



Town of Hermon

Public Safety Meeting Room

November 2, 2017

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 October 5, 2017 and October 19, 2017
WARRANTS. -SIGN November 2, 2017
RESOLVES. -SIGN FR17-18-31
- 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**



- #1. **Review and Approve 2017/2018 Council Goals.**
- #2. **Consider option to sell municipal interest in PERC.**

B. NEW BUSINESS

- #3. **Consider authorization of expenditure from Jackson Beach Reserve Account.**
- #4. **Consider authorization of expenditure from Sewer Maintenance Reserve Account.**
- #5. **Consider authorization of expenditure from Cemetery Reserve Account.**
- #6. **Consider authorization of expenditure from Highway Reserve Account.**
- #7. **Consider awarding bid for 2010 Ford Crown Victoria Cruiser**

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 5, 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, Jeanne Jacques, John Snyer, Steve Watson, Donna Ellis and Timothy McCluskey

Members Absent: None

Others Present: Town Manager Howard Kroll, Donna Pulver and Josh Berry, Code Enforcement Officer

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

MINUTES. -APPROVE September 7, 2017 and September 21, 2017

WARRANTS. -SIGN October 5, 2017

QUIT CLAIMS – SIGN M/L 023-040-000

Councilor Jacques moved to approve the Consent Calendar. Councilor Ellis seconded the motion. A Roll Call vote was unanimous in favor of the motion.

The motion carries.



V. NEWS, PRESENTATIONS AND RECOGNITIONS

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

VII. PUBLIC HEARINGS

#1. Hold Public Hearing – 2017-2018 General Assistance Ordinance

Chair Thomas opened the Public Hearing at 7:03 p.m. Town Manager Kroll explained the reason for the public hearing and the need to amend the General Assistance Ordinance to update the GA maximums for the Greater Bangor region that includes Hermon. He noted that the maximums from household size of 1 to 6 all were decreased by nearly \$100 per size of household. With no further discussion the public hearing closed at 7:05 p.m.

VIII. COMMITTEE REPORTS

None

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

#2. Consider approving 2017/2018 General Assistance Ordinance.

Councilor Jacques moved to approve the General Assistance Ordinance. Councilor Ellis seconded the motion. A Roll Call vote was unanimous in favor of the motion.

The motion carries.

#3. Consider approving 2017/2018 Council Goals.

Councilor Jacques moved to table the 2017/2018 goals until the 19 October 2017 meeting. Councilor Ellis seconded the motion. A Roll Call vote was unanimous in favor of the motion to table the 2017/2018 goals. .

The motion carries.



NEW BUSINESS

- #4. Consider approving and signing Special Town Meeting Warrant.**

Councilor Watson made a motion to approve the Special Town Meeting Warrant scheduled for 19 October 2017 @ 7 p.m.; Councilor Ellis seconded the motion. Councilor Watson made a motion to include the following article to the Warrant: “ Article 3. Shall the Town transfer \$7000 from the Coldbrook Business Park Phase II Escrow account to the Rural Fire Reserve Account (HERM31) for the purpose of funding future rural fire pond maintenance and repairs at the Business Park? Yes or No” Councilor Ellis made the motion to approve the amendment, motion passes by a vote of 7—0. Motion by Councilor Watson to approve the warrant as amended, motion seconded by Councilor Ellis. A Roll Call vote was unanimous in favor of the motion.

The motion carries.

B. WORKSHOPS

NONE

D. OTHER ITEMS (from Table Package)

NONE

X. APPOINTMENTS

NONE

XI. MANAGER STATUS REPORT:

Manager mentioned that he would be hiring a new Recreation Director soon. The audit is going well with the auditor closing up the municipal side of the job. Manager also mentioned that the new 6 wheel truck would be delivered on Monday, 16 October 2017.

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

None

XIII. COUNCIL ITEMS:

None



XIV. EXECUTIVE SESSION:

- #5. Executive Session** to consider a Personnel Matter per 1 M.R.S.A. § 405(6)(A) – Position of Assessor

Motion by Councilor Watson to enter into Executive Session to consider a personnel matter at 7:45 p.m., motion seconded by Councilor Ellis. A Roll Call vote was unanimous in favor of the motion. Council entered into executive session at 7:45 p.m.

Councilor Jacques made a motion to exit executive session at 8:38 p.m. and resume regular meeting. Councilor Ellis motion seconded. A Roll Call vote was unanimous in favor of the motion.

XV. ADJOURNMENT:

Councilor Jacques made a motion to adjourn at 8:38 p.m. Councilor Ellis motion seconded. A Roll Call vote was unanimous in favor of the motion.

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 19, 2017

Town Council Meeting

MINUTES

IMMEDIATELY FOLLOWING SPECIAL TOWN MEETING @ 7:00PM

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 7:05 pm.

II. PLEDGE OF ALLEGIANCE

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

III. ROLL CALL

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

Members Absent: Jeanne Jacques

Others Present: Josh Berry, Donna Pulver Tony Reynolds Scott Perkins and Ryan Conley

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

WARRANTS. –SIGN October 19, 2017

RESOLVES. –SIGN R17-18-19

QUIT CLAIM –SIGN M/L 023-040-000

Councilor Sinclair moved to approve the Consent Calendar as presented. Councilor Snyder seconded the motion. A Roll Call resulted in 6 Yeas, Councilor Jacques absent.

