

SELECT BOARD MEETING MINUTES | May 11, 2020 | 6:00 P.M.

TOWN HALL MEETING ROOM

Present:

Verne Leach, BOS Chairman / ACO
Ed Munch, Selectman / Historical Commission
Bruce Cullett, Selectman / Police Sergeant
Caleb Mitchell, Town Administrator
Justin Russell, Highway Superintendent
Karen Tonelli, Assessor/Assistant Assessor
Irene Morrison, Administrative Assistant

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

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

Item 3: **State recording status:** Mr. Leach & Irene Morrison recording; Live stream on Town Clerk Facebook page

Item 4: **Review and Approve Meeting Minutes for 4/27/20 & 5/4/20**

Mr. Leach motions to approve 4/27/20 BOS Meeting Minutes. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to approve 5/4/20 BOS Meeting Minutes pending changes. Mr. Munch seconds. All agree. **VOTE 3-0**

Item 5: **Update of Departments**

Highway – Justin Russell, Superintendent reporting

In response to listening to BOS discussions over the last few Live Stream Meetings, Supt. Russell said he wants to clarify that he is not going to have gravel hauled directly to the Peru State Forest. It will be hauled directly to the Highway Dept., and they will use the single axle to haul it out to the woods. It would be \$3.00 - \$4.00 more a ton to have it hauled to the Peru State Forest. It would be another half hour to 40 minutes for the triaxle to haul that far back. Another reason is that the tree canopy is so heavy out there that the triaxle couldn't just dump and spread. When a tri-axle dumps, it's going to spread a lot of dirt on the sides. He said it would take them a week or two to get the area prepped and clean, and they don't want the gravel ending back up in the ditches. It's going to be a matter of spreading with the loader, and not the grader.

Supt. Russell said the large rock that was mentioned does stick up, and he'll see what they can do with that. He said if they can get it out, they will without a huge expense. Mr. Munch asked if there was an area large enough to have a parking area. Supt. Russell said he needs to get in touch with Kris Massini, Forester and meet him out there. Supt. Russell thinks there's plenty of room at the Town Right of Way. He said they're not going to be able to make a huge parking lot, but enough for cars to get off the actual road.

Supt. Russell asked TA Mitchell what exactly we are getting for signs. TA Mitchell said the standard signs they make in the sign shop for posting State Parks. He said he needs to check with Treasurer Wendling to see if we actually received the check. In the e-mail he received, it appeared to him that they were indicating the contract was approved, and they were going to send us a check.

Supt. Russell said he has already graded and built up Baumann Rd. this year. He said they could build it up more. He said there's a lot of work that could be done out on Pierce Rd. Mr. Munch asked for an update on the truck body. Supt. Russell said the insurance is going to write the whole body up. They did a live video. He said Zwack's straightened it out the best they can for now so we can use it as a dump truck for the summer, and they're going to be working with the Adjustor to get it worked out. The biggest problem is Everest being closed down right now. They've just started working again. So, he doesn't have a lead time right now.

Supt. Russell looked into possibly doing some crack sealing this year. Skyline Trail is mainly the road he was thinking about. He said it's 8 or 9 years old and along with it, they came into town doing some crack sealing on the roads that we paved the past few years. Pretty much the word he got was it's not bad enough yet. They go through roughly 800 gallons a day when they crack seal and they figure probably 400 for all of the Skyline Trail. We'll do a mile or 2 walking in a day. We got almost 4 miles out there. The price we would pay would be probably double what it would be if we waited a little while. He said there's over 7 lane miles out there. He said you'd be looking at 400-600 gallons total. He said right now they're patching the worst roads. "We did Curtin, August Smith and we're working on East Windsor." Mr. Cullett asked if there was any trailer mounted rental options to do it in-house. Supt. Russell said he's going to look into that.

Supt. Russell was listening to the Finance Meeting the other night. He said he understands that we won't go after a truck this year with everything that's going on. He thinks there are 2 things we need to put in for. The motor for the boom mower which is \$5,765.00. Also, a hydraulic hose machine was on special at the time when he got the quote, that's gone up to \$3,405.68. He said it's something they could live without, but he thinks it would pay itself off really quick. It's one of their biggest expenses in the winter. Supt. Russell said they have a bunch of culverts to replace with one on Lafayette Dr. He said they are going to have to close the road when they do it. It goes directly across the road and there are 2 catch basins on both sides. He will notify residents up there when they're ready to do it. Mr. Leach suggested giving the resident's a week's notice. He said there are 2 on Curtin Rd. right after Trumpers; one right before you head over the hill and one right after McDowell's house. He bought a bunch of culverts today and said he's going to have to get more still.

