TOWN OF CHESHIRE

80 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690 | FAX (413) 743-0389

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – August 24, 2021

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 191 Church St (Cheshire Elementary School) on Tuesday August 24, 2021, at 6:30 PM.

Members Present: Michelle Francesconi, Chair
Jason Levesque, Clerk
Mark Biagini
Ray Killeen
Shawn McGrath

Others Present: Jennifer Morse, Town Administrator; Peter Traub; Liseann Karandisecky; Francis Willett; John Tremblay (remote), Sonia Orenstein; Craig Kahn; Tom Francesconi, Fire Chief; Tim Garner, Police Chief, Brian Duval, Travis Fachini

M. Francesconi called the meeting to order at 6:31 p.m.

1. Building Commissioner/ Zoning Enforcement Officer/ ADA Compliance Officer Interviews
Travis Fachini joined the board at 6:30 p.m. and answer a series of questions posed by the board members. Brian Duval joined the board at 7:16 p.m. and answered the same series of questions posted by the board members.

2. Department Reports

A. Police Department - Chief Garner joined the board to give an update on the Police Department. A telephone line is needed for the station to run the call back system for the elderly, J. Morse will follow-up with the accountant. The garage doors are waiting for a part which is why the cruisers are parked outside. Chief explained the Bridge Academy and what is known about the new mandated training. All officers are now trained in Narcan and have it available in the cruiser. Discussion on hiring two part time officers to fill the vacancies. Chief will get J. Morse the job description he has on file and the positions will be posted.

B. Fire Chief - Chief Francesconi noted to date there have been 258 calls and if they stay on pace, it will be a record year, further that most of the calls are medical related. Membership is down which is a trend across the country and the main topic at the Berkshire Chief's meeting, discussion on recruitment. Adams Ambulance continues to work out of the Fire Station, Monday – Friday from 8 a.m. – 4 p.m. with one paramedic and one basic EMT. Cheshire Fire works with Adams and Lanesborough on automatic aid fire calls there has been discussion at the county level regarding regionalization. Narcan training has been completed and after a lot of paperwork is in use in the Fire Department, one life has already been saved by having Narcan. Engine 1 – had a large repair of $8,000 due to a frozen pump, Engine 2 – pump is being replaced and after extensive testing will be picked up next week the total cost was $20,000, Brush Truck - money has been appropriated and the Chief is working with Bob Navin to find a

used truck. Discussion on the condition of the station and the need for an assessment of the building prior to any repairs or renovations. The Chief was asked about any upcoming mandates – Chief was unaware of any coming but shared that Massachusetts is an OSHA state and that full physicals must be done prior to fire fighters utilizing SCBA's (Self Contained Breathing Apparatus).

3. Discussion/Decision Items (Due to time M. Francesconi moved items on the agenda)

a. Lake District and Solitude Lake Management Contract - Discussion on the contract with Solitude Lake Management and the lack of the company to meet target dates for treatment. Only two treatments (1 full and 2 half) have been completed. M. Francesconi was not comfortable paying the Town portion of the invoice if the services were not rendered. J. Morse pointed out that the contract was between Solitude Lake Management and the Hoosac Lake District (HLD), and the town reimburses the HLD. After discussion it was decided that J. Morse will reach out to Solitude to discuss payment and services and will report back to the BoS and HLD.

There was also discussion on changing vendors and that the BOS should have a seat at the table when discussing a new contract with the new vendor. The current contract with Solitude Lake Management ends on December 31, 2021. Lake and Pond Solutions will be coming to Cheshire on September 21, 2021, to tour the lake with the HLD and then there will be a meeting to discuss the contract at 4 p.m.

Mr. Keyes was present and inquired about the sediment in the Shadowland Cove and issue that had been discussed several months ago. M. Francesconi shared that the results were inconclusive regarding the source of the sediment with not enough evidence for the town to take responsibility. M. Francesconi further said that this would be placed on the next agenda so documents could be reviewed by the entire board prior to any further discussion.

b. Mass Yield Cultivation, Host Community Agreement – Sonia Orenstein and Craig Kahn were available for the discussion. J. Levesque felt that the Pittsfield agreement was better written than the last one the town did and asked about the payment terms and conditions. Sonia said that they are required to give back to the community and could help above and beyond the fees, using the telephone line at the Police Station as an example of projects they could support. Sonia further said that the goal is to start producing quality product next spring and eventually add greenhouse for a four season grow, further sharing that two payment per year would be preferable. Since the last meeting Mass Yield has obtained their full license from the CCC and has plants growing inside in Pittsfield R. Killeen stated that he would hate for the town to sell out to gain a buck. M. Francesconi feels like six licenses is to many for the Town but sees the potential to harness the energy coming from the industry. All board members agreed that it is a good location and Mass Yield Cultivation invited all members to tour the location.

There was further discussion about education opportunities including possible garden plots, classes, and hydroponic methods. It was agreed that a "Workshop" meeting will be called for 8/31/21 at 6:30 p.m. to work on the details of the Host Community Agreement.

4. Minutes – August 17, 2021

August 17, 2021 – *A motion was made by M. Francesconi and seconded by M. Biagini to accept the meeting minutes of August 17, 2021, as presented*

Roll Call Vote: J. Levesque – Yes; S. McGrath – Abstain; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 4-0-1

5. Discussion/Decision Items

c. FY2020 Audit- J. Morse ran through the Management Letter noting that many of the recommendation have been implemented. 1. Water Department has put new procedures into place for deposit and receipts,

the clerk was already copying all check and maintaining a log of receipts. 2. Capital Assets will take a little more work and J. Morse has asked the auditors for examples of formal policies and procedures as well as a track form for Capital Assets. It was noted that the Finance Committee has the beginnings of such a document. 3. Payroll suggestions have been completed. 4. Indirect Costs should be reviewed and possibly implemented for FY23. Currently the accountant tracks abated town water bills vs. Water Dept expenses and makes a journal entry at the end of the fiscal year.

