



Town of Hermon

Public Safety Meeting Room

November 29, 2018

Town Council Meeting

7:00 PM

AGENDA

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

MINUTES. -APPROVE 10/18/2018 Minutes, 10/25/2018 Minutes

WARRANTS. -SIGN 11/30/2018 Warrant

RESOLVES. -SIGN

NEWS, PRESENTATIONS AND RECOGNITIONS

A recognition of Ntensions Corporation. Plaque presentation

A recognition of Gardner Construction Company. Plaque presentation

A recognition of former Assistant Chief Eric Pelletier. Presentation

A promotion of Captain Cody Sullivan to Assistant Chief. Administer oath of office.

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

VII. PUBLIC HEARINGS



VIII. COMMITTEE REPORTS

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

B. NEW BUSINESS

- FR18-19-33 Consider transferring funds to the Hermon Middle School Department to pay for repairs to the gym floor.**
- FR18-19-34 Consider accepting bid for Surplus property - police cruiser.**
- FR18-19-35 Consider authorizing the Town Manager to sign an agreement with MDOT for a Business Partnership Initiative Grant in the amount of \$175,000 and to prepare a Special Town Meeting Warrant to transfer and accept funds to meet the grant requirements.**

APPROVE SPECIAL TOWN MEETING WARRANT APPROVAL – FOR 12/20/2018 or 1/24/ 2019

- R18-19-17 Consider Review proposed TIF (Gardner Construction Enterprises)
Consider scheduling a Public Hearing- 24 Jan 2019**
- R18-19-18 Consider Review proposed TIF (Hermon EZ Mart)
Consider scheduling a Public Hearing- 24 Jan 2019**
- R18-19-19 Consider Review proposed TIF (Ted McLeod Inc.)
Consider scheduling a Public Hearing- 24 Jan 2019**

C. WORKSHOPS

D. OTHER ITEMS (from Table Package)

X. APPOINTMENTS

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:



XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

Explanatory Note #2: In the interest of effect decision-making: At 10:00 p m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.



Town of Hermon

Public Safety Meeting Room

October 18, 2018

Special 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

II. PLEDGE OF ALLEGIANCE

Chair McCluskey 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, Jeanne Jacques

Members Absent: none

Others Present: Town Manager Howard Kroll.

XIV. EXECUTIVE SESSION:

Consider entering Executive Session to discuss an Economic Development matter per 1 M.S.R.A. 405(6)(C)

Councilor Watson moved to enter Executive Session to discuss an Economic Development matter per 1M.S.R.A. 405 (6)(C). Councilor Jacques seconded the motion. The motion was accepted without doubt.

The motion carries. Executive Session at 7:01 p.m.



XV. ADJOURNMENT:

Councilor Jacques moved to adjourn the meeting at 8:10 p.m.. Councilor Watson seconded the motion. With no objection the meeting was adjourned.

Respectfully Submitted,

**Howard Kroll
Town Manager**

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Town of Hermon

Public Safety Meeting Room

October 25, 2018

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

II. PLEDGE OF ALLEGIANCE

Chair McCluskey led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: Douglas Sinclair Sr., Steven Watson, John Snyder, Donna Ellis, Steven Thomas, Jeanne Jacques, and Timothy McCluskey

Members Absent: None

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Joshua Berry, Jeff Byers, Don Page, Geoff Gratwick, Tom Ellis, Camden National Bank, Machias Savings Bank, The first and approximately 8 residents.

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

MINUTES. -APPROVE 10-11-2018 Special Town Meeting Minutes, 10-11-2018 Minutes

WARRANTS. -SIGN

RESOLVES. -SIGN

Councilor Jacques moved to approve the Consent Calendar as presented. Councilor Watson seconded the motion. Motion passes 7-0.



V. NEWS, PRESENTATIONS AND RECOGNITIONS

Chief Roma presentation to Cody Sullivan for a promotion to Assistant Chief – postponed until 11/29/2018 meeting.

Banking presentations: Camden National Bank, Machias Savings Bank & The First

The above three banks made a final wrap up of what they proposed to the Town of Hermon for banking and investing.