Town Administrator – Caleb Mitchell reporting

TA Mitchell gave the BOS copies of the Police Officer and Police Chief positions job postings. He confirmed with CBRSD all the Vocational Students are going to Smith School. He said one thing the BOS should think about is once they complete the budget, we have to decide what additional articles we want to go on the Warrant, because it's not just budgetary articles. He said we may want to post the Administrative Assistant position since Irene is leaving as of the end of the Fiscal Year. We got an e-mail response already from the Hilltown CDC for the support letter we had done.

Item 6: Discussion and possible Vote to take action to appoint George Sansoucy as Special Municipal Employee regarding utility appraisal

Assessor Tonelli said that George Sansoucy is an Appraiser from New Hampshire. She would like to hire him to value Eversource i.e.: the poles, wires, all personal property owned by Eversource. All the personal property owned by Utilities, Berkshire Gas, Eversource, any other Electrical Distributing Companies would provide the Assessors every year with what is called the Form of Lists. They tell us what they thought the value of their stuff was. They're our largest personal property taxpayers usually in any town, particularly in Peru. She said some of the telephone poles have been here for 40-50 years. They're still using them. But they would say "No Value". As a result of this court case, it was determined that the numbers they were putting on, not fraudulently, but using Net Book Value somewhere 30-40% lower than maybe their market value. Two years ago, she hired Mr. Sansoucy with particularly good results. The reason she's asking for him to be a Special Employee is because he provides services to DOR for the telephone lines which we get from the DOR. She contacted 6 other towns and talked to Mr. Sansoucy and said, "If we all contracted with you, could you give us a lower rate. He agreed to do it. She took a look at everybody's values for these types of utilities and she has them pay him based on what their values are. She thinks it would be a good thing if we had it for an Article on the ATM Warrant. Assessor Tonelli said she will only have to do this for a year. All Assessors are getting training in how to value transformers, telephone poles, wires, in hopes going forward of understanding this better. TA Mitchell told the Finance Committee that the cost was \$3,500.00.

Mr. Leach motions to appoint George Sansoucy as a Special Municipal Employee. Mr. Cullett seconds. All agree.

VOTE 3-0

Item 7: Discussion and possible Vote to change the Tree Warden from an Elected Position to an Appointed Position

TA Mitchell said the BOS does not have the authority to change the position from Elected to Appointed. It has to be approved at the ATM. Mr. Leach said it has to be approved at the ATM or a Special Town Meeting and then it

has to go to the Annual Town Election. Mr. Cullett said for what's scheduled, you should make preparations to be able to put it on the Election that would follow the ATM. Mr. Leach said it has to be placed at least 60 days prior to the acceptance of the voters at the Annual Town Election. TA Mitchell will clarify this information further. Mr. Leach said James Kenney sent in a letter about that. Both TA Mitchell and Mr. Cullett have responded to that letting him know we have no intention of voting to change it here at the BOS Meeting, and that it had to go on as an Article at the ATM Meeting.

Item 8: **Discussion and Vote to make the following appointments:**

Mr. Leach motions to appoint Anna Osborne, Town Accountant. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Caleb Mitchell, Town Administrator. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Karen Tonelli, Board of Assessors. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Karen Tonelli, Assistant Assessor. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Tim Sears, Building Commissioner. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Irene Morrison, Cemetery Commission. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Daryl Darby, Cemetery Sexton. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Jessica Gancarz, Council on Aging Director. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Leach motions to appoint Rick Carll, Emergency Management Director. Mr. Cullett seconds. All agree.

VOTE 3-0

Mr. Munch motions to appoint Verne Leach, Animal Control Officer. Mr. Cullett seconds. Mr. Leach recuses.

VOTE 2-0

Mr. Munch motions to appoint Verne Leach, Animal Inspector. Mr. Cullett seconds. Mr. Leach recuses.

VOTE 2-0

Mr. Cullett commented on the appointment of Anna Osborne as Town Accountant for just 1 year. He asked why some positions are already 3-year positions and some are 1 year? Mr. Munch said he thinks it's just the way they were done. Mr. Leach said as far as he knows, the BOS has the authority to change it to a 3-year position. Mr. Cullett said he thinks a key position like Town Accountant is one that is pretty difficult to find someone with the skills necessary to do the job and should be something that we would appoint for longer than 1 year. Mr. Leach said he has given that some thought also. What he would like to do is that there are 3 key financial positions. They all come up this year. He would like to stagger them for 3 years. "You wouldn't replace all 3 at once if their terms all came up." Mr. Cullett said, "You wouldn't typically replace them all at the same time anyway. If they're up for re-appointment it doesn't necessarily mean you're replacing them. I don't see how they would be related. I think multiple years for key positions is something we should consider especially for Town Hall positions." Mr. Munch thinks we should leave it this year the way it is. Mr. Cullett said a couple examples are the Assistant Assessor is a 3-year appointment; Animal Control Officer is a 3-year appointment. Why are we doing that differently than others? (*See Appointments*)

