

SELECT BOARD MEETING MINUTES | May 18, 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
Nanette Mone, BOH Chairman
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 5/11/20**

*Mr. Leach motions to approve the 5/11/20 BOS Meeting Minutes. Mr. Munch seconds. All agree. **VOTE 3-0**

Item 5: **Update of Departments**

Board of Health – Nanette Mone, reporting

Nanette Mone, BOH Chairman is requesting a joint meeting between the BOH & BOS. Topics of discussion are the monies coming from the State. According to our population, we are entitled to \$73,000.00 to be used for items that were not budgeted but may be expended relating to the COVID-19 Virus. A request for the money has to be sent in within the next two weeks. Another discussion will be what we do when we re-open the Town Hall. The requirements are hygiene related such as sanitizing, handwashing. Occupancy will be limited to 25%. Work hours may have to be staggered. Ed Fahey, Health Agent and Tim Sears, Building Inspector have a small office that they share and shouldn't be in the office at the same time. Masks will be required when the distance between people is less than 6 feet. There has to be a sign at the Transfer Station. It was decided that the joint meeting would be Thursday 5/21/20 at 7:00 P.M.

(See Federal Corona Virus Relief Fund Letter)

Town Administrator – Caleb Mitchell reporting

TA Mitchell indicates he sent an e-mail to Town Counsel regarding the question to go on the ballot for plowing private roads and whether the BOS could put that item on the Election Ballot. He is still waiting for a reply from them.

TA Mitchell contacted the Hinsdale Town Administrator (TA) to inquire as to whether they had a contract with Spectrum for the Internet. Hinsdale TA told TA Mitchell that they don't use Spectrum. They have an agreement with IPBX Computer System through valleycommunications.com. He will try to get a monthly cost from the Hinsdale TA.

TA Mitchell said he has received an e-mail from the Inspector General's Office about a complaint that had been received regarding the firewood along the roadside. TA Mitchell explained to him that is something we give to people who are elderly or someone in need who has a woodstove. The Inspector General said we need to develop a written policy for the wood laying on the side of the road as disposable surplus. He also sent a follow-up e-mail with information related to MGL Chapter 30B. It is related to pruning and cutting of trees by the town along the right-away of a roadway. You would have to write a written policy for disposal of that wood. Mr. Leach requested that TA Mitchell get together with Supt. Russell to make a policy. Mr. Cullett said, "To make things simple and straightforward, when we have a sub-contractor doing the cutting it won't cost anymore, because I think it's included in the price, so why don't we just have them take the wood with them." Mr. Leach said whoever gets the bid to cut the trees, they have to take the wood. Mr. Cullett said that in the future there may be situations where we are doing some things in-house, so there should be some kind of written policy to cover that. Mr. Munch said it's better to not give it to anyone, but to have the contractor

pick it up and dispose of it. Mr. Cullett said our policy should be to identify and contact the homeowner or landowner that the wood is present on and give them the right of first refusal. If they don't want it, then the contractor takes it.

TA Mitchell said we have to get more flags for the flag poles. Mr. Leach said the flags for the cemeteries should be coming out of the cemetery expense.

TA Mitchell has requested the prevailing wage for the electrical upgrades at the pavilion. He submitted it. They received it and will be sending him the prevailing wage. Mr. Cullett said all 3 contractors utilized the most recent one we had which he believes are good through the end of June.

TA Mitchell said the Snow Roads are actually under budget.

Item 6: **Discussion and Vote to make the following re-appointments:**

Mr. Leach motions to re-appoint Tim Martin, Gas & Plumbing Inspector. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Ed Fahey, Health Inspector/Agent. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Edward Munch Jr., Historical Commission. Mr. Cullett seconds. Mr. Munch recused. **VOTE 3-0**

Mr. Leach motions to re-appoint Caryn Wendling, Tax Collector. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Caryn Wendling, Treasurer. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Peter Yetman, Wiring Inspector. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Peter Shelsy, Zoning Board of Appeals. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Sam Haupt, Assistant Emergency Mngt. Mr. Cullett seconds. All agree. **VOTE 3-0**