The motion carries.



V. NEWS, PRESENTATIONS AND RECOGNITIONS

None

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

None

VII. PUBLIC HEARINGS

#1. Hold Public Hearing – Morgan Hill Event Center Liquor License

Chair Thomas asked the Manager to comment on Morgan Hill’s Liquor License application before opening the public hearing. Manager Kroll told how he had received no comment for or against approval of the License. Additionally, law enforcement has not reported any outstanding activities of concern at the Center.

Chair Thomas opened the Public Hearing at 7:09pm.

The Chair asked for comment from anyone in attendance regarding the application submitted. Councilor McCluskey told how he feels the fees for a liquor license are outrageous. Chair Thomas stated that the questions on the application are very interesting. There were no other comments.

Chair Thomas closed the Public Hearing at 7:10pm.

VIII. COMMITTEE REPORTS

None

IX. SCHEDULED AGENDA ITEMS

A. OLD BUSINESS

#2. Consider approving Morgan Hill Event Center Liquor License Application.

Councilor McCluskey moved to approve R17-18-20. Councilor Sinclair seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

**(R17-18-20 is attached for review.)*

#3. Consider approving 2017/2018 Council Goals.



Manager Kroll spoke with the Council regarding the suggested goals, asking for suggestions and feedback. Councilor Sinclair offered to add some goals. First he suggested that we charge for services when one of our fire trucks is dispatched to an accident scene. He then told how we should decorate the light poles for the holidays. Director of Economic and Community Development Scott Perkins stated that there are monies available to do so. Sinclair then added that we should consider beautifying our industrial park entrances. Manager Kroll reminded the Council that we did in fact lose a sizeable amount of excise tax, so spending needs to be conservative. The Manager informed the Council that he would like to include a salary survey of all positions, telling how there are spots where we are under market which makes it difficult to recruit. He told how this should be done annually and how salaries should be based on the fair market vs. emotion. Chair Thomas asked that the goals be prioritized with the Revaluation at the top and Sewer Ordinance second. Manager Kroll added that he would like to see the School Committee and the Council meet together at least quarterly. School Committee Member Tony Reynolds stated that the School Committee is available and would love to meet with the Council whenever they would like. Councilor McCluskey spoke regarding the existing standing Recreation Committee, asking that we speak with those members before we try to establish something new. Chair Thomas asked that the Council consider developing new revenue goals. Conversation took place about the playground: who's responsible for it and how we could raise money to improve it. The Hermon Business Loan Program was discussed briefly as well. In response to Chair Thomas, the Manager told how GIS would improve transparency and availability with regard to parcel records in town. Responding to Councilors Snyer and McCluskey, Scott Perkins told how we must keep talking about how we will get water to the village someday. The sewers at the schools are failing, and we have discovered that bringing water and sewer to the village can be done separately and in increments. The Chair concluded the conversation by reviewing the additional goals suggested including the prioritization of safety goals. He asked that this agenda item be tabled until the next Council Meeting when a clean, prioritized goal list can be presented.

Councilor Sinclair moved to table this item until 11/2/2017. Councilor Snyer seconded the motion. The motion was accepted without doubt.

The motion carries.

B. NEW BUSINESS

#4. Consider setting tax mill rate and tax due date for 2017/2018.

Manager Kroll informed the Council that the mill rate for 2017/2018 should be set at 12.20 mills. The Council agreed that April 1st should be when taxed are due. Interest will begin accrue on April 2nd at a rate of 7%.

Councilor Watson moved to approve R17-18-22. Councilor Ellis seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

**(R17-18-22 is attached for review.*



#5. Consider approval of 2018/2019 real estate tax prepayments.

The Council agreed to approve and accept prepayments of 2018/2019 real estate taxes.

Councilor Snyder moved to approve R17-18-23. Councilor Sinclair seconded the motion. The motion was accepted without doubt.

The motion carries.

**(R17-18-23 is attached for review.)*

#6. Consider option to sell Municipal Interest in PERC.

Manager Kroll spoke regarding the agreement PERC and the MRC have come up with. He affirmed that this is not related to the allocation of tip fees. After responding to Chair Thomas' questions, the Manager stated that he would feel more comfortable with a written recommendation.

Councilor Sinclair moved to table this item until 11/2/2017. Councilor Snyder seconded the motion. The motion was accepted without doubt.

The motion carries.

#7. Consider authorizing payment of Invoice # 4 - Elementary School Construction Project.

Manager Kroll affirmed that the first payment for construction is due. All other payments have been for design and engineering. In response to Councilor Sinclair, Kroll stated that the cost for the ledge was less than \$50,000. The Manager also informed the Council that they will be approached by the Superintendent of Schools regarding a flooring change; they have decided they want ceramic floors in the foyers and hallways. Chair Thomas stated that he thinks it more important to address the roof. A brief conversation took place regarding the invoice received. The Chair asked that in the future all invoices be reviewed by the finance director before being presented to the Council for approval.

