



TOWN HALL | 3 EAST MAIN ROAD | PERU, MA 01235
SELECT BOARD MEETING MINUTES | April 6, 2020 6:00 P.M.
TOWN HALL MEETING ROOM

Present:

Verne Leach, Chairman
Ed Munch, Selectman/Historical Commission
Bruce Cullett, Selectman/Police Sergeant
Caryn Wendling, Treasurer/Tax Collector
Irene Morrison, Administrative Assistant

Residents:

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

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

Item 3: **State recording status** Mr. Leach and Irene Morrison recording; Live on Town Clerk Facebook Page

Item 4: **Review and approve Meeting Minutes of 3/15/20 and 3/30/20**

*Mr. Cullett motions to approve the 3/15/20 BOS Meeting Minutes. Mr. Leach seconds. All agree
VOTE 3-0

*Mr. Leach motions that the BOS Meeting Minutes of 3/30/20 be put on hold. Mr. Cullett seconds. All agree
VOTE 3-0

Item 5: **Update of Departments**

Town Administrator – Caleb Mitchell reporting

TA Mitchell indicates he has not received any Department updates. He received a draft from Supt. Russell of the “Conditions for Private Right-Away Plowing”. Mr. Cullett asked if the BOS are still planning to put the issue of plowing the Private Roads on the Town Meeting Warrant. Mr. Munch and TA Mitchell agree that it should not be on the Warrant. Mr. Cullett said in order to plow Private Roads it’s a requirement that it’s approved by Town Meeting. Mr. Leach said that technically right now we should not be plowing the private roads. Mr. Munch said we should have input from the Finance Committee. Mr. Cullett said, “As the BOS we can decide if we are forced to plow all Private Roads. We can put each individual road out to bid to a Private Contractor. This discussion will be continued at the next BOS Meeting of 4/20/20.

TA Mitchell said Linda Cernik, NBSWD has confirmed that 52 is the number of stickers to give out when residents pay for the Transfer Station Permit.

TA Mitchell has notified Town Council of the ATM date. He also asked for an opinion based on the letter from Jim Kenney, Chairman of the Historical Commission regarding the removal of a Historical Commission member. To date, he has not received an opinion.

TA Mitchell said when he asked Dufour for the date that the most recent Vocational Transportation Invoice covered, he was told it was for the month of April. He was also told that some Districts are paying 75% of their Contract Agreement. He said, "We're not a District; we're a single town. Our bid was by cost per day." He thinks they were already paid for March but doesn't think they were open the entire month of March. Mr. Munch said no action should be taken on this until we get advice from Town Counsel. TA Mitchell will ask Town Counsel about paying the invoice for Vocational Transportation when they're not providing transportation. As both Mr. Munch and Mr. Cullett said, "It's a Legal Contract with a unit price per day." Mr. Munch said if the District is paying 75%, then we should get a lesser bill or a rebate from the District.

TA Mitchell said Jesse Pelkey sent him an e-mail saying he wants to cancel the Finance Meeting because we haven't certified Free Cash. The BOS are in agreement.

BOS – Mr. Leach reporting

Mr. Leach said he's had a couple inquiries about the wood that's being cut on Rt. 143. Michael Dewkett wants an explanation of where the Highway Dept. is hauling the wood that's been cut on E. Main Rd. Brian Dewkett asked if the wood is going to Supt. Russell's house. Mr. Leach informed him that he would bring it up in the BOS Meeting. Brian responded that he would like to contact the Ethics Board. "Cutting wood and hauling it to a Select board Members wood processor who sells cord wood would be a violation." Mr. Cullett said he assumes that Brian is referring to him as the Select Board Member that has a wood processor. He said he agrees with Brian 100% that it would be an Ethics Violation if it was happening. He said, "Due to the fact that what Brian has written is completely false, there is no Ethics Violation. That type of accusation is disappointing. I think as the BOS, we should not be entertaining that nonsense in the future. I don't think it's the proper form to bring in text messages. If they want to file a written complaint, that's fine. If he wants to contact the Ethics Board or the Board of Ethics, he's welcome to it. A Town of Peru truck has not been on my property in the last 20 years. What he's saying is 100% false." Mr. Munch said he doesn't want to see anymore of these text messages in the meeting. "If someone wants, they can come to the meeting or write something and direct it to us. When someone makes remarks that are totally untrue, that's slander and liable. We could take action against that ourselves. Mr. Cullett said the Highway Superintendent has been cutting some wood on E. Main Rd. and the loads of wood have gone to places where people have expressed interest in receiving wood. He gives priority to elderly folks and disabled veterans. He's had a total of 3 or 4 loads in a single axle International. If anyone has an interest in it, they are welcome to approach the Highway Supt. and ask. Mr. Leach said, "We need to make that more public then, and is it legal to give away town property?" Mr. Cullett said it's not town property. "The wood is being cut in a town right of way. Someone else is paying taxes on those trees. It doesn't mean its town property. The wood has to go somewhere. The reason it doesn't get left behind is, if nobody picks it up, it's in our way for mowing. The most important reason this time of year is that when we have a log truck or another machine available to load the wood, it saves someone driving in the waterways with their tractor and mucking up the waterways when that is left behind. There's very little that's generated." Mr. Leach said, "What I'd like to see on the website is under the Highway Dept. a form that shows you are interested. We would have a paper trail." Mr. Cullett said that's something we can entrust our Highway Superintendent to take care of.

