



Town of Hermon

Public Safety Meeting Room

December 15, 2016

Town Council Meeting

7:00 PM

AGENDA

\*\*\* Televised live on Cable Channel 121.111 \*\*\*

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 August 25, 2016, September 8, 2016 and September 22, 2016  
  
WARRANTS. -SIGN December 16, 2016
- 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. Consider Accepting a public bid for a Public Works Item.



- #2. **Consider** Accepting bid for the Town Mowing Contract.
- #3. **Consider** Authorizing contract with Red Zone Wireless LLC.
- #4. **Consider** Introducing an amendment to the Hermon Code of Ordinances, and Scheduling a Public Hearing. (Methadone Clinic Moratorium)

#### **B. NEW BUSINESS**

- #5. **Consider** Approving Meadow Ridge Drive as a public way.
- #6. **Consider** Approving a portion of Amberside Drive and all of Edenfield Drive as a public way.
- #7. **Consider** Authorizing payment of the Town's deductible on a Public Officials claim approved by MMA.
- #8. **Consider** Reviewing a proposed TIF and schedule a Public Hearing. (Maine Salt Company)
- #9. **Consider** Reviewing a proposed TIF and schedule a Public Hearing. (Bangor Waterfront Concerts)
- #10. **Consider** Authorizing payment for playground maintenance.

#### **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:**

- #11. **Discuss** Personnel Matter per 1 M.R.S.A. § 405(6)(A) – Consideration of an Amendment to the Personnel Policy.

#### **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**

**August 25, 2016**

**Town Council Meeting**

**7:00 PM**

**MINUTES**

**\*\*\* Televised live on Cable Channel 121.111 \*\*\***

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:** Anne Freeman, Donna Ellis, Steve Thomas, Doug Sinclair, Jeanne Jacques, John Snyer and Steve Watson

**Members Absent:** None

**Others Present:** Town Manager Roger Raymond, Town Clerk Ruth A. Nickerson, Alden Brown, Chris Patten, Donna Pulver, Roger Reed, Larry Merrithew, Annette Merrithew, Bill Scott, Wendy Wiles-Scott, Ben Birch, Josh Berry, Lillian Smith, Scott Perkins, Laurie Gardner, Randy Gardner, Michelle Thayer, Tim Schoppe, Joan Schoppe, Kristen Cushman, Danielle Perkins, Garnett Chute, Don Page, Tim McCluskey, Sgt. Pelletier, Dave Quinn, Darrell Cyr, Deb Farnham, Tom Ellis, Gina Bennett, Patricia Duran, Troy Morton, Mike McCarthy, Mike Paradis, Ralph Shaw, Ruth Chavez and Rachel Grass

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

**WARRANTS. –SIGN      August 26, 2016**

**RESOLVES. -SIGN      R16-17-09      Fire Chief Job Description**



**QUIT CLAIM. -SIGN M/L 006-014-000**

**Councilor Sinclair moved to approve the Consent Calendar as presented. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**V. NEWS, PRESENTATIONS AND RECOGNITIONS**

• **Presentation by Chair Thomas**

Steve Thomas informed those in attendance that this is Town Manager Roger Raymond's last Council meeting. Steve thanked Roger for his leadership, guidance and patience, telling how he admires Roger's passion and his ability to bring the Council together. Several of those in attendance spoke regarding their interactions and relationships with Mr. Raymond. Donna Pulver thanked Roger for helping us to understand TIF's. Tom Ellis thanked Roger for working tirelessly on the water quality issue at Danforth's Plaza. Tom told how the attention and time Roger has given businesses in Hermon is phenomenal. Alden Brown informed Roger that he was the right man at the right place at the right time and thanked Roger for his service to our community. Tim McCluskey informed us of the unique relationship he and Roger have. They talk on the phone everyday sometimes five or six times a day. He mentioned the many projects they worked on together including Jackson's Beach, the Transfer Station and the Route #2 sidewalk project. Tim told Roger he will miss him and thanked him for leaving Hermon better than it was when he started. Gina Bennett thanked Roger for believing in her and seeing her true potential. Roger Reed told how many times he has called Roger Raymond from the Statehouse and how Mr. Raymond has given him a lot of wisdom which he appreciates. Mr. Reed noted that the people in Augusta will tell you that Roger Raymond is a classy guy who knows what he is talking about and is the best Town Manager in our State. Reed informed Raymond that he appreciates that he had the chance to know him. Troy Morton spoke of the great relationship he has with Roger, having known him since Troy was in high school. He thanked Roger for his direction, his vision and his willingness to work out a unique contract with the Sheriff's Department, explaining that the Sheriff's office works with 54 towns and the Town of Hermon is an absolute privilege to work with. Scott Perkins thanked Roger for everything he has done; informing him he is a great teacher. Scott stated that our Town is stronger than ever. He told how Roger will never ask anyone to do anything he is not willing to do himself. Scott thanked Roger for making us better employees, for the fond memories, for his volunteerism and the valuable asset he has been to our community.

Manager Raymond thanked those in attendance for their kind words. He informed us that he has been a Town Manager for 41 years and has conducted over 1,000 Council Meetings.

Chair Thomas recessed the Council Meeting for a brief reception at 7:30pm.

Chair Thomas called the meeting back to order at 7:45pm.

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



**Don Page** spoke on behalf of the average citizens in our community. He stated that while he understands you cannot please everybody he has personally never heard a bad word about Roger Raymond. Mr. Page thanked Roger for doing a great job.

**Michelle Thayer**, Director of Parks and Rec informed the Council and those in attendance that the Harvest & Homecoming Celebration has a full schedule of events. The schedule can be found in the most recent Hermon Connection. She told how she looks forward to the community participating in the celebration.

## **VII. PUBLIC HEARINGS**

None

## **VIII. COMMITTEE REPORTS**

None

## **IX. SCHEDULED AGENDA ITEMS**

### **A. OLD BUSINESS**

#### **1. Review and approve changes to the Goals for the ensuing year**

Manager Raymond spoke of the goals to adopt for 2016-2017. He informed the Council that he added a 23<sup>rd</sup> goal. That goal is to pursue a long and short term plan to correct the safety issues at the intersection of the Annis Road and Route #2. The Manager handed out a revised list of goals to the Councilors.

**Councilor Watson moved to approve R16-17-10. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(R16-17-10 is attached for review.)*

### **B. NEW BUSINESS**

#### **2. Consider approving the Economic Development Plan**

Interim Economic Development Director Scott Perkins presented the Economic Development Plan to the Council. He passed a copy of the 60 page document to each Councilor. The highlights of the plan were reviewed. Mr. Perkins told how the most important part of the plan is on page 43 and includes the goals for the Office of Economic Development. Chair Thomas asked about the commercials that were recently created to promote the Town of Hermon. Scott stated that those would be aired at a separate meeting. Using the commercials to promote our Town is part of the *EDP*. Tonight's purpose is to approve the plan itself; approving the use of the commercials will take place at a later time.



**Councilor Freeman moved to approve R16-17-11. Councilor Watson seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R16-17-11 is attached for review.)**

**3. Consider authorizing expenditure from the Public Safety and Town Office Reserve for new surveillance cameras**

Manager Raymond told how the purchase and installation of security cameras at the Public Safety Building and the Town Office is part of the 2016-2017 Capital Improvement Plan. In response to Chair Thomas, Mr. Raymond stated that there are currently no security issues.

**Councilor Freeman moved to approve FR16-17-09. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-09 is attached for review.)**

**4. Consider contract for resident engineer and inspector for the Route 2 Sidewalk Project**

The Town Manager informed the Council that he would only recommend approving the Contract for Resident Engineer and Inspector for the Route #2 Sidewalk Project with the following conditions. #1. The contract is approved by MDOT. #2. There are adequate funds to cover the cost of the contract. #3. The contract complies with the grant & budget requirements.

Mr. Raymond told how there are three grants covering the cost of this 1.3 million dollar project, which include the costs for the engineer/inspector. He explained that the services are provided on an hourly basis and that the paving requires a trained inspector. At this point one bid has been received. The bid opening is scheduled for tomorrow at 11:00am.

**Councilor Jacques moved to approve FR16-17-11. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-11 is attached for review.)**

**5. Consider award of the contract for the Route 2 Sidewalk Project**

Chair Thomas read the prepared resolve awarding the Project to the qualified low bidder as recommended by Plymouth Engineering.

**Councilor Sinclair moved to approve FR16-17-10. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-10 is attached for review.)**

**6. Consider introducing an ordinance titled "Amendment to the Hermon Code of Ordinances, Land Uses, Schedule of Uses"**



Town Manager Raymond informed the Council that the Code Enforcement Officer requested approval of an amendment to the Land Use Code regarding the zoning of abandoned property. Since then the Town Attorney has told of the specific wording that should be used. This proposed amendment now needs to go back to the Planning Board before the Council can approve it. The Manager requested this agenda item be tabled to a later date.

**Councilor Snyder moved to approve R16-17-12. Councilor Freeman seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(R16-17-12 is attached for review.)**

- 7. Consider approval of expenditures from the Transfer Station Reserve for paving and the new sign**

Chair Thomas read the prepared resolve.