d. Employee/Volunteer Reimbursement Policy - A motion was made by M. Francesconi and seconded by J. Levesque to adopt the Employee/Volunteer Reimbursement Policy with one correction.
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

e. Job Descriptions – Accountant, Assessors Administrator, ZBA Clerk

J. Morse confirmed that all the job descriptions have been reviewed by the person who currently holds the position.

*A motion was made by M. Francesconi and seconded by J. Levesque to approve the **Accountant** Job Description.*
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

*A motion was made by M. Francesconi and seconded by J. Levesque to approve the **Assessors Administrator** Job Description*
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

*A motion was made by M. Francesconi and seconded by J. Levesque to approve the **Zoning Board of Appeals Clerk J**ob Description.*
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

f. Community Compact – Best Practices and IT Grant

J. Morse reported that she had spoken with John Tremblay – Finance Committee Chair and is recommending the town apply for the Best Practice Financial Policies grant. She is just waiting for DOR to provide names of consultants that can facilitate the creation of the policies. P. Traub was present and discussed the Planning Board wish to apply for a Best Practice – Housing and Economic looking at Zoning bylaws with the support of Berkshire Regional Planning Commission. J. Morse shared that she had reached out and BRPC quoted a price of $15,000 for such work. Board members questioned the process for such a project and the ability for voters to have a say at Town Meeting.

A motion was made by M. Francesconi and seconded by S. McGrath to authorize the Town Administrator to apply for the Best Practices program for Financial Policies and Housing and Economic (Zoning Bylaws).
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

g. Hoosac Valley Regional School District Lease - The lease has not been received to review. S. McGrath stated that we shouldn't be discussing leases without a true cost to the Town for maintaining the school. J. Morse to work with the accountant to get the information. There was discussion about the accounting software and the capability of assigning project codes. M. Francesconi had contacted the software company and they can do a new Chart of Accounts with Project codes. J. Morse will discuss with the accountant.

6. Temporary Custodian/Caretaker Appointment
J. Morse shared that the applicant who the board appointed at the last meeting had withdrawn his application and the Highway Super after meeting with Ryan Stupplebeen is recommending him for the position.

A motion was made by M. Francesconi and seconded by S. McGrath to appoint Ryan Stupplebeen as Temporary Custodian/Caretaker.
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

7. **Town Administrator Updates**
A weekly update was provided to the board, in addition.
One Day Liquor License – Cheshire Rod and Gun Club for the following dates: September 4, September 11, September 18, September 25, October 2, and October 26. A fee of $50 will be collected for each date.

A motion was made by M. Francesconi and seconded by S. McGrath to approve the application for one day liquor licenses for the Cheshire Rod and Gun Club.
Roll Call Vote: J. Levesque – Yes; S. McGrath – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 5-0

MVP Core Team - Bill Lewis has agreed to serve on the committee and a police representative will also be appointed, this will be added to the next agenda.

Accountant Office - The accountant office will be painted later in the week and the floor will be replaced, until the renovations are complete the accountant will be relocated to the Annex.

8. **Announcements for Board Members**
J. Levesque reported that Pine Valley changed ownership and there was discussion about the condition of the roads and that there is a request for sidewalks.
M. Francesconi wanted to thank the Emergency Management Committee for the work done to prepare for Tropical Storm Henri. A meeting will be scheduled on a workshop night to meet with the committee to discuss emergency preparedness.
R. Killeen shared that he had been approached by Carol Francesconi to move the election to the cafeteria at the school, discussion on lack of heat and bathroom facilities.
M. Francesconi mentioned that the "mansion" on Route 8 was to be auctioned on Friday 8/27.

9. **Building Commissioner/Zoning Enforcement Officer/ADA Compliance Position**
Discussion on the two candidates and their qualifications. The board will add a decision regarding the position to the agenda for the next meeting.

10. **Public Comment**
John Tremblay felt that the town should be prepared for purchasing buildings such as securing properties for future economic development.

11. **Adjournment** - A motion was made by M. Biagini and seconded by J. Levesque to adjourn the meeting at 10:48 p.m.
Roll Call Vote – All members yes – motion carried.

Respectfully Submitted,
Jennifer Morse
Town Administrator
August 25, 2021

Document List

1. Agenda – August 24, 2021
2. Travis Fachini Resume
3. Brian Duval Resume
4. Minutes – August 17, 2021
5. Audit Management Letter
6. Reimbursement Policy
7. Accountant Job Description
8. Assessors Administrator Job Description
9. Zoning Board of Appeals Clerk Job Description
10. Solitude Lake Management Contract
11. Letter dated 8/10/21 from NBVRSD
12. Letter dated 8/4/21 from Depart of Telecommunications and Cable

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Agenda – August 24, 2021

In-person
The Green Room at 191 Church Street (former Cheshire Elementary School)
Enter Building at West Ramp Entrance

6:30 p.m. Open Meeting – Introductions - Pledge of Allegiance

1. ***Building Commissioner/Zoning Enforcement Officer/ADA Compliance Officer Interviews***
   6:30 p.m. Travis Fachini
   6:55 p.m. Brian Duval
2. ***Department Reports***
   - ***a.*** *Fire Department – Chief Francesconi*
   - ***b.*** *Police Department – Chief Garner*
3. ***Minutes – August 17, 2021***
4. ***Discussion/Decision Items***
   - ***a.*** FY2020 Audit
   - ***b.*** Employee Reimbursement Policy
   - ***c.*** Job Descriptions: Accountant, Assessors Administrator, ZBA Clerk
   - ***d.*** Community Compact – Best Practices Grant Opportunity & IT Grant
   - ***e.*** Lake District and Solitude Lake Management Contract
   - ***f.*** Hoosac Valley Regional School District Lease
5. ***Cannabis Cultivation Community Host Agreement – Wells Road***
6. ***Temporary Custodian/Caretaker Appointment***
7. ***Town Administrator Updates***
8. ***Announcements from Board members***
9. ***Any other business not reasonably anticipated 48 hours prior to the meeting.***
10. ***Adjournment***

Meetings are being held in-person at 191 Church Street (former Cheshire Elementary School)

If technical Issues occur – DRAFT minutes and meeting documents will be posted to the website the next day.

https://global.gotomeeting.com/install/572029061

You can also dial in using your phone.

