



Town of Hermon

Public Safety Meeting Room

July 23, 2020

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 7/2/2020 minutes, 7/23/2020 Annual Town Meeting minutes**
 - WARRANTS. -SIGN 7/24/2020**
 - 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:

Elect Council Chairperson

Elect Council Vice-Chairperson

FR20-21-03 Consider accepting the Keep ME Healthy Grant from the State of Maine

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:

Consider entering Executive Session to discuss a legal matter per 1 M.S.R.A. 405(6)(F)

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

July 2, 2020

Town Council Meeting

7:00 PM

MINUTES

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*****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: John Snyder III, Douglas Sinclair Sr., Donna Ellis, Anthony “Tony” Reynolds, Charles Lever IV, Steve Thomas and Timothy McCluskey

Members Absent: None

Others Present: Town Manager Howard Kroll

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE 6/18/2020

WARRANTS. –SIGN 6/16/2020 Annual Town Meeting Warrant

RESOLVES. –SIGN

Councilor Reynolds 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:

Hold Public Hearing – Conley Events LLC – Liquor License

Chair Mccluskey opened the public hearing at 7:01PM. The hearing closed at 7:03PM with no comments.

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R20-21-01 Consider approving Conley Events LLC liquor license renewal

Councilor Snyder moved to approve R20-21-01. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.

FR20-21-01 Consider approving \$5000 deductible payment regarding an insurance claim

Councilor Reynolds moved to approve FR20-21-01. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.

FR20-21-02 Consider approving expenses related to an emergency repair of Fuller Road on June 21, 2020

Councilor Reynolds moved to approve FR20-21-02. Councilor Lever seconded the motion. The motion was accepted. Motion passes 7-0.

O20-21-01 Consider approving the FY21 Town Council Schedule

Councilor Snyder moved to approve O20-21-01. Councilor Thomas seconded the motion. The motion was accepted. Motion passes 7-0.

R20-21-02 Consider approving the FY21 Fire Department out of state training request

Councilor Reynolds moved to approve R20-21-02. Councilor Snyder 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:

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Snyer moved to adjourn the meeting at 7:32PM. Councilor Lever gave seconded. With no objection the meeting was adjourned at 7:32 PM.

Respectfully Submitted,

**Howard Kroll
Town Manager**

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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.

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Annual Town Meeting

Budget Approval

Thursday, July 16, 2020

~ MINUTES ~

To: Courtney Brown a Resident of the Town of Hermon, in the County of Penobscot, State of Maine,

GREETING:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Hermon in Penobscot County, Maine, qualified by law to vote in town affairs, to meet at the **High School Auditorium in Hermon on Thursday the 16th day of July, 2020, at 7:00 p.m.**, then and there to act upon Articles 3 through 31 as set out below. Articles 1 and 2 were acted upon at the Election on 7/14/2020.

ARTICLE 1: To elect a Moderator by written ballot to preside at said meeting.

The morning of the Municipal Elections, July 14, 2020 Brooke Deschaine nominated Kimberly Nichols as Moderator. Shirley Frost seconded the motion. Hearing no other nominations, nominations ceased. Kimberly Nichols elected Moderator by a written vote.

Kimberly Nichols deputized John Hamer from Rudman Winchell Law Firm as Deputy Moderator for continuing the meeting on July 16, 2020. John Hamer signed oath.

ARTICLE 2: To elect all municipal officers and school committee members as are required to be elected.

The results of the July 14, 2020 election for School Board:

- Jesse Keith: 29 votes**
- Donald Pelletier: 23 votes**
- Kristen Shorey: 173 votes**
- Douglas Smith: 24 votes**

The results of the July 14, 2020 election for Town Council:

- Ronald Murphy: 836 votes**
- Phillip Richardson: 615 Votes**
- G Stephen Watson: 622 Votes**

A motion was presented on the floor by Vice Chair Anthony Reynolds.

Vice Chair Reynolds: A motion to waive the reading of articles 3 - 30.

Motion was seconded by Councilor Steve Thomas.

Mr. Hamer asked for a show of hands of all in favor of dispensing the reading of the articles #3 through #30. A show of Hands was in favor of the motion. The motion carries.

Councilor Reynolds: Motion to accept articles #3 through #30 as written. Motion was seconded by Councilor Thomas.

Mr. Hamer asked for a show of hands of all in favor accepting articles #3 through #30 as written. A show of Hands was in favor of the motion. The motion carries.