Mr. Leach motions to re-appoint Caleb Mitchell, ADA Coordinator. Mr. Cullett seconds. All agree. **VOTE 3-0**

(See Re-Appointment Documentation)

Item 7: **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 said he contacted Matrix Signs of Glendale, California and that we are buying the sign for \$9,100.00. He said we were able to get a 20% discount because we're a municipality. The Sales Representative said we should get it by next Thursday or Friday. They said they would unload it off the gate of the Tractor Trailer. They are supposed to call him when they are on their way. They will also be sending us an extra module (a repair kit) so if one of the modules go out, we have a another we can put in.

Mr. Cullett said he walked 3 Electricians through the scope of work behind the Firehouse at the Town Park. Crosier Electric, Webster Electric, and Performance ECM have been given the same invitation for bids that laid out the scope of work. Mr. Cullett said he received the 3 bids today. The first bid is from Crosier Electric. Mr. Cullett asked for a base bid price which includes lighting on four telephone poles, three 20-amp circuits along the fence line with 20-amp GFCI outlets, a new sub panel at the pavilion, upgrading it to 100-amp subpanel, all new wire and conduit in the ground. Mr. Cullett said, "We are as a town are going to supply all the trenching and back filling. The Highway Dept. will be doing that and setting the four telephone poles. They are also going to set the four telephone poles that are down there." Crosiers bid is \$11,500.00. Also, Mr. Cullett asked for a unit price for each additional LED light fixture with a photo sensor on it. That would be \$2,000.00 per additional fixture.

The second bid is from Webster Electric with the base bid of \$25,640.00 with a unit price of each additional LED fixture at \$2,950.00. They also offered a couple alternates in place of the fixtures that were included in the scope of work. They proposed using some alternate fixtures which would have amounted to a deduction of \$4,000.00 from the base price. Also, a deduction of \$950.00 from the unit price if we decide to go with the alternate.

Performance ECM was the 3rd bid. The base bid was \$14,500.00, with the unit price for each additional LED fixture at \$1,900.00. Given these 3 bids, he recommends awarding the work to Crosier Electric. Mr. Cullett said the most additional fixtures he would want is two.

Mr. Munch suggests buying some Goshen Stone for the base of the sign. For the concrete Mr. Cullett said he thinks we have additional money in the Building Maintenance Budget. Mr. Cullett will talk with Goshen Stone, Judd, and John's Building Supply and compare prices.

Mr. Cullett said he thought we had a way to have Verizon set those poles for us, but due to the current situation with COVID-19, they have little work going on in this area. He spoke with Supt. Russell today. He told Mr. Cullett that we have the jumping jack, so we can dig a hole using the excavator. Mr. Munch said Eversource is down the road setting poles for the Solar Project. We could approach them to see if they would be willing to come up. Mr. Cullett indicates that he's also going to get Dale Weeks up here to locate the sewer line. It would be 3 days from the time Supt. Russell files with Dig Safe, so it'll be ready at the end of the week. Mr. Cullett would like an opinion on the back stop down there. He remembers when it was built and doesn't believe he has ever witnessed baseball being played down there. Mr. Leach said we need to discuss that with Doug Haskins, Chairman of Parks & Recreation. Mr. Cullett said, "There's not enough room to put a regulation little league field down there. The number of kids playing little league has plummeted in this area. The CRA only insures maybe 2-3 fields now. Maybe a basketball court down there would get more use." Mr. Munch mentioned a tennis net between 2 points on the court. Mr. Leach said it would be a good project to move the backstop for an Eagle Scout to help design and organize a park for sports.

Mr. Cullett said there are other potential projects that we might have to coordinate with DCR such as in our state forest, and cemetery projects. He said it would be nice to see some nice new benches at the plane crash monument.

