

TOWN HALL 3 EAST MAIN ROAD PERU, MA 01235

SELECT BOARD MEETING MINUTES: July 8, 2024 @ 6:40 P.M.

Town Hall Meeting Room

Verne Leach, Chair Selectman/ACO
Ed Munch, Selectman
Sam Haupt, Selectman
Justin Russell, Highway Superintendent
Bruce Cullett, Police Chief
Terry Walker, Town Administrator
Peggy White, Board of Health
Valerie Bird, Board of Health

Public Attendees: Branden Mascolo, Paul Bianco, Nanette Mone

Item 1: Call to order: 6:40 P.M.

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

Item 3: State Recording status: Selectman Leach recording for personal reasons under exemption E
Nanette Mone, Board of Health, recording

Item 4: Pledge of Allegiance to the Flag: Led by Selectman Leach

Item 5: Review and Approve BOS Meeting Minutes for 6/24/2024):

Selectman Leach motion to approve 6/24/2024 minutes pending changes, Selectman Munch second, 3-0.

Item 6: Update of Departments:

Emergency Management Director, Bruce Cullett:

- EMD, Cullett mentioned that the EMPG Grant application is due on August 30, 2024, and he will notify the Highway and Fire Department of the grant.

Police Chief, Bruce Cullett:

- Chief Cullett mentioned he tried to use the last 2 days of his vacation time in FY24 but was unsuccessful. Chief Cullett asked if he could use his two days in July. Selectman Leach felt that it was reasonable to take the days off in FY25. The Board of Selectmen were in agreement.

Highway Superintendent Russell:

- Superintendent Russell mentioned that line painting on Middlefield Road and North Road has been completed with Fair Share funds from the state. The total awarded to the town was \$94,180.00 and the unspent balance will be set up as Chapter 90 funds.
- Superintendent Russell mentioned that Curtin Road needs 2 more culverts and August Smith Road needs 1 culvert. Superintendent Russell mentioned that the County bids for fuel have come in

Peggy White, Board of Health

- Peggy White, Board of Health, mentioned that the Board of Health updated the permit fees for the Board of Health and is posted on the town website.
- Peggy White mentioned that the well-regulations had been sent to the Central Register in Boston. Peggy asked TA Walker if she had received the returned receipts since TA Walker sent the packets certified mail. TA Walker mentioned that she had not received the signed cards. Peggy White asked why she did not follow up with something so important. Peggy explained that the originals were mailed, and she did not have copies of the newspaper clipping of the Public Hearing notice. TA Walker stated that she did not receive the certified mailing receipts because she was instructed to use the Board of Health box number 103 on the return receipts. Since TA Walker does not have a key to Box 103, she did not have the certified mailings receipts. Peggy White asked Valerie Bird, Board of Health Agent, to check to see if the returned receipts for the certified mailings were in Box 103.
- Hogweed: Peggy White mentioned that hogweed is very invasive and is growing at 55 East Windsor Road. The property has been sold and Peggy assumed that the Board of Selectmen and Highway Superintendent Russell had taken care of the hogweed. Peggy mentioned that this has been an ongoing issue. She mentioned that when Caleb Mitchel hired someone to spray the hogweed that the Board of Health turned this over to the Board of Selectmen. Highway Superintendent Russell thought that Peggy had already hired a company to spray the hogweed. Peggy White gave the Highway Superintendent the phone number of the company that will spray the hogweed. Peggy is hoping to get answers from Highway Superintendent Russell. Board of Health Agent, Valerie Bird, asked the BOS if there are funds to pay for spraying the hogweed. Selectmen Leach stated that the town will find money to pay for spraying the hogweed.
- Peggy White, Board of Health, mentioned that there seems to be a lot of confusion with the Board of Health invoices. Peggy White mentioned that she sends invoices to TA Walker and Selectman Leach. TA Walker mentioned that she has emailed the Board of Health to set up a meeting and give instructions on how all departments submit invoices. The Board of Health members were not able to meet with TA Walker and learn the process for submitting invoices which is required by the accountant. TA Walker asked permission from the BOH to submit and sign off on overdue invoices. Peggy White stated that Darryl Darby will be the liaison and meet with TA Walker on the process for submitting invoices. TA Walker mentioned that she had signed off and paid all invoices for the BOH.
- Peggy White, Board of Health, mentioned that all well testing results are within normal limits.