ARTICLE 3: Shall the Town vote to appropriate the revenues received for the following accounts to offset the associated expense accounts, for fiscal year 2021 with approval of the Town Council?

<u>Revenues</u>	<u>Expenses</u>
10-130 Hermon Connection Revenue	10-13-04-05 Hermon Connection Expenses
10-121 Local Plumbing Fees	10-13-05-04 Local Plumbing Expenses
14-140 Transfer Station Fees	14-01 Landfill Expense
14-150 Tipping Fee Revenue (PERC)	14-02 Household Waste Expense
12-182 Police Revenue	12-01 Police Expenses
12-185 Fire Dept. Revenue	12-02 Fire Dept. Expenses
35 Recreation Enterprise Revenues	35 Recreation Enterprise Expenses

(Explanation: The listed revenue accounts are special funds received by the Town for specific purposes. Approval by the citizens will allow the Town Council to expend these revenues for the expense accounts listed above. Recommended by the Town Council

ARTICLE 4: Shall the Town raise and appropriate the following sums of money for each of the listed reserves?

HERM02 Unemployment Reserve	\$ 5,000
HERM04 Cemetery Reserve	\$ 5,000
HERM05 Fire Equipment Reserve	\$ 50,000
HERM06 Highway Improvement Reserve	\$ 250,000
HERM08 Public Works Facility/Equip Reserve	\$ 75,000
HERM09 Recreation Equip/Facility Reserve	\$ 25,000
HERM11 Municipal Office Reserve	\$ 5,000
HERM12 Sewer Maintenance Reserve	\$ 25,000
HERM17 Public Safety Building Reserve	\$ 10,000
HERM19 Town Office Equip. & Tech. Reserve	\$ 35,000
HERM32 Veterans Memorial Park Reserve	<u>\$ 5,000</u>
Total Appropriation to Reserves	\$ 490,000

Recommended by the Town Council

ARTICLE 5: Shall the Town vote to authorize the transfers from the Police Equipment Reserve (HERM01) to Highway Capital Reserve (HERM06) in the amount of \$25,000 and to Town Office Equipment and Technology Reserve (HERM19) in the amount of \$25,000? **Recommended by the Town Council**

ARTICLE 6: Shall the Town vote to authorize the expenditure of up to \$36,699 from the Fire Equipment Reserve (HERM05) to purchase new vehicle stabilizer Jacks (\$14,250), (1) Vehicle Extraction Ram (\$11,500), Repair to Fire Pump (\$2,949 payable to Atlantic Pump and Engineering) and (1) Snowbulance (\$8,000), and making said purchase by 30 June 2021 or funds lapse back to the Fire Equipment Reserve (HERM05)? **Recommended by the Town Council**

ARTICLE 7: Shall the Town vote to authorize the expenditure of up to \$630,526 from the Highway Improvement Reserve (HERM06) to repair the Annis Road (\$17,200), prepare legal documents for the Clark and Lewis Road turn around areas (\$6,000), repair Odlin Road (\$3,800), provide local match for Billings Road MPI project (\$280,000), repair and construct Logistics Lane (\$70,000), replace various driveway culverts and repair driveway aprons throughout Hermon (\$45,000), repair various road shoulders (\$15,000), reclaim a portion of the Black Stream Road (\$176,526) and repair the Fuller Road/Wing/Annis Road intersection (\$17,000) and making said purchases by 30 June 2021 or funds lapse back to the Highway Improvement Reserve (HERM06)?

Recommended by the Town Council

ARTICLE 8: Shall the Town vote to authorize the expenditure of up to \$24,000 from the Cemetery Reserve (HERM04) for the purchase of a stone repair/cleaning and tree removal at each cemetery and making said purchase by 30 June 2021 or funds lapse back to the Cemetery Reserve (HERM04)?

Recommended by the Town Council

ARTICLE 9: Shall the Town vote to authorize the expenditure of up to \$15,000 from the Recreation Reserve (HERM09) for repairing and making improvements to the basketball court at the Recreation Field complex. Said purchases will be made by 30 June 2021 or funds lapse back to the Recreation Reserve (HERM09) **Recommended by the Town Council**

ARTICLE 10: Shall the Town vote to authorize the transfer of \$100,000 from the undesignated fund balance to the Fire Department Reserve Account (HERM05)? **Recommended by the Town Council**