United States: +1(646) 749-3335

Access Code: 572-029-061

Submitted by: Jennifer Morse – Town Administrator 8/19/2021 @ 8:30 a.m.

POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A §§18-25.

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OFFICE OF THE BOARD OF SELECTMEN

Meeting Minutes – August 17, 2021

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Board of Selectmen was held in person at 191 Church St (Cheshire Elementary School) on Tuesday August 17, 2021, at 6:30 PM.

Members Present:	Michelle Francesconi, Chair Jason Levesque, Clerk Mark Biagini Ray Killeen
Members Absent:	Shawn McGrath
Others Present:	Jennifer Morse, Town Administrator; Peter Traub; Liseann Karandisecky; Karen Kruszyna(remote); John Tremblay (remote); Greg Fournier (I Berkshires)

M. Francesconi called the meeting to order at 6:30 p.m.

1. Workshop – Bylaw Review

M. Francesconi went over the process noting that the review is a year late, that the initial review period was to be 100 days. There was discussion on getting departments and board/committee input for bylaws that impact them. The "General Code" suggestions were reviewed with the bylaws that needed input form others flagged. The following bylaws were also flagged to be brought up for amendments or deletion at Annual Town Meeting:
55-001 – Term of the Moderator, there was discussion on making the term one year instead of the current three-year term. The current moderator has only attended one town meeting during the term, the previous moderator did not serve a three-year term.
55-004 - April and October meetings, there was discussion on removing this bylaw.
205-002 – Drive within marked lanes, there was discussion on removing roadways bylaws that refer to MGL.
210-001 – Limit on storage, there was discussion regarding the use of six unregistered vehicles on farmland.

J. Morse will forward all flagged bylaws to the appropriate departments for review.

2. Temporary Custodian/Caretaker Appointment – Tom Allen

J. Morse reported that the Highway Superintendent had met with Mr. Allen and would like to have him appointed to the Temporary Custodian/Caretaker position. Mr. Allen will be able to start in the next two weeks.
A motion was made by M. Francesconi and seconded by J. Levesque to appoint Tom Allen to the Temporary Custodian/Caretaker position.
Roll Call Vote: J. Levesque – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 4-0

3. Accountant Hours

J. Morse asked for clarification on the accountant office hours noting that the board had agreed to allow four hours of weekend work to review payroll. The Treasurer is now doing payroll on Friday and payroll can be reviewed late Friday, Monday, or Tuesday. Since payroll is no longer a reason for weekend hours the board discussed reverting to the agreed-on hours from the Executive Session meeting on February 23, 2021, which are Tuesday from 8 a.m. – 8:30 p.m. and Thursday from 8 a.m. – 4:30 p.m. with half hour lunch breaks each day.
A motion was made by J. Levesque and seconded by M. Francesconi to set the accountant hours back to the agreed-on hours of Tuesday 8 a.m. – 8:30 p.m. and Thursday from 8 a.m. – 4:30 p.m.
Roll Call Vote: J. Levesque – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 4-0

4. Minutes – August 10, 2021; March 16, 2021; May 25, 2021

August 10, 2021 – *A motion was made by J. Levesque and seconded by M. Biagini to accept the meeting minutes of August 10, 2021, with one correction.*
Roll Call Vote: J. Levesque – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 4-0

March 16, 2021 – *A motion was made by J. Levesque and seconded by M. Biagini to accept the meeting minutes of March 16, 2021, as presented.*
Roll Call Vote: J. Levesque – Yes; R. Killeen – Abstain; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 3-0-1

May 25, 2021 – *A motion was made by J. Levesque and seconded by M. Biagini to accept the meeting minutes of May 25, 2021, as presented.*
Roll Call Vote: J. Levesque – Yes; R. Killeen – Abstain; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 3-0-1

5. Executive Session: *A motion was made by M. Francesconi and seconded by J. Levesque to enter into executive session at 7:42 p.m. according to MGL Chapter 30A, Section 21 (a) (7) to comply with, or act under the authority of, any general or special law or federal grant in aid requirements, citing to the Open Meeting law, GL Chapter 30A, Section 22 (f)(g). The following executive session minutes will be reviewed – March 30, 2021 (two sets); February 23, 2021; January 5, 2020; February 19, 2019; March 26, 2019 (two sets); August 27, 2019; September 23, 2019; September 17, 2019. The board will convene in regular session to adjourn only.*
Roll Call Vote: J. Levesque – Yes; R. Killeen – Yes; M. Biagini – Yes; M. Francesconi – Yes
Motion Carries: 4-0

6. Return to regular meeting at 8:30 p.m.

R. Killeen noted that the Town Administrator had worked extra hours on Monday evening to be at the Citizen Advisory Committee Meeting stating that he wanted it on record in case there was ever a question about hours worked.

7. Adjournment - A motion was made by M. Biagini and seconded by J. Levesque to adjourn the meeting at 8:32 p.m.
Roll Call Vote – All members yes – motion carried.

Respectfully Submitted,
Jennifer Morse
Town Administrator

August 18, 2021

Document List

1. Agenda – August 17, 2021
2. Minutes – August 10, 2021
3. Minutes – March 16, 2021
4. Minutes – May 25, 2021

AUDIT MANAGEMENT LETTER

TOWN OF CHESHIRE, MASSACHUSETTS

MANAGEMENT LETTER

FOR THE YEAR ENDED JUNE 30, 2020

TOWN OF CHESHIRE, MASSACHUSETTS

Management Letter

Year Ended June 30, 2020

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Scanlon & ASSOCIATES
CERTIFIED PUBLIC ACCOUNTANTS

SCANLON & ASSOCIATES, LLC, 8 Tina Drive, S. Deerfield, MA 01373
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To the Board of Selectmen
Town of Cheshire
Cheshire, Massachusetts

Dear Members of the Board:

In planning and performing our audit of the basic financial statements of the Town of Cheshire as of and for the year ended June 30, 2020, in accordance with auditing standards generally accepted in the United States of America, we considered the Town of Cheshire's internal accounting control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinions on the basic financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town's internal control. Accordingly, we do not express an opinion on the effectiveness of the Town's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A significant deficiency is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above.

