

TOWN HALL 3 EAST MAIN ROAD PERU, MA 01235

SELECT BOARD MEETING MINUTES: September 5, 2023, 6:00 P.M.

Town Hall Meeting Room

Verne Leach, Chair Selectman/ACO
Doug Haskins, Selectman/Finance Committee
Ed Munch, Selectman
Terry Walker, Town Administrator
Jesse Pelkey, Fire Chief
Justin Russell, Highway Superintendent
Bruce Cullett, Police Chief

Public Attendees: Don Perreault

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

Item 2: Roll Call: Chairman Leach present, Selectman Munch present, Selectman Haskins present

Item 3: State Recording status: N/A

Item 4: Pledge of Allegiance to the Flag: Led by Selectman Leach moment of silence for former Selectman Bradford Torrey

Item 5: Review and Approve BOS Meeting Minutes for 8/23/2023:

Selectman Leach motion to approve 8/23/2023 minutes, Selectman Munch second, 3-0 Selectmen Munch brought to the attention of Police Chief Cullett Mr. Finn's statement about attending every BOS meeting to harass the Board until the issue on Hickingbotham Road is fixed. Police Chief Cullett was aware of the statement. Selectman Leach noted the statement.

Item 6: Update of Departments:

Highway Superintendent Russell mentioned that the repairs on the Ford 550 will be \$27,118.75 and that Ford denied all claims regarding the defective engine issues. The Board agreed to fix the engine with ARPA funds and the engine will have a 2-year warranty. Highway Superintendent Russell was instructed to call Marcotte Ford and start the process immediately.

Discussion on how the Highway Superintendent could move the new shed. Superintendent Russell stated that he cannot move the shed because it is too large. The Board decided the Shed Guy needs to come back and move the shed. Selectman Haskins mentioned that he needed the highway guys to assist him, and they would not comply unless they asked the Highway Superintendent first. Selectman Haskins mentioned that he was not happy they could not assist him without checking with Justin first. Highway Superintendent Russell stated that his guys take orders from him because he is their supervisor.

Police Chief Cullett mentioned that Citizens Security will begin testing fire alarms on Tuesday, September 12th at 9:00 a.m.

Fire Chief Pelkey reminded the Board that annual town building inspections will be completed next month for violations. Selectman Leach felt that the Fire Chief should walk through the buildings and let the BOS know what needs to be fixed before he writes up the town buildings for violations. Highway Superintendent Russell does not want the Fire Chief to do the annual inspection at the Highway Department and feels there isn't a need for an inspection. Fire Chief Pelkey reiterated that all town buildings need an annual inspection including the Highway Garage. Highway Superintendent Russell asked Fire Chief Pelkey if the town had paid for the library and church inspections. Fire Chief Pelkey will get a

check from the Library and Church to pay their portion of the inspections. The board agreed to the following training for Fire Chief Pelkey:

- Fire Prevention Class at Jiminy Peak on October 25th and October 26th. (Continuing Ed Credits)
- Small Aircraft emergencies at Barnes Airport in Westfield, MA on September 7th
- Massachusetts Fire Incident Reporting (MFIRS) in Millville MA on September 13th
- Wednesday, September 13th Pump Testing

- MIIA EVOC training October 5th and October 12th in Bellingham, MA Emergency vehicle operations
- PFALSE Public Fire and Life Safety Educator Class every Monday evening in Springfield, MA from November 13th to December 11th.

The Selectboard and Fire Chief decided to return the Forest Fire Tanker to DCR and not spend money on tires. Selectman Haskins felt that money shouldn't be spent on a vehicle that they used twice in two years. DCR will not pick up the Forest Fire Tanker and Fire Chief Pelkey will drive the Forest Fire Tanker to the DCR headquarters in Amherst. Police Chief Cullett mentioned that anyone can drive the Forest Fire Tanker because the Fire Department is exempt from needing a CDL. It was noted that the Forest Fire Tanker is insured and registered.

