

**Town of  
Peru, Massachusetts**



**OFFICIAL**

January 16, 2018

Community Center, 3 East Main Rd.

Minutes to Board of Selectmen's Meeting

**Present:**

Bruce Cullett, Chairman BOS/ Police Sergeant  
Verne L. Leach, Selectman / Animal Control Officer  
Ed Munch, Selectman / Historical Commission  
Caleb Mitchell, Town Administrator  
George Gruele, Finance Committee Chairman  
Jeff Heneault, Police Chief  
Irene Morrison, Selectmen's Secretary

**Residents:**

**Guest(s):** Bea Von Hagke, Hilltown CDC

**Item 1: Call to Order**

Meeting called to order at 6:00 P.M.

**Item 2: Roll Call**

Chairman Cullett present; Selectman Leach present; Selectman Munch present

**Item 3: State Recording Status**

Secretary Morrison recording, Selectman Leach recording

**Item 4: Review and approve Meeting Minutes of 12/18/17 and 1/2/18**

- Chairman Cullett made a motion to approve the 12/18/17 Meeting Minutes pending changes. Selectman Munch seconded the motion.  
**VOTE 3-0**  
Approval pending changes for Meeting Minutes of 12/18/17 – Changes completed on 1/16/18
- Chairman Cullett made a motion to approve the 1/2/18 Meeting Minutes pending changes. Selectman Munch seconded the motion.  
**VOTE 3-0**  
Approval pending changes for Meeting Minutes of 1/2/18 – Changes completed on 1/16/18

## **Item 5: Report from Departments**

### **Police Chief Jeff Heneault reporting**

- Chief Heneault has been in touch with Dave Capeless, DA, who in turn contacted Dan Casey regarding the truck that he owns on the Hall property at 40 W. Main Rd., Peru. Mr. Casey told DA Capeless that the Town Officials could auction off his truck, but that he would like half the revenue to go to his daughter pending approval from the BOS. Mr. Leach asked why the BOS would pay for an auction. Mr. Cullett told Chief Heneault that at the last BOS Meeting, they had talked about sealed bids for disposal of the truck, the same way they did with the old 1 ton Impala. Mr. Cullett is not certain if legally the town can turn over half the funds. He said it would probably be only \$100.00 - \$200.00. Chief Heneault implied that the DA said that they could. Mr. Munch said we need something to back that up to be able to give half the money to the family member. Mr. Cullett asked Chief Heneault to tell the DA that we're asking for sealed bids, not an auction, and to give us some guidelines in writing. Mr. Mitchell said that we have information on the way that the Chevy Impala was advertised. He indicated that it was posted, and not an ad. Mr. Leach believes they did have an ad in the paper. Mr. Cullett disagrees, saying that a sign was posted in the window and that it costs \$350.00 for an ad, and the BOS didn't want to spend the money. Mr. Munch suggested posting it in the same places that the Meeting Agendas are posted, and down at the compactor. TA Mitchell said that it should be sold as is, with no return. He also said that the posting should have a deadline in which the bids are to be in. He feels that it should be 1 wk. after the posting. After 1 wk., the posting would come down, and it would be hauled away. Mr. Munch said that one consideration to keep in mind is "weather permitting." Mr. Munch asked Chief Heneault about the camera. The Chief said, "it's in." There was no further discussion about the camera.

### **Transfer Attendant Verne Leach reporting**

- Transfer Attendant Leach said that the 2 magnetic heaters on the compactor helped drastically. Mr. Munch said that they should check to see what's in there for fluids. Mr. Leach said that whatever oil they used in the trash compactor, they should find that out, and switch it out. Mr. Munch said that Highway Superintendent Russell indicated that they were using Automatic Transmission Fluid (ATF) in the hydraulic mechanism. Mr. Munch said if we save the fluid that's in there now, and put ATF in for the winter time, drain it out for summer time, we'd have better lubrication in the summer. He said that Mr. Russell indicated that now with the new hydraulic fluids, they're certified to go either way.
- Transfer Attendant Leach said that he noticed that a lot of towns are going with the bags. "This way we don't have to do permits. You have to be a resident to buy the bags." Mr. Munch doesn't want to see the bags. Mr.

