

**ORDER OF BUSINESS**  
**COMMONWEALTH OF MASSACHUSETTS**  
 Berkshire, ss

To either of the Constables of the Town of Peru, in said County.

**GREETINGS:** In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Peru, qualified to vote in Town affairs, to vote meet in the Peru Fire Station, 11 East Main Road on Saturday, May 12, 2018 at 6:00PM for the Annual Town Meeting, then and there to take action on the following articles, namely:

The meeting was called to order at 6:00PM by Moderator Alan Gordon. There was a total of 34 registered voters in attendance and 4 guests.

Article 1: To choose a Moderator for the Annual Town Meeting if the elected Moderator is absent.  
 Moderator Alan Gordon is present.

Article 2: To see if the will vote to accept the reports of the several Town Officers.

A motion was made and seconded to accept the article as written.  
 Article carried unanimously by voice vote

Article 3: To see if the Town will vote to fix salaries of all elective officers as provided by Section 108 of Chapter 41 of M.G. L., or take any other action relative thereto:

Selectboard	
Member	\$ 3,403.00
Member	3,403.00
Member	3,403.00
Town Clerk	7,920.00

A motion was made and seconded to accept the article as written.  
 Article carried unanimously by voice vote

Article 4: To see if the Town will vote to fix salaries of the following appointed officers, or to take any other action relative thereto:

Assessors'	
Member	\$ 3,403.00
Member	3,403.00
Member	3,403.00
Treasurer	9,283.00
Tax Collector	9,283.00
Accounting Officer	9,283.00
Assistant Town Clerk	2,276.00
Animal Control Officer	1,715.00
Compactor Attendant	5,619.00
Police Chief	31,200.00
Forest Fire Warden	853.00
Inspector of Animals	853.00
Veterans' Agent	2,250.00
Council on Aging Director	578.00
Fire Chief	1,155.00
Cemetery Sexton	300.00
Town Auditor	1.00

A motion was made and seconded to accept the article as written.  
 Article carried unanimously by voice vote

A motion was made and seconded to move Article 22 forward.  
Motion carried unanimously by voice vote

Article 22: To see if the Town will vote to raise and appropriate the following sums of money for the following Central Berkshire Regional School District FY19 Assessment, or to take any other action relative thereto:

Transportation Assessment	\$ 38,610.00
Net Operating Assessment	818,174.00
Capital Assessment	<u>16,692.00</u>
Total Town of Peru Assessment	\$ 873,476.00

A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote

Article 5: To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or take any other action relative thereto:

Assessors' Salaries	\$ 10,209.00
Selectmen's Salary	10,209.00
Tax Collector's Salary	9,283.00
Town Clerk's Salary	7,920.00
Assistant Town Clerk	2,276.00
Treasurer's Salary	9,283.00
Accounting Officer's Salary	9,283.00
Animal Control Officer's Salary	1,715.00
Forest Fire Warden's Salary	853.00
Inspector of Animals Salary	853.00
Veterans' Agent Salary	2,250.00
Council on Aging Director	578.00
Fire Chief	1,155.00
Police Chief	31,200.00
Compactor Attendant	5,619.00
Cemetery Sexton	300.00
Town Auditor	1.00

A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote

Article 6: To see if the Town will vote to raise and appropriate the following sums of money for the following wage accounts, or to take any other action relative thereto:

Administrative Compensation Account	\$ 6,800.00
Elections & Registrar's Account	4,850.00

A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote

Article 7: To see if the Town will vote to raise and appropriate the following sums of money for the following wage accounts, or to take any other action relative thereto:

Assistant Assessor's Wage Account	\$ 18,900.00
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A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote

**Article 8:** To see if the Town will vote to raise and appropriate the following sums of money for the following wage accounts, or to take any other action relative thereto:

Town Administrator's Wage Account      \$ 20,000.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 9:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Assessors' Expense	\$ 1,000.00
Bank Service Expense	100.00
Animal Control Officer's Expense	800.00
Selectmen & Other Expenses	1,800.00
Tax Collector's Expenses	1,500.00
Tax Collector's Tax Taking Charges	1,500.00
Town Clerk's Expense	2,200.00
Town Report Expense	2,000.00
Treasurer/Accounting Expense	1,500.00
Treasurer Tax Title Expense	5,000.00
Board of Appeals Expense	100.00
U.S. Postal Expense	3,000.00
Health Department Expense	9,535.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 10:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Assessors' Annual Computer Support	\$ 3,800.00
Computer Supplies & Maintenance	9,900.00
Treas./Acct. Annual Computer Support	10,403.55
Tax Collector's Annual Computer Support	8,515.53
Assessors' Tax Map Maintenance	1,600.00
Continuing Education	6,530.00
Office Supplies	2,500.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 11:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Conservation Commission Expense	\$ 390.00
Interest on Loans	1,000.00
Legal Expense	10,000.00
Officers' Mileage	2,000.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 12:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Elderly Outreach	\$ 525.00
Council on Aging	200.00
Veterans Service	10,000.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 13:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto

Medicare – Town Share	\$ 5,500.00
Health Ins/Life & Dental	96,277.00
Town Insurance - All	41,000.00
Mass. Unemployment Insurance	1,100.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 14:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Partridgefield Playground	\$ 1,500.00
Peru Library	5,340.00
Mowing: Cemeteries, Town Hall, Town Park and Town Green:	6,000.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 15:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Town Buildings' Maintenance	\$ 16,000.00
Utilities – Electric	11,000.00
Utilities – Heating	15,000.00
Utilities - Telephone	2,000.00
Internet Communication Lines	8,400.00
Town Website Fee	2,000.00
Town Hall Janitorial Services	2,160.00
Board of Health Expense	450.00
Cemetery Expense	200.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 16:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto

Compactor	\$ 33,000.00
Northern Berkshire Solid Waste District	2,471.41

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 17:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Berk. County Sheriffs Dispatching	\$ 9,875.91
Berk. County Reg. Planning Comm.	658.40
Berk. County Retirement Assessment	44,343.00
Hinsdale Ambulance	2,000.00
Town Fire Station Mortgage Payment	16,093.88
Police Wages	40,056.00
Police Expenses	3,400.00
Police Cruiser Maintenance	2,400.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 18:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Peru Volunteer Firemen's Association Operating Expenses	\$ 20,000.00
Peru Volunteer Firemen's Association Insurances	8,025.00
Peru Volunteer Firemen's Association Building Maintenance	1,500.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 19:** To see if the Town will vote to raise and appropriate the sum of Sixty One Thousand and Two Hundred Dollars and No Cents (\$61,200.00) for the Highway Superintendent's annual wage account, or to take any other action relative thereto:

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 20:** To see if the Town will vote to raise and appropriate the following sums of money for the following accounts, or to take any other action relative thereto:

Gas & Fuel Account	\$ 27,630.00
Maintain Hard Surface Roads	18,000.00
Material, Gravel Roads	14,000.00
Road Machinery Maintenance	20,580.00
Snow Roads, Private	500.00
Snow Roads, Public	70,000.00
Town Highways & Bridges	16,750.00
Town Highway Garage Mortgage Payment	12,020.00
Highway Employee Wage Acct.	83,000.00
Future Machine/Vehicle Purchase	10,000.00
Highway Department Uniforms	2,500.00
Tree Removal	10,000.00
Temporary Summer Help	5,000.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 21:** To see if the Town will vote to raise and appropriate the following sums of money for the vocational education and transportation accounts:

Vocational School Tuition	\$180,000.00
Vocational School Transportation	63,675.00

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 22:** To see if the Town will vote to raise and appropriate the following sums of money for the following Central Berkshire Regional School District FY19 Assessment, or to take any other action relative thereto:

Transportation Assessment	\$ 38,610.00
Net Operating Assessment	818,174.00
Capital Assessment	16,692.00
Total Town of Peru Assessment	<u>\$ 873,476.00</u>