*Mr. Leach motions to award the Electrical Bid to Crosier Electric. Mr. Cullett seconds. All agree **VOTE 3-0**
(See 3 Bids)

Item 8: **Discussion of FY21 Budget**

Future Equipment didn't make it on the discussions with Finance Committee. We usually put \$10,000.00 every year into it. The Board of Health (BOH) Expense Account was lumped into Berkshire Health Alliance (BHA) Expense Account. That's the reason for the \$10,000.00 amount under Board of Health Expense. We don't have BHA numbers yet. They'll have to accept level funding. Crocker Communications carries our phone system, and internet access through MBI middle mile which is Axia Cable. They're the broker. It also pays for AT&T that comes for air cards that are in the Police Dept. laptops to connect back into one of the computers at the station so that those can communicate with the state computer (CJIS). Mr. Munch said we want to increase the speed. If we don't get anything from Spectrum, we're going to have to go with Crocker. We wanted to go to the next tier up. Mr. Leach said we're feeding 3 buildings. Mr. Cullett said 2 of the buildings there's not a lot of usage. We're feeding 3 buildings with a pretty slow connection. Mr. Munch asked if we want to go up to the next tier. Mr. Cullett said it would improve it. It's not going to be ideal. He said if we go from 10 to 20 it goes basically \$200.00 per month to \$340.00 per month to make that jump. Mr. Munch said we've got to increase it because it's costing us more in the long run to have service because they can't download fast enough. Mr. Cullett said Spectrum High Speed Broadband Business Class would be ideal. Mr. Munch said if they say we can't give it to you by Thursday, but we can guarantee we can have it up and running for you by 7/1/20 that would be alright?

Item 9: **Discussion of Possible Articles for FY21 Annual Town Meeting Warrant**

TA Mitchell said the only one he can think of is the Wetlands By-Law. A previous Conservation Commission had a meeting in 2016 and voted that the By-Law should be rescinded because it wasn't workable. The most recent Conservation Commission within the last year or so agree on rescinding the Wetlands By-Law. It's a non-workable document. Most of the information within that By-Law regards several procedures, rules & regulations etc. that were supposed to be developed to enact that By-Law to make it even useful. In addition, he thinks there's a process in which you could actually issue criminal penalties through District Court within that By-Law. Nothing was done to enact or initiate any of the recommendations within that By-Law. It's unworkable for a Conservation Commissioner. We have to get an opinion from Town Counsel. Mr. Leach said he can see putting on the Warrant.

Mr. Cullett said his correspondence with the State Ethics Commission and with the Chief of Police position open, if he is to be considered for that position, he would need to do one of two things. One is to resign from the BOS 30 days in advance of being considered for the position. The second option is to put an Article on the Town Meeting Warrant that would allow the voters to approve his consideration by the BOS for the position. If the Article is approved, then the BOS could consider him for the position while he is serving as a Selectman. Mr. Munch said put that on the Warrant. Mr. Leach told TA Mitchell to write something up and have Town Counsel look at it.

Mr. Cullett said we don't have an answer from Town Counsel yet to see if we can put it on the Warrant about plowing private roads. He said if we can do it without going through the petition process, we should.

Mr. Cullett said we can't work something out for this Town Meeting, but we should consider incentives to bring people into town. With the current COVID-19 situation, and with newly installed high-speed broadband access, Peru might become a pretty interesting place for people to re-locate their homes and potentially businesses that are based from their homes. Mr. Leach said there's not a single house on the market in Peru right now. Mr. Cullett said there's land out there and people may sell their homes at some point. A lot of towns and cities put some sort of economic development package together that gives some tax breaks for the first 5 years that somebody relocates. He said we really need to start putting our heads together to be able to do that to increase our tax base. One of the big reasons that people didn't want to work from Peru was because there was no access to high speed internet. Now that reason is gone. There may be some people that will look at Peru and say, "It's kind of nice." He said we're good at social distancing up here already. It's another advantage to being in a rural area. He thinks we should try to take advantage of it and do whatever we can to promote Peru as a great place. Incentivize building and spending money on relocating your business to Peru. It's really something we should try to put together. Mr. Munch said one thing we need to look into for the town is art. He will be trying to find out more about with the Mohawk Trails. TA Mitchell said it would be nice if we got some credit for that since our Pilot payments are pretty low. If everyone comes through the way they said they were going to do it with the U.S. Forestry Service and the State. This whole area could be used for Conservation, Forestry businesses.