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

Geoff Gratwick spoke on the health task force he is apart of in Augusta. He was happy to report this will be a formed committee beginning 1/2019.

VII. PUBLIC HEARINGS

VIII. COMMITTEE REPORTS

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

FR18-19-31 Dunbar & Brawn Construction invoice # 21

Councilor Snyder moved to approve FR18-19-31. Councilor Watson seconded the motion. The motion was accepted. Motion passes 7-0.

R18-19-15 Banking services for Cy2019, Cy2020 and Cy2021.

Councilor Sinclair moved to approve R18-19-15 with Camden National Bank. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 4-3.

B. NEW BUSINESS

FR18-19-32 Dunbar & Brawn Construction invoice # 22

Councilor Snyder moved to approve FR18-19-32. Councilor Watson seconded the motion. The motion was accepted. Motion passes 7-0.

C. WORKSHOPS

D. OTHER ITEMS (from Table Package)



X. APPOINTMENTS

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:

John Snyder: Asked Howard how many additional payments there would be for the School project?
Howard stated we are getting to the end of the project and felt possibly two additional bills.

Tim McCluskey: Asked for a punch list to be made, over the next year, of any issues for the new addition.
Howard will ask for this list.

Mr. McCluskey asked about taxes for industrial companies work regarding property is listed for 10,000 assessment but sells for 50,000. Josh Berry stated the first acre of land is taxed at a higher rate and the remaining acres are taxed as rear land. Sale price does not play into the taxes paid.

Jeanne Jacques: Concerned about the snow falling off the roof onto where children walk. Josh Berry stated snow breaks have been placed on the roof.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Jacques moved to adjourn the meeting at 8:47PM. Councilor Sinclair gave seconded. With no objection the meeting was adjourned at 8:47 PM.

Respectfully Submitted,

**Howard Kroll and Kristen Cushman
Town Manager and Town Clerk**

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

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MEMORANDUM

To: Members of the Hermon Town Council
From: Howard Kroll, Town Manager
Re: 29 November 2018 Town Council Meeting
Date: 16 November 2018

FR18-19-33 Transferring Funds to the Hermon Middle School Department to pay for repairs to the gym floor-

The Superintendent is requesting funds to pay the vendor who repaired the gym floor back in the Spring. Our insurance company has given us a check for their portion and we need to pay the rest out of school reserves.

Town Manager recommends approval

FR18-19-34 Accept bid for surplus cruiser

Staff is seeking Town Council's approval to sell the 2010 Crown Victoria to a resident for \$805. I suggest we accept is bid.

Town Manager recommends approval

FR18-19-35 Consider authorizing the Town Manager to sign an agreement with MDOT for a Business Partnership Initiative Grant in the amount of \$175,000 and to prepare a Special Town Meeting Warrant to transfer and accept funds to meet the grant requirements -

Staff is seeking Town Council's authorization to sign an agreement with MDOT and prepare a special town meeting warrant to accept the grant, accept payments from all parties (3 equal amounts based on bid amounts NOT proposed amounts) and to reimburse the town's general fund once the project is complete.

Town Manager recommends approval

**R18-19-17 Consider Review proposed TIF (Gardner Construction Enterprises)
Consider scheduling a Public Hearing- 24 Jan 2019**

Staff is seeking Council approval to schedule a public hearing on Thursday, 24 Jan 2019 to consider approving a TIF package for a Hermon Business.

Town Manager recommends approval

**R18-19-18 Consider Review proposed TIF (Hermon EZ Mart)
Consider scheduling a Public Hearing- 24 Jan 2019**

Staff is seeking Council approval to schedule a public hearing on Thursday, 24 Jan 2019 to consider approving a TIF package for a Hermon Business.

Town Manager recommends approval

**R18-19-19 Consider Review proposed TIF (Ted McLeod Inc.)
Consider scheduling a Public Hearing- 24 Jan 2019**

Staff is seeking Council approval to schedule a public hearing on Thursday, 24 Jan 2019 to consider approving a TIF package for a Hermon Business.