**Councilor Jacques moved to approve FR16-17-12. Councilor Sinclair seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-12 is attached for review.)**

- 8. Consider approving Election warrant articles for the November General elections.**

Manager Raymond asked the Council to consider approving the Election Warrant Articles for the November General Election. Included are 10 Charter Amendments as well as 2 Ordinances. Ordinance #1 proposes a new school addition at the Hermon Elementary School for educational purposes and Ordinance #2 proposes a portion of the same project for recreational purposes.

The Manager told how the school has worked hard to save 2.3 million dollars for this project. Additionally, the Town has been working to build a reserve. We charge for our recreation services, and we make a little money every year. We have \$600,000 saved and feel comfortable about raising at least that much more. The goal is to pull off both projects with as little affect on our tax payers and the mill rate as possible. Currently our only debt is the Middle School.

**Councilor Freeman moved to approve the Election Warrant Articles as presented. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

- 9. Consider notifying the MRC regarding the use of the Tipping Fee Reserve for the Fiberight Development**

The Town Manager spoke again regarding the use of the Tipping Fee Reserve by the MRC. He told how now that the Town has agreed to continue with PERC post 2018, protecting the funds in the tipping fee reserve, the MRC currently manages for member communities, is imperative. The MRC has continued to spend down the reserve to assist Fiberight with the permitting of the new facility as well as with the development of the site. The towns that have chosen to withdraw



from the MRC are concerned the tipping fee reserve will be reduced from its original estimate if the MRC is not held accountable for the funds. The Council agreed to put the MRC on notice, informing them that we expect an account for all funds.

**Councilor Freeman moved to approve R16-17-15. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R16-17-15 is attached for review.)**

#### **10. Consider approving the 2016-2017 Tax Commitment**

Tax Assessor Ben Birch spoke to the Council about the 2016-2017 Tax Commitment. The Town's value is 502 million. This year's mill rate will be 12.00. Mr. Birch told how this was one of his most challenging commitments he has ever prepared. There are 7 new TIF's this year.

He also told of the status of the in house revaluation. It is about ½ complete. 99 neighborhoods have been consolidated into 15 communities. Mr. Birch stated that the goal is for fair and reasonable assessments for all properties.

**Councilor Freeman moved to approve R16-17-16. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R16-17-16 is attached for review.)**

#### **C. WORKSHOPS**

None

**Councilor Sinclair moved to consider other items from the table packet. Councilor Freeman seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

#### **D. OTHER ITEMS (from Table Package)**

##### **#11. Consider an emergency expenditure from the Fire Equipment Reserve to replace the pump & gear box in Engine 401.**

The Town Manager informed the Council that we suffered a failure in engine 401. There are some serious noises in the gear box and pump. We have received two cost estimates for repairs; the lower estimate being \$25,000. While this truck is almost 20 years old, it is a very important piece of apparatus.

**Councilor Sinclair moved to approve FR16-17-13. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-13 is attached for review.)**





**X. APPOINTMENTS**

None

**XI. MANAGER STATUS REPORT:**

**Fire Chief** – The committee has interviewed 5 candidates. 2 candidates have been promoted to the next step. The Town Manager will make the final decision. If Councilors are available for the final interview, your presence would be appreciated. I will meet with the new Town Manager tomorrow, he will also be involved.

**Police Sergeant** – Pelletier spoke with the Council regarding improvements to the Route #2, Klatte Rd, Annis Rd intersection. He offered rumble strips, line striping and signage as an immediate and temporary solution. He then informed the Council that the new cruiser is all striped and painted. The new equipment has been ordered. We are waiting for the console. Additionally, the new message board that was ordered in June should be here anytime. We hope to have it for the Harvest & Homecoming Celebration.

**Town Manager Work Schedule** - The Town Manager's last day of work will be August 31, 2016.

**High School wetlands** have been visited by an expert who will report to us shortly.

**Roger's final comments:** Thank you Council for your support. I have never worked with such an involved Council. I have learned a lot from you. You have made me a better Town Manager. I truly appreciate all your effort. I have enjoyed my time here in Hermon. I am humble. I am appreciative. I will leave you my phone number.

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

None

**XIII. COUNCIL ITEMS:**

None

**XIV. EXECUTIVE SESSION:**

None

**XV. ADJOURNMENT:**

**Chair Thomas declared the meeting adjourned at 9:50pm.**

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




R16-17-10

Be it resolved by the Hermon Town Council in town council assembled the Goals for fiscal year 2016-2017, as reviewed by the Town Council, be adopted.


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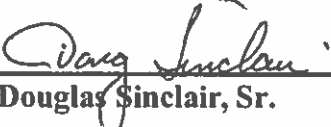
**SIGNED** this August 25, 2016 by the Hermon Town Council:


  
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Donna Ellis

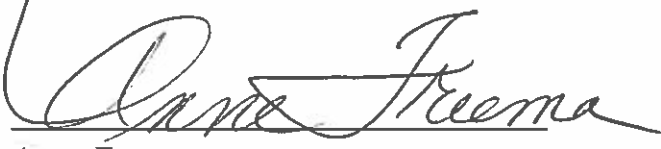
  
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Jeanne Jacques

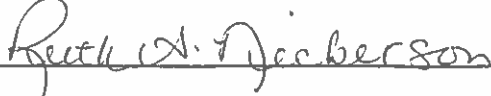
  
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John Snyder

  
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Steve Watson

  
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Steven Thomas

  
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Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Watson</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Freeman</u>	Nays <u>0</u>	



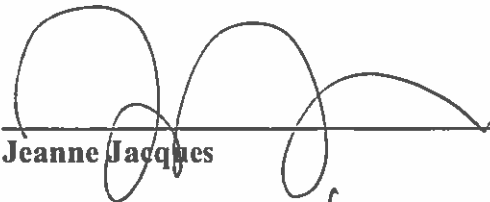
R16-17-11

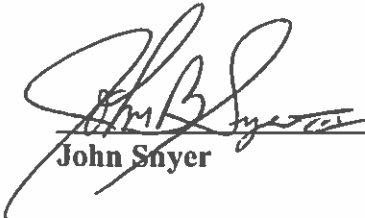
Be it resolved by the members of the Hermon Town Council in town council assembled, the Town of Hermon Economic and Community Development Strategic Plan is adopted as recommended by the Economic Development Committee.

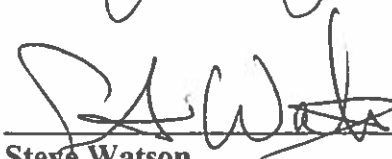
Be it further resolved the Economic Development Director under the guidance of the Economic Development Committee commence implementation of the goals outlined by the plan provided prior approval has been received by the Town Council.

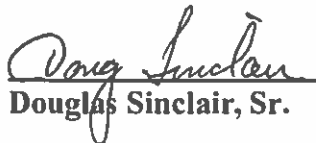
**SIGNED** this August 25, 2016 by the Hermon Town Council:

  
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Donna Ellis

  
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Jeanne Jacques

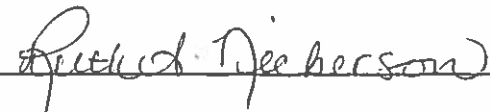
  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
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Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Freeman</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Watson</u>	Nays <u>0</u>	



FR16-17-09

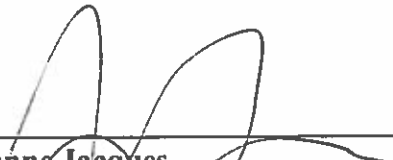
Be it resolved by the Hermon Town Council in town council assembled the Public Works Director is authorized with support from the Town IT Technician to obtain quotes from qualified vendors to purchase the necessary equipment to install surveillance cameras at the Town Office and Public Safety Building as outlined by the 2016-2017 Capital Improvement Plan.

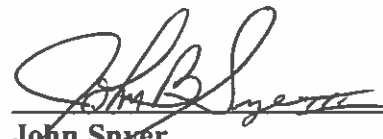
Be it further resolved the equipment will be purchased following the Town's Purchasing Policy and the cost be charge in an amount not to exceed \$1,500 from the Municipal Office Reserve and \$3,000 from the Public Safety Reserve.

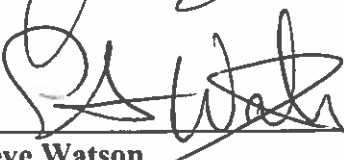
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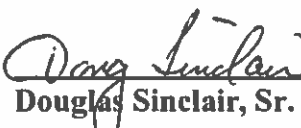
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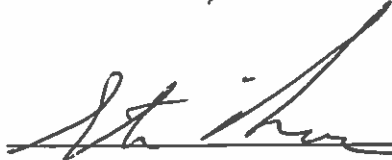
  
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Donna Ellis

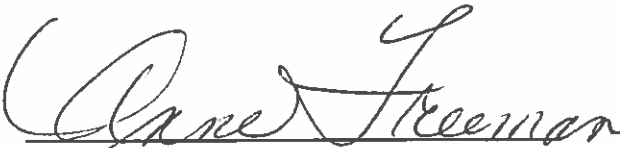
  
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Jeanne Jacques

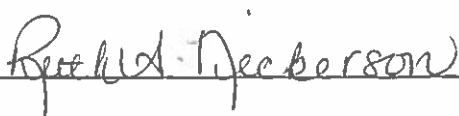
  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
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Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Freeman</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Snyder</u>	Nays <u>0</u>	



**FR16-17-11**

Be it resolved by the Hermon Town Council in town council assembled Plymouth Engineering, Inc. is awarded the contract to provide construction monitoring, pavement inspection and administrative assistance related to the Route 2 Sidewalk Project as outlined by Agreement dated August 11, 2016 pursuant to the following conditions:

1. Award of the contract is approved by the Maine Department of Transportation.
2. There are adequate funds in the budget to cover the cost of the contract.
3. The award complies with all grant requirements and is administered by the Project Administrator according to the need for the services.