Councilor Sinclair moved to approve FR17-18-25. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

**(FR17-18-25 is attached for review.)*

#8. Consider authorizing the purchase of electrical services at the Transfer Station.

The Manager requested the Council authorize the installation of electricity at the Transfer Station. This includes a pole, an electrical panel, wiring and lighting. This will make it possible to heat and light the attendant's stations while providing for future infrastructure at the Transfer Station.



Councilor Sinclair moved to approve FR17-18-26. Councilor Snyder seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

***(FR17-18-26 is attached for review.)**

#9. Consider authorizing funds for completion of the Route #2 project.

The Town Manager stated that it is time to finalize this project. This will require Gardner Construction to fix two driveways, a light pole and a drainage issues at a cost of \$10, 645.00.

Councilor Watson moved to approve FR17-18-27. Councilor Sinclair seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

***(FR17-18-27 is attached for review.)**

#10. Consider authorizing funds for paving of the sand/salt shed floor.

Manager Kroll told how the floor in the sand/salt shed is deteriorating. Witham's Paving is available to do the work. He asked the Council to authorize this project.

Councilor Sinclair moved to approve FR17-18-28. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

***(FR17-18-28 is attached for review.)**

#11. Consider authorizing expenditure at Jackson Beach.

The Manager requested authorization to install a pole with electricity and a security camera at Jackson's Beach. In response to Chair Thomas, Mr. Perkins stated that there will be 2 cameras plus a god.

Councilor Sinclair moved to approve FR17-18-29. Councilor Snyder seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

***(FR17-18-29 is attached for review.)**

#12. Consider authorizing expenditure from Highway Improvement Reserve Account.

The pond at the corner of Balsam Drive and Fuller Road was installed wrong. The original installation design was not followed. As a result it is draining onto an adjacent property and the property owner is not happy with the damage it has caused.

Councilor Sinclair moved to approve FR17-18-30. Councilor Watson seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

***(FR17-18-30 is attached for review.)**



#13. Consider authorizing expenditure from TIF Revenue Account.

The Council was asked to authorize the continuation of marketing with WABI. This will allow us to help subsidize advertising for businesses that are not national chains. We have been approached by Danforth's Down Home Market, who wants to participate. We will obtain new footage to include the new streetlights

Councilor Sinclair moved to approve FR17-18-31. Councilor Snyer seconded the motion. A Roll Call vote was resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

C. WORKSHOPS

None

D. OTHER ITEMS (from Table Package)

None

X. APPOINTMENTS

None

XI. MANAGER STATUS REPORT:

Parks & Rec Director

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

None

XIII. COUNCIL ITEMS:

Councilor McCluskey

XIV. EXECUTIVE SESSION:

#14. Consider holding an Executive Session to discuss a personnel matter per 1 M.R.S.A. § 405(6)(A)

Councilor Watson moved to go into Executive Session to discuss a personnel matter per 1 M.R.S.A. § 405(6)(A). Councilor Sinclair seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.



The Council entered Executive Session at 8:40pm.

Councilor Watson moved to return to Regular Session at 9:18pm with no action to take. Councilor Sinclair seconded the motion. A Roll Call vote resulted in 6 Yeas with Councilor Jacques absent.

The motion carries.

XV. ADJOURNMENT:

Councilor Watson moved to adjourn the meeting at 9:18pm. Councilor Sinclair seconded the motion. With no objection Chair Thomas adjourned the meeting.

Respectfully Submitted,

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



FR17-18-31

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to expend an amount not to exceed \$5,000 for purchasing marketing services with WABI and the CW in a partnership with businesses in town.

Be it further resolved the cost of the services be paid for from the TIF Revenue Account.

SIGNED this October 19, 2017 by the Hermon Town Council:

Donna Ellis

Jeanne Jacques

John Snyder

Steve Watson

Douglas Sinclair, Sr.

Steven Thomas

Timothy McCluskey

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

TABLE PACKET MEMORANDUM

To: Members of the Hermon Town Council
From: Howard Kroll, Town Manager
Re: 2 November 2017 Town Council Meeting
Date: 27 October 2017

#1. Consider- Approving 2017/2018 Council Goals

Staff is requesting the Council to review the proposed AMENDED goals for FY18 and determine those that should be considered a priority. This was tabled at the 19 October 2017 meeting.

Town Manager recommends approval and a monthly review with Council during his manager's report section of the Town Council meeting agenda.

#2. Consider – Option to sell municipal interest in PERC.

Staff is seeking Town Council authorization to sell our municipal interest in PERC for \$24,183.65. This is being done across the region from all communities who are part owners in the PERC limited partnership and as part of the settlement terms MRC and PERC have established choices that include the option to sell our municipal interest. This overall total was \$1.5 million dollars to be paid back to member communities. This is part of the town's interest in the partnership being sold to PERC as part of USA Energy's offer to purchase LP shares on 31 March 2018. This needs to be done before 15 December 2017.

Town Manager recommends authorization and for the Chair of the Council to sign the agreement (see attached).