**A motion was made and seconded to move this article forward to follow Article 5.  
Motion carried unanimously by voice vote**

**Article 23:** To see if the Town will vote to raise and appropriate Four Thousand Two Hundred Dollars and No Cents (\$4,200.00) for a Paid Librarian for the Peru Library, or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 24:** To see if the Town will vote to transfer the sum of One Thousand Five Hundred Dollars and No Cents (\$1,500.00) from the dog license fees to the Peru Library Account, or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 25:** To see if the Town will vote to raise and appropriate Five Thousand Eight Hundred Fifty Dollars and No Cents (\$5,850.00) for the Reserve Fund or take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 26:**

To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Three Hundred and Seventy Nine Dollars and Thirty Three Cents (\$30,379.33) to cover the cost overrun of the FY18 Snow Road Public Account or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 27:** To see if the Town will vote to transfer from Free Cash the sum of One Hundred and Twenty Five Thousand Dollars and No Cents (\$125,000.00) for partial payment for the purchase of a New 2019 International Model 7500 Highway Plow Truck or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 28:** To see if the Town will vote to transfer from Free Cash the sum of Ten Thousand Dollars and No Cents (\$10,000.00) for maintenance of hard surface roads for the Highway Department or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 29:** To see if the Town will vote to transfer from Free Cash the sum of Eight Thousand Dollars and No Cents (\$8,000.00) for material for gravel roads for Highway Department or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 30:** To see if the Town will vote to transfer from Free Cash the sum of Six Thousand and Eight Hundred Dollars and No Cents (\$6,800.00) for Assessor's Computer Software Conversion/Update or to take any other action relative thereto

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 31:** To see if the Town will vote to transfer from Free Cash the sum of Nineteen Thousand and Eighty Five Dollars and No Cents (\$19,085.00) for the preservation of Town Records, or to take any action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 32:** To see if the Town will transfer from Free Cash the sum of One Thousand and Six Hundred and Sixty Seven Dollars and No Cents (\$1,667.00) for a partial payment for the set-up of a new Town Website or take any other action thereto

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 33:** To see if the Town will transfer from Free Cash the sum of Eight Thousand Dollars and No Cents (\$8,000.00) for an upgrade to a High Efficiency Gas Boiler for the Town Garage or take any other action thereto

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 34:** To see if the Town will vote to transfer from Free Cash the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) to offset the Town Tax Rate or take any other action thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 35:** To see if the Town will vote to appropriate from Chapter 90 funds that are, or may become, available to the Town during the FY19 for Roadway Projects and Repairs, and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth, or take any other action in relation thereto

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 36:** To see if the Town will vote to authorize the Board of Selectmen, or other Town Departments with the approval of the Board of Selectmen, to apply for and accept grants from the Federal Government, Commonwealth of Massachusetts or any other source, and to expend the same for purposes received without further appropriation, or to take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 37:** To see if the Town will vote pursuant to G.L. c.44, sec. 53E1/2 to amend the General Bylaws by inserting a new bylaw establishing various revolving funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows: There is hereby established in the Town of Peru, pursuant to the provisions of G.L. c.44, sec. 53E1/2, the following Revolving fund: Inspectional Services by the Building Inspection Department, Electrical Inspection Department, Gas/Plumbing Inspection Department, and Fire Inspection Department.

Authorized to spend Funds: The Town of Peru Treasurer

Revenue Source: Fees and Charges by inspectors listed under this Bylaw.

Use of Funds: To pay Inspectors ninety per cent of fees and charges collected under this Bylaw, and the Town of Peru ten per cent under this Bylaw.

Expenditures from each revolving fund set forth herein shall be subject to the limitation established by Town Meeting or any increase therein as may be authorized in accordance with G.L. c.44, sec 53E1/2.

And, further, to set FY2019 spending limits for such revolving funds as follows: Program or Purpose is Inspectional Services; FY 2019 spending limit is \$14, 413.00, or take any other action relative thereto.

