposal submitted by the Sub-Committee, but choosing not to move forward on this today means that we as a Town are out of the running for the grant money.

A Non-Disclosure Agreement with Consolidated Communication has to be signed to get the data on existing internet service levels in town. This information is required. The NDA is not perfect but that's what we have.

Finally, if the Board wants to review and approve of the final proposal, we ask you to schedule a meeting for the morning of July 2nd. We realize that as Board members you already do a tremendous amount for the Town, and commit a lot of time to meetings, and we're asking for yet more of your time. But the payoff, which could be a grant of \$1.5 to \$2.0 million, will hopefully make the extra work worth it. We recognize that this grant application, with the tight timeframe, is a leap of faith on your part and we do not expect to disappoint you.

Dan stated the committee is asking the selectboard to take the action of allowing them to move forward and try to get the proposal together to potentially get the two million dollars for the build out. If successful, build out would start this summer and be completed by mid-December. The upside is the residents wouldn't be paying it off for years to come and the internet would be upgraded almost a year sooner than otherwise. The downside, this is very quick and doesn't give as much opportunity to really figure out the ups and downs of what is going on. It doesn't give the chance of a full town-wide vote. But given the fact the survey has gone out and results are coming in, Dan is confident the committee will have a good amount of the surveys back, the data tabulated and results available to analyze. Tamara stated her one concern was that if we go through all this and allow them to move forward without the selectboard doing a final check on what is being submitted will the town be stuck. The answer was no. Tamara is in favor of allowing the committee to move forward. Dick does not understand why the fuse must be so short; he feels rushing through to meet a deadline we may not get what we want. Dick expressed disappointment that Consolidated Communications came back with accepting one of the two points and there has been no follow up that he is aware of. Dick asked if the committee has gone back to Shawn to discuss Consolidated Communications rejecting one of the points. Whit stated the committee has not gone back to Shawn and had that conversation. They had the response from Consolidated Communications that they did not agree with the town attorney's suggestion and that was communicated to the board of selectmen. Whit stated he will contact Shawn and ask what the committee can do. Whit shared that Consolidated Communications have been incredibly cooperative and that it may be possible for Shawn Tanguay to reach an accord with Consolidated Communications regarding the specific language he was concerned about. Whit is concerned with how much time that could take. Whit stated there have been twenty towns that have been confronted with the NDA. Springfield is the only town that hasn't signed. Whit stepped out to make a call to Shawn Tanguay. George asked to table this matter until Whit returns from his phone call.

Cemetery Trustees – Cemetery Mowing:

Janet handed out some information on what a cemetery trustee can do. Dick Petrin said it was discussed at the last trustees meeting to possibly contracting the mowing of the cemetery and if the board would consider this. Dick Petrin added that the highway department is a two-person department and is already spread thin. The trustees have assumed that this will need to go out to bid. Dick Petrin stated that Mike Tully said he would bid on it but would resign from the trustees before doing so. He has been advised not to do anything until this is brought to the board. Tamara's concern is that a few years ago the town tried to have a part time person to work solely for the cemetery and that did not work for the highway department or the cemetery; she would be worried that it might not work again. Pete said the hard part would be finding someone who wants the position and being able to count on that person. George feels the town has until next Spring to worry about this; the work remaining for the rest of the year is miniscule. George feels what little work there is can be handled by Peter and Troy. He would like to see the town try to hire another part time person like Curt. Pete said there is still a lot to be done in the cemetery. If you stay on top of it it's not bad, but when it gets ahead of you it's hard to catch up. Dick asked about subcontracting it out; Janet said that would still need to go out to bid. Tamara suggests advertising a very part time position at the cemetery, possibly 15 hours a week. George agrees with that. Dick Petrin thinks the trustees will be happy with that. Tamara said that this could be put on the website, someone 18 and older, 15 hours a week.

Bring Internet to Springfield Update cont.:

Whit left a message on Shawn Tanguay's voicemail. He did not realize that he was able to negotiate that part of the non-disclosure agreement. Whit will have a conversation with him when his call is returned. Dick shared his apologies for the miscommunication. Dick made a motion to set the NDA issue with Shawn aside and sign the NDA as written so the committee can proceed. Whit reassured the board that after the proposal is submitted and accepted, the board can decide at that point to take a pass if the town does not want to do this. Whit is confident that this process can be done in time to submit a credible proposal with the assistance from Consolidated Communications. The result being a significant probability that the town of Springfield will be awarded a grant. Tamara seconded Dick's motion, and it was unanimously approved. Janet suggested having a one-off meeting with the internet advisory sub-committee. That meeting has been scheduled for Wednesday, June 24th at 3pm; this will be the only item being discussed at that meeting.

