



Town of Hermon

Public Safety Meeting Room

APRIL 25, 2019

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:**

SIGNATURES. –APPROVE

MINUTES. –APPROVE 4/9/2019 Minutes, 4/11/2019 Minutes

WARRANTS. –SIGN

RESOLVES. –SIGN

V. NEWS, PRESENTATIONS AND RECOGNITIONS

Hank Farrah of RKO will be presenting audit results

Gary Gonyar- Canopy RFP results

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

VII. PUBLIC HEARINGS

Hold Public Hearing – XL Golf dba The Sports Arena Liquor License



VIII. COMMITTEE REPORTS

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

B. NEW BUSINESS

- R18-19-35** Consider approving Application for Liquor License – XL Golf dba The Sports Arena
- O18-19-09** Consider approving and holding a public hearing on May 23, 2019 for Municipal Budget.
- O18-19-10** Consider approving and holding a public hearing on May 23, 2019 for School Budget.
- R18-19-37** Consider setting annual Town Meeting Secret Ballot Election June 11, 2019
- FR18-19-55** Accept and Expend State of Maine Snowmobile Municipal Grant for \$8750.00.
- FR18-19-54** Consider awarding contract for Entrance Canopy project at Patricia A. Duran School
- R18-19-38** Consider scheduling a Special Town Council Meeting on May 9, 2019 to consider Hermon School Department Budget.

C. WORKSHOPS

D. OTHER ITEMS (from Table Package)

X. APPOINTMENTS

- R18-19-36** Consider appointments to the Recreation Advisory Committee. Kathryn Bartley & Jonathan C. Smith

Council to sign Oath: Consider to appoint personnel to various positions as required by Charter and State Statue. Police – Andrew Whitehouse

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

April 9, 2019

SPECIAL Town Council Meeting

5:30 PM

MINUTES

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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: Steven Watson, Jeanne Jacques, John Snyder, Donna Ellis and Timothy McCluskey
Members Absent: Steve Thomas and Doug Sinclair
Others Present: Town Manager Howard Kroll

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

MINUTES. -APPROVE
WARRANTS. -SIGN
RESOLVES. -SIGN

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

R18-19-34 Authorize the Town Manager to sign on behalf of the Town a Loan Agreement with Maine Municipal Bond Bank for \$5,100,000.

Councilor Watson moved to approve R18-19-34. Councilor Jacques seconded the motion. The motion was accepted. Motion passes 5-0.

C. WORKSHOPS

D. OTHER ITEMS (from Table Package)

X. APPOINTMENTS

XI. MANAGER STATUS REPORT: none

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

XIII. COUNCIL ITEMS: none

XIV. EXECUTIVE SESSION: none

XV. ADJOURNMENT:

Councilor Ellis moved to adjourn the meeting at 5:33 PM. Councilor Snyder gave seconded. With no objection the meeting was adjourned at 5:34 PM.

Respectfully Submitted,

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

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Town of Hermon

Public Safety Meeting Room

April 11, 2019

Special Town Council Meeting

7:00 PM

MINUTES

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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., Jeanne Jacques, Steven Watson, John Snyder, Donna Ellis, Steven Thomas and Timothy McCluskey

Members Absent: None

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Scott Perkins, Bobbie Pelletier, Frank Roma, Byron Ouelette, Cody Sullivan, Donny Pelletier, Tony Reynolds and 5 residents

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

MINUTES. -APPROVE 3/28/2019 Minutes

WARRANTS. -SIGN 4/5/2019

RESOLVES. -SIGN

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



- 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
 - C. WORKSHOPS

Hermon Volunteer Rescue Squad – Discussion

Councilor Sinclair moved to enter Executive Session to discuss a legal matter per 1 M.S.R.A. 405 (6)(A). Councilor Ellis seconded the motion. The motion was accepted. Motion passes 4-3.

The motion carries. Executive Session started 7:05 p.m.

Video feed closed at approximately 7:08PM for the council to go into executive session. At 8:20PM video feed resumed.