However, during our audit, we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. We have already discussed these comments and suggestions with Town personnel. We will be pleased to discuss them in further detail and to assist you in implementing the recommendations.

This communication is intended solely for the information and use of the management, the Board of Selectmen, others within the entity and the Commonwealth of Massachusetts Department of Revenue and is not intended to be and should not be used by anyone other than these specified parties.

Scanlon & Associates, LLC
South Deerfield, Massachusetts

August 2, 2021

DRAFT

CURRENT YEAR COMMENTS AND RECOMMENDATIONS – Other Matters

1. Water Department

Segregation of Duties:

Comment:
The current set up at the water department has one person in charge of preparing the bills, collecting the bills and maintaining the accounts receivable subsidiary ledger. To have a proper internal control structure there should be segregation of duties. The Town does have compensating controls in place in order to reduce the risks associated with segregation of duties. For instance, the town accountant reconciles to the water departments accounts receivable subsidiary ledger. We would like to remind the Town of being constantly aware of the risks of not having proper segregation of duties. We recommend the Town consider the feasibility of having the Tax Collector maintain the accounts receivable subsidiary ledgers, which is permissible under MGL chapter 41, section 38A.

Receipt Procedures

Comment:
The water department receipt procedures should provide a trail from the customer payment to the amount deposited in the bank. During our audit we tested the receipt procedure for four deposits made in June and found the following:

- All of the deposits tested were missing more than half of the customer receipt stubs.
- The payment stubs that were retained are not indicating the date, amount received, or payment method (cash/check).

We recommend that the water department retain payment stubs for all customer receipts and indicate the date received, amount received and method of payment.

2. Capital Assets

Comment:
GASB No. 34 requires that capital assets be on the financial statements for tier 3 governments starting in fiscal year 2004. The Town in previous audits has compiled a list of capital assets and was in compliance with GASB No. 34. During our audit we tested the capital assets and found that the Town did not keep adequate records with regard to additions, deletions and depreciation. Also, the Town has no formal policy and procedures on capital assets.

We recommend that the Town adopt a formal policy and a procedure with regard to capital assets. Having a policy and a procedure in place will insure that all capital assets are being accounted for under the financial reporting model of GASB # 34.

DRAFT

3. Payroll

Comment:
During our audit we reviewed and tested the Town's payroll procedures. We noted that not all department heads were signing the payroll sheets indicating that they have reviewed and approved their department's payroll. One of the key controls in the payroll process is having the department head review and approve the payroll of their department. An indicator that this control is being performed is with a signature of the department head on Town payroll forms. We recommend that the Town review this matter and implement the necessary procedures to ensure that this control is being done. We further recommend that the town consider switching to bi-weekly payroll for efficiency purposes.

4. Review Indirect Costs for Water Enterprise Fund

Comment:
The Town maintains an enterprise fund to account for its water operations. As part of maintaining the enterprise fund the Town does not charges the enterprise fund for indirect costs. We recommend that the Town calculate the indirect costs (Insurance/Retirement Assessment/Other) appropriated in the general fund associated with the enterprise fund. Then the enterprise fund would reimburse the general fund for these costs each year.

5. Record All Receivables on the General Ledger

Comment:
During our audit we noted that the Town does not record accounts receivables for the veteran benefits and Chapter 90 (highway). To establish an effective and sound internal control system we recommend that these accounts receivable be recorded on the general ledger. Also, as with all receivables, they should be periodically reconciled to source documents.

6. Other Areas

- Future GASB's (Fiduciary Activities and Leases).
- Tax Collector receipt support documentation.
- Monthly Cash reconciliation procedures.
- Procurement Records in a Centralized Location.
- Chart of Accounts – Special Revenue (Revolving/Gifts) accounts included in general fund.
- Review veteran, blind and surviving spouse exemption reimbursement revenue (MDM-1) for 2020 ($20,624).

DRAFT

REIMBURSEMENT POLICY

TOWN OF CHESHIRE

80 CHURCH STREET | CHESHIRE, MASSACHUSETTS 01225
PHONE (413) 743-1690 X.18 | EMAIL: ADMIN@CHESHIRE-MA.GOV

WWW.CHESHIRE-MA.GOV

Employee/Volunteer Expense Reimbursement Policy

- Employees must complete the Expenditure Reimbursement Form to be reimbursed for out-of-pocket expenses. Include the date of payment, account number, to whom the payment was made, the purpose of the expenditure and the amount.
- Original invoices or sales slips must be attached to avoid duplicate payment later.
- Credit Card payments need to be noted on the invoice or sales slip. If unavailable the employee/volunteer will be required to show proof of payment through a bank statement.
- Employees/Volunteers should use the town's tax-exempt number when making purchases for the town so that sales tax will not be charge, sales tax cannot be reimbursed.
- Seminar and Conference reimbursements much be accompanied by the brochure, invitation or some portion of paperwork showing the conference description, cost, and person(s) attending. Also one of the following; a copy of a cancelled check, front and back, a paid receipt with the company name and amount, a charge card receipt or certificate of completion must be submitted to evidence payment in full and/or acknowledge attendance.
- Postage reimbursements must be accompanied by the Expenditure Reimbursement Form and include a description of the mailing the postal receipt.
- Reimbursement of purchases or expenses incurred during authorized travel or while engaged in authorized business: Employees who are out of town or working late on business or attending training programs or conferences on behalf of the town may be reimbursed for out-of-pocket costs of travel, meals, and other purchases incurred in furtherance of that objective and as a term or condition of employment. These types of expenses are permissible municipal expenses, provided that attendance is authorized by the municipal official or board with the authority to expend department funds. Included within the realm of reimbursable expenses are: (i) registration charges, including late

fees; (ii) local surcharges and taxes on car rentals; (iii) taxes and tips on meals, and (iv) taxes on petty cash purchases, so long as these expenses are reasonable and not in conflict with the reimbursement policies of the city or town. Late registration fees are considered to be part of the contract price for the training program or conference. Similarly, surcharges, taxes and tips are a necessary and customary part of legitimate expenses incurred by employees in the course of their employment.