Be it further resolved the cost of the project is paid for with the proceeds of three grants and local match which include a MDOT Partnership and Initiative Grant in the amount of \$627,566.00, a Sidewalk Grant WIN 019414 in the amount of \$583,000 and a MDOT Local Administered Grant WIN 017887.10 in the amount of \$140,000.

**SIGNED** this August 25, 2016 by the Hermon Town Council:

\_\_\_\_\_  
Donna Ellis

\_\_\_\_\_  
Jeanne Jacques

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John Snyder

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Steve Watson

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Douglas Sinclair, Sr.

\_\_\_\_\_  
Steven Thomas

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Anne Freeman

Attest Original:   
\_\_\_\_\_

Motion	<u>Jacques</u>	Yeas	<u>7</u>	Date	<u>8/25/16</u>
Second	<u>Snyder</u>	Nays	<u>0</u>		



**FR16-17-10**

Be it resolved by the Hermon Town Council in town council assembled award of the contract for construction of a new sidewalk, shoulder and travel way improvements along Route 2 beginning at the intersection of the Billings Road and terminating at the main entrance to Danforth's Plaza be awarded to the qualified low bidder as recommended by Plymouth Engineering pursuant to the following conditions:

1. Award of the contract is approved by the Maine Department of Transportation.
2. There are adequate funds in the budget to cover the cost of the contract and the contract amount is not higher than the overall estimated amount as prepared by Plymouth Engineering.
3. The award complies with all grant requirements and budget as administered by the Project Administrator.

Be it further resolved the cost of the project is paid for with the proceeds of three grants and local match which include a MDOT Partnership and Initiative Grant in the amount of \$627,566.00, a Sidewalk Grant WIN 019414 in the amount of \$583,000, and a MDOT Local Administered Grant WIN 017887.10 in the amount of \$140,000.

**SIGNED** this August 25, 2016 by the Hermon Town Council:

\_\_\_\_\_  
Donna Ellis

\_\_\_\_\_  
Jeanne Jacques

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John Snyder

\_\_\_\_\_  
Steve Watson

\_\_\_\_\_  
Douglas Sinclair, Sr.

\_\_\_\_\_  
Steven Thomas

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Anne Freeman

Attest Original:   
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Motion <u>Sinclair</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Freeman</u>	Nays <u>0</u>	

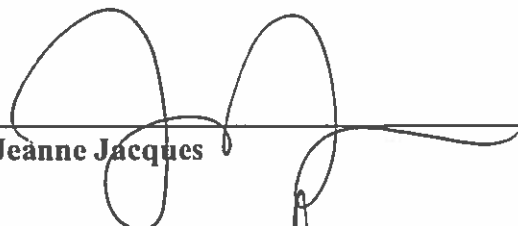


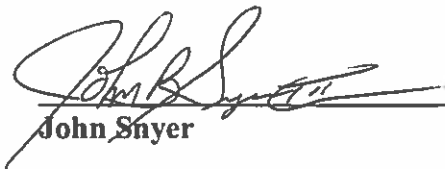
R16-17-12

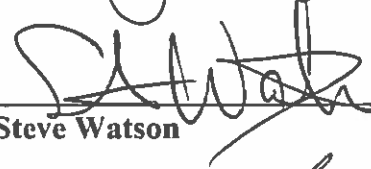
Be it resolved by the Hermon Town Council in town council assembled an ordinance titled "Amendment to the Hermon Code of Ordinances, Land Uses, Schedules of Uses" be tabled until the Planning Board reassess the findings and recommendations of the Town Attorney and holds a new public hearing on the proposed language provided.

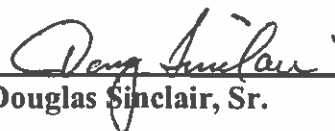
**SIGNED** this August 25, 2016 by the Hermon Town Council:

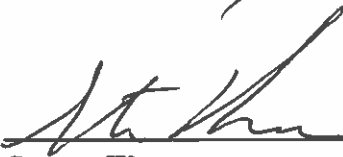
  
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Donna Ellis

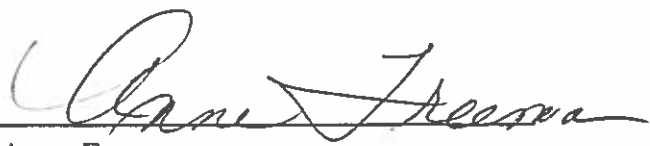
  
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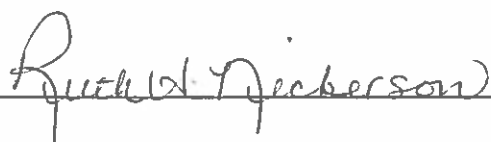
  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
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Anne Freeman

Attest Original:  \_\_\_\_\_

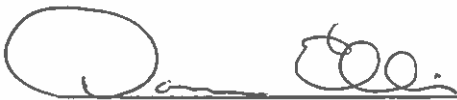
Motion <u>Snyder</u>	Yeas <u>accepted</u>	Date <u>8/25/16</u>
Second <u>Freeman</u>	Nays <u>w/o dissent</u>	




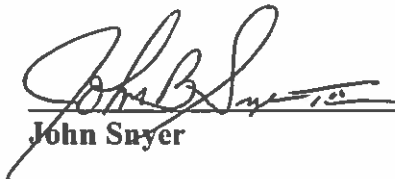
FR16-17-12

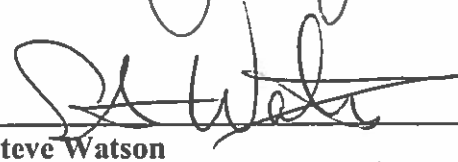
Be it resolved by the Hermon Town Council in town council assembled expenditures in the amount of \$550 for a facility sign and \$4,709 for paving the unloading area is charged to the Transfer Station Reserve Account as outlined by the 2016-2017 Capital Improvement Plan.

**SIGNED** this August 25, 2016 by the Hermon Town Council:

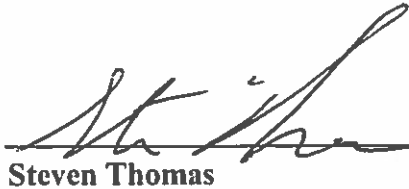
  
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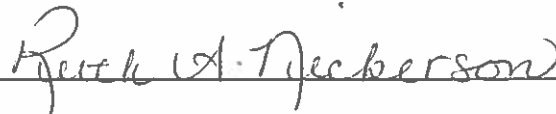
  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
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Anne Freeman

Attest Original:   
\_\_\_\_\_

Motion <u>Jacques</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Sinclair</u>	Nays <u>0</u>	





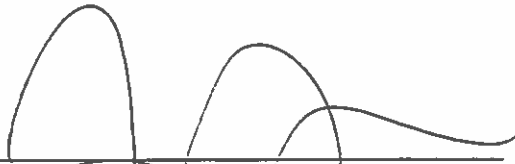
**R16-17-15**

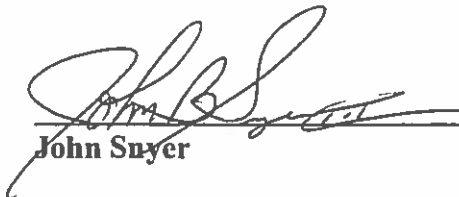
Be it resolved by the Hermon Town Council in town council assembled the Town Manager be authorized to submit a letter to the Municipal Review Committee (MRC) on their behalf requesting all funds belonging to the Town of Hermon and managed under the provisions of the current Amended PERC Agreement will not be utilized for the purpose of marketing, permitting, legal fees, consultation fees, development cost or other cost associated with the Fiberright Project being proposed in Hampden, Maine by the MRC.


Be it further resolved the letter will include a request that a full accounting of all MRC expenditures from all reserves which the Town has ownership to will be provided to the Town upon distribution of all funds once the PERC contract terminates in April 2018.