Town Administrator Walker:

- Renatus Solutions removed all the computers / printers from the crawl space and disposed them accordingly.
- Mini-splits for Highway and Police Department-Patrick Mahoney from Guardian Energy needed 3 forms to move forward, and TA Walker is taking care of this.
 - Form ST-5C
 - Town's W9
 - Form ST2

Item 7: Update on mold in the Community Center with input from State Department of Public Health:

A letter was received from the Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development, Department of Labor Standards. The letter alleged hazards are as follows: Item 01: indoor exposure to mold. Selectman Leach mentioned that the Department of Labor and Standards requires the following action:

1. Evaluate the alleged hazards to determine if corrections are required to provide a safe workplace.
2. Send the Department of Labor Standards documentation to show the alleged hazard has been corrected.
3. The Response due date is July 22, 2024.

Selectman Leach mentioned that they are looking for information on how the mold is being handled. Jay Jewell will install a negative air filtration unit, and the door to the crawl space has been sealed. The Board of Selectmen has a Keep Out sign in the basement.

Selectman Leach mentioned that electrical outlets will be installed in the basement and in the Tax Collector/ Treasurer's office. New outlets in the Tax Collector/Treasurer's office will prevent the circuit breaker from tripping. Selectman Haupt mentioned that the BOS needs a long-term remediation plan. Peggy White, Board of Health mentioned that Dan Hassett, BRPC Health Alliance, reported on the mold issue in the basement. Peggy White, Board of Health also mentioned a mold analysis from February 14, 2022, and believes the mold is nontoxic. Selectman Leach mentioned that TA Terry Walker and IT entered the Building Inspector's office because his computer was not connected to the server. TA Walker stated in an email to the BOS that the mold and musty smell in the Building Inspector's office was so intense she had a migraine for 2 days. Selectman Leach mentioned that he and Valerie Bird went into the Building Inspector's office and couldn't smell mold. Valerie Bird, Board of Health Agent, mentioned that mold doesn't bother her, and everyone is different especially if they are sensitive to mold. Peggy asked if the Board of Health could do a walk through with the Massachusetts Department of Labor Standards. The Board of Selectmen didn't have a problem with the Board of Health accompanying the state officials. Selectman Leach mentioned that he will be the primary contact with the State Department of Public Health and TA Walker will not be in contact with the state because she is unaware of what is going on in the basement. Selectman Leach wants someone to do an air quality analysis before the heat is turned on for the winter months. Selectman Leach will keep everyone updated.

Item 8: Discuss on the Town Hall Front door lock: Selectman Leach mentioned that the front door lock needs to be fixed and there are a lot of keys that haven't been returned. Selectman Leach suggested a touch pad lock, and everyone would have their own code. Selectman Haupt will get an estimate from a lock shop. Selectman Leach placed on hold.

Item 9: Discussion regarding status of completion of broadband network including next steps: The Board of Selectmen sent a letter of support to Charter and MBI. Only Internet providers can apply for Phase 2 Gap funding.

Item 10: Discussion and possible vote on Administrative Assistant, name and duties: Selectman Leach placed on hold.