- The employee's supervisor must sign off on the Expenditure Reimbursement Form

Expense Reimbursement Request

Name: _____

Department: _____

Date	Account	Description	Total

Approved: _____

Please Note: ALL RECEIPTS, INVOICES, AND/OR DOCUMENTATION MUST BE ATTACHED TO THIS EXPENSE REPORT IN ORDER FOR IT TO BE PROCESSED

Accountant Job Description

TOWN OF CHESHIRE
Town Accountant

General Purpose:
Performs all duties and responsibilities of the Town Accountant in accordance with Massachusetts General Laws, town policies, bylaws and the Massachusetts Department of Revenue and federal law. This position is part time and appointed by the Board of Selectmen to a one-year term.

Essential Job Functions:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Timely and accurate reporting of all revenues collected, and funds expended in accordance with annual budget, capital expenditures, grants, gifts, revolving funds, trusts and other funds

Oversee the processing of all financial transactions and reconciliation of the same with the department heads. Verify that any expense payment is lawful, justified and that funding exists under the appropriate budget line item (**MGL Ch. 41, Section 52**). At the close of the fiscal year, received from each department, board or committee a list of bills remaining unpaid. Prepares statements for town officials and department head showing the total appropriations, expenditures, and balance in each appropriation as requested or minimum monthly to the main departments?)

Thorough knowledge of municipal finance, operations, and functions.

Notify the Board of Selectmen when it appears that an appropriation has been expended or is likely to be overdrawn (**MGL Ch. 41, Section 58**)

Prepare and furnish to the Director of Accounts, Department of Revenue, Schedule A, Statement of Public Debt and Balance Sheet (**MGL Ch. 44, Section 43**). Complete Certified Free Cash for the Town and Water Enterprise Fund.

Complete the Tax Rate Recap schedules for September 15th of each year based on prior years budget, receipts, expenditures for the Tax rate to be certified and tax bills to be mailed on October 1st of each year.

Maintains, in compliance with Massachusetts General Law (**MGL Ch. 41, Section 57**). a completed set of financial records for all town accounts, appropriations, debts and contracts; maintains a general ledger, subsidiary ledgers and journals for the recording of all transactions.

Work with the Treasurer and Collector to reconciling all receivables (real estate, personal property, motor vehicle excise, tax title) and cash. Reconciles all tax tile accounts at year end as well as all the tax receivables.

DRAFT

Completes the Massachusetts Department of Education End of Year Financial reporting, Berkshire Regional Transit Authority reporting

Prepares an Annual Report for submission to the Town Clerk to be published in the Town of Cheshire Annual Report showing the appropriation, the expenditure and purpose, stating any change in town debt, list of indebtedness incurred and unpaid at the end of the fiscal year (**MGL Ch. 41, Section 61**)

Maintains up to date knowledge in the field of accounting, finance and Massachusetts financial laws and their applications through continuing education,

Physical Requirements/Work Location:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Work is performed under extremely busy office conditions; work environment is moderately quiet, with frequent interruptions. Work is subject to fluctuations caused by collection, budgeting and municipal operation scheduled, project needs and administrative requirements

The employee operates standard office equipment, including computer, calculator, copier, fax machine and telephone.

Employee has constant contact with public, peers, other town departments and officials, as well as the Department of Revenue, external auditors, management consultant and attorneys. Communications require professionalism, courtesy, patience, and tact and are conducted by telephone, email, written correspondence and in person.

Most errors or exercise of poor judgement may not be immediately detected or corrected, and could result in monetary loss, have extensive financial or legal repercussions a negative public relation as well as jeopardize department functions and efficient town wide fiscal management.

Qualifications:

Bachelor's Degree in Accounting or related field is required. Five years of municipal financial experience required. Experience in public administration or related field. Experience in dealing with the public strongly preferred. Or an equivalent combination of education and experience. Massachusetts Certified Governmental Accountant training is required with certification within three years from appointment.

Non-Discrimination Clause:

No individual shall be denied any rights guaranteed pursuant to local, state and/or federal law based on race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and/or requirements of the job change.

Assessors Administrator Job Description

TOWN OF CHESHIRE
Assessors Administrator

General Purpose:
Performs responsible administrative, clerical and record keeping work of substantial difficulty and responsibility in supporting the operations of the Board of assessors. The Assessors' Administrator is responsible for maintaining and improving upon the efficiency and effectiveness of all areas under his/her direction and control. Works under the administrative direction of the Board of Assessors following department rules, regulations, and policies, requiring the ability to plan and perform operations and to complete assigned tasks according to a prescribed time schedule. Work is performed with little daily supervision.

Essential Job Functions:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

- Provide information in person, by telephone and in writing to property owners and others regarding the town's assessment policies, the determination of specific valuations, tax abatements and exemptions.
- Assist the public in locating properties on assessors' maps and in filing abatements/exemptions.
- Process abatements, including automobile excise, real estate, and personal property. Process exemptions for veterans, seniors, and blind persons. Process Motor Vehicle re-commits through the ATLAS program.
- Process deeds to compile necessary information for sales and ratio reports and make necessary changes to property record cards. Prepare information sheets on new deeds for other town departments.
- Prepare a variety of reports, including reports required by the Department of Revenue and maintain department records and files.
- Maintain records for all Chapter Land property, Maintain Assessors' maps and plot plan, record changes as appropriate.
- Prepare abutters lists as requested
- Process building permits for on-site visits and/or consultants under contract with the town. Assist in measuring, inspecting, and updating properties during site visits when required.
- Maintain current Personal Property records accounts through Form of Lists, mailed annually.
- Prepare all warrants and notices of commitments. Process recommitted, rescinded, uncollectible, handicapped, and military exemptions for Motor Vehicle excise. Prepare monthly lists and distribute to the Accountant and Collector.