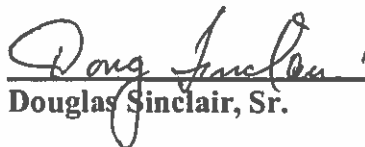
**SIGNED** this August 25, 2016 by the Hermon Town Council:


  
\_\_\_\_\_  
**Donna Ellis**

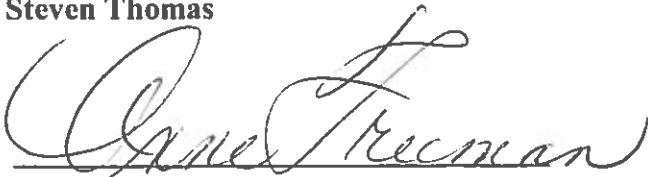
  
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**Jeanne Jacques**

  
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**John Snyder**

  
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**Steve Watson**

  
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**Douglas Sinclair, Sr.**

  
\_\_\_\_\_  
**Steven Thomas**

  
\_\_\_\_\_  
**Anne Freeman**

Attest Original: Ruth W. Nicholson

Motion <u>Freeman</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Snyder</u>	Nays <u>0</u>	



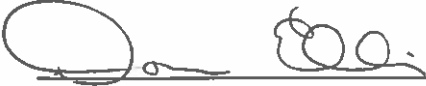
**R16-17-16**

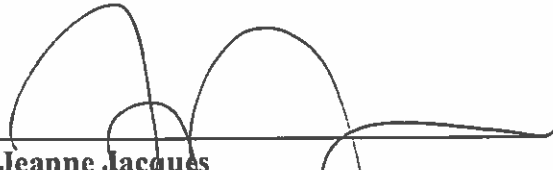
Be it resolved by the Hermon Town Council in town council assembled the mill rate for fiscal year 2016-2017 is set at 12 mills with a commitment date of 8-26-2016, a due date of 4-1-2017, interest to start on April 2, 2017 at the annual interest rate of 7% on the unpaid balance.

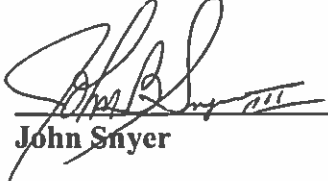
Be it further resolved the Town will accept pre-payment of the 2017 taxes at no interest, and interest on overpayment of taxes (abatements) will be paid at 4% annum.

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**SIGNED** this August 25, 2016 by the Hermon Town Council:

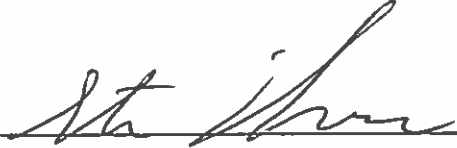
  
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**Donna Ellis**

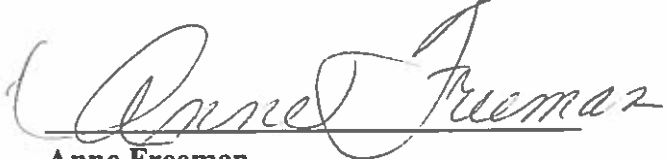
  
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**Jeanne Jacques**


  
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**John Snyder**

  
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**Steve Watson**

  
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**Douglas Sinclair, Sr.**

  
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**Steven Thomas**

  
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**Anne Freeman**

Attest Original:   
\_\_\_\_\_


Motion <u>Freeman</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Snyder</u>	Nays <u>0</u>	

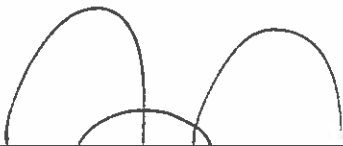


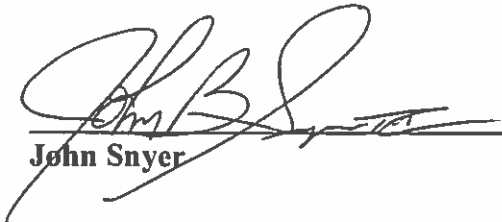
**FR16-17-13**

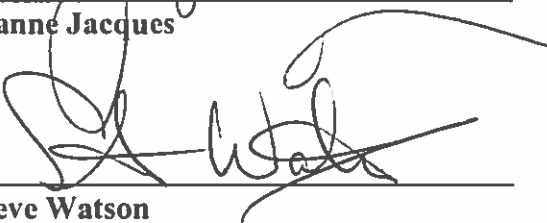
Be it resolved by the Hermon Town Council in town council assembled expenditures not to exceed \$24,999 from the Fire Equipment Reserve Account is approved for the purpose of completing emergency repairs to the pump and gear box for Fire Engine# 401.

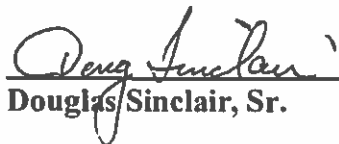
**SIGNED** this August 25, 2016 by the Hermon Town Council:


  
\_\_\_\_\_  
**Donna Ellis**

  
\_\_\_\_\_  
**Jeanne Jacques**

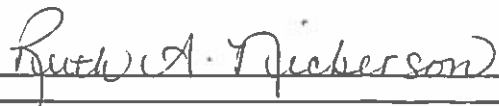
  
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**John Snyder**

  
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**Steve Watson**

  
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**Douglas Sinclair, Sr.**

  
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**Steven Thomas**

  
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**Anne Freeman**

Attest Original:  \_\_\_\_\_

Motion <u>Sinclair</u>	Yeas <u>7</u>	Date <u>8/25/16</u>
Second <u>Freeman</u>	Nays <u>0</u>	



**Town of Hermon**

**Public Safety Meeting Room**

**September 8, 2016**

**Town Council Meeting**

**7:00 PM**

**MINUTES**

**\*\*\* Televised live on Cable Channel 121.111 \*\*\***

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:** Anne Freeman, Donna Ellis, Steve Thomas, Doug Sinclair, Jeanne Jacques, John Snyder and Steve Watson

**Members Absent:** None

**Others Present:** Town Manager Howard Kroll, Town Clerk Ruth A. Nickerson, Cody Sullivan, Kim Nichols, Doris McGuire, Parks & Rec Director Michelle Thayer, Janis Dow, Sherri Andrei, Superintendent Patricia Duran, Deb Farnham, Pat Reynolds, Public Works Director Scott Perkins, Brett Danforth and Bill Scott

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

**MINUTES. -APPROVE May 18, 2016**

**WARRANTS. -SIGN September 9, 2016**

**QUITCLAIMS. -SIGN M/L 006-014-000**



**Councilor Sinclair moved to approve the Consent Calendar as presented. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**V. NEWS, PRESENTATIONS AND RECOGNITIONS**

None

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

**Michelle Thayer**, Director of Parks & Rec, welcomed Howard Kroll, our new Town Manager. She told how there are a lot of things going on in the recreation dept. She informed the Council of how privileged she feels to have such strong community support for our rec. program. This weekend is the Harvest & Homecoming Celebration with an exciting schedule of events. Michelle thanked Danforth's for their support of the Celebration.

**Brett Danforth** lives at 2033 Hemlock Drive. He thanked the Council for the opportunity to speak tonight. Brett told how his family feels privileged to be the major sponsor of the Harvest & Homecoming Celebration. He informed the Council that our community deserves to have our own celebration. Brett commended and thanked Michelle for her hard work, stating she has done a great job preparing for this weekend.

**Kim Nichols** lives at 531 Ridge Drive. Kim introduced herself and welcomed our new Town Manager, Mr. Kroll. Kim told how she is here tonight as a resident, parent, former educator and volunteer with the Maine Drug Free Communities Coalition. She informed the Council that she is very passionate about opposing Question #1. Kim told how as a small community we need to protect ourselves and the best answer is to just vote the legalization of retail marijuana down. Kim then asked the Council to please consider adopting a resolution opposing Question #1, sending a message that as the Town of Hermon, we oppose the legalization of retail marijuana. Chair Thomas responded that we would be in touch with our Town Attorney regarding such a resolution, and that we would place it on the next agenda for consideration.

**VII. PUBLIC HEARINGS**

- #1. Hold Public Hearing - "Financing Improvements at the Hermon Elementary School"  
- "Financing Improvements at the Hermon Elementary School for the Recreation Department."**

Chair Thomas opened the Public Hearing at 7:14pm. He opened the floor for comments for or against the proposed improvements.

Mary Daigle, a Wendy Acres, resident told how she moved here last year and didn't do anything. Then a neighbor invited her to join the seniors group. It is a great group and she hopes it grows.



Doris McGuire has lived in Hermon for 17 years. She told how the 14 women and 3 men that get together have so much fun. They bowl on Mondays, do crafts or watch movies on Tuesday; they go out to lunch on Wednesday, play card games on Thursday and go swimming on Friday. Doris told how Janis and Michelle do such a great job planning weekly activities and monthly dinners. Doris then invited all other seniors to join them and told how she sincerely appreciates this program.

There were no other comments. The Chair closed the Public Hearing at 7:17pm.

## VIII. COMMITTEE REPORTS

### IX. SCHEDULED AGENDA ITEMS

#### A. OLD BUSINESS

- #1. Consider adopting ordinance titled “Financing Improvements at the Hermon Elementary School”**

Chair Thomas read the prepared resolve.

**Councilor Snyder moved to approve R16-17-18. Councilor Watson seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R16-17-18 is attached for review.)**

- #2. Consider adopting ordinance titled “Financing Improvements at the Hermon Elementary School for the Recreation Department.”**

Chair Thomas read the prepared resolve.

**Councilor Snyder moved to approve R16-17-17. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R16-17-17 is attached for review.)**

- #3. Consider authorizing expenditure from the Rural Fire Reserve Account for hydrant repair**

Manager Kroll informed the Council that there is \$10,264 in the Rural Fire Reserve. \$7,000 is needed to repair several of the rural hydrants here in Hermon. He reminded the Council that these improvements were included in the 2016-2017 Capital Improvement Plan.



**Councilor Jacques moved to approve FR16-17-14. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(FR16-17-14 is attached for review.)*

**#4. Consider approving names for two private drives**

Manager Kroll explained that we have received two separate requests to name private drives. Chaffee's Way will be located off the New Boston Road between house numbers 219 and 221. Lord's Way will be located off the Kelley Road between house numbers 59 and 77.