Item 11: Review and approve Accounts Payable, Treasury Warrant and Payroll Warrant: V01-2025, V27-2024, P01-2025, P27-2024

Item 12: Public Input: Paul Bianco was concerned about a structure that will be abutting his property. He believes the structure will be a horse barn and the abutter does not have a building permit. Mr. Bianco mentioned that Building Inspector Tim Sears's computer is down and believes 21 Bonny Lane is an empty lot. Mr. Bianco mentioned that his neighbor heard that there will be 5 horses at 21 Bonny Lane, and he is concerned about his water supply being polluted by manure. Selectman Leach mentioned that Peru has a Right to Farm by Law and is anticipating that Building Inspector Sears will do a site inspection next week. Selectman Leach stated that the Building Inspector will take care of the issue if the resident does not have a building permit. Selectman Munch mentioned that the water supply issue should be discussed with the Board of Health. Selectman Munch mentioned that if the owner did not obtain a building permit there would be a problem. Selectman Leach assured Mr. Bianco that the town will do what is right according to the law. Mr. Bianco stated that he will be back next week.

Selectman Leach mentioned that TA Walker has asked to purchase an air purifier for her office, Selectman Leach motion for Terry to purchase an air purifier for her office and keep the price within reason, Selectman Munch second, Selectmen Haupt agreed, 3-0.

Item 13: Adjourn: Selectman Leach motion to adjourn the 7/8/2024 BOS Meeting, Selectman Haupt second, 3-0. The 7/8/2024 BOS Meeting adjourned at 7:55 P.M.

Articles used:

Warrant V01-2025, V27-2024, P27-2024, P01-2025

Letter from Massachusetts Department of Labor Standards/Workplace Safety and Health Program

Email from TA Walker regarding air purifier

Terry Walker

Town Administrator

Verne Leach, Chairman

Sam Haupt, Selectman

Ed Munch, Selectman

Date Approved: 7-22-24

Received July 22, 2024 Kim Leach, Town Clerk

Town Administrator

From: safepublicworkplace (DLS) <SafePublicWorkplacemailbox@mass.gov>
Sent: Friday, July 5, 2024 12:17 PM
To: Town Administrator
Subject: [External Sender]25S-6402 Peru Town Hall Mold Investigation
Attachments: 24S-6402 Peru Town Hall Mold Investigation.pdf

Importance: High

Dear Administrator Walker,

Attached is an Alleged Workplace Hazard Investigation letter from the Massachusetts Department of Labor Standards (DLS) regarding conditions related to mold at the Peru Town Hall building.

A response is due by July 22, 2024.

A Response Form is included in the Alleged Workplace Hazard Investigation letter, to be signed and submitted with relevant documentation.

Do not hesitate to contact us with any questions.

Thank you,

Massachusetts Department of Labor Standards
Workplace Safety and Health Program
(508) 616-0461, Option #1
safepublicworkplacemailbox@mass.gov



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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

MAURA HEALEY
GOVERNOR

KIM DRISCOLL
LIEUTENANT GOVERNOR

LAUREN E. JONES
SECRETARY

MICHAEL FLANAGAN
DIRECTOR

July 5, 2024

Town of Peru
3 East Main Road
Suite 100
Peru, MA 01235
Via email: townadmin@townofperuma.com

DLS File Number: 25S-6402

ATTN: Terry Walker, Town Administrator

ALLEGED WORKPLACE HAZARD INVESTIGATION

The Department of Labor Standards (“DLS”) has been made aware of alleged health and safety hazards at the workplace maintained by your department at the Town of Peru, Town Hall.

Pursuant to 454 CMR 25.00, it is the responsibility of the Department of Labor Standards to investigate occupational hazards in the workplace, to recommend controls to reduce such hazards, and to assist counties, municipalities, and state agencies to ensure compliance with applicable workplace safety and health laws, regulations, and recognized industry standards.

The alleged hazards are as follows:

Item 01: indoor exposure to mold

We have not determined whether or not the alleged hazards exist in your workplace, and we do not plan to conduct an on-site inspection at this time. However, we request that you investigate the alleged hazards and respond back to the Department of Labor Standards with your findings and corrective actions.

The Massachusetts Department of Public Health – Indoor Air Quality Program can assist you to evaluate sources of water damage in your facility. They can visit your facility free of charge.