#3. Consider – Authorizing Town Manager to spend \$5,000.00 from the Jackson Beach Reserve Account (HERM26) toward the installing guard rail on the upper parking lot and award the work to Allen Farm Fence.

Staff is seeking Town Council authorization to spend not to exceed \$5,000.00 from the Jackson Beach Reserve Account (HERM26) toward the purchase of services to install new guard rails on the upper parking lot and award the work to Allen Farm Fence.

Town Manager recommends authorization.

#4. Consider- Authorizing Town Manager to spend an amount not to exceed \$2,000.00 from the Sewer Maintenance Reserve Account (HERM12) toward the pumping, cleaning and servicing of a pump station on Propane Lane.

Staff is seeking Town Council authorization to spend an amount not to exceed \$2,000.00 from the Sewer Maintenance Reserve Account (HERM12) toward the pumping, cleaning and servicing of a pump station on Propane Lane.

Town Manager recommends authorization with an amount not to exceed \$2,000.

#5 Consider – Authorizing Town Manager to spend an amount not to exceed \$3,000.00 from the Cemetery Reserve Account (HERM04) to repair headstones (Pleasant Hill and Snow’s Corner), pressure wash certain number of stones to treat for black mold and moss and to replace a marker for Gregory Brown that was damaged.

Staff is seeking Town Council authorization to spend an amount not to exceed \$3,000.00 from the Cemetery Reserve Account (HERM04) toward the purchase of services to repair damaged stones, pressure wash certain stones and to replace a marker for Gregory Brown that was damaged.

Town Manager recommends authorization.

#6 Consider – Authorizing Town Manager to spend an amount not to exceed \$2,311.83 from the Highway Reserve Account (HERM06) toward the services rendered by the City of Bangor Public Works Electrical Division to repair and reset wiring and camera detection at the intersection of Odlin Road and Coldbrook Road.

Staff is seeking Town Council authorization to spend an amount not to exceed \$2,311.83 from the Highway Reserve Account (HERM06) toward the services rendered by the City of Bangor Public Works Electrical Division to repair and

reset wiring and camera detection at the intersection of Odlin Road and Coldbrook Road.

Town Manager recommends authorization.

#7 Consider – Authorizing the sale of surplus property namely a 2010 Ford Crown Victoria Cruiser by means of sealed bid on Thursday, 2 November 2017.

Staff is seeking Town Council authorization to sell a 2010 Ford Crown Victoria Cruiser as surplus property. Minimum bid is \$500.

Town Manager recommends authorization.

TOWN COUNCIL GOALS FY18

- 1. Complete an in house revaluation of all properties including update of the tax maps and property assessment cards by 30 June 2018**
- 2. Amend the Sewer Ordinance and Land Use Ordinance to address new development within the public sewer areas to ensure Bangor Sewer Department is part of the certificate of occupancy and site plan review.**
- 3. Update the FY19 Capital Improvement Plan to include reviewing major capital purchases such as a new fire engine, public works vehicles, facility management and working with the School Department on evaluating all of our facilities with an engineering firm**
- 4. Secure state funding to engineer and evaluate the intersection of Route 2 on Miller Hill for vehicle safety and traffic and ultimately obtain funding to improve the intersection**
- 5. Re-establish the Economic Development Committee with a focus on generating new property tax value.**
- 6. Schedule quarterly Recycling Committee meetings to study the feasibility of expanding the recycling program post PERC 2018**
- 7. Establish a Recreation Advisory Committee to review programming and the needs of the community including a new track for all users**
- 8. Seek independent review of the current police/public safety model and make recommendations to the Town Council for consideration once the agreement with the Sheriff's Department expires in June 2019.**
- 9. Ensure the Public Safety Committee meets regularly specifically to improve the Community Policing Program, Emergency Medical Services, and mutual aid for fire services with surrounding communities**
- 10. Hire a new Parks and Recreation Director**
- 11. Seek to obtain preliminary designs to replace the playground area equipment with a capital campaign utilizing local organizations and**

stakeholders to make this a reality in FY19 with little to no property tax revenues

- 12. Prepare a master trail map/system with cooperation with the school department and other interested parties***
- 13. Create and develop a marketing plan for Economic Development Department***
- 14. Consider expanding the Hermon Business Loan Program to promote current businesses to expand as well as potential businesses***
- 15. Relook at extending public water and sewer to the village center with alternative options both public and private.***
- 16. Evaluate the need for natural gas extension in our industrial parks partnering with businesses and utility company to reduce our use of TIF revenues***
- 17. Enter into an agreement with a GIS firm to create an interactive database on our website that is user friendly to staff and the public***
- 18. Complete the Elementary School Project prior to the start of the school year in September 2018***
- 19. Work with the Superintendent on updating capital needs for each school***
- 20. Require the Town Manager to work with department heads and key staff to develop one year and five year work plans and goals for their departments and present to the Council at future meeting in the winter prior to the preparation of the annual budget.***
- 21. Review the Recreation Project at the elementary school for implementation***
- 22. Improve the quality of our recreation facilities by prioritizing their needs***
- 23. Obtain proposals for legal services beginning with the FY2019 budget***
- 24. Update our Purchasing Policy to consider bidding eligibility***

- 25. Review the staffing level of Public Safety Departments***
- 26. Update the Real Estate Foreclosure Policy***
- 27. Update the Fund Balance Policy***
- 28. Create a policy to start billing insurance companies for Fire Department services***
- 29. Improve the appearance of the downtown by decorating the new street lights for holidays***
- 30. Make an effort to beautify the entrances of our industrial parks with new landscaping and signage.***
- 31. Commit to meet quarterly with the School Board.***



2
11-2-17

PUT OPTION DEADLINE FAST APPROACHING

Has Your Community Exercised its Put Option for Sale of PERC Ownership?