**Councilor Snyder moved to approve R16-17-19. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(R16-17-19 is attached for review.)*

**#5. Consider issuing quit claim deed to Trustee Debra Merry for Avery, Tracy and Frank Merry III**

The Town Manager requested the Council consider issuing a quit claim deed for taxes and lien costs paid for Real Estate Account #819.

**Councilor Watson moved to approve R16-17-20. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(R16-17-20 is attached for review.)*

**#6. Consider approving and signing Special Town Meeting Warrant for November 8, 2016.**

The Manager reminded the Council that they approved the Special Town Meeting Warrant at the last Council Meeting. The Council agreed to sign the approved Warrant for 11/08/2016.

**Councilor Sinclair moved to approve and sign the Special Town Meeting Warrant for November 8, 2016. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**B. NEW BUSINESS**

**#7. Consider scheduling a Public Hearing for Morgan Hill Events, LLC Liquor License Application**



The Council agreed to schedule a Public Hearing to listen to public comment regarding Morgan Hill's request for a liquor license.

**Councilor Watson moved to schedule a Public Hearing on September 22, 2016. Councilor Snyder seconded the motion. The motion was accepted without doubt.**  
*The motion carries.*

### **C. WORKSHOPS**

None

### **D. OTHER ITEMS (from Table Package)**

**Councilor Snyder moved to consider agenda items in the Table Packet. Councilor Freeman seconded the motion. The motion was accepted without doubt.**  
*The motion carries.*

#### **Scheduled Agenda Items**

##### **A. Old Business**

###### **#8. Discuss letter to MRC**

The Council agreed that the letter to the Municipal Review Committee was very well written and should be sent.

**Councilor Sinclair moved to approve the letter written to MRC. Councilor Snyder seconded the motion. The motion was accepted without doubt.**  
*The motion carries.*

##### **B. New Business**

###### **#9. Consider signing appointment papers for the new Town Manager**

The Council approved and signed papers appointing Howard Kroll as General Assistance Director, Holding Tank Permit Officer, ICMA Administrator, Road Commissioner, Town Manager and Treasurer for the Town of Hermon.

###### **#10. Consider signing "Proclamation" for First Responders on 9/11/16**

Chair Thomas read a proclamation recognizing our First Responders that will be presented to our local Police, Fire and Ambulance crews on Sunday, September 11, 2016 at the Harvest & Homecoming Celebration's "Pies in the Park" event.

**Councilor Freeman moved to approve the presentation of the Proclamation. Councilor Snyder seconded the motion. The motion was accepted without doubt.**





*The motion carries.*

**X. APPOINTMENTS**

- See agenda item #9.

**XI. MANAGER STATUS REPORT:**

**Thank You** for welcoming me to the Town of Hermon. The staff here is incredible. I have met with the Superintendent, and will continue to meet with residents and businesses. I feel privileged to be a part of the Town of Hermon and you all should be proud of your community.

**Route #2** contract was signed today.

**Harvest & Homecoming Celebration** is impressive.

**MDOT** was at Annis Road today working to make some improvements. They put the blinking light on the stop sign, the striping has been refreshed and there are now double stop signs.

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

None

**XIII. COUNCIL ITEMS:**

**Councilor Freeman** stated her concern that Council Meeting minutes are not up to date. She asked to have that fixed as soon as possible, telling how it is not fair to the new councilors.

**Councilor Snyer** welcomed Howard to Hermon. He then informed us that he saw the State at the intersection and told how we have got to get it fixed. Drivers have got to get out of the right lane.

**Councilor Watson** welcomed Howard to Hermon.

**Councilor Sinclair** told how drivers make it so you can't merge properly while driving up the hill, and then welcomed Howard to Hermon

**Councilor Jacques** welcomed Howard to Hermon.

**Councilor Ellis** welcomed Howard to Hermon.

**Councilor Thomas** welcomed Howard to Hermon.



**XIV. EXECUTIVE SESSION:**

None

**XV. ADJOURNMENT:**

**Councilor Jacques moved to adjourn the meeting at 7:46pm. Councilor Snyder seconded the motion. With no objection the meeting was adjourned.**

**Respectfully Submitted,**

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



**R16-17-18**

Be it resolved by the Hermon Town Council in town council assembled an ordinance be adopted titled " Financing Improvements at the Hermon Elementary School" for the purpose of completing improvements at the Hermon Elementary School for educational purposes.

**SIGNED** this September 8, 2016 by the Hermon Town Council:

**Donna Ellis**

**Jeanne Jacques**

**John Snyder**

**Steve Watson**

**Douglas Sinclair, Sr.**

**Steven Thomas**

**Anne Freeman**

Attest Original:

Motion	Yeas <u>7</u>	Date <u>9/8/16</u>
Second	Nays <u>0</u>	



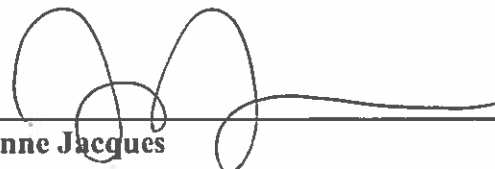
R16-17-17

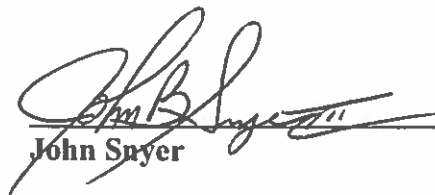
Be it resolved by the Hermon Town Council in town council assembled an ordinance be adopted titled "Financing Improvements at the Hermon Elementary School for the Recreation Department " for the purpose of completing improvements at the Hermon Elementary School for the Recreation Department's use.


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SIGNED this September 8, 2016 by the Hermon Town Council:

  
\_\_\_\_\_  
Donna Ellis

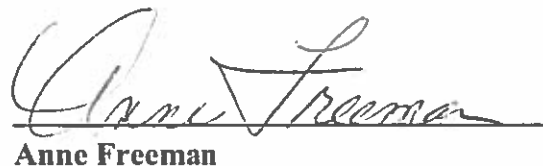
  
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Jeanne Jacques

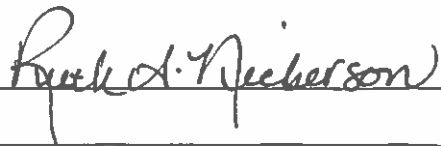
  
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John Snyder

  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:  \_\_\_\_\_

Motion	<u>Snyder</u>	Yeas	<u>7</u>	Date	<u>9/8/16</u>
Second	<u>Watson</u>	Nays	<u>0</u>		



FR16-17-14

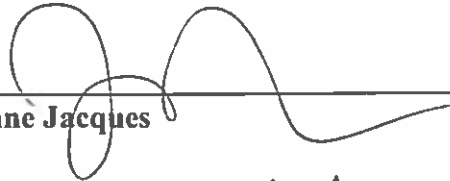
Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to expend an amount not to exceed \$7000 to purchase services for needed repairs to several rural hydrants throughout Hermon including the Morgan Hill and Lower Access Road dry hydrants.

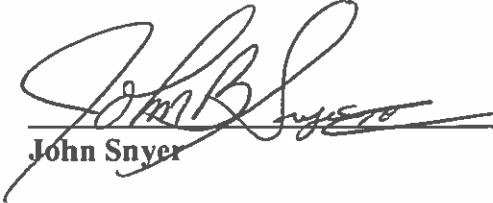
Be it further resolved the cost of the repair service is to be paid for from the Rural Fire Reserve Account.

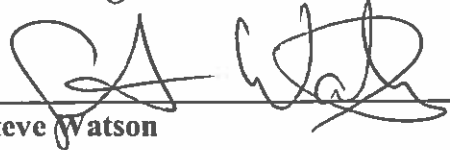
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SIGNED this September 8, 2016 by the Hermon Town Council:

  
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Donna Ellis

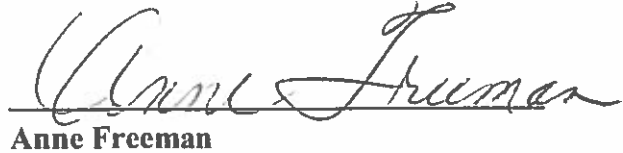
  
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Jeanne Jacques

  
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John Snyder

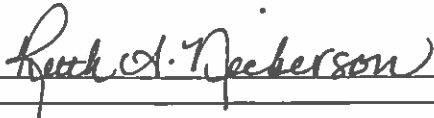
  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
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Anne Freeman

Attest Original:

  
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Motion	<u>Jaques</u>	Yeas	<u>7</u>	Date	<u>9/8/16</u>
Second	<u>Freeman</u>	Nays	<u>0</u>		



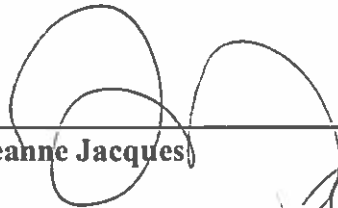
R16-17-19

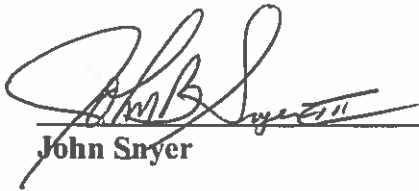
Be it resolved by the Hermon Town Council in town council assembled a private way located off New Boston Road between house numbers 219 and 221 be named CHAFEESS WAY and a private way located off Kelley Road between house numbers 59 and 77 be named LORDS WAY.