TA Walker mentioned that Berkshire Regional Planning Commission is waiting for a response on reappointment for Peggy White and Daryl Darby. The Selectboard is waiting on a job description and a formal appointment from BRPC.

TA Walker received an email from Robert O'Connor. The Town of Peru has been awarded the Woodland Partnership Implementation Grant for \$20,000 for completing the restoration of Pierce Road. TA Walker thanked Sam Haupt for bringing this to her attention, she completed the grant in 5 days and the town was awarded \$20,000.

Item 7: Discussion on Fire Rescue Vehicle: Since there have been a few changes, and the Board did not have updated numbers, the Board placed on hold.

Item 8: Discussion and possible vote on Metal Dumpster Policy: TA Walker emailed Jeffrey Blake, KP Law to assist with the wording for the revised Metal Dumpster policy. Attorney Blake wanted to discuss the revision in a phone conversation. TA Walker asked permission from the Selectboard to speak with Attorney Blake. Selectman Leach mentioned that he didn't think it was necessary to contact town counsel and wanted TA Walker to have the revised policy for the next BOS meeting. Selectman Munch agreed with Selectman Leach. TA Walker will draft the revised policy without contacting Town counsel.

Item 9: Discussion and possible vote on the auction results for the Ford Expedition:

Police Chief Cullett mentioned that he had received an email from Auctions International, the Expedition will be re-listed, and the bidding will close on September 13th at 7:10 p.m. Everyone agreed that a bid of \$2,000 would be satisfactory.

Item 10: Discussion on Green Communities grants possible projects:

- Mini Split for the Police Department and Highway Department
- Invite Guardian Energy regarding an energy audit.
- Weather stripping at Highway Department
- Solar Panels get estimates
- Police Chief Cullett mentioned a wood chip furnace
- TA Walker will print out Prevailing Wage for 2023
- TA Walker will contact Guardian Energy regarding energy audit

Item 11: Review and Approve Accounts Payable, Treasury Warrant, Payroll Warrant: 24-3P, V05-2024

Item 12: Public Input:

Item 13: Adjourn: Selectman Leach made motion to adjourn the 9/5/2023 BOS Meeting, Selectman Haskins second, Vote 3-0. The 9/05/2023 BOS Meeting adjourned at 7:23 P.M.

Articles used:

Minutes 8/23/2023

Payroll 24-3P, V05-2024

Metal Dumpster Policy email from Jeff Blake KP Law

Grant award \$20,000 Woodlands Partnership Implementation Grant

Email fire alarm testing

Email Auctions International regarding Ford Expedition

Respectfully Submitted,

Terry Walker

Town Administrator

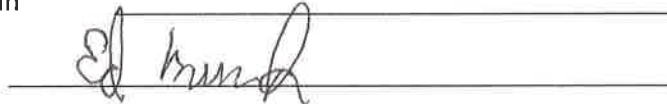
Verne Leach, Chairman



Doug Haskins, Selectman



Ed Munch, Selectman



Date Approved: 9-18-23

Received September 19, 2023
Kim Leach, Town Clerk

[External Sender]Scrap at Transfer Station

Jeffrey T. Blake <JBlake@k-plaw.com>

Thu 8/17/2023 12:26 PM

To:Select Men <selectman@townofperuma.com>

Cc:Brian M. Maser <BMaser@k-plaw.com>;Jared M. Collins <JCollins@k-plaw.com>

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Verne,

You have requested an opinion as to whether scrap left at the Town's Transfer Station is property of the Town such than any disposal would require going through the procurement process. In my opinion, based on the facts as I understand them, the scrap is not the property of the Town such that the procurement process must be followed and residents can pick through the pile and take what they want. I base this opinion on the following.