Leach asked if he wanted to go with stickers. Mr. Munch thinks it's a great idea to use the stickers. Mr. Leach said that in the winter, the stickers don't adhere to the bags. Mr. Cullett said they don't stick to the bags, but they do stick to themselves if you put them around the handle. Mr. Cullett said "one of the things we should consider, is the way in which we issue stickers and the permits, if it would make it easier for the Transfer Attendant. We have a Town Clerk and Treasurer that are the only 2 people bonded out of all our Office Personnel to handle cash. As a Transfer Attendant, you shouldn't be burdened with having to manage \$3000.00 worth of cash that is brought in on a Saturday." Mr. Munch said "any buying or selling in the town should go through the Town Clerk. Mr. Cullett said if it were posted far enough in advance, it will give people time. He said that a posting could be posted at the Transfer Station with the hours that the Town Clerk is available at the Town Hall. He said it's more official by going through the Town Clerk. Mr. Leach said to revisit once we find out about the number of stickers, the cost etc. He asked about the bulk dumpster. Mr. Cullett told him he can accept that money in the form of checks. He said that we would get some numbers from Treasurer Wendling, or Accountant Torrey.

#### **Mohawk Trail Partnership Member Ed Munch reporting**

- Mr. Munch said at the last meeting of the Mohawk Trail Partnership they were having issues getting this out of committee and they had to change some of the wording on the law itself. "We were told this needs to run by the 2<sup>nd</sup> week in February, or we'll have to start over again. The question that the Board had asked Mr. Munch about, was the concept of a "Green Heating" system possibly for the Town Garage. "If the town is designated as a "Green Community", which is something we're working on, the State will reimburse us over 100%. When you do something green in a Green Community, the state will reimburse you." Mr. Munch doesn't know if that means solar as well. (See Municipal Energy Assessment – Draft)

#### **Town Administrator Caleb Mitchell reporting**

- Mr. Mitchell said that Four Seasons wants to rebid the job for the furnace in the Town Police Garage. They did come last Thursday, and serviced all 3 furnaces here at the Town Offices.
- Mr. Mitchell said he met with Finance Chairman Gruele. "We're going to start sending out budget request forms to all Department Heads. We may want to think about scheduling meetings with the Finance Committee / Select Board to start the budget process. We need to send out requests for reports for the Annual Town Report of FY 16/17."
- Mr. Mitchell went to the Wahconah Building Committee Meeting on Thursday of last week. They had selected the Design Team. A concern that he raised toward the end of the meeting was that he had heard someone say it will be 51% of the vote. There was no mention as to how they would get the approval once they select the option that they chose at the end of the Feasibility Study. Mr. Cullett said that they were talking about a "popular vote", just like they did for the Feasibility Study, instead of leaving it up to the Select Boards. Mr. Mitchell said that he was told that the School Committee has the authority under State Law that they could make that decision even if the town(s) were not amenable to that. "It's in the School Committees corner." Mr. Mitchell said that he thought the town (s) would want to do that at the Annual Town Meeting, but it appears they want to do a ballot vote. However, no one has come out and said that. Mr. Munch said "when someone comes out in public, I want to see the Law. I don't think that's right. I think the towns should be able to vote, and it should be the same as approving the budget on the majority."

#### **Selectman Chairman Bruce Cullett reporting**

- Mr. Cullett has received the Determination & Consent pursuant to MA Rules of Professional Conduct Rule 1.7 from KP Law in regard to representation of Towns of Lanesborough/Peru in connection with certain Inter-Municipal Agreement, basically saying they don't have a Conflict of Interest of being that they represent both Town of Peru and Lanesborough.