Councilor Sinclair moved to exit Executive Session to return to the regular scheduled meeting. Councilor Snyder seconded the motion. The motion was accepted unless doubted.

The motion carries. Executive Session ended at 8:20 p.m.

D. OTHER ITEMS (from Table Package)

- X. APPOINTMENTS
- XI. MANAGER STATUS REPORT:

Town Manager apologized for the meeting becoming unprofessional and offensive to those who were in the audience and viewing at home. He further stated that our job as elected and appointed officials representing Hermon require patience and understanding that not everyone's position or opinion will be agreed with but they should not be dismissed as unimportant. Manager thanked Public Works and Gardner Construction for their work this last week on 2 snow events that were unpredicted and required immediate attention. Manager also thanked Sgt. Pelletier, Police Department and Fire



Department on their attention and commitment during the tragic death of Detective Campbell Maine State Police. Detective Campbell's death while tragic should also remind all of us that disagreements and arguments are trivial and we need to learn to respect and support each other. Manager wished everyone a Happy Patriot's Day on Monday, 15 April 19 and a Happy Easter on Sunday, 21 April 2019.

FY20 Draft Municipal Budget – Handout.

Town Manager handed out the DRAFT/PROPOSED FY20 Municipal Budget to each Town Councilor. Chair McCloskey encouraged each Councilor to forward all questions to the Town Manager regarding the proposed budget.

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

Chief Roma stated the Dept of Labor review had been completed and the Fire Department came through with very few points of correction. The corrections are mostly in admin changes. Town can be very proud of

Donald Pelletier asked: Was just wondering what the Council rules are for councilors who threaten their taxpayer? Chair McCluskey thanked Mr. Pelletier and moved on with meeting.

XIII. COUNCIL ITEMS: None

XIV. EXECUTIVE SESSION: See above

XV. ADJOURNMENT:

Councilor Snyder moved to adjourn the meeting at 7:28 PM. Councilor Ellis gave seconded. With no objection the meeting was adjourned at 8:28 PM.

Respectfully Submitted,

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

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CARPENTER ASSOCIATES

CONSULTING ENGINEERS

April 11, 2019

To All Interested Bidders:

**Re: Entrance Canopy
Patricia A. Duran Elementary School
Hermon, Maine**

Dear Bidder:

Your company has been invited to quote on the Patricia A. Duran Elementary School Entrance Canopy Project. All work to be in accordance with applicable Specifications and Plan Sheets dated April 11, 2019. PDF copies of Bid Documents are attached.

Performance and Payments Bonds (100%) are required. Bonds will be waived in lieu of a single payment at completion of approved work. Proof of insurance as detailed in the specifications is required. A Bid Bond is not required.

A **Pre-Bid Meeting** is scheduled for **April 18, 2019, Thursday, beginning at 9:00 a.m onsite** at the proposed entrance canopy location to review existing conditions and to answer any questions.

Your completed Bid Form is due in Carpenter Associates' office on **Thursday, April 25, 2019 by 2:00 p.m.** Please have your proposal in our office prior to the opening time in a clearly marked envelope. Your proposal should acknowledge the total not-to-exceed cost and work schedule. The Owner reserves the right to reject any or all proposals and to waive any formality or technicality in any proposal or to accept any proposal in the interest of the Owner.

Scope: Construct an entrance canopy approximately 20' x 100'±. Work includes site work, foundations, structural steel, EPDM roofing, drains, and finishes.

Please confirm receipt of this package, and let us know your intentions to bid on this project.

Sincerely,

Randy Bragg
Randy Bragg, P.E.

Enclosures

cc: Gary Gonyar

19006

CONTRACT AGREEMENT - SHORT FORM

AGREEMENT made the ____ day of ____ in the year Two Thousand Nineteen by and the Hermon School Department, P.O. Box 6360, Hermon, Maine 04401, hereinafter-called Owner and _____, hereinafter called the Contractor.

