

Approved Minutes – Fiber Broadband Completion Task Force – October 14, 2021  
We anticipate that a video recording of the meeting will be available on this  
YouTube playlist.

<https://www.youtube.com/playlist?list=PL1TTzrWEK00mZVerjNGHjzYLMMe308SZ>

The meeting was called to order by Chairperson Mark Howell at 6:38 pm. Gail Hire volunteered to be Clerk for this meeting. All five current members of the Task Force (Mark Howell, Scott Hopkinson, David Hesel, Gordon Brockway, Gail Hire) were present via Zoom; the meeting was held virtually. Joan Densburger attended as a member of the public. Terri Ackerman of the Select Board attended a portion of the meeting.

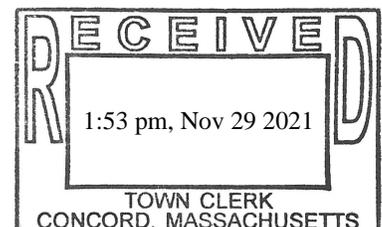
Members discussed draft minutes for the September 23 and 30 meetings, and minute preparation in general. Scott Hopkinson suggested that minutes would ideally be two to three pages in length. Mark Howell said that motions and votes need to be collected; minutes should also capture what was discussed and give a general sense of the outcome. It is unclear for how long videos will be preserved. Scott recalled two years. Members agreed to use actual URL links for documents and videos, rather than embedded links. The agendas for each meeting have and will continue to include links for documents that are important to the discussion, such as the Broadband availability map. Mark Howell said that he would combine documents discussed in each meeting with the minutes into one PDF, which he submits to the Town Clerk.

Gail Hire took a Roll Call vote and all members unanimously approved the Sep 23 meeting minutes.

Gail Hire offered minor corrections and revisions to the Sep 30 meeting minutes, per a document she had emailed to Scott Hopkinson. Gail Hire took a Roll Call vote and all members unanimously approved the Sep 30 meeting minutes as revised with the corrections noted.

Mark Howell shared the Underground Bylaw on the Zoom screen. Noting that it is shockingly sparse he wondered if there are also guidelines or policy. Gordon Brockway mentioned the underground surcharge, a small amount added to people's electric bills with an adjustment for inflation (unknown whether that has kept up with cost of construction). There was a discussion of whether the Bylaw applies to areas where utilities are overhead. Mark Howell suggested that the Task Force can work on whether there are any implications for our work.

Mark stated that he will go to the monthly Chairs Meeting. Gordon Brockway reported to the Light Board that the Task Force will be useful for the Light Board.



Mark Howell sent a data request for unserved parcels to the GIS person, Jill, Telecom Director Greg Marcinek and Chief Information Officer Jason Bulger. No indication yet about expected time frame for receiving the data.

Mark Howell was interested to see Matt Cumming's financial reporting package, presented at the Light Board meeting earlier this week. Chairman Wendy Rovelli had pointed out problematic areas of Broadband financials. Mark suggested and Task Force members agreed that the Task Force should look at these and have Matt and Greg come to one of our meetings and talk about financials to us.

Scott Hopkinson had provided a quick summary of Task Force progress to the PEG Access Committee.

A discussion was held about the data request for Broadband orders. Mark Howell sent that request in an open-ended fashion so that we can get information sooner than later. The column for "why" street XYZ does not have fiber may need manual coding; someone who knows the answers could spend an hour to complete it. We may need to look at the reasons and come up with categories of our own.

Gordon Brockway noted a takeaway from the Light Board meeting is that the Broadband folks are really trying to increase service availability. They are doing about 30 new installations per month now, hoping to double it, want to bring in a third party to help; trying to dig out of the COVID hole (installations were paused at the beginning of the pandemic). Gordon asked whether it would be appropriate to suggest continuing installs during winter. A discussion of the technical problems with winter installations followed. In summary, splicing must occur in a temperature-controlled environment and that requires slack in the line, which should always be added when there is new construction.

Mark Howell was impressed by the Light Plant Director's report that they are making progress with second engineer and third technician. There is currently a fiber optic cable shortage. Mark Howell said these are operational issues; it is appropriate for the Light Board to ask questions and monitor. The Task Force's role is to think out beyond these operational things – ask the questions If, When and How. We are in a different strategic time line.

Gordon Bockway noted that presenting a warrant article to ask Town Meeting (TM) to support something big is not in the Light Board's lane or the natural path of the operational folks. It is something for this Task Force to consider. Scott Hopkinson would like to get to the problem statement before suggesting Town Meeting action.