- Assistance in compiling documents for Appellate Tax Board cases.
- Provide assistance as needed to any hired valuation contractors as directed by the Board of Assessors.
- Responsible for the coordination and timely completion of the tax rate setting process, including reporting of final valuation for approval and the tax recap sheet and all related documents.
- Explains regulations and procedures to the public, provides information to property owners, realtors, bank officials, loan companies, and government agencies regarding property valuation; interprets tax laws and regulation affecting property valuation and tax assessment for taxpayers.
- Prepare agenda for board meeting and perform secretarial functions for the Board of Assessors
- Research and recommend procedures and methods to be used by the Board of Assessors and office for administration that promotes compliance with state regulations.
- Attend training programs and seminars to maintain certification requirements and to stay up to date regarding property valuation techniques and practices as well as changes to applicable State laws.
- Regular attendance and punctuality at the workplace are required.

Physical Requirements/Work Location:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Work is performed under extremely busy office conditions; work environment is moderately quiet, with frequent interruptions.

The employee operates standard office equipment, including computer, calculator, copier, fax machine and telephone.

Employee has constant contact with public, peers, other town departments and officials, as well as the Department of Revenue, external auditors, management consultant and attorneys. Communications require professionalism, courtesy, patience, and tact and are conducted by telephone, email, written correspondence and in person.

Most errors or exercise of poor judgement may not be immediately detected or corrected, and could result in monetary loss, have extensive financial or legal repercussions, a negative public relation, as well as jeopardize department functions and efficient town wide fiscal management.

Qualifications:

Highschool diploma or equivalent. Education, training, or experience which demonstrates possession of the required knowledge, skills, and abilities necessary to perform the essential functions of the job. Municipal experience is preferred. Valid MA Class D Driver's license. Ability to complete Massachusetts Department of Revenue Course 101 within six months.

Aptitude for working with numbers and details and attention to details and accuracy. Skill in typing and in the use of standard office equipment. Working knowledge of the Massachusetts laws relating to municipal finance and property assessment for tax purposes.

Non-Discrimination Clause:

No individual shall be denied any rights guaranteed pursuant to local, state and/or federal law based on race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and/or requirements of the job change.

Zoning Board of Appeals Clerk

TOWN OF CHESHIRE
Zoning Board of Appeals Clerk

General Purpose:
Performs secretarial duties for the Town of Cheshire Zoning Board of Appeals. This position is part time and appointed by the Board of Selectmen yearly.

Essential Job Functions:
(The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

Must be familiar with the Town of Cheshire bylaws.

Receives Zoning Board of Appeals Applications for variances, review application and notify chair of the application.

Posts the Zoning Board of Appeals meeting and hearing in accordance with Massachusetts General Laws.

Arrange on-site visits and notify all interested parties.

Prepare and notify local venues for the publishing of Legal Notice.

Contacts Board of Assessors for an abutters list for notification mailing. Prepare Certified return receipt forms to abutters and six surrounding communities.

Create and maintain all individual file documents and meeting/hearing minutes.

Notify all abutters of the decision in writing. Submit a signed decision and proceedings to the Town Clerk.

Physical Requirements/Work Location:
The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the position's essential functions.

Work is performed under typical office conditions; work environment is moderately quiet. Work is subject to fluctuations caused by applications

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The employee operates standard office equipment, including computer, calculator, copier, fax machine and telephone.

Employee has constant contact with public, peers, other town departments and officials. Communications requires professionalism, courtesy, patience, and tact and are conducted by telephone, email, written correspondence and in person.

Qualifications:

Highschool diploma or equivalent. Education, training, or experience which demonstrates possession of the required knowledge, skills, and abilities necessary to perform the essential functions of the job. Municipal experience is preferred.

Non-Discrimination Clause:

No individual shall be denied any rights guaranteed pursuant to local, state and/or federal law based on race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and/or requirements of the job change.

Solitude Lake Management Contract

SŌLITUDE
LAKE MANAGEMENT

2019-2021 LAKE TREATMENT CONTRACT

PROPERTY NAME: Hoosac Lake – Cheshire, MA
CONTRACT TERM: January 1, 2019 – December 31, 2021
SUBMITTED TO: Ray Fisher – Hoosac Lake Recreation/Preservation District
SUBMITTED BY: Dominic Meringolo - Territory Leader; Josh Perry – Environmental Scientist
SPECIFICATIONS: Management of non-native and nuisance aquatic vegetation in Hoosac Lake, including MA DEP permitting, vegetation surveys, herbicide treatment(s) and equipment needed.

Pre-Treatment Survey:

1. An early season survey/inspection will be performed in late April/early May to determine the distribution and growth stage of invasive and nuisance plant growth.

Lake Aquatic Weed Control:

1. Any growth of invasive milfoil and/or curlyleaf pondweed identified in the pre-treatment survey will be treated with **contact aquatic herbicides (diquat or equivalent) in early/mid-May.**
2. To help manage overgrowth of nuisance species, particularly tapegrass, and address any re-growth of milfoil, treatment with Sonar (fluridone) herbicide will be performed in early/mid-June or as determined by growth stage and flow conditions.
3. Booster treatments of fluridone will be conducted following the initial treatment as needed to maintain desirable concentration exposure time and reduce the occurrence of nuisance growth levels through the recreational season.
4. Interim surveys and herbicide testing will be conducted as needed to guide the timing and dose of any booster treatments.
5. The management of aquatic vegetation will be guaranteed through the end of September of each contract year.
6. When the above management options take place in residential areas of the lake and in coves, treatments are to be conducted within ten (10) feet of all residences, docks and boat ramps.

Post Treatment Survey:

1. A final plant survey will be performed in August/September to evaluate the efficacy of the treatment program and guide any adjustments that may be needed in the following year.