Mr. Cullett makes a motion to sign the Determination. Mr. Leach seconded the motion

**VOTE 3-0**

#### **Item 6: Discussion of changing the date of the Annual Town Meeting**

- Mr. Leach was brought up to date on the last BOS meeting discussion in which he was not present. Mr. Cullett said that it was recommended by Highway Superintendent Russell, and our Representative to the School Committee, Bonny DiTomaso that it would be beneficial to have somewhat of a say in the school budget process, and not to be the last town that looks at the school budget. Also, it would give us some time if the Town Meeting didn't go the way that we anticipated, to make changes prior to the end of the fiscal year. Mr. Leach is not in favor of moving the Annual Town Meeting date to an earlier date because we wouldn't have all the "hard numbers" from the school. Mr. Munch said that School Committee Rep. DiTomaso guaranteed we would have them. Mr. Gruele said that a week before the last Finance Meeting is when they got the figures on the Health Insurance last year. Mr. Cullett said that there is no definitive date on when we would get the numbers for the premiums per individual or family from the Insurance Company. At the last BOS Meeting, Mr. Russell brought up that if the town was going to buy a new piece of equipment or a truck, that they would have that extra month jump.
- Mr. Gruele said that whatever way we go, he would suggest the budget forms be done asap. Mr. Cullett is in favor of starting the Annual Town Report. He said that it's supposed to be for the previous FY, and you're already 12 months behind when you're getting it. A lot of Department Heads are writing things for the previous calendar year, when it's supposed to be for the previous fiscal year. "When you're reading it, it's already a year old. It's tied in with the Annual Town Meeting, because it must be in 7 days prior to the meeting. There's nothing saying that we couldn't publish the Annual Town Report today, and hand it out now, months before the meeting. We could do that well ahead of time." Mr. Leach said that we would have to check the availability of the Moderator, Town Council and Town Clerk before setting a date, and that all 3 are required to be there. Mr. Cullett said that there's no reason the date change will affect the Election 2<sup>nd</sup> week of June.
- Following much discussion about the Annual Town Meeting being moved up, Mr. Munch proposed a motion that we change the Annual Town Meeting to the 2<sup>nd</sup> Saturday of May, which would be May 12, 2018. Mr. Cullett seconded the motion. Mr. Munch, Mr. Cullett Yey, Mr. Leach Nay **VOTE 2-1**

#### **Item 7: Discussion of Possible Direct Deposit for Payroll**

- Mr. Cullett followed up with Treasurer/Tax Collector Wendling regarding Direct Deposit for Payroll. Mrs. Wendling said it hasn't changed a great deal since the last conversation. She said that there's still the possibility to do it, but doesn't want it to cost the town a lot of money. Mr. Cullett said "as the Select Board, it has been made clear that we're interested in having it for everyone in town. He said that it will cost something, whether it's to get the software to do payroll or it's going to be more painstaking to do payroll. Mr. Munch said, "we should make it clear to Highway Superintendent Russell that on Friday, when they get their paycheck, there's no reason why they can't take an hour to go down and deposit their check." Mr. Cullett said "that shouldn't be an issue."
- Mr. Mitchell said that the last conversation he had with Mrs. Wendling was that it would cost \$3,000.00 to \$5,000.00 with Soft Rite. Mr. Cullett feels that we could go to a payroll company. Mr. Leach indicated that the

bank wouldn't be charging. Mrs. Wendling wants to be able to do payroll electronically. Mr. Cullett will let Mrs. Wendling know that the BOS support doing it, whether we get a quote from ADT to do our payroll to see what it would cost, or another private payroll company. Mr. Munch said this should be tabled and continued at the 1/29/18 Meeting.

**Item 8: Public Meeting for the Town of Peru Community Development Strategy Review**

- Bea Von Hagke, Representative from Hilltown CDC reviewed the Town of Peru's Community Development Strategy (CDS) with the BOS. The document is required as part of submitting the yearly Community Development Block Grant that they do. On behalf of this year, it will be the Town of Chesterfield, in which the Town of Peru will be a member of. Due to the extensive review of the Community Development Strategy involved, the CDC has asked to change the number of pages from 7 to 3. A document in which the Hilltown CDC needs to have signed by the BOS is joint authorization saying that the Town does want to be included in the Grant. She explained that not only is this document designed to serve the purpose for submitting the 3 Grant Application, but also a working document for the town as well. Among the topics in the Towns Community Development Strategy are **"Municipal Community Development Goals"** which address Land Use and Growth Management, Affordable Housing, Economic Development, Natural Resources, Open Space and Recreation, Community Facilities and Services, Health and Human Services, and Transportation. Other topics include **"Municipal Community Development Priority List"** in which the Town has determined what Municipal needs reflect its highest priority; **"Strategies to address Municipal Priority List"** in which the Town will work to address its Municipal Community Development needs and priorities over the next 3-5 years using a variety of local, regional, state and national resources; **"Consistency with the Commonwealth's sustainable development principals"**, in which the Town of Peru Community Development Strategy seeks to enhance its consistency with the ten Sustainable Development Principles.