Oak Hill Road Issues:

Tamara has reviewed the videos provided to the board. Tamara was unable to locate the information she had hoped to find before this meeting. Tamara asked Peter if he had any suggestions as to what could be done. Peter said they have talked about shedding the water across the road; they have tried that in the past and it didn't work. Tanya stated that five years ago everything was working fine until things were changed; adding that things have slowly gotten worse since then. Tanya wanted to make sure the board had a heads up on this matter before the next grading is done. George asked Peter what the next grading will do to the road. Pete said they could try pulling the crown off the road so the water would shed across the road and not so much down the ditch; but does not feel that is a good idea. George said a couple of weeks ago it wasn't too bad. Tanya said this has been going on for years, gradually getting worse; ever since they changed it from the other side of the road. Tamara said that what she has learned is that the road is sixty feet wide with ten feet on either side that is easement for town maintenance. Where those measure, she is unsure, you would have to look at plans. Tanya said if those three indentures could be stopped that would help. Peter said the quicker you can get the water off the road the better it is. George said Peter once mentioned about a plan to put in a couple of basins. George asked Peter to write up what the cost would be to fix the problem that way. Tanya reminded Peter that they have a drainage ditch in their yard, it isn't being utilized like it used to be.

Minutes of June 8, 2020:

George made a motion to accept the meeting minutes of June 8th as written. The motion was seconded by Dick and unanimously approved.

Unfinished Business:

Covid 19 Update – Policy:

Tamara created a policy using the emergency orders given by the state to create the town's policy. Dick made a motion to accept the Covid 19 policy for the town. The motion was seconded by George and unanimously approved.

Dick asked if the board would like him to order “use at your own risk” signs to be posted at the beach. The board was in favor. Dick will create a sign and send to the board members for approval.

2020 Census Training:

Janet sent out an email for 2020 census training. Janet stated that the Census wanted to do some more training sessions, possibly five or six consecutive sessions. However, the dates are not convenient for what we have available. After discussion it was decided by the board that we would not be able to provide a location for their trainings.

Janet shared that AA had been using the downstairs meeting room once a week and they voluntarily gave up having public meetings. They have been having them via Zoom. Now there is some interest in people coming back to a regular meeting and have asked if that was ok with the board. The board is ok with that.

Bring Internet to Springfield Update cont.:

Whit received a call back from Shawn Tanguay and reported with good news. Whit informed Shawn there will be no RFP going out from the town if the committee is successful in obtaining grant money the need for disclosing confidential information to Consolidated Communications goes away. Consolidated will be controlling the release of information anyway pursuant to the grant process. Shawn said that is fine. Whit informed Shawn that he will summarize that in an email to the board of selectmen and copy Shawn Tanguay on that. So, it is ok to sign the NDA as currently written. In the event we do not get the grant funding and go back to pursuing the municipal bond opportunity we would address again the provisions in the NDA. Whit is sure this will satisfy both Mr. Hendl’s concern and Consolidated’s concern that their confidential and proprietary information will be protected.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 22, 2020. Here is a summary of permit applications and Zoning Coordinator activity.

Application for Permit – Acted Upon, APPROVED

1. Mr. Crosby, 1923 Main Street, chicken coop between house and Main Street. Zoning Coordinator has been out to the site and has discussed the project with Mr. Crosby. There are no wetlands issues, no set back issues, and the structure is less than 35’ tall. Based on site visit there does not appear to be any home business or commercial activity at the location. Applicant has represented the same on the Zoning Permit Application. This is an after-the-fact application; Board of Selectmen agreed to waive additional fee. Fee paid. Zoning Permit approved per delegation of authority.

2. Mr. Vanhalter, 1718 George Hill Road, would like to install/build an above ground 24’ round swim pool with deck and small shed with sitting area. There are no wetlands issues, no set back issues, and the structure will be less than 35’ tall. Based on site visit and interview with the applicant, there is a home occupation (consulting w/r/t electrical systems), but no home business or commercial activity at the location. Applicant has represented the same on the

Zoning Permit Application. Based on size of the project, \$50 fee paid. Zoning Permit approved per delegation of authority.

Open Applications - In Hand, But NOT Acted Upon.

3. Kara Zaleskas, 164 Four Corners Road; Zoning Coordinator has nothing further to report.

Other Matters.