As a general matter, the Town of Peru requires that all residents using the Transfer Station facility have a current valid permit (at a cost of \$50) issued by the Town. The Town specifies that trash may only be brought to the Transfer Station during hours of operation under the supervision of a Transfer Attendant and that anyone using the Transfer Station without a valid Transfer Station Permit is considered dumping illegally and is subjected to a \$100.00 fine. Although the Town contracts with Casella Waste Systems to provide for the disposal of trash and recycling that is placed in the Casella-labeled dumpsters in the Transfer Station, there is nothing in the contract between the Town and Casella, nor the conditions of the Town Transfer Station permit issued to residents which claims the scrap metal or garbage outside of the dumpsters as the property of Casella or the Town of Peru. Furthermore, there is no bylaw or policy in the Town which prohibits scrapping at the Transfer station, nor are there any signs on the Transfer Station which indicate a scrapping ban.

With this in mind, because the Town does not make an explicit claim on the scrap metal in the Transfer Station, the property, in my opinion, is available for others to take at their desire. It is my opinion that the Town may continue its longstanding practice of permitting residents to take scrap metal from the Transfer Station.

If you have any further questions, please do not hesitate to contact me.

Very truly yours,

Jeffrey T. Blake, Esq.

KP | LAW

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Town Administrator

From: OConnor, Robert (EEA) <robert.oconnor@mass.gov>
Sent: Thursday, August 31, 2023 4:07 PM
To: Town Administrator
Cc: Farny, Vanessa (EEA)
Subject: [External Sender]Woodland Partnership Fiscal Year 2024 Grants
Attachments: WP Peru FY 2024 Sept 2023.docx; WP Peru FY 2024 attach a and b.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hi Terry,

Congratulations! I am pleased to notify you that Peru has been awarded a Woodland Partnership Implementation Grant of \$20,000 for completing the restoration of the Pierce Scenic Way. We appreciate the extensive work Town staff are doing in implementing this work. With heavy rain storms becoming more frequent, restoring gravel roads to withstand future events is an important and difficult endeavor for the Town.

A press release from EEA announcing the awards will be made soon. I am sending you the contract for the Town to sign now so that we can move forward quickly. Please do not make any public announcements until I send you the EEA press release. I have also copied Vanessa Farny of EEA's Division of Conservation Services. Vanessa will be taking over the administration of these grants later this year as I phase into retirement. I have briefed Vanessa on the program and she is excited to take on this program along with other grant programs she ably administers.

Take care and let me know if you have any questions.

Bob O'Connor
EEA

Town Administrator

From: Bruce Cullett
Sent: Tuesday, September 5, 2023 10:18 AM
To: Town Administrator; Jesse Pelkey; Douglas Haskins; 'kinderhaus1@verizon.net'; Select Men; Highway Department; Tax Collector; Assessors; Peru
townclerk@townofperuma.com
Subject: Citizen Security annual fire alarm testing

To All:

Citizen Security will be conducting annual fire alarm testing at the Town Hall beginning at 0900 Tuesday September 12th. They will then conduct the testing at the Fire Station.

Thank you.

Sincerely,

Bruce W. Cullett
Chief of Police

Peru Police Dept.
3 East Main Road, #106
Peru, MA 01235

Ph: 413-655-8377
Fax: 413-655-2144

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Town Administrator

From: Bruce Cullett
Sent: Tuesday, September 5, 2023 10:48 AM
To: Town Administrator; Douglas Haskins; Select Men; 'kinderhaus1@verizon.net'
Subject: Tonight's meeting

Good morning,

I will not be able to attend tonight's BOS meeting. I have the following update for the meeting:

- The Expedition has been re-listed on Auctions International and bidding will close September 13th at 7:10 p.m. You can see the listing at <https://www.auctionsinternational.com/auction/34343/item/town-of-peru-ma-34343-213328>

Sincerely,

Bruce W. Cullett
Chief of Police

Peru Police Dept.
3 East Main Road, #106
Peru, MA 01235

Ph: 413-655-8377
Fax: 413-655-2144

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