A discussion of the Task Force's remaining time was held, and how to allocate for solution definition. On the 2022 ATM Planning Calendar, the Finance Cte meets Nov 4 to discuss big ticket items. Mark suggested that this Task Force should be represented in talks about capital planning, to advocate for Broadband being part of

the planning. A warrant would need to be drafted between Jan 8 and Feb 2. Gail Hire reminded the Task Force that our report is due to the Select Board and the Town Manager; it is not a report to Town Meeting. Scott Hopkinson noted our purpose is to provide recommendations, not to advance ideas to TM directly. Scott suggested we consider generating a preliminary outlook and asking for more time. Mark Howell agreed. If our recommendations gain support from Light Board, (Finance Committee?) and Select Board, we could anticipate they could act on it a year later, based on the capital planning calendar. It was noted that within the operating budgets there is capacity in the Broadband fund to accelerate the rollout to those that have fiber access and also get funds for expansion.

Gordon Brockway led a discussion of the possible pace of new fiber installations. Just having this committee has advanced Broadband. Scott Hopkinson suggested 30 at the low end and up to 80 at high end new customer installations per month; depressed number is appropriate for winter months. Mark Howell noted that in the early stages of the Fiber project they had to drive costs faster than revenue. Much of debt has been retired and now there is positive cash flow. We should have some sensitivity analysis around these parameters with the goal of completing the network.

Gordon suggested we could recommend an adjusted mindset or management philosophy on rate of growth and high-level strategy. Scott Hopkinson screen-shared and talked about the model developed in Oct 2015, which goes out 112 months, which gives a by-month profile of Fiber build out. Factored in bandwidth cost which will go down over time. Expenses balanced revenue after 5 years. Gordon Brockway suggested that Matt Cummings and others at Concord Light Broadband should see this curve. Scott suggested that those responsible for Broadband should be keeping this model current, at least quarterly, and that the model be brought up to date with actual data. Then run the scenarios again if we put another one to two million to build out the network. Model would tell us how to pay for that.

Mark Howell noted that money was borrowed in lumps as documented in Enterprise Budget books. Key thing is to understand the concepts and work toward goals.

David Hesel asked how do we address in our report the final mile – how do we incentivize CMLP to sign up the 70% they are not reaching? Financials show a \$1 invested returns 30 cents. Increasing sign-ups can be done without a warrant, without borrowing. Mark Howell noted there is an incentive because there is a real return, possibly 15 to 17 percent.

Gail Hire asked about the Federal Government American Rescue Plan Act (ARPA) grant funding that could become available; it would not require a lengthy planning process or Town Meeting action. Mark Howell suggested that where grant funding is available, the Town Manager or Light Board or Select Board (whichever entity

would be spending it) can simply ask for the money and say how they would spend. David Hesel is concerned that well is not being exploited.

Mark Howell said that first we need to get arms around financials as they already are. Broadband is building its 2022 budget now, with priorities including core network. Next week we will look at Scott's model and cap planning process.

David asked...

Mark Howell noted that the Light Plant's responsibilities are Electric service first and Broadband second. It is appropriate to ask whether [Broadband? is being done as well as it could be and if it is meeting expectations. David Hesel suggested a third responsibility: Electric Vehicle charging. CMLP was motivated to accomplish that at Concord Greene, but when it comes to Broadband, it has been 5 years and they still lack Broadband service.

No public comments were offered.

Scott moved to close the meeting. David seconded it. Gail Hire took a Roll Call vote and member unanimously agreed to close the meeting at 8:16 pm.

**TOWN OF CONCORD  
MASSACHUSETTS**

**NO NEW CONSTRUCTION OF UTILITY POLES AND  
OVERHEAD WIRES BYLAW**

**Section 1.** No utility shall install or construct, except by way of direct one for one replacement or upgrading of existing facilities, any poles and overhead wires and associated overhead structures upon, along or across any public or private way within the parts of the Town listed in Section 2. Any poles and overhead wires and associated overhead structures installed or constructed in violation of this bylaw shall be immediately removed by the utility responsible therefor.

**Section 2.** This bylaw applies to the following parts of the Town:

- (a) Any new public or private way approved by the Planning Board.
- (b) Any way in which the wires and utility facilities are underground as of the effective date of this bylaw.
- (c) Any way in which the wires and facilities of any utility have been placed underground since the passage of this bylaw.
- (d) Any way in which an underground conduit and manhole system or its functional equivalent has been or is being installed and is not yet fully utilized, or for which active plans have been or are being made for such conduit and manhole system.

**Section 3.** Any person who installs or constructs any poles and overhead wires and associated overhead structures which are in violation of this bylaw shall be punished by a fine of not less than one thousand dollars (\$1,000.00) and not more than five thousand dollars (\$5,000.00).

**Section 4.** Any person who fails to remove immediately any poles and overhead wires and associated overhead structures which are in violation of this bylaw shall be punished by a fine of not less than one thousand dollars (\$1,000.00) and not more than five thousand dollars (\$5,000.00) for each consecutive fifteen-day period during which the failure continues.

**Section 5.** This bylaw implements M.G.L. Chapter 166, Section 22C, and shall be construed in a manner consistent with the definitions in Section 22A of Chapter 166.

Article 28, Annual Town Meeting, April 1987  
(became effective on January 1, 1989, in accordance with the provisions of MGL, Ch. 166, §22N)  
Amended by Article 31, Annual Town Meeting, April 23, 2001