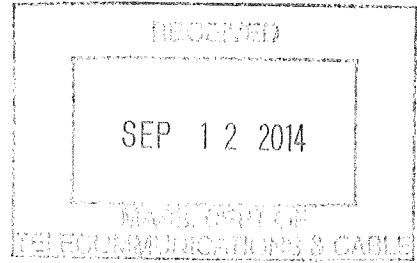




**TOWN OF RUSSELL
CABLE T.V. RENEWAL LICENSE**

MARCH 10, 2012 - MARCH 20, 2022



VOTE DATE:

SECTION 1 - GRANT OF RENEWAL TEN YEAR LICENSE

PURSUANT to authority of Chapter 166A of the General Laws of the Commonwealth of Massachusetts, the Board of Selectmen as the Issuing Authority of the Town of Russell, hereby Grants an non-exclusive Final CATV License to RUSSELL MUNICIPAL CABLE T.V. DEPARTMENT, authorizing and permitting said License to take all necessary actions to upgrade and operate a Community Antenna and Cable TV distribution system including Internet system with in the corporate limits of the Town of Russell.

This Renewal License is granted under and in compliance with Chapter 166A of the General Laws, and in compliance with the regulations of the Massachusetts Cable Commission and all other known rules and regulations in force and in effect upon the date hereof or which may hereafter be in force and effect during the period of which this License is granted.

WITNESS MY HAND AND OFFICIAL SEAL THIS 9th DAY OF SEPTEMBER 2014



TOWN OF RUSSELL

Keith Cortis
Chairman
Board of Selectmen

WITNESS:

Jodie Paradis
Town Clerk

RUSSELL MUNICIPAL CABLE T.V.

Louis Garlo
Wayne Precanico

SECTION 2 - DEFINITIONS

The following terms used in this license shall have the following meanings:

- a. Renewal License - The license to be issued after the license has been substantially complied with all requirements set forth in Section 5 of this provisional license. The terms of the license shall be substantially identical with the terms of the provisional license. The definition shall be construed in accordance with the licensing regulations promulgated by the Mass dept 3.00 of Title 207 of the Code of Massachusetts Regulations (207 CMR 3.00)
- b. Issuing authority - Town of Russell Board of Selectmen
- c. Licensee - Russell Municipal Cable Television Department

SECTION 3 - EXPIREATION DATE

License shall run from March 10, 2012 to March 10, 2022
Date of this vote is agreed upon by all parties.

SECTION 4 - STATUS REPORTS

System re-mapping and upgrade (done).
Addition of Internet Broadband (done).
Upgrading of the cable plant where needed (done annually).
Increase in the Broadband capability . (done where needed).

SECTION 5- PREREQUISITES TO RENEWAL LICENSE

- a All submissions, contracts, and licenses will be filed in the Cable Dept.
- b Submission of proof of capacity to comply with the terms of Chapter 166a. (Done)
- c Submission of proof to capacity to comply 207 CMR 3.05. (done)
- d Submission of proof of adequate financial resources. (done)
- e Submission of copies of all executed contracts, Copy of loan with Berkshire Bank. (done)
- f All pole attachment, duck and right of way agreements. (done)

SECTION 6 - ISSUANCE OF RENEWAL LICENSE

Upon proof of substantial compliance with the prerequisites of Section 5 of this license, the issuing Authority will grant to the Licensee the right to maintain a cable television system in, under, over, along, across and upon the streets, lanes, avenues, alleys, sidewalks, bridges, highways, and other public places in the Town of Russell and subsequent additions thereto, including property over which the Town has an easement or right of way, for the purpose of transmission and distribution of audio, video, high speed internet, and other impulses in accordance with the laws of the United States of America and the Commonwealth of Massachusetts

SECTION 7 - RENEWAL LICENSE TERMS

The renewal license, shall substantially conform to the following terms:

- a The area to be served included the Town of Russell,
- b The term of the Renewal License shall be a period of TEN YEARS (10) From the date of the execution of that license. March 2012-2022

SECTION 8 - INSTALLATION, IDEMNIFICATION

- a The installing, operation, and maintaining equipment, cable and wires, the Licensee shall avoid all unnecessary damage.
- b Will hold the Town harmless at all times during term of license.
- c The signal of any television station on the system shall be carried without material degradation in quality within the limits imposed by the technical state of art.
- d During a state of emergency or disaster, the Licensee shall upon request of the Town make available its facilities for town emergency use. Use of the Bulletin Board and Emergency Broadcast equipment.
- e The licensee shall adhere to all Federal, State, and Local regulations.