Mr. Leach said we've got the letter from Howard Siegel on the Accountant's Computer being infected. TA Mitchell said they still don't know how it got on the server. Irene Morrison said they don't know if it was brought in by a flash drive. She said that she uses a flash drive to do the Minutes on her own computer, and that she is not connected to the server. Mr. Leach said by putting the flash drive into a town computer, if there was a virus on it, it can get to the server. She said because she can't always print on the printer that's in the office, in the past few weeks she has gone to the Accountant's Computer putting her flash drive in there to be able to print. She said she

still hasn't been able to print even from her computer for some unknown reason. Mr. Leach asked if TA Mitchell's old computer would be good enough for the Minutes. Mr. Cullett said if we eliminate the need for the flash drive and get a computer that's already on the Network. Mr. Leach said we shouldn't be using any flash drive that has been in any outside source because it can infect the server. Mr. Cullett advised to minimize the use of any flash drives. (*See e-mail from Howard Siegel of Bug Busters*)

Mr. Cullett said that the fax machine doesn't get used very often. He thinks there are still some things that get faxed. The Police Dept. still gets some things faxed back & forth. The primary purpose for those lines is the monitoring. He said he thinks that works on an analog system when the alarm system talks to the home station. Mr. Leach asked if there has been any thought to transferring the Town Hall over to Spectrum rather than Crocker. Mr. Cullett said we should get a quote. He said we may want to be waiting a year until the issues that people are having are ironed out.

Treasurer/Tax Collector – Caryn Wendling reporting

Treasurer/Tax Collector Wendling (Caryn) presented a Bulletin from DLS that provides guidance to local officials regarding changes in Municipal Finance Laws and the challenges faced by Municipalities & State Authorities resulting from Covid-19. The changes became effective 4/3/20 upon Governor Baker's signing the Act into law. Caryn said that within the bulletin there is a local option for the BOS to extend the due dates of Property Tax Bills to 6/1/20 (pg. 4 VII Section 10-11 A). We also have a local option to waive interest & penalties on certain payments made after the due date of 3/10/20 as long as the bills are paid on or before 6/30/20. (pg. 5 Section 11 C). Mr. Cullett asked Caryn if without a formal vote by the BOS, what is she allowed to waive as the Tax Collector. Caryn said she could do up to \$15.00. He also asked what she foresees as Treasurer issues as far as Cash Flow. Caryn said we would definitely have Cash Flow. She said that the school payment is due 6/1/20, so this definitely could impact that. TA Mitchell indicates what most other cities & towns are doing is waiving the interest & penalties on real estate & properties until 6/1/20. This item will be discussed further at the next BOS Meeting. (*See DLS Bulletin*)

Caryn asked the BOS to sign her Tax Collector Bond. She said that she and Sharon worked on Free Cash on Friday, and that they are no closer. They found some things that hadn't been posted to the ledger. Caryn is going to go through all the tables and will meet with Sharon again. Mr. Cullett asked if we could agree on a date that we work up until. Caryn said once she goes through the tables, we've done everything to see where the variance is. She said by the end of this week, that will be done. They are going to talk to Accountant Osborne (Anna) to see if she might have anything. It will take another week for them to get the reports done.

Item 6: Discussion on sign off for driveway permits on Building Permit application

TA Mitchell provided the BOS with a copy of e-mails from the Building Inspector. The Building Inspector said that we amend the permit sign-off sheet to include the Highway Superintendent on the sign off. He said this is something he would be responsible for once it's adopted. Mr. Cullett said right now the sign off includes Conservation, Tax Collector/Treasurer, and Town Clerk. He believes Supt. Russell has a form that he utilizes for the permit. (*See e-mail from Building Commissioner*)

Item 7: Discussion and possible Vote to change Annual Town Election Date

TA Mitchell informed the BOS that he has spoken to Town Clerk Leach who has indicated she has moved forward with making Nomination Papers available, registering people to vote etc. Mr. Cullett said we've already voted to extend it to a date that hasn't been chosen yet. If the date must be changed from the 6/13/20 date, Town Clerk Leach said she would prefer it to be on 6/27/20. TA Mitchell said the guidance from the Legal Counsel of the Elections Division specifically told Town Clerk Leach about the Candidate Nomination Papers that it's

business as usual, except for Candidates & Volunteers should be taking appropriate precautions as they continue to gather signatures.

