

TOWN HALL 3 EAST MAIN ROAD PERU, MA 01235

## **SELECT BOARD MEETING MINUTES: December 12, 2022: 6:00 P.M.**

Peru Town Hall Meeting Room

Verne Leach, Chair Selectman/ACO  
Doug Haskins, Selectmen  
James Welch, Town Administrator  
Jesse Pelkey, Fire Chief  
Paul Hickling, Chair Finance Committee

Public Attendees:

**Item 1: Call to order:** 6:00 P.M.

**Item 2: Roll Call:** Chairman Leach present, Doug Haskins present, Selectman Cullett absent

**Item 3: State Recording status:** James Welch (personal use) Verne Leach (personal use)

**Item 4: Pledge of Allegiance to the Flag:** Led by Selectman Leach

**Item 5: Review and Approve BOS Meeting Minutes 11/28/2022:**

Selectman Haskins made a motion to approve pending changes. Seconded by Selectman Leach.

**Item 6: Updates of Departments:**

Jesse Pelkey gave an update from the Finance Committee. He introduced the newly elected Chair Paul Hickling and provided an update regarding Mr. Hickling being brought up to speed on committee issues.

Fire Chief Pelkey provided an update regarding the replacement window for the fire truck and that the company would be picking it up in Peru and bringing it back to Peru when completed. Selectman Haskins asked that since the truck would be driven by a non-Peru employee and travelling across state lines, if the Town insurance coverage would be in effect. TA Welch said he would call MIIA to confirm. Chief Pelkey gave an update regarding various training courses being taken by Peru FD members. He also gave updates regarding communication with Highway Superintendent regarding the Hot Works Permit. He also explained the process for which he removes snow from his driveway in response to concerns raised by the Highway Superintendent. Selectman Haskins volunteered to facilitate discussion to resolve any outstanding issues. Chief Pelkey gave an update regarding the receipt of a grant to help purchase new fire hoses.

Selectman Leach asked Chief Pelkey what the plan was for the training vehicle in back of the fire department. Chief Pelkey explained that it is used for training for Jaws of Life. Selectman Leach and Selectman Haskins recommended moving the vehicle to another location such as the old Fire Station or 40 E. Main location. Chief Pelkey agreed to move the vehicle to one of the recommended locations. Selectman Leach asked that any future training vehicles accepted by the Fire Department be approved by the Selectboard in advance.

Paul Hickling gave an update regarding the Finance Committee regarding a Public Records request. Selectman Haskins gave an update regarding the process for paying for the Accounting Services. TA Welch said he would check with Eric Kinshert to determine what needs to be done to use remaining funds in the Accounting salary line item before utilizing ARPA funds for the balance.

TA Welch gave an update regarding a bid from Berkshire Family Cleaning to provide cleaning services on a twice a month basis. The quote was for \$360/mo. Selectman Leach asked for an updated Financial Report from Accounting for both

the Selectboard and the Finance Committee. TA Welch gave an update about the new process for scanning invoices to Eric Kinsharf.

Selectman Leach asked for an update regarding the recent Auction for Town owned Properties. TA Welch stated that it went very well and referred the Selectman to the document in their folders. He stated that all properties were sold and will now be back on the tax rolls. He commended Caryn Wendling on her hard work leading to a successful Auction.

Peter Yetman Wiring Inspector, Tim Martin Plumbing Inspector, Tim Sears Building Inspector and Jessie Pelkey Fire Chief came to the BOS meeting to talk about the Town's efforts to expand its use of PermitEyes to assist inspectors with data collection and organization. TA Welch explained that he has had multiple conversations with Full Circle Technologies who owns PermitEyes but they have been slow to respond. He will continue to try and connect with Full Circle Technologies to finalize the process. TA Welch also explained that Peru does take part in a collaboration with other towns in are through the Berkshire Health Alliance for PermitEyes to be used by the Board of Health and Health Inspectors. Tim Sears explained that while most inspectors will be able to use PermitEyes, the Fire Department is held in a different category and it is challenging to find coverage for the Fire Department. Peter Yetman explained that if the town does use PermitEyes it would increase permit applications.

**Item 7: Discussion and Possible Vote to set Tax Classification Hearing**

TA Welch gave an update where the town stands in setting the Tax Rate. He explained the Mass DOR has been very helpful assisting our Assessing Department through the process. He further explained that it is now in the hands of Tax Collector/Treasurer to input final receipts. She expects to have this completed by Friday 12/16. Once this is completed Eric Kinsharf will then complete the necessary steps needed to be done by Accounting. TA Welch said he was hopeful that all steps would be completed by Monday 12/19 and the earliest he could recommend setting the Tax Classification Hearing date for 12/21. Selectman Leach made a motion to set the Tax Classification Hearing for 12/21/22. Seconded by Selectman Haskins. Unanimous Vote 2-0 in favor.

**Item 8: Discuss Open Meeting Law Complaint by Kimberly Wetherell**

Selectman Leach began the discussion by calling attention to the Open Meeting Law Complaint by Kimberly Wetherell and addressed the stated complaint about "intentionally withholding minutes from the Town website" He stated that the BOS does not intentionally withhold the minutes and that the BOS not only complies with state law but takes steps further than the law requires. Various details were discussed regarding Ms. Wetherell's request including the timeline of the request and the various forms the request was made such as Draft Copies, Final Copies, Recordings etc. TA Welch gave further examples of confusing requests such as Ms. Wetherell's request for a final copy of the signed Accounting Services Contract, before the contract was finalized and signed which lead to confusion about what date her request should be met. TA Welch read excerpts from Selectman Cullett's email in response to Ms. Wetherell's complaint. Selectman Leach referenced state law that codifies how Peru responds to Public Records Request as being appropriate. TA Welch added that it can be challenging to comply with State law when a townsperson makes a Public Records Request that is not accurate or is incorrect. Selectman Leach stated that the BOS would write a letter to Ms. Wetherell explaining that the Town has met her request and advise her of her rights going forward.

**Item 9: Public Input**

**Item 10: Review and Approve Accounts Payable, Treasury Warrant, Payroll Warrant.**

**Item 12: Adjourn** Selectman Leach made a motion to adjourn at 7:57 p.m. Seconded by Selectman Haskins. Unanimous vote 2-0 in favor of adjournment.

**Articles used:**

Email from Selectman Cullett addressing concerns about Open Meeting Law Complaint.

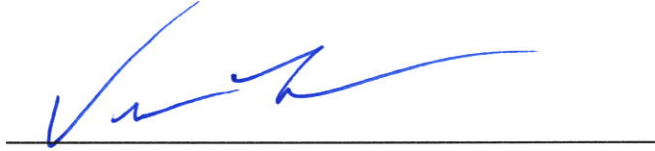
Minutes from 11/28/22

Open Meeting Law Complaint filed by Kimberly Wetherell

Respectfully Submitted,

*James T. Welch*  
*Town Administrator*

Verne Leach, Chairman



Doug Haskins, Selectman



Bruce Cullett, Selectman



Date Approved: \_\_\_\_\_