ARTICLE 11: Shall the Town vote to authorize an expenditure of up to \$68,901 from Town Office Equipment, Technology Reserve (HERM19) to purchase the upgrade of the computer equipment required for the upgrade including new computers and other equipment/services. Said Purchases will be made by 30 June 2021 or funds lapse back to the Town Office equipment, Technology Reserve (HERM19)? **Recommended by Town Council**

ARTICLE 12: Shall the Town vote to authorize the transfer of funds from Tax Incremental Financing (TIF) Revenue in the amount of \$608,168, to off-set authorized expenditures for Economic Development general accounts #11-01-01-01 to 11-01-20-06 in the amount of (\$373,168); account # 19-02-25-03 TIF Credit Enhancement Agreements and incentive agreement with Ryder (\$165,000); and Highway Reserve (HERM06) (\$70,000)? **Recommended by the Town Council**

ARTICLE 13: Shall the Town vote to authorize and transfer to the Hermon School Department the expenditures of up to \$120,000 from the School Repair Reserve Account (HERM07) for the expenditures at Hermon High School the replacement and installation of dishwasher (\$40,000) and at the Patricia A. Duran School the installation of a boiler (\$80,000)? **Recommended by the Town Council**

ARTICLE 14: Shall the Town vote to authorize an expenditure of up to \$14,000 from Sewer Reserve (HERM12) to make necessary repairs and upgrades throughout the system? Said purchases will be made by 30 June 2021 or funds lapse back to Sewer Reserve Account (HERM12)? **Recommended by Town Council**

ARTICLE 15: Shall the Town vote to authorize an expenditure of up to \$13,500 from Municipal Office Reserve (HERM11) to install a new security system (\$6,000), repair broken windows and paint the front office (\$7,500)? Said purchases will be made by 30 June 2021 or funds lapse back to Municipal Office Reserve Account (HERM11)? **Recommended by Town Council**

ARTICLE 16: Shall the Town vote to authorize the expenditure of \$200,000 from the School Tax Stabilization Reserve (HERM24) to offset a portion of the cost for the Hermon Middle School debt service in addition to the local appropriation for education payable in April 2021? **Recommended by Town Council**

ARTICLE 17: Shall the Town vote to authorize an expenditure of up to \$6,189 from Public Safety Reserve (HERM17) to install purchase an auto scrubber for the floors? Said purchases will be made by 30 June 2021 or funds lapse back to Public Safety Reserve Account (HERM17)? **Recommended by Town Council**

ARTICLE 18: Shall the Town vote to authorize an expenditure of up to \$15,000 from Veterans Memorial Park Reserve (HERM32) to install new brick sidewalks on both sides of the entry to the Veteran’s Monument? Said purchases will be made by 30 June 2021 or funds lapse back to Veterans Memorial Park Reserve (HERM32)? **Recommended by Town Council**

ARTICLE 19: Shall the Town vote to raise and appropriate for municipal purposes for Fiscal Year 2021 for the period July 1, 2020 to June 30, 2021 the following sums of money?

Appropriation by category:

General Government/Administration	\$1,069,971
Economic Development/Technology	\$ 373,168
Public Safety	\$1,008,320
Public Works	\$ 913,742
Solid Waste	\$ 435,857
Recreation/Social Service/HVRS	\$ 345,779
Debt Service	\$ 0
Reserves	\$ 490,000
Special Assessments	\$ 926,353
General Assistance	<u>\$ 5,000</u>
Total Municipal & County Appropriation	\$5,568,190

Recommended by the Town Council

ARTICLE 20: Shall the Town set the Fiscal Year 2021 Tax Commitment excluding the Overlay Account as follows:

Municipal Expenses:	\$4,751,837
County Assessment	\$ 816,353
Local contribution to Schools:	<u>\$5,503,657</u>
Total Expenses	\$11,071,847
Less Municipal Revenues	<u>-\$3,833,859</u>
Total Commitment less Overlay	\$7,237,988

Recommended by the Town Council

ARTICLE 21: Shall the Town appropriate from Overlay Account an amount not to exceed \$30,000 for tax abatements?

Recommended by the Town Council

ARTICLE 22: Shall the Town vote to raise and appropriate for educational (School Department) purposes for Fiscal Year 2021 for the period July 1, 2020 to June 30, 2021 the following sums of money?

Appropriation by category:

Regular Instruction	\$6,433,483
Special Education	\$2,390,207
Other Instruction (summer School/extra Act)	\$ 466,584
Student/Staff Support	\$1,584,770
System Administration	\$ 432,147
School Administration	\$ 843,395
Transportation/Buses	\$ 692,952
Facilities/Maintenance	\$1,762,066
Debt/other commitments	\$ 610,419
All Others including Food Service	<u>\$ 50,000</u>
Total DOE Cost Centers	\$15,266,023

ARTICLE 23: To see what sum the Town of Hermon will appropriate for the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act.