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Permitting:

1. SOLitude staff will be responsible for the following:
    a. Obtaining any state pesticide use permits required to perform any work specified in this contract where applicable.
    b. Filing of any notices or year-end reports with the appropriate agency as required by any related permit.
    c. Notifying the client of any restrictions or special conditions put on the site with respect to any permit received, where applicable.

Client Responsibilities:

1. Client will be responsible for the following:
    a. Providing information required for the permit application process upon request.
    b. Providing Certified Abutters List for abutter notification where required.
    c. Perform any public filings or recordings with any agency or commission associated with the permitting process, if required.
    d. Compliance with any Order of Conditions or other special requirements or conditions required by the local municipality.
    e. Compliance and enforcement of temporary water-use restrictions where applicable.
    f. Pre-treatment notification of all required parties, including all lake abutters and the general public. SOLitude will provide printed signs that warn of the temporary water use restrictions that will need to be posted by the Association around the lake shoreline prior to each treatment.
    g. Lowering or maintaining a reduced water level in the lake prior to the initial Sonar herbicide application.

Year End Report:

1. An end of the year report will be prepared and provided to the client.
2. Annual regulatory compliance reporting will be fulfilled as required.
3. The year-end report is anticipated to be completed and provided in October.

General:

1. Contractor is a licensed pesticide applicator in the state in which service is to be provided.
2. Individual Applicators are Certified Pesticide Applicators in Aquatics, Public Health, Forestry, Right of Way, and Turf/Ornamental as required in the state in which service is to be provided.

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3. Contractor is a SePRO Preferred Applicator and dedicated Steward of Water. Each individual applicator has been trained and educated in the water quality testing and analysis required for site specific water quality management prescriptions, and utilizes an integrated approach that encompasses all aspects of ecologically balanced management. Each applicator has received extensive training in the proper selection, use, and application of all aquatic herbicides, algaecides, adjuvants, and water quality enhancement products necessary to properly treat our clients' lakes and ponds as part of an overall integrated pest management program.
4. Contractor guarantees that all products used for treatment are EPA registered and labeled as appropriate and safe for use in lakes, ponds, and other aquatic sites, and are being applied in a manner consistent with their labeling.
5. All pesticide applications made directly to the water or along the shoreline for the control of algae, aquatic weeds, or other aquatic pests as specified in this contract will meet or exceed all of the contractor's legal regulatory requirements as set forth by the EPA and related state agencies for NPDES and FIFRA. Contractor will perform treatments that are consistent with NPDES compliance standards as applicable in and determined by the specific state in which treatments are made. All staff will be fully trained to perform all applications in compliance with all federal, state, and local law.
6. Contractor will furnish the personnel, equipment, materials, and other items required to provide the forgoing at his expense. Equipment will include trucks, boats, amphibious vehicles, all-terrain vehicles, utility vehicles, high volume tank sprayers, low volume tank sprayers, back- pack sprayers and other small equipment as required to properly access and perform treatments in the designated areas.
7. Contractor will maintain general liability and workman's compensation insurance.
8. Customer understands and acknowledges that there are irrigation restrictions associated with many of the products used to treat their lakes and ponds. The customer is responsible for notifying the contractor in advance of the contract signing and the start of the contract treatment if they utilize any of the water in their lakes or ponds for irrigation purposes. The customer accepts full responsibility for any issues that may arise from the irrigation of turf, ornamentals, trees, crops, or any other plants as a result of treated water being used by the customer for irrigation without the consent or knowledge of the contractor.
9. Although there is rarely direct fish toxicity with the products used for treatment when applied at the labeled rate, any time there is an extreme infestation of algae and aquatic weeds, there is a risk of dissolved oxygen drops as a result of large masses of algae and aquatic weeds dying and decomposing simultaneously. This risk is most severe in times of extremely hot weather and warm water temperatures, as these are the conditions during which dissolved oxygen levels are naturally at

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their lowest levels. Often times lakes and ponds will experience natural fish kills under these conditions even if no treatment is performed. Every effort, to include the method and timing of application, the choice of products, and the skill and training of the applicators is made to avoid such problems. This risk is especially mitigated by the use of systemic herbicides wherever possible, which results in a very slow steady control of the target weed species. However, the customer understands and accepts that there is always a slight risk of the occurrence of adverse conditions outside the control of the contractor that will result in the death of some fish and other aquatic life. The customer also understands and accepts that similar risks would remain if the algae or submersed invasive vegetation present in the lake goes uncontrolled, as it will over time interfere with the health and well being of the existing fish population. The customer agrees to hold the contractor harmless for any issues with fish or other aquatic life which occur as described above, or are otherwise outside the direct control of the contractor, unless there is willful negligence on the part of the contractor.

10. Contractor is not responsible for treatment failures that result from dam or other structural failures, severe storms, flooding, or other acts of nature that are outside of the control of the contractor.
11. Contractor shall be reimbursed by the client for any non-routine expenses, administrative fees, compliance fees, or any other similar expense that are incurred as a result of requirements placed on the contractor by the client that are not covered specifically by the written specifications of this contract.
12. The customer agrees to pay penalties and interest in the amount of 2% per month for all past due invoices and related account balances in excess of 30 days past due from the due date as specified by the contract and as stated on the relevant invoice presented to the customer.
13. The customer covenants and agrees to pay reasonable attorney's fees and all other related costs and expenses of SŌLitude Lake Management® for collection of past due invoices and account balances and for any other actions required to remedy a material breach of this contract.

