



Town of Hermon

Public Safety Meeting Room

December 28, 2017

Town Council Meeting

7:00 PM

MINUTES

Council Meetings may be viewed live online and are archived after the meeting has taken place – check hermon.net for link.

ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

I. CALL TO ORDER BY CHAIRPERSON

Chair Thomas called the meeting to order at 7:00pm.

II. PLEDGE OF ALLEGIANCE

Chair Thomas led those in attendance in the Pledge of Allegiance.

III. ROLL CALL

Members Present: Steve Thomas, Doug Sinclair, John Snyder, Steve Watson, Donna Ellis and Tim McCluskey

Members Absent: Jeanne Jacques

Others Present: Town Manager Howard Kroll, Town Clerk Ruth A. Nickerson, Superintendent Gary Gonyar, Jason Davis, Tony Reynolds, Sgt. Pelletier, Lewis McEacharn and Dana Hill.

Councilor Watson moved to excuse the absence of Councilor Jacques. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

IV. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, And APPROVAL OF MINUTES:

WARRANTS. –SIGN 12/29/2017

Councilor Watson moved to approve the Consent Calendar as presented. Councilor Snyder seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.



V. NEWS, PRESENTATIONS AND RECOGNITIONS

None

VI. PUBLIC ITEMS OR COMMENTS (*Items Not Already on Agenda*)

None

VII. PUBLIC HEARINGS

None

VIII. COMMITTEE REPORTS

None

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

#1. Consider authorizing a change order for the construction project at the Elementary School.

The Town Manager told how a change order request has been received with regard to the roof at the Elementary School. The original plans for construction include roofing the new wing, however, the Superintendent alongside the School Committee has asked us to consider putting a new roof on the entire building. The Manager recommended holding a Special Town Meeting on January 25, 2018 to obtain approval from the voters to expend monies for the roof. Superintendent Gary Gonyar spoke to the Council telling how the existing roof was placed in 2009 or 2010. He explained that he would prefer to move monies around that are currently sitting in reserve funds, but needs to meet with the School Board before making that request. The Manager offered to carry this agenda item over to the meeting on January 11, 2018. Discussion can continue after the School Committee Meeting on the January 8, 2018. Responding to Chair Thomas, Manager Kröll affirmed that this project would indeed go out to bid. He specified that the specs for the new addition would need to be followed and that the roof is not to be pieced or patched together. Again, responding to Chair Thomas, Manager Kröll stated that we will make application to the Maine Bond Bank in the spring for long term financing of this project.

Councilor Sinclair moved to table this agenda item until the next Council meeting on 1/11/18. Councilor Watson seconded the motion. The motion was accepted without doubt. The motion carries.



#2. Consider action regarding MRC Municipal Withdrawal Agreement

Manager Kroll reminded the Council that the Town of Hermon is one of the municipalities that chose not to go with Fiberight and is no longer a part of the Municipal Review Committee. Legal Counsel has reviewed the Withdrawal Agreement. He requested the Council approve signing the MRC Municipal Withdrawal Agreement.

Councilor Sinclair moved to approve R17-18-33. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.

The motion carries.

***(R17-18-33 is attached for review.)**

#3. Consider approving Recreation Advisory Committee Bylaws

Chair Thomas offered some revisions to the proposed bylaws. He asked that the second sentence under item #1, on page 2, be re-written as it is confusing to read. On the same page, item #3 seems to conflict with the fact that the Council is appointing the Committee members. Manager Kroll explained that he would be looking to the Chair to make sure the Committee is meeting regularly and in the future to replace or find new members. Chair Thomas asked that we make sure the meetings are advertised in order to facilitate citizen participation. He also pointed out that under Section V., Member Eligibility, the terms should be staggered 2 yr. and 3 yr. terms in the beginning. In response to Chair Thomas, Manager Kroll affirmed that the Parks and Rec Director will be the secretary for this committee. The remaining Council members agreed with the changes proposed by Chair Thomas and agreed to approve the Recreation Advisory Committee Bylaws as amended this evening.

Councilor Snyder moved to approve R17-18-34. Councilor Watson seconded the motion. The motion was accepted without doubt.

The motion carries.

***(R17-18-34 is attached for review.)**

B. NEW BUSINESS

#4. Consider scheduling a Public Hearing for Hermon Golf Inc. – Annual Liquor License.

Manager Kroll explained this is annual housekeeping for Hermon Golf Inc. However, before a Liquor License can be approved by the Council a Public Hearing must take place.

Councilor Sinclair moved to approve R17-18-35. Councilor Watson seconded the motion. The motion was accepted without doubt.

The motion carries.

