

TOWN HALL 3 EAST MAIN ROAD PERU, MA 01235

**SELECT BOARD MEETING MINUTES: March 13, 2023 @ 6:00 P.M.**

Peru Town Hall Meeting Room

Verne Leach, Chair Selectman/ACO  
Bruce Cullett, Selectman/Police Chief  
Terry Walker, Administrative Assistant  
Paul Hickling, Finance Committee Chairman

Public Attendees: None

**Item 1: Call to order:** 6:01 P.M.

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

**Item 3: State Recording status:** Selectman Leach for personal reasons under Exemption E

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

**Item 5: Review and Approve BOS Meeting Minutes for 03/06/2023.**

Selectman Leach motion to approve 3/6/2023 minutes pending changes, Selectman Cullett second, 2-0

**Item 6: Updates of Departments:** Paul Hickling, Finance Committee Chairman, mentioned that a joint Finance Committee and Board of Selectmen's meeting will be held on Wednesday, March 15<sup>th</sup>. Topics to be discussed are:

- Police Garage roof estimates
- Fire Chief Salary
- Fire Engine outstanding costs.

Police Chief Cullett- nothing at this time

Selectman Leach discussed Fire Chief's Pelkey's amendment with changes to the January 9, 2023, minutes. The Selectmen agreed to attach the amendment to the approved minutes.

Selectman Leach also has a letter of interest for a position on the Conservation Commissions this will be discussed and possible appointment next week.

**Item 7: Discussion of applicant 1 for the position of Town Administrator:** Selectman Leach stated this item was cancelled on an updated agenda.

**Item 8: Discussion and possible vote on repair for the Peru Fire Engine:** Selectman Leach, Selectman Cullett nor Finance Committee Chairman Hickling did not have an update on repairs. Selectman Leach mentioned that Fire Chief Pelkey reported that the wheels have been removed from the fire engine and Chief Pelkey could not go pick up the fire engine at Freightliner in Westfield, MA. Selectman Leach put on hold.

**Item 9: Discussion on Open Meeting Law Complaint made by Kimberly Wetherell:**

The new OML Complaint from Kimberly Wetherell dated March 6, 2023, violation was read by Selectman Cullett at tonight's meeting and the alleged violation is as follows:

- Agendas are to list topics for discussion with sufficient specificity to reasonably advise the public the issues to be discussed at the meeting.

- The Peru Select Board continues to make regular practice of discussing important issues under updates from departments. A vague and inadequate method of posting agendas and an intentional act of avoiding transparency.
- The request from the Mensing Group was not listed as a document under articles used for the 1/9/2023 meeting, a violation of the open meeting law requiring public bodies to create and maintain accurate minutes including a list of documents and other exhibits used at the meeting.

Kimberly Wetherell wants the Selectboard to take the following action in response to her complaint:

- The Select Board to review the Open Meeting Law in an open meeting listed as a topic on their agenda.
- The Select Board to state at their next meeting that the Mensing Group has requested to meet with the Select Board to discuss a Host Community Agreement and that the Select Board was informed that there is a pending land sale contingent on the agreement.

Selectman Cullett drafted a response and read the letter at tonight's meeting. A brief overview of the letter is as follows:

**Dear Ms. Wetherell:**

"We are in receipt of the OML Complaint you forwarded March 6, 2023, referencing the Peru Selectboard meeting on January 9, 2023. In this complaint you allege that a violation of the Open meeting law occurred when our Town Administrator, James Welch, provided an update to the BOS regarding communications that he had exchanged with Blake Mensing of the Mensing Group, LLC.

Please note that the Peru Board of Selectmen disagree with the allegations that you have outlined in your complaint. We offer the following facts to demonstrate that your allegations are unfounded and that no violations of OML occurred in our January 9, 2023, meeting. Five violations were addressed.

Your continued claims of non-transparency by the Peru BOS are extremely inaccurate and disconcerting. We consider your OML complaint dated March 6, 2023, to lack any merit and consider this matter closed".

Selectman Leach motion to accept the letter of response as is, and mail the letter to Kimberly Wetherell. Selectman Cullett second, all in favor 2-0

**Item 10: Discussion of FY24 Budget:**

- Finance Committee Chairman Paul Hickling discussed draft Fin Com minutes from March 1, 2023
- Town Clerk-Increase Town Clerk Assistant to minimum wage
- Animal Control salary adjustments and ACO Vehicle
- Police Department-New Cruiser, Police Chief Salary increase to 40 hours which would add 10 hours per week salary would increase from \$44,187 to \$67,500, replacing 6 firearms and re-roof police garage.
- Library -increase budget by \$372.00
- Building Department and Fire Department-Permit Eyes \$8,800 with an annual cost of \$4,250 per year
- Fire Department: Fire Chief Salary -option of \$5,000 plus fees, Fire Engine, \$4,920 new tires, \$6,900 new brakes, New Rescue Vehicle
- School Committee: Assessment last year \$883,912 FY24 \$907,139.

Next Finance Committee meeting Wednesday, March 15<sup>th</sup>.

Selectman Leach felt that permit eyes between building department and fire department would make it easier to communicate between departments. Selectman Cullett anticipated more people and contractors pulling permits which would generate more revenue. There may be a possibility of increasing the fees the town keeps to 15%. Selectman Leach will discuss with building inspector, Tim Sears.

Selectman Leach felt it was important to discuss the Fire Department Budget.