In a letter dated February 6, 2017, MRC provided detailed information to a subset of member communities (Equity Charter Municipalities) regarding local steps necessary to exercise a Put Option to sell their municipal interest in PERC. As of this writing, 54 out of the 86 Equity Charter Municipalities have provided MRC with documentation of locally exercised Put Options. These 54 communities have secured their share of sale proceeds.

The absolute deadline, established by a Settlement Agreement recorded with the Maine Business Court, for the Put Option exercise is December 15, 2017.

Communities that do not exercise their Put Option by the deadline will be subject to PERC's exercise of its Call Option, which may result in a price different from the one that has been agreed to. These communities will need to negotiate with PERC directly regarding possible retention of shares, or reaching terms of a sale of their interests with PERC.

If your community needs assistance with the exercise of its Put Option, MRC would be pleased to help. Contact us anytime via email to glounder@mrcmaine.org or call us at 664-1700.

Detailed information regarding local exercise of the Put Option can also be accessed at MRCMaine.org under "Post 2018".

2.
11-2-17

MEMORANDUM

To: Howard Kroll, Town Manager, Town of Hermon.
From: Jim Katsiaficas, Esq., Perkins Thompson
Date: October 27, 2017
Re: PERC Put Option Issues and Advice

I am writing to provide some guidance on the "Put Option" offered by PERC.

As I noted in an email to you earlier this year following the PERC-MRC litigation settlement, the Town of Hermon stands to receive funds from three sources as a result of the expiration of the PERC solid waste disposal contracts with municipalities on March 31, 2018 (please note that the first two amounts are not exact and represent illustrations of what may be available in 2018 according to MRC):

(1) Because of its decision to continue with PERC, the Town is entitled to the payment of a percentage of approximately \$25 million from MRC to Departing Municipalities – those cities and towns that, like Hermon, are choosing an alternative to MRC's Fiberright solid waste management solution; this payment is based upon the Town's share of the Custody Account and Tip Fee Stabilization Fund, and MRC estimates that amount to be \$454,435. (The Town and MRC still need to enter into a Departing Municipalities Agreement; I understand that MRC will be issuing that Agreement shortly.)

(2) In addition, the Town is entitled to its share of the Debt Service Reserve Fund (total value estimated by MRC to be \$1,333,333.33, of which Hermon's share would be \$26,580.71).

(3) Also, the Town is entitled to receive the value of its ownership interest (Limited Partnership Shares) in the PERC Partnership upon dissolution of that partnership. The litigation settlement earlier this year addresses these Limited Partnership Shares; if the Town chooses to accept the partnership buyout amount instead of continuing to hold a partnership interest, its share of the \$1.5 million settlement is \$24,183.65.

As background, MRC originally was formed as a non-profit corporation by and on behalf of the municipalities that contracted with PERC for long-term solid waste disposal needs in response to the large tipping fee increases that followed PERC's startup in the late 1980s/early 1990s. MRC's function was to oversee PERC's operation on behalf of MRC's 187 member municipalities. Since that time, certain municipalities, including Hermon, became Equity

October 27, 2017

Charter Municipalities, together acquiring a 25.5% share in PERC Partnership as part of a previous settlement of claims. MRC has been managing these shares, and the percentage of equity ownership managed by MRC gave the municipalities some voice in the operation of PERC.

In the absence of any announced plan by PERC to continue beyond the March 31, 2018 termination date of the municipal solid waste agreements with PERC (and the near simultaneous termination of the favorable electric sales agreements that helped subsidize the tipping fees at PERC), MRC explored future solid waste disposal management methods for the region. After a request for proposals process, MRC selected Fiberight as the solid waste management provider. This essentially changed MRC's role from municipal overseer of PERC's operations and finances to being a solid waste disposal/management services co-provider, and MRC will cease to perform the PERC oversight and administration role after March 31, 2018. MRC asked the member municipalities to decide by July 1, 2016 whether they were signing on with Fiberight or using some other solid waste disposal option. On June 30, 2016, the Hermon Town Council voted to continue with PERC. As a result, it is considered a Departing Municipality under the Joinder Agreement Exhibit B and is entitled to payment of its share of the Custody Account and Tip Fee Stabilization Fund and the Debt Service Reserve Fund cited in (1) and (2) above.