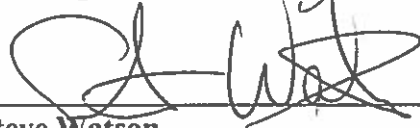
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SIGNED this September 8, 2016 by the Hermon Town Council:

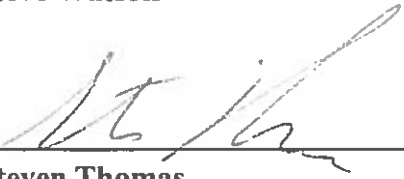
  
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Donna Ellis

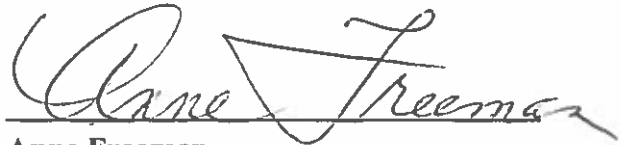
  
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Jeanne Jacques

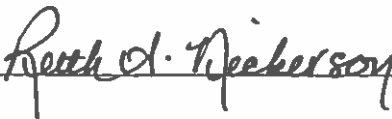
  
\_\_\_\_\_  
John Snyder

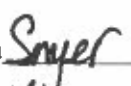
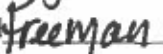
  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
\_\_\_\_\_  
Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:  \_\_\_\_\_

Motion 	Yeas <u>7</u>	Date <u>9/8/16</u>
Second 	Nays <u>0</u>	



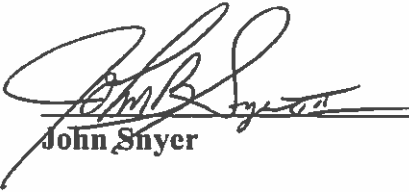
R16-17-20

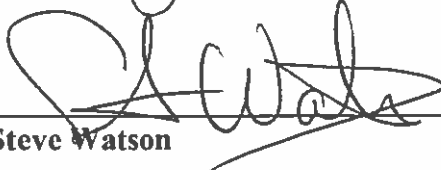
Be it resolved by the Hermon Town Council in town council assembled to issue a quit claim deed to Debra Merry for Avery, Tracy and Frank Merry III for paid taxes, lien and cost for property identified as Map/Lot 028-013-000 located at 90 New Boston Road.


**SIGNED** this September 8, 2016 by the Hermon Town Council:

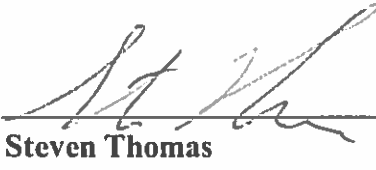
  
\_\_\_\_\_  
Donna Ellis

  
\_\_\_\_\_  
Jeanne Jacques

  
\_\_\_\_\_  
John Shyer

  
\_\_\_\_\_  
Steve Watson

  
\_\_\_\_\_  
Douglas Sinclair, Sr.

  
\_\_\_\_\_  
Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Watson</u>	Yeas <u>7</u>	Date <u>9/8/16</u>
Second <u>Freeman</u>	Nays <u>0</u>	



**Town of Hermon**

**Public Safety Meeting Room**

**September 22, 2016**

**Town Council Meeting**

**7:00 PM**

**MINUTES**

**\*\*\* Televised live on Cable Channel 121.111 \*\*\***

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:** Anne Freeman, Donna Ellis, Steve Thomas, Doug Sinclair, Jeanne Jacques, John Snyder and Steve Watson

**Members Absent:** None

**Others Present:** Town Manager Howard Kroll, Town Clerk Ruth A. Nickerson, Senator Geoff Gratwick, Public Works Director Scott Perkins, Bill Scott, Wendy Wiles-Scott and Donna Pulver

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

**MINUTES. -APPROVE** May 26, 2016, June 9, 2016 and June 30, 2016

**WARRANTS. -SIGN** September 21, 2016





**Councilor Freeman moved to approve the Consent Calendar as presented. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**  
*The motion carries.*

**V. NEWS, PRESENTATIONS AND RECOGNITIONS**

None

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

**Senator Geoff Gratwick** informed the Council that it is a pleasure to be here. He told how he had little to report out of Augusta, but shared the issues he is most concerned about. Those are: an emphasis on working and establishing jobs in a bipartisan way, significant cuts for individuals with mental disabilities, and the current very real drug crisis we find ourselves in. This crisis requires that we develop prescription guidelines and establish accountability.

Chair Thomas asked the Senator what his position is on legalizing marijuana. Senator Gratwick told how he believes that Medical Marijuana has a place and its plusses. He then state that he is opposed to Recreational Marijuana because there is simply not enough data. He informed the Council that legalizing Recreational Marijuana will eventually happen and encouraged the Council to proceed with caution.

**VII. PUBLIC HEARINGS**

**#1. Hold Public Hearing to hear comment on Morgan Hill's Liquor License Application.**

Chair Thomas opened the public hearing at 7:10pm. He opened the floor for public comment for or against. There was none. The public hearing closed at 7:11pm.

**VIII. COMMITTEE REPORTS**

None

**IX. SCHEDULED AGENDA ITEMS**

**A. OLD BUSINESS**

**#2. Consider approving funds for business park improvements**

The Town Manager requested approval to reallocate funds approved at the Annual Town Meeting. \$70,000 was approved for the Printer's Way project. That project did not require all the funds. Approval to spend the remaining \$19, 907.83 improving roads and drainage in other business parks was requested.



**Councilor Jacques moved to approve FR16-17-15. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR16-17-15 is attached for review.)**

## **B. NEW BUSINESS**

### **#3. Consider appointing voting delegate for MMA Annual Business Meeting**

Manager Kroll informed the Council that he would be willing to serve on MMA's Legislative Policy Committee. Mr. Raymond had served in the same capacity prior to his retirement.

**Councilor Jacques moved to approve R16-17-21. Councilor Watson seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(R16-17-21 is attached for review.)**

### **#4. Consider introducing an ordinance amendment to the Hermon Code of Ordinances**

The Town Manager told how the Planning Board is seeking Council approval to amend the Non-Conforming Uses section of Title 15. He introduced the ordinance and requested a public hearing be held on October 6, 2016.

**Councilor Freeman moved to approve R16-17-22. Councilor Jacques seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(R16-17-22 is attached for review.)**

### **#5. Consider introducing an ordinance amendment to the Hermon Code of Ordinances**

The Town Manager informed the Council that James Gallant of Bangor, ME has purchased the old Wheeler Stream Campground on Route #2 with the intention of reestablishing the campground. A Contract Zone is necessary because the property is currently non-conforming due to a portion of it being in the Village Commercial District. Campgrounds are not allowed in the Village Commercial District. An ordinance amendment was introduced and a public hearing was scheduled for October 6, 2016.

**Councilor Jacques moved to approve R16-17-23. Councilor Snyder seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(R16-17-23 is attached for review.)**

### **#6. Review and discuss proposed Resolution for "No on Question 1."**



Manager Kroll explained to the Council and those in attendance that resident Kim Nichols has requested the Council adopt a resolution opposing Question 1. The Manager informed the Council that he was not in the position to tell them how to tell their voters to vote. Senator Gratwick spoke regarding the request; informing the Council that while it would be appropriate to approve such a resolution, to do so without hearing both sides would not be prudent. A balanced presentation is necessary. Councilor Jacques stated that she did not feel the Council should be telling the townspeople how to vote. Councilor Ellis agreed telling how we cannot have enough information on the topic, and that we need to hear from both sides. Chair Thomas requested the Council hold a workshop to discuss the topic.

**Councilor Freeman moved to approve R16-17-24. Councilor Jacques seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

*\*(R16-17-24 is attached for review.)*

**#7. Consider seeking Engineering Services for Newburgh/Coldbrook Roads**

The Town Manager reminded the Council of the upcoming projects on Newburgh Road and Coldbrook Road. The Town is financially responsible for 50% of the project approved at a Special Town Meeting held on July 28, 2016. The Manager requested authorization to seek engineering services for the projects.

**Councilor Watson moved to approve R16-17-25. Councilor Jacques seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(R16-17-25 is attached for review.)*

**#8. Consider accepting Municipal Partnership Organization Grant**

The Manager told of the need to replace the traffic light at the Odlin Road intersection. The Town has spent over \$10,000 over the last 10 years in repairs to that light. Mr. Kroll requested authorization to accept a Municipal Partnership Organization Grant in the amount of \$87,525.00. The Town will be responsible for 10% of the project (\$8,752.50.) The State of Maine is responsible for 10% and the Federal Highway Administration is responsible for the remaining 80%.

**Councilor Snyer moved to approve FR16-17-16. Councilor Freeman seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

*\*(FR16-17-16 is attached for review.)*

**C. WORKSHOPS**

None



**D. OTHER ITEMS (from Table Package)**

None

**X. APPOINTMENTS**

None

**XI. MANAGER STATUS REPORT:**

**Thank You** to Michelle Thayer, the Rec staff, volunteers and sponsors for the Harvest & Homecoming Celebration. It was a successful event and Michelle worked extremely hard.