Regarding the Tree Warden, Mr. Leach said he would prefer to change an Elected to 3 years and make it Appointed. Mr. Cullett said he's not sure what the advantage is to have it as an elected position. To him it's like the Elections Warden, Forest Fire Warden. You're appointing someone that's familiar with what that position requires. Someone who is familiar to what it entails. He thinks it makes sense to have the ability to appoint the right person for the job. Being able to appoint a position allows you to look outside of the town as well for a candidate if there's no qualified candidates within the town. Mr. Leach said he knows it has to be voted on at an ATM and then go to an Election. He said it has to be a minimum of 60 days from the Town Meeting to the Election. TA Mitchell said we would put it in as an Article at the ATM. Mr. Cullett said, and then follow up at the November Election. Mr. Cullett said another reason he would like to see it that way is if someone has filled that position the last few times has had to run a write in campaign or be forced to go out and get 43 signatures and submit nomination papers. He was told that in Dalton they use a nomination paper where only 20 signatures are required. Mr. Leach said that's only for a re-nomination. It's a blanket for all incumbents. He doesn't know how you adopt that if it's a Town Meeting, but if it's adopted at a Town Meeting, then we should put that on the Warrant. TA Mitchell asked if they want to change the nominations for incumbent to a blanket nomination. Mr. Cullett said if we need to adopt that at ATM, that's a pretty simple Article. He thinks it benefits someone who serves a long period of time.

An Article to consider is a Select Board Member be appointed as Police Chief. Change the Tree Warden to an Appointed position, and then a blanket nomination for incumbents. Mr. Leach doesn't know if it needs to go as an Article but told TA Mitchell to check with Town Clerk Leach to see what's required for that first.

Mr. Leach said he received an e-mail from Bonny DiTomasso, School Representative. She would like the schools moved up on the Warrant at the ATM. TA Mitchell and the BOS don't have an issue with that. Mr. Cullett said right now it's currently scheduled to be held downstairs. He said he thinks we still have some time and will have more guidance from the State and CDC on exactly what we need to do to prepare for it. It's hard to anticipate the number of people that are going to show up and how many people we need to accommodate. He thinks we can plan on having it at the Community Center and space people out with 6 ft. between them. Mr. Munch said we don't have to keep them 6 ft. apart if we make masks mandatory. Mr. Cullett said just as an extra precaution because you can't depend on somebody to wear a mask

properly. If we can get the 6 ft. great! If we have more people, then we'll have to think on our feet. The worst-case scenario is if we have to move it to the Fire Station.

Mr. Cullett said he saw TA Mitchell's request regarding the Annual Report. The due date is this Friday. He told TA Mitchell that if he doesn't have the Department Reports in time, to just put up a page that says, "No Report Submitted". TA Mitchell said he's not sure that he's going to do that. He's just going to put the reports in and then submit it. Mr. Cullett said if they don't submit a report, he would like to see a title. If you don't receive a report, we just note that they didn't submit a report. That way there's no question it's not on you or us for not including that report. Mr. Leach said, "Not all Departments are required to submit a report" Mr. Cullett said it only requires mostly financial stuff. He said it's an unwritten rule that all Departments should submit a report. He feels that's their responsibility to the taxpayers. There's no good reason not to submit a report. Their budgets come from taxpayers.

Item 10: **Review and approve Accounts Payable and Payroll Warrants**

Item 15: **Adjourn**

Mr. Leach motions to adjourn the BOS Meeting of 5/18/20. Mr. Cullett seconds. All agree. **VOTE 3-0**

The BOS Meeting adjourned at 8:14 P.M.

Articles used:

- BOS Meeting Minutes of 5/11/20
- BOS Meeting Agenda of 5/18/20
- Re-Appointment Documentation
- 3 Bids
- Corona Virus Relief Fund Letter
- Warrants

Respectfully submitted

Irene J. Morrison

Administrative Assistant

Verne Leach, Chairman _____

Ed Munch, Selectman _____

Bruce Cullett, Selectman _____

Approved: _____
Date