Under the Fifth Amended and Restated Partnership Agreement for the PERC Limited Partnership, Amending Charter Municipalities (those with Solid Waste Disposal Agreements with PERC before Sept. 30, 1998) had the option of electing between March 31, 2018 and December 31, 2018 to purchase the remaining PERC Partnership assets, or else the Partnership Agreement would be dissolved by mutual agreement, by sale of Partnership property or by expiration of its term (ending December 31, 2018). That is why Exhibit B of MRC's proposed Joinder Agreement proposed that PERC will oversee the disposition of the Equity Charter Municipalities' interests in the PERC Partnership and that this dissolution would occur by the end of 2018.

Settlement of the PERC/MRC litigation provided \$1.5 million to repay the Equity Charter Municipalities for the value of their total 25.5% interest in the PERC Partnership.

This is what resulted in the "Put Option." MRC and PERC sent a joint Memorandum dated February 6, 2017 (the "Joint Memorandum") explaining how Equity Charter Municipalities can exercise the Put Option to sell their ownership interests in the PERC Partnership. This option must be exercised by December 15, 2017, must be in writing and must comply with PERC's requirements. The Town, or MRC at the Town's written request, may provide that notice to the PERC General Partner. Attachment A to the Joint Memorandum estimates Hermon's share of the \$1.5 million to be \$24,183.65. There would be a closing after December 15, 2017 for those Equity Charter Municipalities that agree to sell their interests to PERC; PERC believes the closing will occur on or before April 30, 2018.

The question you have posed is whether the Town should exercise this option to sell back its partnership shares to PERC. While this is not a "legal" question and I am not an appraiser or financial/solid waste consultant, I believe there are some important considerations that I can call to your attention that might guide the Town Council's decision.

October 27, 2017

First, both PERC and MRC are encouraging Equity Charter Municipalities to exercise the Put Option, according to the Joint Memorandum. In part this is for administrative ease, efficiency, and economy. MRC has been overseeing the Equity Charter Municipalities' investment in those Partnership Shares (but will no longer do so after the solid waste disposal agreements expire), the litigation settlement assigns the shares a value without having to hire appraisers, and PERC has agreed to a timeline for filing and processing a Put Option that includes the municipalities receiving payment by April 30, 2018. Existing documents provide until December 31, 2018 for dissolution of the PERC Partnership, so the Put Option allows for expedited, low-cost resolution and an assured payment.

Second, the Town could decide to retain its PERC Partnership interest. It might do so if it believes that the Partnership Shares are worth more than is being offered or that maintaining a partnership interest means it might have some say in how PERC operates.

The Joint Memorandum discusses alternatives to the Put Option. Equity Charter Municipalities like Hermon can negotiate with PERC Partnership to remain limited partners, but: (1) the terms will need to be acceptable to the PERC General Partner in its sole discretion; and (2) MRC will not participate in those negotiations. Further, the PERC Partnership can exercise a "Call Option" any time between January 1 and June 30, 2018 to purchase the ownership interests of any Equity Charter Municipality that does not exercise the Put Option and does not reach agreement with the PERC Partnership to continue as a limited partner in the PERC Partnership. (PERC says it intends to exercise this Call Option for any Equity Charter Municipality that does not have a waste disposal agreement for the period after March 31, 2018.) If the PERC Partnership exercises the Call Option, the parties will have 10 days to agree on value or else each will have to hire a qualified appraiser at its own expense to independently determine value.

Therefore, if the Town thinks there is value to remain a limited partner, it may attempt to do so. However, from an operations and policy input perspective, the total of all Equity Charter Municipalities' Partnership Shares in PERC equals 25.5%. If the others were to exercise the Put Option, Hermon could be left alone with less than a one-half percent share in the PERC Partnership – an amount that is unlikely to influence PERC's actions and policies. From a financial perspective, because we do not know whether PERC will be continuing as a waste-to-energy facility or as a materials recovery facility after March 30, 2018, the value of the PERC Partnership property in 2018 is speculative. And finally, if the Town can't reach agreement with PERC on the terms of remaining a limited partner, PERC could exercise the Call Option, which would cause expense and uncertainty for the Town – it would have to hire an appraiser, and might find that the value of its Partnership Shares less appraisal costs is the same or less than what it might receive now by exercising the Put Option. The value also might be higher, but the Town would be taking a risk.

You may want to check with managers of other Equity Charter Municipalities to see how those municipalities are balancing these factors. I suspect the majority favor exercising the Put Option to gain certainty of the timing, process, and amount of payment.

#3.
11-2-17



October 25, 2017

Memo re: Jackson Beach CIP Guard Rail Request

Howard,

In our capital improvement plan for this year we listed a guard rail project for Jackson Beach to include at least 170' of guard rail for the upper parking lot drop off edge facing the water. We received two quotes from Allenfarm Fence and C.A. Newcomb for the product we wanted to install. (See enclosed picture)

We are asking the Council for a financial resolve to complete the project this fall by approving a total expenditure not to exceed \$5,000 and to award the job by contract to Allenfarm fence as the bid most advantageous to the Town.