**Fire Chief** Frank Roma starts his new position on Monday. Please feel free to come by and meet Chief Roma. He has a lot of fresh new ideas and is a welcome addition to our community.

**Route #2 Project** begins Wednesday, September 28, 2016. This project has been a long time in the planning. Motorists should expect traffic delays. The project is expected to be completed in July of 2017.

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

None

**XIII. COUNCIL ITEMS:**

**Councilor Freeman**

**Councilor Thomas**

**XIV. EXECUTIVE SESSION:**

None

**XV. ADJOURNMENT:**

**Councilor Jacques** moved to adjourn the meeting at 7:56pm. **Councilor Watson** seconded the motion. With no objection the meeting was adjourned.

**Respectfully Submitted,**

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



**FR16-17-15**

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 \$19,907.83 for drainage and road improvements at various Town of Hermon Industrial Parks.

Be it further resolved the cost of the services is to be paid for from the Economic Development Reserve Account (HERM16).

---

**SIGNED** this September 22, 2016 by the Hermon Town Council:

**Donna Ellis**

**Jeanne Jacques**

**John Snyder**

**Steve Watson**

**Douglas Sinclair, Sr.**

**Steven Thomas**

**Anne Freeman**

Attest Original: \_\_\_\_\_

Motion Jacques

Yeas 7

Date 9/22/2016

Second Snyder

Nays 0

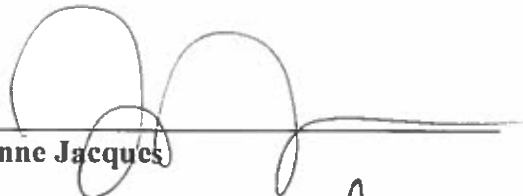


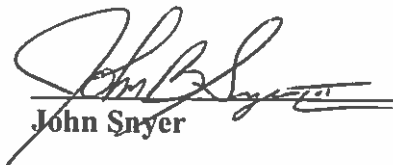
R16-17-21

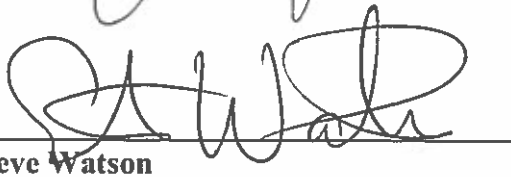
Be it resolved by the Hermon Town Council in town council assembled to appoint the Town Manager, Howard Kroll, as the Town of Hermon's voting delegate on the Maine Municipal Association Legislative Policy Committee.


SIGNED this September 22, 2016 by the Hermon Town Council:

  
Donna Ellis

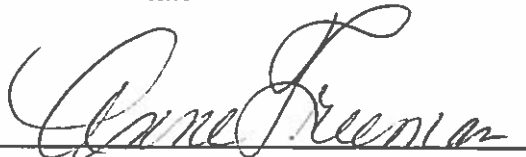
  
Jeanne Jacques

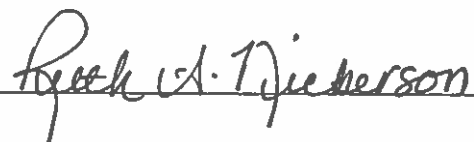
  
John Snyder

  
Steve Watson

  
Douglas Sinclair, Sr.

  
Steven Thomas

  
Anne Freeman

Attest Original: 


Motion	<u>Jacques</u>	Yeas	<u>accepted</u>	Date	<u>9/22/2016</u>
Second	<u>Watson</u>	Nays	<u>w/o doubt</u>		




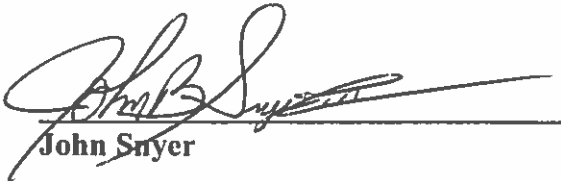
R16-17-22

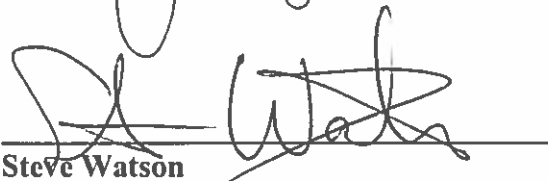
Be it resolved by the Hermon Town Council in Town Council assembled the introduction of the ordinance titled "Amendment to Chapter 154 Non-Conforming Uses § 154-112 of the Hermon Town Code" be scheduled for a public hearing and workshop at the October 6, 2016 Town Council meeting.

**SIGNED** this September 22, 2016 by the Hermon Town Council:

  
\_\_\_\_\_  
Donna Ellis

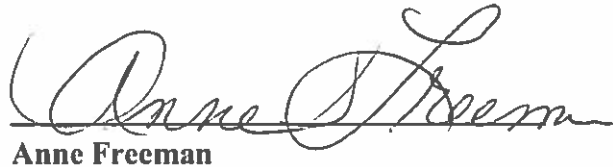
  
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Jeanne Jacques

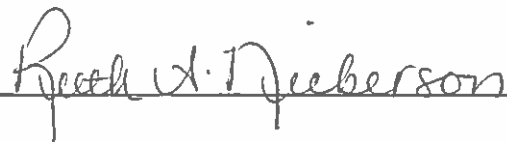
  
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John Snyder

  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
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Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Freeman</u>	Yeas <u>accepted</u>	Date <u>9/22/2016</u>
Second <u>Jacques</u>	Nays <u>w/doubt</u>	



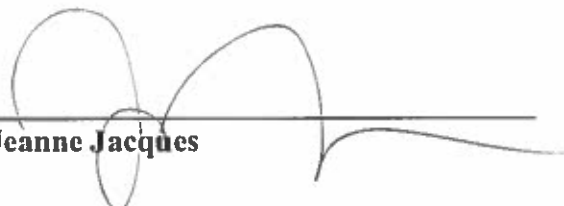
R16-17-23

Be it resolved by the Hermon Town Council in Town Council assembled the introduction of the ordinance titled "Amendment to Chapter 154 Contract Zone § 154-007 of the Hermon Town Code" be scheduled for a public hearing and workshop at the October 6, 2016 Town Council meeting.

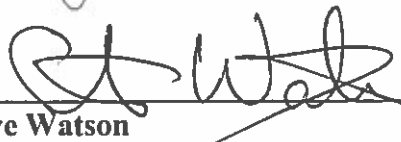
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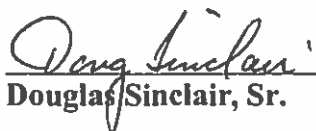
SIGNED this September 22, 2016 by the Hermon Town Council:

  
\_\_\_\_\_  
Donna Ellis

  
\_\_\_\_\_  
Jeanne Jacques

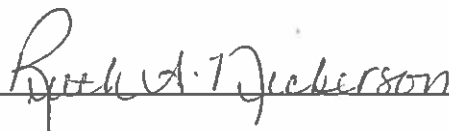
  
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John Snyder

  
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Steve Watson

  
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Douglas Sinclair, Sr.

  
\_\_\_\_\_  
Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:  \_\_\_\_\_

Motion <u>Jacques</u>	Yeas <u>accepted</u>	Date <u>9/22/2016</u>
Second <u>Snyder</u>	Nays <u>w/o doubt</u>	




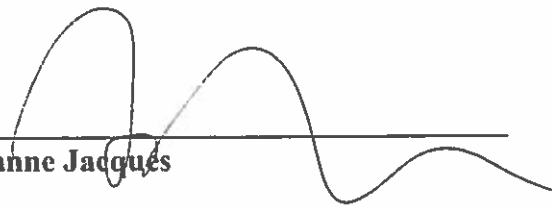


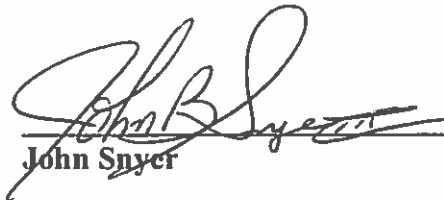
R16-17-24

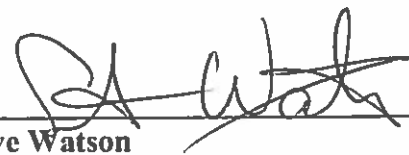
Be it resolved by the Hermon Town Council in town council assembled to place on the October 6, 2016 agenda, for Town Council consideration, a resolution to "Oppose the Legalization of Retail (non-medical) Marijuana".  
"Workshop Session"

SIGNED this September 22, 2016 by the Hermon Town Council:

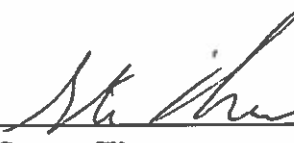
  
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Donna Ellis

  
\_\_\_\_\_  
Jeanne Jacques

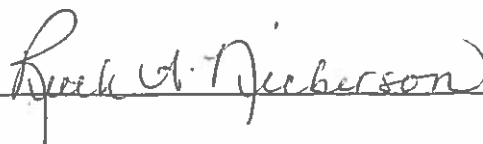
  
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John Snyder

  
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Steve Watson

  
\_\_\_\_\_  
Douglas Sinclair, Sr.