Mrs. Von Hagke indicated that under "Health and Human Services", there are programs they run through their offices for the seniors (65 or older). They offer services that the seniors of Peru don't use that often. Some of those services include someone coming into the home to do chores, fix meals for them periodically, take to medical appointments if they need that, shovel snow, carry in wood. There is a coordinator that oversees the senior residents of Peru. For more information regarding these programs, you may contact the CDC Office at 413-296-4536

For further information regarding the Town of Peru's Community Development Strategy, see **Attachment A**

**Item 9: Discussion of required criteria for Green Community Designation with Lauren Gaherty of BRPC**

- Re-scheduled for next BOS Meeting of 1/29/18

**Item 10: Discussion of Service Contract with Four Seasons Heating & Cooling**

- Mr. Cullett said "Four Seasons wanted to rebid the very minor repair to the heater in the Police Garage. Chief Heneault has been after them for 3 weeks to get them up here to do it. We paid for them to diagnose the issue last winter. They sent us a quote, which at that point was right at the end of the winter. It was getting warmer out, so the heat wasn't needed. We tried to get them back to do the work. We paid them to diagnose the problem, give us a quote to fix it, and now their excuse for not fixing it, is that they want to requote it. They haven't sent us a quote." Mr. Mitchell said that they finally did come up to do their Annual Service at the

Town Offices. Mr. Munch asked, “if we were to go with someone else, would we have to put this out to bid as far as putting 3 bids in?” Mr. Leach recused himself due to a family member working for Four Seasons. Mr. Cullett indicated that we would not have a public bid in per say, other than calling places and asking for bids. Mr. Munch suggested contacting Arrowhead Plumbing or Pioneer Plumbing and Heating. Mr. Cullett said that Mark Levernoch Heating and Plumbing is someone that he has had experience with. Mr. Cullett said that we must do something with the Highway Dept. Garage. The conversion from oil to gas is still inefficient in there.

**Item 11: Discussion, Review, and possible vote to approve Cable Television License by Charter Communications**

- Anna Lucey has sent us the revised Agreement. Mr. Cullett indicated that they haven’t received the Cable System Design back from the Tech Shop to determine the 96% buildout. She was told that it should be in by the end of this month. This discussion/review will be carried to the next BOS Meeting of 1/29/18.

**Item 12: Review and approve accounts payable, treasury warrants, payroll warrant**

**Item 13: Adjourn**

**Matters not listed but brought up for discussion to the extent permitted by law**

**Adjourn**

- Chairman Cullett made a motion to adjourn the meeting. Selectman Munch seconded the motion.

**Meeting adjourned at: 8:50 P.M.**

**Articles used in meeting**

Agenda of 12/18/17  
Meeting Minutes of 12/18/17  
Sign in sheet of 12/18/17  
Agenda of 1/2/18  
Meeting Minutes of 1/2/18  
Sign in sheet of 1/2/18  
Agenda of 1/16/18  
Sign in sheet of 1/16/18  
Determination & Consent pursuant to MA Rules of Professional Conduct Rule 1.7 from KP Law  
Town of Peru/Commonwealth of Mass Final Cable License granted to Charter Communications  
2016 Town of Peru Community Development Strategy  
Municipal Energy Assessment (Draft) Phase 1 Building Heating Analysis in Support of Mohawk Trail Woodlands  
Partnership for Peru, MA  
Four Seasons Service Agreement  
Warrants  
Payroll

Respectfully submitted,

*Irene J. Morrison*

Irene J. Morrison  
Selectmen Secretary

Chairman, Bruce Cullett \_\_\_\_\_

Selectman Verne Leach \_\_\_\_\_

Selectman Ed Munch \_\_\_\_\_

Approved: \_\_\_\_\_1/29/18\_\_\_\_\_