Item 9: **Discussion and possible Vote to approve Draft Policy for Plowing Private Right of Ways**

Mr. Leach said he liked what the Draft Policy said about plowing the Right of Ways. "It was cut clear and simple if that's the path we take, but he still feels as though we need a Policy if we do any." Mr. Munch said we can't do anything this year because of the way the Article has to be put through. He thinks the best thing would be to have a guideline for what people have to do in order to have their roads plowed. He said, "We can't go any further than that until we put it through the legal procedure, we have which we already discussed. Mr. Cullett said so 20% or 200 of the Registered Voters have to petition to have it added to the Election. The advice of Counsel is one of two things. Either it's at our discretion, with the caveat that said it's illegal to appropriate money to plow and sand private roads without adopting. TA Mitchell said Counsel gave us an opinion about a certain statute that needed to be accepted. Mr. Cullett said he's still under the same

impression that it would be difficult to go ahead and do things like we used to, with that legal opinion in front of us. TA Mitchell said Chapter 40 Sec. 6c would have to be placed on the ballot at the next Town Election in the form set forth in the following Section 6d. Mr. Leach said he just wants to set the Policy if this is something that does go through because the question could be on the fall ballot. Supt. Russell is saying that they have to be 20' wide. Typically, all our roads are 20' ft. minimum. Some of the gravel roads he's going to be working on more this year because they're not quite that wide. Some of these private roads, there's no way they're ever going to meet those standards. He doesn't want it to seem like he's attacking certain roads or certain residents on certain roads. Mr. Leach asked what the minimum was that he needs. Supt. Russell said we need the surfaces of these roads up to standard and get these trees and brush cut back a long way. He said maybe 16' would be good. Two cars should be able to pass one another on roads. He said when we had the snowstorm right after Thanksgiving, we had almost 30 inches in a couple days. The snow builds up so high on a road that's only 10-12 ft. wide, you can't push it any further. You can't get it any wider and we have to send one of the bigger trucks on these roads. You're risking more damage to mirrors and everything else. We have a crushed in fender on the one ton because of big wet heavy snowball rolling off the side of the bank and hitting the side of the truck. The plow can't get it up over the snowbank. If they were wider, then you've got more room. Mr. Leach said other than changing the width from 20 ft. to 16 ft. is there any other recommendations. Supt. Russell said the residents on Garnet Mtn. Lane are putting money into the road to put gravel down. He also explained to them that they've got to get a tree company in here and get the trees cut back. When there gets to be snow and ice on them, they're right on the windshield. Mr. Munch said if the 16' gets changed on that Policy, everything else is the same. Mr. Cullett asked if it was 20' wide the entire road? What about for the signs? Supt. Russell said he had them cutting brush back 10'. Mr. Cullett asked if 16' possible on the existing roads that you're plowing? Supt. Russell said he doesn't think so. Garnet Mtn Lane would probably be close. Supt. Russell said the roads down near the lake there's no way you could get 16' wide. Mr. Leach said if 16' is too wide to obtain, what would you say is. Mr. Munch said he thinks this article should be tabled and have more discussion on it. Mr. Cullett said if nobody petitions us to put this on a Town Election, should we even be entertaining plowing the private roads. Mr. Leach said it's been brought to our attention that what we've been doing is not right. This item is put on hold. TA Mitchell will contact Town Counsel regarding the petition. *(See Draft Policy for Plowing Private Right of Ways)*

Item 10: **Discussion and possible Vote to approve Animal Control Policy for temporary storage of Stray Animals**

TA Mitchell read the Animal Control Policy for the temporary storage of Stray Animals. There are a few minor changes that TA Mitchell will make to finalize the Policy. *(See Draft Animal Control Policy)*

Mr. Cullett motions to approve the Animal Control Policy for temporary storage of stray animals pending changes. Mr. Munch seconds. Mr. Cullett and Mr. Munch agree. Mr. Leach recused. **VOTE 2-0**

Item 11: **Discussion and Review Town Hall/Community Center Electronic Sign or alternative Projects for Town's 250th Anniversary Celebration and Grant Application cost reimbursement**

Mr. Munch presented 3 packets of information regarding Electronic Signs that he thought were the most feasible. Mr. Leach also presented 2 packets. Mr. Munch said he believes all of the signs in the packets are HD. Out of the 5 packets, Mr. Munch and Mr. Leach said they like Petro LED which is 38 inches x 63 inches and has a 5-year warranty. Mr. Cullett also favors Petro but would like to see more specifications. Mr. Munch said the information from Matrix LED Signs is the type of sign we're looking for with a 4-year warranty. He said he would like to have our Wiring Inspector have a chance to look at these and give us some feedback. Mr. Cullett said, "At this point, as mentioned in the last meeting, we need to get a sign and not worry about the construction of it. Make the big purchase and store it somewhere." He would like to make a decision by next Monday if we are able to get a more detailed quote where they can show us in more detail what the resolution is for the sign & get better specs. Mr. Munch will call both Petro and Matrix for more detailed information. Mr. Cullett said if you end up talking to a Salesperson, you'll find that these companies will deal with Municipalities. Mr. Munch will ask for them to fax the information to our fax number. He will also involve Treasurer Wendling once a decision is made to find out how we go about handling the payment. *(See Sign packets)*