CONTRACT PRICE: $36,800 (YEAR 1 – 2019)
$48,700 (YEAR 2 – 2020)
$48,700 (YEAR 3 – 2021)

Payment Schedule:

1. March 1 - 50% of the annual program cost (2019-$18,400; 2020-$24,350; 2021-$24,350)
2. September 1 - 50% of the annual program cost (2019-$18,400; 2020-$24,350; 2021-$24,350)

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Service Schedule:

Task 1: Prepare and file MA DEP Permit	Feb/March
Task 2: Perform Pre-Treatment Survey	April/May
Task 3: Initial herbicide treatment with diquat	May
Task 4: Initial herbicide treatment with Sonar	June
Task 5: Sonar booster treatment(s)	July/August
Task 6: Post-Treatment Survey	August/September
Task 7: Year-End Report	October/November

APPROVED:

_____ SŌLitude Lake Management®

_____ **Hoosac Lake Recreation/Preservation District**
(Authorized Signature)

_____ _____
(Print Name and Title) ***(Date)***

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ADDITIONAL RECOMMENDATIONS AS REQUESTED OR REQUIRED:

Lake Algae Treatment:

1. As requested and based on lake conditions, nuisance algae will be treated with copper-based algaecides.
2. Treatment will be guaranteed for a minimum two-week period following treatment.
3. When the above management options take place in residential areas of the lake and in coves, treatments are to be conducted within ten (10) feet of all residences, docks and boat ramps.

ADDITIONAL PRICE: $4,500.00 Per Treatment

APPROVED: _____
(Hoosac Lake Recreation/Preservation District)

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Mail

Northern Berkshire Vocational Regional School District
70 Hodges Cross Road, North Adams, MA 01247
www.mccanntech.org

James J. Brosnan, Superintendent
Tel. (413) 663-5383 Fax (413) 664-9424
jbrosnan@mccanntech.org

Adams
Cheshire
Clarksburg
Florida
Lanesborough
Monroe
North Adams
Savoy
Williamstown

August 10, 2021

Ms. Jennifer Morse
Town Administrator
Cheshire Town Hall
80 Church Street
Cheshire, Massachusetts 01225

Dear Ms. Morse, JENNIFER

Consistent with our past practice of returning the unused portion of your transportation assessment to you upon final receipt of our FY 21, CH 71 transportation reimbursement from the Commonwealth, I have enclosed a check for $3,350.85. This rebate is the result of an unexpected increase in reimbursement. We appreciate your continued support.

Very truly yours,

JAMES J. BROSNAN
Superintendent

cf: W. Craig

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE
1000 Washington Street, Suite 600
Boston, MA 02118-6500
Telephone: (617) 305-3580
www.mass.gov/dtc

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

MIKE KENNEALY
SECRETARY OF HOUSING AND ECONOMIC DEVELOPMENT

EDWARD A. PALLESCHI
UNDERSECRETARY

KAREN CHARLES PETERSON
COMMISSIONER

August 4, 2021

Chairman Board of Selectmen
Town Hall
80 Church Street
Cheshire, MA 01225

Re: License Expiration Notice

Dear Chairman:

According to the Department of Telecommunications and Cable's (Department) records, your cable television license (license) with Charter Communications, Pittsfield expires on 9/30/2024. Federal law provides for a formal renewal process that begins between 36 and 30 months before a license expires. As the Issuing Authority, you may begin the process of determining your community's cable-related needs and review Charter Communications, Pittsfield's performance under the current license. This is known as the "ascertainment process." You must notify Charter Communications, Pittsfield if you elect to begin the ascertainment process. You may also be required to begin the ascertainment process if you receive a notice from Charter Communications, Pittsfield invoking the formal renewal process; you must begin the ascertainment process within six months of receiving such notice.

You may want to form a cable advisory committee (CAC) as part of the formal renewal process and delegate to it certain duties. If you form a CAC, please provide the Department with the name and contact information for at least one CAC member. I have enclosed a fact sheet describing the typical responsibilities of a CAC, and please see M.G.L. c. 268A concerning potential conflicts of interest for both municipal officials and CAC members.

For your convenience, the Department has prepared a "Practical Guide to Cable Television License Renewal" that is available at www.mass.gov/dtc. The Department is also available to advise you regarding your duties and rights during the renewal process. While we cannot assist you with substantive negotiations, we would be happy to meet with you and/or your CAC to discuss procedural requirements.

If you would like to schedule a meeting or if you have any questions regarding the renewal process, please contact the Department at 617-305-3580 or dtc.efiling@mass.gov.

Sincerely,

Shonda D. Green
Department Secretary

36 month

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

Cable Advisory Committee

Under Massachusetts regulations, an Issuing Authority ("IA"), such as the mayor of a city or the board of selectmen of a town, may appoint a Cable Advisory Committee ("CAC") to advise the IA throughout the licensing process. 207 C.M.R. § 3.01(3). In many instances, the CAC remains as an active committee throughout the term of the license. Currently, there are over 280 CACs in the Commonwealth. The composition of the CAC is determined by the IA, including the number of members on the CAC.

The IA may, at its discretion, define the role and responsibilities of the CAC to the extent permitted under G.L. c. 166A. Thus, there is almost complete local control as to the tasks assigned to an advisory committee, so long as these tasks do not conflict with the statutory requirements of the IA in G.L. c. 166A. While an IA may delegate to a CAC the authority to negotiate a license agreement, an IA may not delegate authority to execute such an agreement. CAC responsibilities vary according to the current status of the license or the objectives of the IA. The following list includes some typical responsibilities assigned to CACs in the Commonwealth:

- Inform and educate the public about cable television service;
- Assess the cable needs of the community and recommend policy changes;
- Conduct regular meetings with cable company representatives to discuss matters of mutual interest;
- Report to the IA on company compliance with the license;
- Supervise the cable operator's response to complaints;
- Respond to citizen's questions regarding the cable television system; and
- Keep abreast of community programming issues.

CACs are considered "governmental bodies" within the purview of the Massachusetts Conflict of Interest law, G.L. c. 268A.

Recognizing that CACs fulfill an important and valuable link between the IA, the licensee, and the citizens of the community, the Department of Telecommunications and Cable ("Department") seeks to build positive professional relationships with the CACs. The Department's staff works closely with local committees to educate them on the licensing process and improve information-sharing.

The Department's program includes an informational presentation available to communities. Please contact the Department to schedule a presentation or to discuss any cable licensing matter.

Updated January 2015