Thanks,

Scott Perkins
Economic & Community Development
207.848.1010 (office)
207.852.2403 (cell)

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net

Allenfarm Fence Company, inc.
 18 Autocar Lane
 Hermon, ME 04401

Estimate

DATE	ESTIMATE NO.
10/13/2017	29297

NAME / ADDRESS
Scott Perkins Jackson's Beach Hermon

REP	SPJ
-----	-----

ITEM	DESCRIPTION	QTY	U/M	TOTAL
WPT6x8x6	Pressure treated 6x8x6' GUARD RAIL POST CUT IN HALF FOR INSTALL ON STEEL POSTS	11		514.80T
WPT5x10x16	Pressure treated 5x10x16' GUARD RAIL PLANK	11		910.80T
Miscellaneous Sup...	Materials needed for install	1		300.00T
OnSteel	Shop drilling of wood post & steel post for install on steel	22		856.37
laborW	Labor	30		1,800.00
	sales tax			118.55

	TOTAL	\$4,500.52
--	--------------	------------

SIGNATURE _____

Phone #	Fax #	E-mail	Web Site
207-848-0770	207-848-0779	salcs@allenfarmfence.com	www.allenfarmfence.com

Tel: 207-848-2795

Fax: 207-848-2903

**C.A. Newcomb & Sons
Fence and Guardrail Company
P.O. Box 206
Carmel, Maine 04419**

To: Town of Hermon

Date: October 16, 2017

Project Number:

Project: Hermon Guardrail

We submit the following proposal subject to conditions listed below:

To furnish and install 175 LF +/- of SYP PT timber guardrail with 8" x 8" x 6' posts at 6'3" on center and 3" x 10" rails with 5/8 galvanized hardware.

175 LF @ \$32.00 per LF = \$5,600.00

*General Contractor to pre-mark and locate underground utilities and provide protection from overhead lines if required.

*Proposal doesn't include hand placed asphalt around guardrail posts, rock removal, winter conditions, loam, seed, or mulch.

**Proposals honored for 30 days. Insuring certificates, submittals, and shop drawings will be forwarded upon your request.*

Yours Truly,
C.A. Newcomb & Sons



01/21/2004

4.
11-2-17



October 25, 2017

Memo re: Pump Station at Propane Lane

Howard,

Several weeks ago we received a call from DEP and Bangor Wastewater because a pump station located about the 450' mark +/- on Propane Lane had stopped working. It was spilling effluent out onto the ground around the concrete cover. Without any records to indicate that it was part of our system or private we responded to the challenge of cleaning up the mess so violations could be avoided at the Town level. CMQ rail and Pine Tree Propane all denied having any knowledge of this lift station. The station has several lines entering a very deep 25'+ well serving an estimated 1-4 customers total including a 2" force main from Pine Tree Propane at the end of the roadway.

I am asking for a financial resolve to cover the costs of pumping, cleaning, performing electrical work and servicing the pumps not to exceed \$2,000 from Sewer Maintenance Reserve HERM 12 for the several different businesses I accessed in order to repair this lift station.

Thanks,

Scott Perkins
Economic & Community Development
207.848.1010 (office)
207.852.2403 (cell)

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net



American Concrete Industries
 1717 Stillwater Ave
 Veazie, ME 4401
 Phone: (207) 947-8334
 Fax: (207) 947-3580

INVOICE

Customer Invoice

Invoice Number: 187630
 Invoice Date: 10/17/2017

Bill to: Hermon, Town of
 P.O. Box 6300
 Hermon, Maine 04401

Ship to: Propane Lane
 Hermon, Maine 04401

Contact:

Project Manager: Scott Perkins 852-2403

Customer ID: 848-1010

PO:

Ship Via:

County: Maine Sales Tax

Sales Rep: N/A

Ticket Number: 187630

Delivery Date: 10/17/2017

Terms: Net 30

Job Number: 0

Load:

Due Date: 11/16/2017

Qty	Item	Description	Weight	F/H	Unit Price	TX	Extension
Structure:							
18	410030	Transportation per mile	0		\$1.85	<input type="checkbox"/>	\$33.30
1.5	410470	Labor - Pump/Panel Repair	0		\$95.00	<input type="checkbox"/>	\$142.50
1	161350	Alternating Relay, 120vac (ALT-120-10S)	0		\$59.10	<input type="checkbox"/>	\$59.10
1	161150	3amp 250v Fuse	0		\$3.00	<input type="checkbox"/>	\$3.00
1	343000	AR Relay	0		\$16.50	<input type="checkbox"/>	\$16.50
1	410500	Service Fee - Commercial Repair	0		\$75.00	<input type="checkbox"/>	\$75.00
Structure Total							\$329.40
Total Weight			0				

Thank you for your business!

- All Returned Products are subject to a 20% restocking fee. Returned Precast Concrete Retaining Walls and Curbing are subject to a 50% restocking fee.
- All Products MUST be in resalable / undamaged condition in order to be Returned.
- You MUST have your original Invoice or Proof of Delivery in order to Return Products.