**A motion was made and seconded to accept the article as written.  
Article carried unanimously by voice vote**

**Article 38:** To see if the Town will adopt as a General By-Law, entitled “Stretch Energy Code” for the purpose of regulating the design and construction of buildings for the effective use of energy, pursuant to Appendix 115.AA of the Massachusetts Building Code, 780 CMR, the Stretch Energy Code, including future editions, amendments or modifications thereto, with an effective date of July 1, 2019, to provide as follows:

Section 1: Definitions

International Energy Code (IECC) – The International Energy Conservation Code (IECC) is a building energy code created by the International Code Council. It is a model code adopted by many state and municipal governments in the United States for the establishment of minimum design and construction requirements for energy efficiency, and is updated on a three-year cycle. The baseline energy conservation requirements of the Massachusetts State Building Code are the IECC with Massachusetts amendments, as approved by the Board of Building Regulations and Standards.

Stretch Energy Code – Codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA of the Massachusetts Building Code, the Stretch Energy Code is an appendix to the Massachusetts Building Code, based on further amendments to the International Energy Conservation Code (IECC) to improve the energy efficiency of buildings built to this code.

Section 2: Purpose

The purpose of 780 CMR 115.AA is to provide a more energy efficient alternative to the Base Energy Code applicable to the relevant sections of the building code for new buildings.

Section 3: Applicability

This code applies to residential and commercial buildings. Buildings not included in this scope shall comply with 780 CMR 115.AA, as indicated.

Section 4: Stretch Code

The Stretch Code, as codified by the Board of Building Regulations and Standards as 780 CMR Appendix 115.AA, including any future editions, amendments or modifications, is herein incorporated by reference into the Town of Peru General By-Laws.

The Stretch Code shall be enforceable by the Building Inspector and effective with a concurrency start date of July 1, 2018, and a sole effective date of January 1, 2019 or take any other action relative thereto.

**A motion was made and seconded to amend the article from July 1, 2019 to read as July 1, 2018. The amendment carried unanimously by voice vote.**

**A motion was made and seconded to amend Section 4 from January 1, 2019 to read as July 1, 2018 and to remove the word concurrency.**

**The amendment carried unanimously by voice vote**

**Amended article carried unanimously by voice vote**



**Article 39:** To see if the Town will vote to authorize the Board of Selectmen and the Board of Assessors to negotiate and enter into a Payment in Lieu of Taxes Agreement known as a "Pilot" or "Tax Agreement" pursuant to the provisions of Massachusetts General Laws Chapter 59, Section 38H(b), or any other enabling authority, between the Town of Peru and CVE (Group) North America, Inc., its successor or affiliate, on such terms and conditions and for such term as negotiated by the Board of Selectmen and the Board of Assessors, for payment in lieu of taxes related to personal and/or real property associated with a solar renewable energy generation facility to be installed, owned and operated by such entity on land owned by John P. Kane, Mary E. Munch and identified as Assessors' Parcel Map 27, Lot 53, all as set forth in said PILOT; and further to authorize the Board of Selectmen and the Board of Assessors to take such action as may be necessary to carry out the vote taken hereunder; or to pass any vote or votes in relation thereto.

**A motion was made and seconded to accept the article as written  
Article carried unanimously by voice vote**

**A motion was moved and seconded to close this Annual Town Meeting at 8:19 PM**

ATTEST:

This is a true copy.

Kim Leach

Town Clerk

Certified: June 18, 2018



ATTEST:

This is a true copy.

*Kim Leach*

Kim Leach

Town Clerk

Certified: May 4, 2018

You are directed to serve this warrant with your doing thereon to the Town Clerk or the Board of Selectmen at the time and place of said meeting.

Given under our hands this 4<sup>th</sup> day of May, 2018.

BOARD OF SELECTMEN

  

Verne Leach, Member

Bruce Cullett, Chair

Edward Munch Jr. Member

I have served this Warrant as directed above.

Places of Posting: Bulletin Board at Town Hall, Transfer Station, Library, Community Center.

ATTEST:



Constable

5/4/18

Date

120 PM

Time

Posted: May 4, 2018