SETH,

owner and the contractor for the considerations hereinafter named agree as follows:

1.1. SCOPE OF WORK

Contractor shall furnish all of the materials and perform all the work shown on the plans and in the specifications entitled:

Entrance Canopy – Patrica A. Duran Elementary School

by Carpenter Associates, 687 Stillwater Avenue, Old Town, Maine 04468 acting as and in contract documents entitled the architect and/or engineer, and shall do everything required by this contract, the general conditions and special provisions of the contract, the specifications and the

1.2. TIME OF COMPLETION

to be performed under this contract shall be completed on or before **August 16, 2019**. For each calendar day the project remains uncompleted \$300.00 shall be charged as liquidated damages.

1.3. THE CONTRACT SUM

Owner shall pay the contractor for the performance of the contract, subject to additions and deductions provided by approved change orders in current funds as follows:

_____ Dollars and __/100 (\$ _____)

4. CONTRACT BONDS

Contractor shall furnish the owner the approved contract bonds in the amount of 100% of the contract amount. In lieu of bonds, Contractor will be paid in a single payment at the completion of work.

5. PROGRESS PAYMENTS

Owner shall make payments on account of the contract as provided therein as follows: Each month a payment of 10% of the contract value, based on contract prices of labor and materials incorporated in the work and of materials suitably stored at the site thereof up to the first day of that month, as certified by the architect or engineer. Lien Waivers from the Contractor and all Subcontractors shall be required prior to each payment.

Owner may cause the contractor to be paid such portion of the amount retained hereunder as he may determine to be reasonable.

00 41 00
BID FORM

BIDDER _____

TO **Gary Gonyar**
 Superintendent of Schools
 Hermon School Department
 P.O. Box 6360
 Hermon, ME 04402-6360

Having carefully examined the Original Drawings, Specifications, Form of Contract, General Conditions and information contained herein for the contract for the Entrance Canopy Project at the Patricia A. Duran Elementary School, Hermon, Maine, Dated April 11, 2019, as well as the premises and conditions affecting the work, we the undersigned propose to furnish all labor, equipment and materials necessary for and incidental to the construction and completion of this contract for the sum of:

Base Bid _____
_____ dollars (\$ _____).

The undersigned agrees, if awarded the contract, to substantially complete the work on or before August 16, 2019.

The undersigned agrees, if this proposal is accepted, to sign a contract and deliver it, along with Performance and Payment Bonds (if applicable) and Affidavits of all insurance specified within twelve (12) calendar days after the date of notification of such acceptance, except if the 12th day falls on a holiday, a Saturday, or Sunday; then the conditions will be fulfilled if the required documents are received before 12 o'clock noon on the day following the holiday, or the Monday following the Saturday or Sunday.

BY: _____	_____
Signature	Company
_____	_____
Name/Title	Post Office Address
_____	_____
Telephone Number	

Note: If bidder is a corporation, write State of Incorporation, and if a partnership, give full names of all partners.

This document may not be reproduced.

ARTICLE 6. FINAL PAYMENT

Final payment shall be made after completion and acceptance of the work, provided the contractor has submitted evidence satisfactory to the owner that all payrolls, material bills and other indebtedness connected with the work has been paid.

ARTICLE 7. THE CONTRACT DOCUMENTS

The general conditions of the contract, instructions to bidders, the proposal, the special provisions, the specifications and the drawing, together with this agreement form the contract, and they are as fully a part of the contract as if hereto attached or herein repeated. The following is an enumeration of the specifications and the drawings.

SPECIFICATIONS: Dated: April 11, 2019

DRAWINGS: Dated: April 11, 2019

Sheet 1 of 5	Site Plan
Sheet 2 of 5	Notes
Sheet 3 of 5	Roof/Framing/Lighting Plan
Sheet 4 of 5	Section View
Sheet 5 of 5	Edge/Wall Details

The owner and the contractor hereby agree to the full performance of the covenants herein.

IN WITNESS WHEREOF the parties hereto have executed this agreement in the day and year first above written.

CONTRACTOR

WITNESS:

BY: _____

WITNESS:

BY: _____

HERMON SCHOOL DEPARTMENT