Town Manager recommends approval



HERMON SCHOOL DEPARTMENT
P.O. Box 6360, Hermon, ME 04402-6360
Phone: (207) 848-4000 #6000, Fax: (207) 848-5226

Gary J. Gonyar, Superintendent of Schools
Cindy Badger, Director of Special Services
Melissa Davis, Curriculum Coordinator
Jeffrey M. Wheeler, Director of Informational Services

To: Howard Kroll
From: Gary Gonyar
Re: Reserves
Date: 10/29/18

Please consider the following request:

1. At a future Town Council Meeting, approve the transfer of the sum of \$13,301.66 from the School Repair Reserve Account (Herm 07) to the Hermon School Department Accounts Payable #14000000073 to pay the invoice for repair of the Hermon Middle School gymnasium floor. This amount will be combined with the insurance check for \$10,098.34 to pay the total bill of \$23,400.

Note: invoices are attached.

Thank you.

Sincerely,

Gary J. Gonyar



INVOICE

October 10, 2018

Hermon Middle School
29 Billings Road
Hermon, ME 04401

Referencing: Gymnasium Floor Repair & Re-sand

Please regard this as a request for a progress payment for the Wood Athletic Flooring re-sanding at MS Gymnasium:

FOR THE SUM OF _____ **\$23,400.00**

Payment to be remitted to:
New England Sports Floors
33 Fowler Road
Lowell, MA 01854

Thank you,
New England Sports Floors

Howard Kroll will present bid information regarding Police Cruiser

<i>Internal Use Only</i>
TEDOCS #: _____
CTM#: _____
CSN#: _____

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION
BUSINESS PARTNERSHIP AGREEMENT**

WIN 021936.05

REGARDING

ROUTE 2 SHOULDER WIDENING, HERMON

This Cooperative Agreement (AGREEMENT) is entered into by and between the MAINE DEPARTMENT OF TRANSPORTATION (“MaineDOT”), an agency of state government with its principal administrative offices located on Child Street, Augusta, Maine, and the TOWN OF HERMON (“MUNICIPALITY”), a municipality in the State of Maine with offices located at 333 Billings Road, Hermon, ME.

WHEREAS,
HERMON shall develop and construct a 10 feet wide paved shoulder on the southerly side of Route 2, beginning approximately 350 feet westerly of White Pine Road and extending easterly 1,250 feet, inclusive of 150 feet long shoulder transition tapers (the “Project”). The total length of the 10 feet wide shoulder shall be 950 feet. HERMON estimates this project at \$175,000.00

HERMON SHALL:

- A. Procure all contracts for and oversee the Project on **ROUTE 2** for the Work outlined above.
- B. Cause such Work to be performed in accordance with a design by an engineer licensed in the State of Maine. The Licensed Engineer shall provide a certification to the Municipality and to MaineDOT that, in his/her professional opinion, the Project as designed will provide a smooth ride, not reduce the safety, mobility or structural quality of the state [state aid] road. All design documents must be stamped and signed in accordance with this provision by the Professional Engineer.
- C. Agree to secure all Federal, State and Local permits necessary to complete the work. HERMON also agrees to secure any needed property rights in accordance with all applicable State and Federal Laws.
- D. Agrees that any exceptions to State Design Standards shall be documented as part of this process. This documentation shall compare the new design to the existing conditions for each of the exceptions to current design standards. Any such exceptions shall be displayed on the cover sheet for the Project plans with the signature and PE stamp of the engineer responsible for the design of the Project.
- E. Be responsible, within the Project limits, for the following:

- a. Ensuring that the safety of the corridor and the life of the resulting structural and design elements are equal to or better than existing conditions and design;
 - b. Ensuring that the structures, roadways and/or design features affected by the Project work shall, at a minimum, be of equal dimensions to the existing features or structures and shall be of improved quality in terms of materials and utility;
 - c. Ensuring that the Project does not introduce any unanticipated safety hazards to the traveling public;
 - d. Ensuring that the Project retains the same level of mobility or improves mobility of travel within the corridor;
 - e. Ensuring that the Project does not in any manner decrease the life expectancy of this component of Maine's transportation system; and,
 - f. Ensuring that the Project meets the most recent standards of Americans with Disabilities Act of 1990 (ADA) design requirements.
- F. Provide certification through their Engineer to MaineDOT that the Project is complete and was constructed as designed.
- G. Ensure that construction shall commence within EIGHTEEN (18) months and shall be certified complete within THIRTY-SIX (36) months of execution of this agreement. **HERMON** may forfeit the unpaid balance of this grant if these deadlines are not met or they can not demonstrate earnest and good faith efforts to meet them.
- H. Be responsible for or cause its contractors to be responsible for all damage to public or private property of any kind resulting from any act, omission, neglect or misconduct of the **TOWN OF HERMON** or its contractors, including damage to vehicles passing through the Project limits.
- I. Bear all risk of loss relating to the Project and the Work regardless of cause.

MAINEDOT SHALL:

- A. **Provide a maximum \$58,333.33 in State funds supporting the Work stated above.** Reimbursement will be made by the Department at a minimum of 1/3 project completion upon receipt of supporting cost documentation from the Municipality. Payments will be made per Appendix A attached. The Department's Region Engineer shall review the costs and certify their eligibility prior to reimbursement of Business Partnership Initiative Funds. Payment by MaineDOT Business Partnership Initiative funds shall not exceed \$58,333.33 or 33.3% of the actual costs incurred and paid by the Municipality.
- B. **This project has been approved for Calendar Year 2019.** If the **Municipality** commences construction of the project as outlined above prior to January 1, **2019**, the Municipality assumes the risk and responsibility for costs incurred, in the event that funding levels fall below MaineDOT projections. If this occurs, the Municipality will not receive reimbursement from MaineDOT.

The **TOWN OF HERMON** and MaineDOT agree to function within all applicable laws, statutes, regulations, and **AGREEMENT** provisions; avoid hindering each other's performance; fulfill all obligations diligently; and cooperate in achievement of the intent of this **AGREEMENT**.

IN WITNESS, WHEREOF, the parties hereto have executed this **AGREEMENT** effective on the day and date last signed.

TOWN OF HERMON

Dated: _____

By: _____
Howard Kroll
Town Manager

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**

Dated: _____

By: _____
David Bernhardt, PE
Commissioner

APPENDIX A
PROJECT SCOPE AND COST SHARING
MAINE DEPARTMENT OF TRANSPORTATION

Business Partnership Initiative Project

MUNICIPALITY OF HERMON

PROPOSED IMPROVEMENTS TO: ROUTE 2

STATE PROJECT IDENTIFICATION NUMBER (WIN) 021936.05

FUNDED CONSTRUCTION YEAR 2019

Project Scope: Construction of 10 feet wide shoulder

Funding Outline: The Total Project Estimated Cost is \$ 175,000.00, and the Parties agree to share costs through all stages of the Project under the terms outlined below.

Work Element	Municipal/Business Share		State Share		Total Cost
	%	\$	%	\$	
Project Costs	66.7	166,666.67	33.3	58,333.33	175,000.00
PROJECT SHARES		166,666.67		58,333.33	175,000.00
Total Cost of Additional Work above agreement estimate	100%	0			
TOTAL ESTIMATED MUNICIPAL REIMBURSEMENT		58,333.33			

REIMBURSEMENT SCHEDULE:

Upon 1/3 project completion the municipality may begin invoicing the Department. Preferred invoicing interval is 1/3, 2/3, final, the Department will accept monthly invoices after 1/3 project completion with a maximum invoice submittal not to exceed 5 invoices.

DESIGN EXCEPTIONS REQUIRED: YES NO

Design exceptions were required for this project. Please see attached approval from MaineDOT Chief Engineer outlining design exceptions.

Scott Perkins has placed back-up information for the following is in your mailbox:

R18-19-17 TIF (Gardner Construction Enterprises)

R18-19-18 TIF (Hermon EZ Mart)

R18-19-19 TIF (Ted McLeod Inc)