Item 8: **Discussion of Police Chief's Job Description**

TA Mitchell said Chief Henault indicates the Job Description for Chief of Police adopted from Lanesborough seems to be quite long but that it's necessary to have all the requirements in that document. TA Mitchell suggests getting Chief Henault's opinion as to what if anything should be changed in it. Mr. Leach said he will discuss this with Chief Henault. If Chief Henault wants to make changes to the document, he can write things down, sign it and give it to the BOS or TA. TA Mitchell indicates Chief Henault feels most of what's in the document is necessary. He says it covers most everything that should be in the Job Description for a Police Chief. There will be further discussion on this item at the next BOS Meeting 4/20/20.

Item 9: **Award Bid for Vocational School Transportation**

TA Mitchell said we had opened a single bid from Dufour. Mr. Cullett said it's pretty close to the current fiscal years. Peru to Smith Vocational is \$201.48 per day.

*Mr. Cullett motions to award the Vocational School Transportation bid to Dufour Tours. Mr. Leach seconds. All agree. **VOTE 3-0**

Item 10: **Discussion and review bids for Town Hall/Community Center Electronic Sign**

Mr. Cullett said we have received only 1 bid last week that wasn't according to our bid specifications. They didn't use our bid form and did not submit a non-collusion affidavit. He contacted Callahan Signs as of 5:00 this afternoon and hasn't heard back from Jamie Callahan. Mr. Cullett is looking for clarification on why they didn't submit the bid as requested. Mr. Munch asked if anyone has found out if we can carry this grant over because of what's going on in the world. Mr. Leach offered to send Paul Marc an e-mail. Mr. Munch said he's not the one to send an e-mail to. It should be the Mass Office of Travel & Tourism. They are the ones who said we have to spend it. Mr. Cullett said that's where the contract went that TA Mitchell submitted to them. It would be a good reason to follow up, because we haven't received the executed contract back. Mr. Cullett said he has given this a lot of thought, and he thinks we may need to change our focus for that grant money to do electrical work. He saw that the bottom right corner on the honor roll was starting to rot away.

Item 11: **Discussion and possible Vote to change the Annual Town Meeting Date**

Irene Morrison said the BOS voted on 2/18/20 to set the ATM date for 5/30/20 at 6:00 P.M. at the Community Center

Item 12: **Discussion and possible Vote on Library status**

Mr. Leach indicates he received a letter from a Library Trustee requesting that we put this item on hold because they can't be present. Mr. Cullett said the BOS doesn't have to have an official vote tonight but should discuss the legal opinions that KP Law provided. We have to plan on things for the upcoming Fiscal Year. Mr. Cullett read the e-mail from Devan Braun, Esq. regarding the relationship between the Town and the Library. Mr. Cullett said we do not want to short-change the Library in any way, shape or form. Mr. Cullett said, "We may be changing how things are done. We're not looking to cut funding; change the amount of funding the town provides in anyway at all." A copy of all the legal opinions from Town Counsel will be sent to the Library Trustees. (*See e-mail re: Town of Peru – Library*)

Item 13: **Discussion of Fiscal Year 2021 Budget**

Mr. Cullett said we don't have Free Cash certified yet. TA Mitchell said he has received the Tax Collector/Treasurers Tax Title expenditures. She didn't give him a budget sheet. She gave him a copy of the accounts.

Item 14: **Review and approve Accounts Payable, Treasury Warrants, Payroll Warrants**

Item 15: **Adjourn**

*Mr. Leach motions to adjourn the 4/6/20 BOS Meeting. Mr. Cullett seconds. All agree. **VOTE 3-0**

BOS Meeting adjourned at 8:04 P.M.

Articles used:

- Agenda of 4/6/20
- BOS Meeting Minutes of 3/15/20
- Letter from Library Trustee
- E-mail re: Town of Peru – Library
- E-mail from Building Commissioner
- E-Mail from Howard Siegel
- DLS Bulletin
- Vendor Warrants
- Payroll Warrants

Respectfully submitted

Irene J. Morrison

Administrative Assistant

Verne Leach, Chairman _____

Ed Munch, Selectman _____

Bruce Cullett, Selectman _____

Approved _____