- A. Inquiry whether a zoning permit is required for a temporary storage container (rented from Tilton Storage) in which to store stuff for the summer. Under the Zoning Ordinance a storage container (temporary or not) requires a Zoning Permit.
- B. Attended Planning Board meeting (via Zoom)
- C. Inquiry from prospective purchaser of property located on Woodcrest. He had heard there might be Zoning Ordinance violations with the property. Advised that a “car port” had been built without a zoning permit, but that when this was brought to the attention of the owner, she decided to remove the car port. No other known zoning violations. Potential purchaser also asked if there was any restriction regarding rental of the residence on an itinerant basis. Advised that I was not aware of any such prohibition in the town ordinance, although there are rules regarding the number of dwelling units on a single parcel and the number of families that might occupy a single unit. Indicated that Woodcrest is a private road maintained by the neighbors and in such case, there might be concern regarding the amount of vehicular traffic on the road.
- D. Inquiry regarding wind load code as applies in Springfield (high wind zone). Responded to same.
- E. Inquiry from Hansen Bridge regarding expansion of business and the need for an additional Special Exception, as suggested by the Planning Board. Assisted in the preparation of narrative to support application for Special Exception.

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Whit read through his report. Whit will be meeting with the individual discussed in item A under other matters tomorrow morning at 8:30. The answer is that a zoning permit is required for a temporary storage container. Whit has heard nothing further from the potential purchaser of a property on Woodcrest regarding whether that property is still in any violation of the zoning ordinance. Whit confirmed with Janet on whether the special exception application was received from Hansen Bridge; yes it was. In reference to item D, the town has no enforcement over that, but apparently parts of Springfield are in a high wind zone and there are some issues. Whit drafted a letter saying that this is a county, state and federal regulation and enforcement. The town does nothing to enforce those codes. Whit stated that he makes people he visits with aware that even though the town does not enforce that kind of thing and there is no certificate of

occupancy required it's a good idea to pay attention and follow the state building, electrical and plumbing codes.

Unfinished Business cont.:

Dick spoke with Darrin about the sand shed and how things were going. Darrin said Dan Nash would like to have a contract with the town. After discussion, the board agrees to give Darrin permission to arrange that.

Dick shared the seventeen smoke detectors and pull box alarm have been replaced.

Dick said the owner of Lake Sunapee Carpentry was out and did a walk around the building to discuss what needs to be done. He seems interested in doing it and will try to have a proposal this week.

Dick received an email from attorney Matt Decker on the Stone Lot. He is ready to go to court and file the lien. He sent an affidavit to be signed and Dick has gathered copies of the bills for cleaning the property.

Dick is working with a reporter who is an independent contributor to the Intertown Record about why it takes the DES so long to enforce their own regulations. Dick has sent him copious amounts of information. Whit asked Dick about the Valley News. Dick stated he was informed that he was placed on the list, but they are too busy right now reporting on more important topics. Whit said other than Pixies column, nobody writes anything about Springfield good or bad. He added that Terry sent a letter to the editor for one of the publications commending the board of selectman for taking the next step in terms of the internet advisory committee and it never got published. Janet added that the local papers have sent people here several times in the past; the reporters will come for a meeting or two and there is nothing interesting enough for them to write about.

New Business:

Whit wanted to update on how things are going with Durgin & Crowell. Whit stated things are going great with them. Dick had asked if they might be willing to speak with Kennebec if they reached out to them. Whit did forward to Peter Crowell that section of the minutes from the last meeting. Peter responded saying he would not call them, but if they were to reach out to him, he would be happy to talk to them. Whit added when there was a bit of a noise issue Peter Crowell addressed it almost immediately. It involved kilns that are the same or similar design to those used at Kennebec. Peter told Whit that even though they had to spend a bit of money for the changes, things worked a little better. It was a win win on all sides.

Board and Department Updates:

George shared that the planning board met and will be having a work session on the noise ordinance. George expressed concern on the Hansen matter. Upon interrogation of the planning board it was determined he has been running a wood preserving operation there for some time now. This is a significant business that uses toxic chemicals. Dan Saulnier clarified a point George made; historically, they have been sending out the items to be pressure treated. They have five-gallon pails of this chemical just to treat the holes they need to drill or cut in the

materials. They are purchasing the materials so they can do begin doing the pressure-treating themselves; they have not bought the equipment yet. The board was discussing secondary containment of the chemicals. Whit stated it will be a pressure-treatment operation which is a change in use and would require a special exception. George stated he was glad the discussion developed, and the facts were presented.

Janet corrected George stating the work session is to review the survey documents for the master plan update.

Dick said the library trustees will be meeting on Thursday.

Correspondence and Signatures:

Tamara shared that a letter was received from a Concerned Vocal Citizen mailed from Daniels New Jersey on June 20, 2020. The letter was concerning two pieces of property on Woodcrest road, 140 and 150. The violations are listed in the letter and are similar to prior letters. Tamara stated for the record that the board is accepting the letter but are not sure what they will do with it at this time. The letter will be scanned and emailed to the zoning coordinator.

There was a report of cut given for signatures.

Miscellaneous Business:

None

Meeting continued at 5:17 p.m. to reconvene at 3pm on Wednesday June 24th.

Jill Hastings
Deputy Administrative Assistant