Item 12: **Discussion of Fiscal Year 2021 Budget**

Mr. Leach asked if there were any numbers we were missing. Mr. Munch said \$5,765.01 for a boom motor and \$3,405.68 for a crimping set. Mr. Leach asked TA Mitchell if he heard anything from the BOH about their expenses. Mr. Cullett said

they were talking about putting together a form that TA Mitchell sent to Peggy. Mr. Leach asked TA Mitchell to go through and see if we're missing anything else. Mr. Cullett said when we do the Internet number there's a number of things that are lumped in to that category; a number of expenses that somehow made it into that category that you may not think would be in that category. For example, we don't have a separate line item for our alarms. They're either paid out of telephone for Internet. Mr. Cullett said he thinks we need to expand the number of accounts that we currently go through because a lot of things are lumped together. Mr. Munch said one of the issues that we might want to consider coming up with a number is to find out what Hinsdale is doing with their Internet through Spectrum if they have Spectrum. We could plug a number in if we don't get a call back from Spectrum before we have our Budget Meeting. Mr. Cullett said he was going to donate telephone poles for the lighting behind the Fire Station. "I loaded them onto the town trailer today. There are 4 of them. He had Supt. Russell bring them up here. I'm going to be getting 3 quotes from Electricians to do that work. Supt. Russell is submitting a Dig Safe request and marking it. He's going to ask Dale to mark where the septic line runs from the Fire House out to behind the Highway Garage. Dale's the most likely to know. Whatever Electrician we end up going with should be able to identify the underground line that comes from the old Highway Garage out to the Pavilion." TA Mitchell said we don't have a number yet for the compactor and Smith Vocational School to get a number on cost of tuition. We know there are 9 students going there. We need a cost per student and need to budget for 10, also Berkshire Health Alliance.

Item 13: **Discussion and Vote to approve letter to Dufour, Inc. regarding payment for Vocational School Transportation for Fiscal Year 2020**

TA Mitchell distributed copies of a letter he composed to Dufour. He tried to be direct and to the point that the town is not going to pay the invoice that they sent us and we're not going to pay any additional invoices for the remainder of the school year. It's based on a legal opinion. He wanted to make sure to put in the letter that we appreciate the service that they've been providing to the town and that we approved their bid. "What we discussed in the meeting was offering them an opportunity to give us a reason why they wouldn't agree with this decision. That's why the last line in the letter is "We're willing to consider any legitimate reason." Mr. Cullett said what if they take offense and rescind their bid for next year. TA Mitchell said he doesn't think they can because that would be a breach of contract. *(See letter to Dufour)*

Item 14: **Update on Library Status**

Legal Counsel has given us 3 options. Mr. Leach said Option 1 is not really feasible for us. Option 2 he didn't quite get. TA Mitchell said we should table this item until after we can resume normal Meetings and have the Trustees come to a Meeting. Mr. Cullett said we should set up a meeting with the Trustee's, mull things over. He's still for separating in changing the distribution of fund that are appropriated for the Library and instead of working as the Library's Bookkeeper, I would much rather turn over quarterly payments to them. Mr. Cullett said it wasn't brought up at the Finance Meeting, we were going to potentially in preparation for resolving the situation to appropriate additional funds for the Library to be able to handle their own bookkeeping. The BOS agreed to invite the Trustees and Librarian in once Gov. Baker allows it.
(See e-mail regarding Library Options)

Item 15: **Adjourn**

Mr. Leach motions to adjourn the 5/11/20 BOS Meeting. Mr. Cullett seconds. **VOTE 3-0**

The BOS Meeting adjourned at 8:04 P.M.

Articles used:

5/11/20 BOS Meeting Agenda
4/27/20 BOS Meeting Minutes
5/4/20 BOS Meeting Minutes
Draft Animal Control Policy
Posting for Chief of Police position
Posting for Police Officer position
Draft Policy for plowing private right of ways
Letter to Dufour
Appointments
E-mail regarding Library Options
Sign packets (5)
No Warrants

Respectfully submitted

Irene J. Morrison

Administrative Assistant

Verne Leach, Chairman _____

Ed Munch, Selectman _____

Bruce Cullett, Selectman _____

Approved: 5/18/20 _____
Date