



**Town of Hermon**

**Public Safety Meeting Room**

**March 28, 2019**

**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 and Timothy McCluskey

**Members Absent:** Jeanne Jacques - excused

**Others Present:** Town Manager Howard Kroll, Town Clerk Kristen Cushman, Jeff Byers, James Gallant, and Tony Reynolds

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

**SIGNATURES. –APPROVE**

**Catering Permit: Moe's Original BBQ for Greenway Equipment  
on 4/11/2019 from 5pm – 7:30pm**

**Quitclaim Deed – Map/lot 021-045-000 RE # 3288 – Taxes paid to  
redeem property**



**Certificate of Settlement – Real Estate and Personal Property taxes  
Paid from 1997 - 2012**

**MINUTES. -APPROVE 3/21/2019 Minutes**  
**WARRANTS. -SIGN**  
**RESOLVES. -SIGN**

**Councilor Watson moved to approve the Consent Calendar as presented. Councilor Thomas seconded the motion. Motion passes 6-0.**

**V. NEWS, PRESENTATIONS AND RECOGNITIONS**

**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**

**O18-19-08 To Consider Sports Arena Liquor License Application – to schedule Public Hearing on April 25, 2019**

**Councilor Watson moved to approve O18-19-08. Councilor Sinclair seconded the motion. The motion was accepted. Motion passes 6-0.**

**R-18-19-31 Consider Winter Road Plowing Award to Bangor Lawn and Landscaping and to direct the Town Manager to negotiate a contract**

**Councilor Thomas moved to approve R18-19-31. Councilor Sinclair seconded the motion. The motion was accepted. Motion passes 5-1.**

**R-18-19-32 Consider awarding the Winter Sidewalk Maintenance Contract**

**During the bid process some contractors included the sidewalk bid with the plowing bid and some contractors bid the sidewalk separately.**

**Bangor Lawn and Landscaping bid included the sidewalks. The bid by Mr. Byers was for only sidewalk.**



**Councilor Thomas stated he thought the bid for Bangor Lawn and Landscaping was all or nothing. The bid figures that were talked about were a total that included the sidewalks. Chair McCluskey stated bid was awarded based on dollar amount.**

**Mr. Byers: Stated at the 3/21/2019 meeting there was only one item on the agenda for snowplowing and the 3/14/2019 there were two items on the agenda for snowplowing and sidewalks.**

- **My primary role is clear the sidewalk.**
- **Use a 4-wheel drive, skid steer or V-plow**
- **Believes to go above and beyond to fulfill this contract and superior work**
- **Hermon High School has the janitorial staff maintain the sidewalks and someone other does the plowing**
- **2/10 of a mile away from the sidewalk and is aware the state and contractor would be going by the road**
- **Stated he was the lowest bidder for sidewalks – saving the town approximately \$13,500.00 dollars**

**Chair McCluskey stated per the notes he gave to the councilors he felt the bid would have been awarded to Mr. Byers. The history has showed that the contractor usually does not wish to plow the sidewalks. Chair McCluskey has learned over the past few weeks the sidewalk is as important as the roads.**

**Bangor Lawn and Landscaping (James Gallant): Feels there needs to be more equipment involved with the sidewalks due to the size of the sidewalk strip and where to move the snow. Mr. Gallant has equipment to do snow removal as the winter goes on. Mr. Gallant is concerned about the timing of plowing and when the sidewalks are cleared.**

**Councilor Thomas: When I made the motion I assumed it was basically a package deal. So if the council awarded the sidewalks to Mr. Byers, would you not do the roads?**

**Mr. Gallant: It is not necessarily the assumption but I would like to have everything under one roof. I don't believe it should be split up. There are issues that could come about insurance wise that would concern me. I would like to have both under one contract.**

**Chair McCluskey stated if the council was to reconsider last weeks vote the language would have to be changed. Do you want to reconsider the vote you made last and look at the sidewalk separately? Or do you want to stay with the vote we had last week?**

**Town Manager Kroll stated on the 3/14/2019 council meeting the sidewalk contract was tabled until the snowplowing contract was settled.**

**Chair McCluskey asked again if the council would like to reconsider last weeks vote or not?**



Mr. Byers read the 3/21/2019 motion for the snowplowing bid.

3/14/2019 Meeting: Councilor Thomas moved to accept the low bid from Bangor Lawn & Landscaping and include \$8200.00 per year for bond to be paid by the Town of Hermon for 55 miles. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 5-2.

Chair McCluskey stated the total dollar amount was what they voted on with loader, snowplowing and sidewalks at \$274,667.50. Mr. McCluskey stated he does not have a problem talking about doing it differently. Councilor Sinclair stated he did not feel we were fair to Mr. Byers and not fair to the taxpayers.

Councilor Sinclair made a motion to reconsider this and make a decision who we are going to award it to. No second. Councilor Sinclair withdrew the motion.

Councilor Sinclair moved to approve R18-19-32 and award the contract to Bangor Lawn and Landscaping. Councilor Thomas seconded the motion. The motion was accepted. Motion passes 5-1.

R-18-19-33 Consider approving a Special Town Council meeting on Thursday, April 11, 2019

Councilor Sinclair moved to approve R18-19-33. Councilor Thomas seconded the motion. The motion was accepted. Motion passes 6-0.

## C. WORKSHOPS

## D. OTHER ITEMS (from Table Package)

Councilor Thomas moved to waive council rules and accept the table packet. Councilor Watson seconded the motion. Motion was accepted unless doubted.

## B. NEW BUSINESS

Quitclaim for 011-024-000 RE # 393 – taxes paid to redeem property

Quitclaim for 011-023-000 RE # 2553 – taxes paid to redeem property

Councilor Watson moved to approve the Quitclaim deeds as presented. Councilor Thomas seconded the motion. Motion passed 6-0.

## X. APPOINTMENTS:



**XI. MANAGER STATUS REPORT:**

Manager congratulated and recognized the Hermon High School Drama/Theatre program that recently won a state championship at Brewer High School. He also commended a couple of Middle School students that also won First Place in Science Project competition across the state. Superintendent Gonyar will be asked to see if the students could be recognized at a future Town Council meeting for their accomplishments. Manager also informed Council that the Special Town Council meeting to be held on Thursday, 11 April 2019 will be to discuss the FY20 Municipal Budget.

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

**XIII. COUNCIL ITEMS:** None

**XIV. EXECUTIVE SESSION:**

**XV. ADJOURNMENT:**

**Councilor Sinclair moved to adjourn the meeting at 7:34 PM. Councilor Watson gave seconded. With no objection the meeting was adjourned at 7:34 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.

**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.