Web site: <https://www.mass.gov/orgs/indoor-air-quality-program> Phone: 617-624-5757

The Department of Labor Standards requires the following action:

1. Evaluate the alleged hazards to determine if corrections are required to provide a safe workplace.
2. Send The Department of Labor Standards documentation to show that the alleged hazard has been corrected. A Response Form is enclosed with this letter (Attachment A).

The Response Due Date is July 22, 2024.

A Response Form is provided at the end of this document. Respondents may use their own format. You may also send supporting documentation, such as photographs, or purchase orders along with the response form.

If The Department of Labor Standards does not receive your completed response by the due date, your worksite may be considered for an immediate on-site inspection.

Please note that it is against the law for employers to retaliate or discriminate in any way against an employee for raising safety and health issues or for exercising their rights under M.G.L. This includes the right to report a work-related injury or illness to their employer, or to contact The Department of Labor Standards.

For questions about this alleged workplace hazard investigation or require additional assistance, please contact:

Workplace Safety and Health Program
Massachusetts Department of Labor Standards
72 School Street, Taunton, MA 02780
safepublicworkplacemailbox@mass.gov and 508-616-0461 x1

Approved by:

Maria Colon

Maria Colon, CIH
Supervisor
Workplace Safety & Health Program for Public Employees

Enc:

Workplace Safety and Health Program Investigation Response Form

Attachment A
Investigation Response Form

Workplace: Town of Peru, Town Hall Building

Please complete this form using additional sheets if necessary to document the results of your evaluation of the alleged hazard ins the workplace and, where relevant, the actions you have already taken or the actions that you will take to address the alleged problem. Please include any supporting documentation such as written policies, photographs and/or purchase orders.

Item No. 01

Correction Date: _____

Corrective Action Taken: _____

I attest the information contained in this document is accurate.

(Respondents who use their own form must include this statement with their signature.)

Employer name and title (printed/typed): _____

Signature _____ Date _____

Return To:

Workplace Safety and Health Program
Massachusetts Department of Labor Standards
72 School Street, Taunton, MA 02780
safepublicworkplacemailbox@mass.gov and 508-616-0461 x1

Office Use Only

Date Case Closed _____ On Site Inspection Needed _____ Initials _____

Town Administrator

From: Town Administrator
Sent: Monday, July 8, 2024 4:58 PM
To: Select Men; 'kinderhaus1@verizon.net'; Sam Haupt
Subject: RE: hours

It is plugged in and has been plugged in since April 2023. It doesn't seem to be taking care of the dust etc. Air quality is not good in TA office.

Terry

From: Select Men <selectman@townofperuma.com>
Sent: Monday, July 8, 2024 4:20 PM
To: Town Administrator <townadmin@townofperuma.com>; 'kinderhaus1@verizon.net' <kinderhaus1@verizon.net>; Sam Haupt <shaupt@townofperuma.com>
Subject: Re: hours

There is a air scrubber in your office the town bought and it take care of 200 SQ. Feet, is it plugged in.

From: Town Administrator <townadmin@townofperuma.com>
Sent: Sunday, July 7, 2024 9:20 PM
To: Select Men <selectman@townofperuma.com>; 'kinderhaus1@verizon.net' <kinderhaus1@verizon.net>; Sam Haupt <shaupt@townofperuma.com>
Subject: hours

Hi everyone,

I had to meet with Renatus on Wednesday, July 3rd and let her in Building Inspector's office.

The air quality in the Building Inspector's office is terrible. I couldn't stay in Tim's office while Kim from Renatus was reconnecting Tim to the server.

Instantly, I got a migraine from the musty, moldy smell in his office. I need to try and limit my time at town hall and cannot work those 12-hour days at town hall. I drive home with a migraine nearly every day I am at town hall.

I don't know if the air from crawl space is being forced to the main floor but I have been having trouble breathing, coughing more than normal and I believe it is because of my severe sensitivity to mold.

Can I buy an air purifier for my office?

Please understand that I will not send this email to anyone else.

I love my jobs and hopefully there will be a resolution soon.

Terry Walker
TA Peru