Taxable	\$0.00
Non-Taxable	\$329.40
Sub Total	\$329.40
Tax	\$0.00
Invoice Total	\$329.40
Less Deposit	\$0.00
Invoice Balance	\$329.40

5.
11-2-17



October 25, 2017

Memo re: Cemetery stone repair & cleaning

Howard,

Rogan's Memorials has been tasked with repairing headstones at Pleasant Hill Cemetery and at Snow's Corner. The job includes repairing some broken stones and pressure washing a certain number with a solution that eats away moss, black mold and dirt that has accumulated over time. I also want a replacement marker with a new name engraved for "Gregory Brown" as part of this year's service.

The estimate for these items is \$3,000. We had planned on doing as much cleaning as possible and marker repair/replacement for this same amount in our CIP.

I suggest asking the Council for a financial resolve not to exceed \$3,000 from Cemetery reserves HERM 04 to cover this improvement project.

Thanks,

Scott Perkins
Economic & Community Development
207.848.1010 (office)
207.852.2403 (cell)

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net

6.
11-2-17



October 25, 2017

Memo re: Coldbrook/ Odlin Road Signal Lights (Dysart's Intersection)

Howard,

I have been working for several years now as a member of BACTS (Bangor Area Comprehensive Transportation) in order to cure a serious issue with low hanging and deficient signal lights at the Dysart's intersection. Over the last several years, Hermon has invested thousands in repairs due to truck damage to low hanging lights and from lights at the right height that have been damaged by overloaded trucks. One issue usually precedes the next, etc.

We were awarded a grant in 2016 for our use totaling \$89,000 for upgrades to the signal package including new, taller strain poles, detection equipment and new signals. Hermon's match was 10% which I saved for in our CIP.

We found out recently that the engineering standards for this intersection project because of Federal Highway requirements involved will include a substantially better upgrade including new mast arms, phase coordination using camera signal detection with new Econolite ASC-3 controllers. The new system will cost around \$210,000 with Hermon contributing 10%. This is mandatory.

In the mean time, I negotiated with MDOT to install taller wooden poles while we waited for the preliminary engineering, design, and award to come through. They agreed if we would pay for the transfer or wires which Dana Wardwell of the City of Bangor offered to help with by providing Hermon a crew.

I am suggesting that we request a financial resolve from the Council to pay the City of Bangor for drift connection intersection work in the amount of \$2,311.83 from HERM 06, Highway Reserve.

Thanks,

Scott Perkins

Economic & Community Development

207.848.1010 (office)

207.852.2403 (cell)

Mailing address
PO Box 6300
Hermon, ME 04402-6300

Physical Address:
333 Billings Rd
Hermon, ME 04401

Telephone: 207 848-1010
FAX: 207 848-3316
Website: www.Hermon.Net



INVOICE: 5200001579 PAGE 1
 DATE: Oct 13, 2017 OF 1

SERVICE: PUBLIC WORKS
 CUSTOMER PO:
 CUSTOMER PH:
 TERMS: 30 DAYS

DUE DATE: Nov 12, 2017

CUSTOMER NO: 0000011105

HERMON, TOWN OF
 P.O. BOX 6300
 HERMON, ME 04402-6300

SERVICE ADDRESS:

HERMON, TOWN OF
 PO BOX 6300
 HERMON, ME 04402-6300

-----DESCRIPTION-----	QTY	UNIT PRICE	-TOTAL PRICE-	TAX
W.O.#5107-DYSART'S DRIFT INTERSECTION	1.00	1,830.370	1,830.37N	
PUBLIC WORKS ADMIN COSTS	1.00	309.660	309.66N	
CITY WIDE OVERHEAD	1.00	171.800	171.80N	

FOR QUESTIONS CONCERNING THIS INVOICE,
 PLEASE CONTACT THE PUBLIC WORKS
 DEPARTMENT AT (207) 992-4507.

TOTAL CHARGES: 2,311.83
 TOTAL TAX: 0.00

 TOTAL INVOICE: 2,311.83
 PAYMENTS: 0.00
 ADJUSTMENTS: 0.00
 TOTAL DUE: 2,311.83

Make All Checks Payable to: City of Bangor, 73 Harlow Street, Bangor, Maine 04401

7. 11-2-17

[Register](#) [Login](#)



2010 Ford Crown Victoria Cruiser

The Town of Hermon is accepting sealed bids for the sale of a 2010 Ford Crown Victoria Police Cruiser. The vehicle is running and working with 104,618 miles. The vehicle will be sold as is, where is, with no warranty expressed. The vehicle is available for viewing at the Hermon Town Office and is immediately available for title transfer. You can also go to www.hermon.net to view pictures of the vehicle. Minimum bid is \$500. Bids shall be sealed and clearly marked "Bid for 2010 Ford Crown Victoria Police Cruiser" and can be mailed to: Town of Hermon, P.O. 6300, Hermon, ME 04402 or dropped off at the Hermon Town Office which is located at 333 Billings Road, Hermon, ME. Bids must be received no later than 5:00pm, November 2, 2017. The Town Council will award a bid at the November 2, 2017 Town Council meeting. The Town of Hermon reserves the right to accept or reject any and all bids. For more information or schedule a viewing, please contact Frank Roma, Fire Chief at 207-848-5986 Monday – Friday 8:00am – 5:00pm.

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