***(R17-18-35 is attached for review.)**



#5. Consider authorizing payment for invoice #7, School Construction Project

Manager Kroll asked for authorization to pay \$310,136.55 for invoice #7 of the Patricia A. Duran Elementary School. Councilor Snyder asked about some of the purchases represented on the invoice. Lewis McEacharn was at the meeting and responded to Councilor Snyder's question. He told how monies for any items purchased have been included in the Guaranteed Maximum Price and are not above and beyond what has already been approved for the budget of this project. He affirmed that there are some items that will become property of the Town of Hermon when the project is complete. The Council participated in a discussion with Lewis regarding the billing process for this project. In response to Councilor Sinclair Mr. McEacharn explained that there are 7,000 items that the State deems consumable. These items are subject to sales tax. However, the State does provide an exemption from sales and use tax on items which will be physically incorporated in real property of an exempt organization. This exemption only applies to lumber, hardware, doors and windows, nails, insulation and other building materials actually affixed to realty. Tools, wearing apparel, consumable supplies, machinery and equipment used by the contractor are taxable even if purchased specifically for the exempt job.

Councilor Watson moved to approve FR17-18-44. Councilor Snyder seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.

The motion carries.

**(FR17-18-44 is attached for review.)*

#6. Consider authorizing payment for invoice #4, Rec Center Design

Manager Kroll explained that this is payment #4 for design services of the Recreation Center.

Councilor Snyder moved to approve FR17-18-45. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.

The motion carries.

**(FR17-18-45 is attached for review.)*

#7. Consider authorizing payment for Pump Station Maintenance.

The Town Manager informed the Council that Bangor Realty installed 2 pump stations on Meadow Ridge Drive in 2010. The Town finally accepted Meadow Ridge Drive as a Town road in 2016. Bangor Realty has repaired and maintained the pump station since they were installed. This is not typical. We should have accepted the sewer pump lift stations as part of the site plan review, taking responsibility for the maintenance then and we did not. It is not fair when we do not treat developers the same. The Council agreed, a developer should never be made responsible for the maintenance of a pump station. Councilor McCluskey asked if the costs lay on the taxpayers or if there is an escrow account established holding funds for such? The Manager affirmed that it lies on all the taxpayers. He agreed that there should be a part of the occupancy



permit process that includes the coordination of connecting public sewer and water for new development.

Councilor Watson moved to approve FR17-18-46. Councilor Snyder seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.

The motion carries.

**(FR17-18-46 is attached for review.)*

C. WORKSHOPS

None

D. OTHER ITEMS (from Table Package)

Councilor Sinclair moved to consider items in the Table Packet. Councilor Watson seconded the motion. The motion was accepted without doubt.

The motion carries.

#9. Consider- Authorizing Town Manager to spend an amount not to exceed \$10,916.00 from the Legal Liability Reserve Account (HERM03) to pay settlement costs.

Chair Thomas explained that this is a legal settlement that the Town must pay. Manager Kroll offered no additional information.

Councilor Sinclair moved to approve FR17-18-47. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas, 0 Nays; Councilor Jacques absent.

The motion carries.

**(FR17-18-47 is attached for review.)*

**#10. Consider authorizing the Town Manager to sign quit claims for:
M/L 027-108-000, M/L 021-070-000, M/L 020-023-000 and M/L 020-024-000**

Manager Kroll informed the Council that the quit claims they are being asked to sign tonight are for the 4 foreclosure properties that were recently sold.

Councilor Watson moved to approve R17-18-37. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

**(R17-18-37 is attached for review.)*

X. APPOINTMENTS

#8. Consider approving appointment of Recycling Committee Members.



Manager Kroll stated that the Recycling Committee has the potential to be a very important committee in our community. While the citizens do seem to like having the recycling dumpsters here, there are several options to consider with regard to recycling in our community. Additionally, the development of the Recycling Committee is a Council Goal this year. He thanked the citizens who have stepped up to serve on this committee. They include, Ted Harris, Fran Tracy-Dunn, Sherry Andrei, Steve Cole and Dana Hill.

Councilor Watson moved to approve R17-18-36. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

**(R17-18-36 is attached for review.)*

XI. MANAGER STATUS REPORT:

Thank You to Gardner Construction and our Public Works crew. Christmas was a challenging day.

Congratulations Deputy Ken York. Welcome home and congratulations on your recent graduation from MCJA. We're glad to have you back on duty.

Capital Improvement Plan -we will begin working on in January and will complete in February.

Happy New Year! See you in 2018.

XII. FINAL PUBLIC ITEMS OR COMMENT (*Items Not Already on Agenda*)

Dana Hill lives on Streamside Avenue. He has been appointed to the Recycling Committee. He asked the Council for their input with regard to the purpose of the Committee and specifically if the Council really cares about recycling. The Manager responded, stating this is an important service that we need to improve. Councilor Sinclair told Mr. Hill that the Council is counting on the committee to create some excitement regarding recycling.

XIII. COUNCIL ITEMS:

Councilor Sinclair offered his thanks and appreciation for the Christmas decorations in the village. "They look good."

Councilor Thomas asked the Manager if he had any news regarding Fiberight's progress. The Manager stated they are under construction and working on it, but will not be ready for April 1, 2018.

XIV. EXECUTIVE SESSION:

None

XV. ADJOURNMENT:



Councilor Sinclair moved to adjourn the meeting at 8:08pm. Councilor Watson seconded the motion. With no objection the meeting was adjourned.

Respectfully Submitted,

**Ruth A. Nickerson, CCM
Town Clerk**