Recommends \$10,787,948.26 and to see what sum the Town will raise as the Town's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 20-A, section 15688.

School Committee & Town Council Recommends \$4,188,978.

The school administrative unit's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise to receive the full amount of state dollars.

ARTICLE 24: To see what sum the Town of Hermon will raise and appropriate for the annual payments on debt service previously approved by the town voters for non-state funded school construction projects, or non-state funded portions of school construction projects in addition to funds appropriated as local share of the Town's contribution to the total cost of funding public education from pre-kindergarten to grade 12.

School Committee & Town Council Recommends \$610,419.

Non-state funded debt service is the amount of money needed for annual payments on Hermon's long-term debt service for major capital school construction projects that are not approved for state subsidy. The bonding of this long-term debt was previously approved by the voters.

ARTICLE 25 To see what sum the Town will authorize the School Committee to expend for the fiscal year beginning July 1, 2020 and ending June 30, 2021 from the Town's contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Act, non-state funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for support of schools.

School Committee & Town Council Recommends \$15,270,023.

ARTICLE 26: To see if the Town will authorize the school committee to expend in addition to Article 23, any sums as may be received from state and federal grants, aid, and receipts during the fiscal year beginning July 1, 2020 and ending June 30, 2021 for school purposes provided that such grants, aid and receipts do not require expenditure of local funds not previously appropriated?

School Committee & Town Council Recommends YES

ARTICLE 27: Shall the Region Four Vocational Budget as approved by the Cooperative Board for the year July 1, 2020 – June 30, 2021 be approved in the amount of \$3,105,184.26?

Cooperative Board for Regional Vocational Budget is not subject to amendment from the floor. It may be accepted or rejected by the voters. Hermon's share of the Region Four budget is \$0.

School Committee & Town Council Recommends YES

ARTICLE 28: In the event that the Hermon School Department receives more state education subsidy than the amount included in its budget, shall the School Committee be authorized to use all or part of the additional state subsidy to increase the allocation of finances to reserve funds approved by the School Committee?

School Committee & Town Council Recommends YES

ARTICLE 29: Shall the Town vote to authorize the expenditure of \$40,000 from the School Bus Purchase Reserve (HERM33) to offset a portion of the lease/purchase payment for a school bus in addition to the local appropriation for education?

School Committee & Town Council Recommends YES

ARTICLE 30: Shall the Region Four Vocational Budget as approved by the Cooperative Board for **adult education** for the year July 1, 2020 – June 30, 2021 be approved in the amount of \$316,945.91?

The Region Four Vocational Budget for Adult Education supports adult education classes held at United Technologies Center in Bangor for communities that belong to the Region Four consortium. Hermon's share of the regional adult education budget is \$3,343.56.

Town Council Recommends YES

ARTICLE 31 Shall the Town of Hermon raise and appropriate \$654,260 in additional local funds, which exceeds the State’s Essential Programs and Services allocation model by \$654,260 as required to fund the budget recommended by the School Committee?

The School Committee recommends \$654,260 for additional local funds and gives the following reasons for exceeding the State’s Essential Programs and Services funding model. Additional funds needed for increases in salaries, enrichment programs and field trips, guidance and mental health services, professional development activities and costs of co curricular and athletic programs not fully funded by the State EPS formula.

School Committee & Town Council Recommends \$654,260.

The additional local funds are those locally raised funds over and above the Town of Hermon’s local contribution to the total cost of funding public education from pre-kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help the Town of Hermon budget for educational programs.

REQUIRES SECRET BALLOT

Mr. Hamer read Article 31 and stated this would need to be voted on by a written vote.

Residents voted by secret ballot and the results were 17 Yes and 0 No.

Mr. Hamer stated Article 31 passes.

Councilor Thomas moved to adjourn the meeting at 7:07PM. Councilor Reynolds moved to approve adjournment. With no objection the meeting was adjourned at 7:07PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

Attest a true copy: _____
Town Clerk



FR20-21-03

Be it resolved by the Hermon Town Council in town council assembled to accept a grant award from the State of Maine under the Keep ME Healthy Grant program in the amount of \$12000. No local match required.

SIGNED this July 23, 2020 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Tony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____