Salary, Building Maintenance is self-explanatory, Operating Expense the board could justify the increase, insurance dropped, plus the mortgage and ambulance are separate line items. Fin Com Chair, Hickling felt that the Fire Chief

should come to the Board of Selectmen to discuss the Fire Department budget. Selectman Cullett was concerned with the operating budget- ESO reporting because the Board of Selectmen did not approve the software. Fire Chief Pelkey decided to purchase the software and have the Fire Association fund it. Since Fire Chief Pelkey went out on his own and the association paid for the software, Selectman Cullett could not justify the town paying for something the Board of Selectmen did not approve. Fire Chief Salary-Selectman Cullett mentioned that the job is not expanding this is just an increase in salary. The Selectboard agreed that many town employees are drastically underpaid. Selectman Cullett could not justify increasing the Fire Chief Salary increase by 300% but would consider raising the salary to \$5,000. Selectman Leach felt that \$5,000 is too high. The Fire Chief Salary will be discussed at the next Finance Committee meeting.

Fin Com Chair, Paul Hickling spoke with Fire Chief Pelkey and felt that the Fire Chief works on all the equipment staying on top of all the issues and he feels that there is value to Fire Chief's efforts. Paul Hickling appreciates the effort and there should be some kind of compromise to his salary. Paul Hickling feels that Chief Pelkey is vested and would like to do incremental steps to increase his salary. Paul Hickling agrees that Chief Pelkey needs supporting evidence and more information to validate his budget increases. It was a consensus decision to discuss the Fire Department budget at the next meeting.

Selectman Cullett felt a 2-3 % increase across the board would be typical. Finance Committee Hickling mentioned that everyone is underpaid and giving employees raises is a positive note. Selectman Cullett mentioned that it is difficult to find employees to fill the positions. Selectman Cullett mentioned that he has been a Selectman for 9 years and the Selectboard has tried a proactive approach attempting to be competitive. The Selectboard has added holidays and health and dental with 80/20 split provide an extra benefit. Hopefully with more benefits employees may stay in Peru. Selectman Cullett would like to work on a long-term plan regarding health benefits for retirees that would bridge the gap between retirement and Medicare.

Highway Superintendent Russell mentioned at the last meeting that a new highway truck should be planned for. Selectman Cullett mentioned that Free Cash is put into a future equipment account to purchase equipment. The new loader will be funded with Chapter 90 money.

The Selectmen and Finance Committee Chairman Hickling discussed the Rescue truck for the Fire Department. Selectman Cullett felt that the Rescue Truck served the town well and the reason for the command vehicle was to replace the rescue truck. Selectman Leach mentioned that he has been asking Fire Chief Pelkey for 8 months what the issues with the Rescue Truck are. Selectman Cullett mentioned that Chief Pelkey is having a problem getting mechanics to fix the Rescue Truck.

Selectman Cullett felt that the town departments are well outfitted. Selectman Cullett resents the fact that individuals feel that the Board of Selectmen do not care about the Fire Department personnel and their safety. That is not a true statement and that the Selectmen always defend the Fire Department budget. Selectman Cullett does not see the need of new tanker and feels a used tanker would be the way to go. Selectman Cullett also feels the town does not need a new fire engine and is in favor of fixing the brakes.

Selectman Leach mentioned that Fire Chief Pelkey discussed a stipend for firefighters, but it is not in the budget. Selectman Leach asked Fire Chief Pelkey to put a policy in place as to what is a firefighter, the number of calls, training and certifications. Does the stipend mean a tax break? Selectman Cullett mentioned that other towns pay a stipend under \$600.00 which means a 1099 is issued and the firefighters are not on town payroll. Selectman Leach asked if that is legal. Selectman Leach mentioned that until Chief Pelkey comes up with a policy the Board of Selectman cannot do anything.

Selectman Leach mentioned that the Town Clerk Leach has emailed town employees conflict of interest information. Selectman Cullett mentioned that the increase in Berkshire Retirement Assessment was not as drastic as the Board thought. The Town Treasurer researched the FY assessment and either there was a typo, or the updated assessment for

FY23 from Berkshire Retirement was never received. FY23 assessment is incorrect, and this will have to be funded at the end of the year.

Fin Com Chairman Hickling asked if there was a request for Fire Chief Pelkey to do a formal presentation. Selectmen Cullet mentioned that Fire Chief Pelkey could do the overview of his budget on Wednesday at the joint BOS and Fin Com meeting.

Fin Com Chairman Hickling will contact the Fire Chief.

**Item 11: Public Input:** None

**Item 12: Review and Approve Accounts Payable, Treasury Warrants and Payroll Warrant:** An Open Meeting Law complaint from Kimberly Wetherell with violations on February 9<sup>th</sup> and March 1<sup>st</sup> was received on March 10, 2023. This will be on next week's agenda.

**Item 13: Adjourn:** Selectman Leach made motion to adjourn the 03/13/2023 BOS Meeting, Selectman Cullett second, Vote 2-0. The 03/13/2023 BOS Meeting adjourned at 7:08 P.M.

**Articles used:**

Minutes- 03/06/2023

Open Meeting law Complaint -Kim Wetherell

Selectman Cullett letter of response to OML complaint

Finance Committee March 1<sup>st</sup> draft minutes

Respectfully Submitted,

*Terry Walker*  
*Administrative Assistant*

Verne Leach, Chairman

Doug Haskins, Selectman

Bruce Cullett, Selectman

Date Approved: 3/20/2023

RECEIVED  
MAR 21 2023  
*Kim Leach*  
TOWN CLERK  
TOWN OF PERU