SECTION 9- ENTERPRISE FUND - TOWN OF RUSSELL

Russell Municipal Cable T.V. being an enterprise fund of the municipality will comply with all rules and regulations.

- a Insurance thru MIIA Property and Casualty Group Inc.
One Million Dollar Policy - for each event
Three Million Dollar Policy - per location
One Million Dollar Rider in effect for Verizon (New England Telephone)
Copy of Policy attached.
- b Auto policy thru Town of Russell
- c Workers Compensation thru Town of Russell
- d Equal opportunity for employment thru the Town of Russell
- e Personnel Policy of the Town of Russell
- f Maintain an office at Town Hall. Open Monday & Tuesdays 9am - Noon
Billing Clerk available Monday - Friday 9am - 4 pm
- g Live answering Service 24 x 7 x 365
Answering Machine - Lists important Phone Numbers
Information available on Cable Bulletin Board, and Town Web Site.
Internet Help Desk phone numbers & e-mail addresses
- h Submission of proof of adequate financial recourses to maintain the cable system.
Town Meeting authorization and Finance Committee approval to borrow money
- i Copies of all contracts and equipment leases, channel contracts, loans,
All on file in Cable OFFICE.
- j Pole attachment agreements with Russell Electric Light, Verizon, WEMCO and MBI.
- k Head ends must be on municipal property.
- l Proof of FCC Registration Statement
- m Bulletin Board & Bulletin Board Policy - filed at office. (done)
- n Follow are rules: Mass General Laws Ch 166a Community Antenna T.V. System.

DECLARATIONS

CONTRACT # RUS00400-03-13

#1 MEMBER NAME AND ADDRESS:

RUSSELL, TOWN OF
65 MAIN STREET
RUSSELL, MA 01071

#2 CONTRACT PERIOD: FROM 07/01/2013 AT 12:01 AM STANDARD TIME
TO 07/01/2014 AT 12:00 AM STANDARD TIME
AT THE ADDRESS SHOWN ABOVE

#3 <u>SCHEDULE OF GENERAL LIABILITY COVERAGES:</u>	<u>Limits of Insurance</u>	<u>Deductible</u>
Each Occurrence Limit	\$ 1,000,000	*
Personal and Advertising Injury Liability Limit	\$ 1,000,000	NONE
Employee Benefit Liability Limit	\$ 1,000,000	NONE
Medical Payments Limit	\$ 10,000 Any One Person	NONE
Medical Payments for Certain Officials	\$ 25,000 Any One Person	NONE
General Aggregate Limit (Other than Products Completed Operations)	\$ 3,000,000 Each Location	*
Products Completed Operations Aggregate Limit	\$ 3,000,000	*

#4 FORMS AND ENDORSEMENTS ATTACHED TO THIS CONTRACT:

DEC 3, MGP 001 (0707), MGP 002 (0709), MGP 005 (0702), MGP 009 (0703), MGP 009A (0702),
MGP 012 (0795), MGP 013 (0701), MGP 014 (0706), MGP 015 (0706), MGP 019 (0796),
MGP 021 (0702), MGP 031 (0402), MGP 052 (0702)

*NOTE: Deductible Amount - \$2,500, Refer to MGP 005

SECTION 10 - COMPETITION

The employees i.e. commissioners, manager, employees shall not engage in direct or indirectly in the business of selling and repairing televisions.

SECTION 11 - FREE CABLE SERVICE

The Licensee shall provide a free cable drop/ and service to all departments of the Town located at Town Hall, Library/Highway, School, Water/Elec/Sewer.

SECTION 11-A - AREAS TO BE SERVED - Town of Russell

All homes located in the Town of Russell 01071 & 01097.
Excluding homes in the Timberidge Area. Also Customers who are more than 1/4 from the last cable equipment. If technology changes making it more cost effective we will re-visit those homes and re negotiate.

SECTION 12 - TERMINATION

Being an enterprise of the Town of Russell termination of the license would mean SALE of the system. Approval of a sale would be a vote of the Board of Selectman and also a vote of annual town meeting. If the system were to be terminated and no longer in service. All wires and equipment would be removed with in six months.

SECTION 13 - REPAIRS

When Licensee does any work and disturbs any pavement, sidewalk or any public way or public place, the same shall be replaced and surface restored as in good condition . Upon any failure to do this the Issuing Authority may cause proper rest restoration and repairs the work done will be paid for by the licensee.

SECTION 14 - SUBSCRIBERS ANTENNAS & SERVICE

The licensee shall not remove any television antenna or satellite dish from a subscribers home. The licensee shall be consumer friendly at all times.

SECTION 15 - CHANNEL LINE UP

The licensee will have re-transmission agreements with the following Channels
Channel 2 WWLP Channel 3 WSHM Channel 4 ABC Channel 6 Fox
Subscribers must be given one months notice of any channel position changes.
Subscribers will be given a channel line up once a year by US Main, and will
be on the Town's website WWW.TOWN OF RUSSELL.US

SECTION 16 - BULLETIN BOARD

The cable system will have a electronic bulletin board and bulletin board policy available at the cable office. The bulletin board will not broadcast any political advertising Local, State or Federal. Any issue deemed controversial to the Municipality will not be allowed to have any paid advertising.

SECTION 17 - SERVICE INTERRUPTIONS

In the event the Licensee's service to any subscriber is interrupted for 24 hours or more hours. It will grant such subscribers a prorated credit. The subscriber must apply in writing within 30 days of the event. The interruption must be caused by Licensee's equipment not the equipment of the subscriber/ or the channel affected or low power.

SECTION 18 - MAINTENANCE, OPERATION OF THE CABLE SYSTEM

- a The Licensee shall maintain and operate a CATV system, and broadband system . It must render efficient service consistent with all applicable regulations to subscribers.
- b Mass 166a Section 21 . The statute makes it criminal act for any unauthorized person to attach a wire, cable, modem, or other device to the transmitter units of the cable system.
- c Thru the help of Westfield Gas and Electric the internet will use CLEA rules and regulations where needed.
- d Information gathered will be kept secure at Town Hall. Only information that is necessary for billing will be available. No information will be available to a third party with out written consent of the subscriber . Information may be shared with all Municipal Departments.

SECTION 19 - COMPLAINTS

- a Upon reasonable notice, the Licensee shall expeditiously investigate and resolve complaints and quality of service.
- b Respond to all service calls with in 24 hours and correct malfunctions as promptly as possible. Licensee shall maintain a competent staff of employees sufficient to provide prompt service.
- c Any complaints not resolved by the Manager may be brought forward to the Cable Commissioners at their monthly meeting .
- d Repairs and upgrades (non emergency) must give the subscriber 48 hours notice. Notice can be in the form of a reverse 911 message or a message on the Cable Bulletin Board.

SECTION 20 - REPORTS OF INFORMATION

FILE ANNUALLY

Mass Cable Commission - financials and yearly complaint & outage reports

FCC - Signal Leakage

Town of Russell - Town Report

BI- ANNUALY

Library of Congress - Copyright

FCC - Form 477 - Internet

SECTION 21 - SUPERVISORY COMMITTEE

Town of Russell - Elected 3 Cable T.V. Commissioners
Cable Commissioners meet monthly at Town Hall ... Tuesdays 4:30 pm
Town of Russell - Appoint Manager
Town of Russell - Appoint Billing Clerk

SECTION 22 - PAYMENT TO TOWN OF RUSSELL

The annual license fee payable to the Town of RUSSELL shall be fifty cents (.50) per subscriber. Free Cable T.V. to all departments of the Town.

SECTION 23 - CHANNEL CAPACITY AND SIGNAL CARRAGE

Currently carry 53 channels and 3 premium channels. Head end is located at Town Hall. Tower and dishes located on Pine Hill.
As advances in technology come forward we will add more channels.

Internet upgrade and increase in speeds will be done by January 2015.

SECTION #24 - TRANSFER AND ASSIGNMENT / POSSIBLE FUTURE SALE

This license or any renewal License may not be transferred or assigned without prior written consent of the Issuing Authority .

Any future sale of the cable system must be a vote of the Board of Selectmen, Cable Commissioners, and vote of Annual Town Meeting

The best interests of the Municipality must be of the utmost importance.

The Massachusetts Cable Commission must be contacted and give advise on how this would proceed.

SECTION #25 - REVOCATION OF LICENSE

The license issued hereunder may after hearing be revoked by the Issuing Authority for any of the following reasons.

- 1 False or misleading statements in, or material omissions for an application submitted.
- 2 Failure to maintain insurance as required.
- 3 Failure to maintain signal quality under the standards provided by the Mass Cable Commission
- 4 Any assignment/ sale with out consent.
- 5 Repeated violations of any obligations of the Licensee or the terms of its license as determined by the Issuing Authority.
Mass Cable Commission must be notified to make sure correct forms and procedures are done.
- 6 Repeated violations of any obligations of the Licensee or the terms of its license as determined by the Issuing Authority.