  
\_\_\_\_\_  
Steven Thomas

  
\_\_\_\_\_  
Anne Freeman

Attest Original:   
\_\_\_\_\_

Motion <u>Freeman</u>	Yeas <u>accept</u>	Date <u>9/22/2016</u>
Second <u>Jacques</u>	Nays <u>w/o doubt</u>	

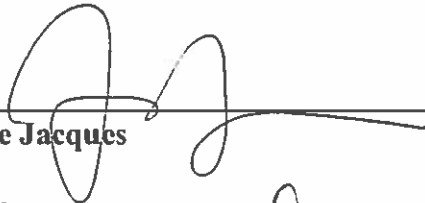


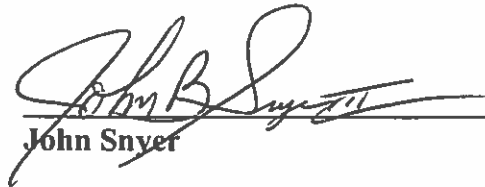
R16-17-25

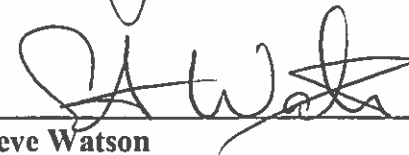
Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee is authorized to request proposals from qualified engineering firms to prepare plans and specifications for two (2) reclamation and pavement preservation rehabilitation projects on the Coldbrook Road and the Jackson Beach State Park entrance to the intersection of the Klatte and Newburgh Road. (Funds for this project will come from Unrestricted Fund Balance as approved at the Special Town Meeting on July 28, 2016.)

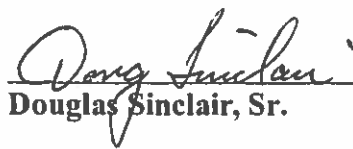
SIGNED this September 22, 2016 by the Hermon Town Council:


  
Donna Ellis

  
Jeanne Jacques

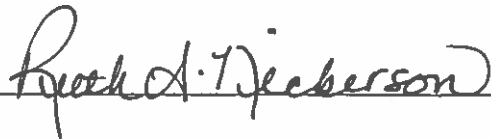
  
John Snyder



  
Steve Watson

  
Douglas Sinclair, Sr.

  
Steven Thomas

  
Anne Freeman

Attest Original: 

Motion		Yeas	<u>7</u>	Date	<u>9/22/2016</u>
Second		Nays	<u>0</u>		



FR16-17-16

Be it resolved by the Hermon Town Council in town council assembled to accept the Metropolitan Planning Organization (BACTS) MDOT grant to improve the traffic signal at the Emerson Mill/ Coldbrook/Odlin Road Intersection in the amount of \$87,525.00. Town is responsible for a 10% local match of \$8,752.50.

Be it further resolved this project is to be included in the next update of the Capital Improvement Plan and the local match of \$8,752.50 will be charged to the Highway Improvement Reserve (HERM06.)

---

**SIGNED** this September 22, 2016 by the Hermon Town Council:

Donna Ellis

Jeanne Jacques

John Snyder

Steve Watson

Douglas Sinclair, Sr.

Steven Thomas

Anne Freeman

Attest Original: Ruth A. Dickerson

Motion <u>Snyder</u>	Yeas <u>7</u>	Date <u>9/22/2016</u>
Second <u>Freeman</u>	Nays <u>0</u>	

## MEMORANDUM

To: Members of the Hermon Town Council  
From: Howard Kroll, Town Manager  
Re: 15 December 2016 Town Council Meeting  
Date: 8 December 2016

### **#1. Consider- accepting a public bid on an approved advertised Public Works Item for public bid.**

Staff is seeking Town Council approval to sell the following Town owned property:

#### 1. Boss 9.2V Plow

Description: "A" frame twisted/damaged, center hinge pin worn, damaged and previously repaired multiple times by welding. Unable to be repaired by dealer at Bangor Truck Equipment. Plow leaves rows of snow in roadway because the wings will not lay flat in any position. No cutting edges, curb guides, controls or attachment system. Plow only.

The Town received one (1) bid on this item for \$300 from Mack Witham, 882 Hampden Road, Carmel, ME.

Funds, if approved, will be deposited into the Town's General Fund.

***Town Manager recommends authorization to sell the plow to Mack Witham.***

### **#2. Consider- Awarding bid for the Town Mowing Contract**

Staff is seeking the Town Council to award bid for the Town Mowing Contract to the apparent low bidder, Tim Richardson, Sr. for \$44,411.01. Mr. Richardson, and 2 other vendors submitted bids for the 3 year contract. The results are as follows:

1. C & M Integrity Services- \$63,520
2. Thibodeau Lawn Care, LLC- \$47,700
3. Tim Richardson, Sr.- \$44,411.01

The bid is recommended to be awarded to Tim Richardson, Sr. for \$44,411.01 per year for 3 years.

***Town Manager recommends authorization.***

**#3. Consider- Authorizing the Town Manager to sign a five (5) year contract with Redzone Wireless, LLC**

Staff is seeking the Town Council to authorize the Town Manager to sign a five (5) year contract with Redzone Wireless, LLC for the installation, operation of Redzone Wireless network equipment in, around and on property owned by William and Marlene Whitcomb located @ Newburgh Road in Hermon. Redzone will pay the Town \$250 per month and Hermon Mountain Ski Area \$250 per month for 5 years.

***Town Manager recommends authorization.***

**#4. Consider- Introducing an ordinance amendment to the Hermon Code of Ordinances- Title XV- Section 154, “§ 154-008, Enacting a Moratorium on acceptance of applications or processing of applications for Chemical Dependency Treatment Facilities (Methadone Clinics)” and schedule a Public Hearing on 12 January 2017**

Town of Hermon Staff is seeking Town Council’s consideration to amend the Code of Ordinances § 154-008 to add a “Enacting a Moratorium on acceptance of applications or processing of applications for Chemical Dependency Treatment Facilities (Methadone Clinics)”.

In addition staff is seeking to have the Town Council schedule a public hearing at the next Town Council meeting scheduled for Thursday, 12 January 2017.

***Town Manager recommends Town Council consider the proposed ordinance amendments and further authorization to hold a future public hearing on the proposed ordinance amendments.***

**#5. Consider- Approving Meadow Ridge Drive as a public way**

Town of Hermon Staff and Bangor Realty Group are seeking Town Council’s consideration to approve Meadow Ridge Drive as a public way. Our inspector reviewed for compliance with Town acceptance of roads and found the proposed public way to be acceptable. Final pavement installed, even and uniformed. Minor ditching in a few areas need to be done this spring once the snow melts.

Enclosed in the packet you will find a memo from Annette Merrithew, CEO, letter from Jeff Allen, Town Engineer, proposed deed and real estate property transfer form that the Town Manager would sign once approved.

***Town Manager recommends Town Council approve Meadow Ridge Drive as a public way.***

**#6. Consider- Approving a portion of Amberside Drive and all of Edenfield Drive as a public way**

Town of Hermon Staff and M & M Truck Sales, Inc are seeking Town Council's consideration to approve a portion of Amberside Drive and all of Edenfield Drive as a public way. Our inspector reviewed for compliance with Town acceptance of roads and found the proposed public way to be acceptable. Final pavement installed, even and uniformed. Minor ditching in a few areas need to be done this spring once the snow melts.

Enclosed in the packet you will find a memo from Annette Merrithew, CEO, a letter from Jeff Allen, Town Engineer, proposed deed and real estate property transfer form that the Town Manager would sign once approved.

***Town Manager recommends Town Council approve a portion of Amberside Drive and all of Edenfield Drive as a public way.***

**#7. Consider- Authorizing the use of approved, dedicated Funds for the payment of the Town's deductible on a Public Officials claim that was approved by Maine Municipal Association.**

Staff is seeking Town Council authorization to expend an amount not to exceed \$5000 for payment of the Town's deductible on a Public Officials claim.

Staff is seeking Town Council authorization to spend funds from the Legal Liability Reserve Account (HERM03).

***Town Manager recommends authorization.***

**#8. Consider- Reviewing a PROPOSED Tax Increment Finance (TIF) District for Maine Salt Company and schedule a Public Hearing on 26 January 2017**

Town of Hermon Staff is seeking Town Council's consideration to review a PROPOSED Tax Increment Finance (TIF) District for Maine Salt Company and if acceptable move forward with the process as dictated by State Statute.

In addition staff is seeking to have the Town Council to schedule a public hearing and potential approval at the next Town Council meeting scheduled for Thursday, 26 January 2017.

***Town Manager recommends Town Council consider the proposed TIF District creation and further authorization to hold a future public hearing at the Thursday, 26 January 2017 meeting.***

**#9. Consider- Reviewing a PROPOSED Tax Increment Finance (TIF) District for Bangor Waterfront Concerts and schedule a Public Hearing on 26 January 2017**

Town of Hermon Staff is seeking Town Council's consideration to review a PROPOSED Tax Increment Finance (TIF) District for Bangor Waterfront Concerts and if acceptable move forward with the process as dictated by State Statute.

In addition staff is seeking to have the Town Council to schedule a public hearing and potential approval at the next Town Council meeting scheduled for Thursday, 26 January 2017.

***Town Manager recommends Town Council consider the proposed TIF District creation and further authorization to hold a future public hearing at the Thursday, 26 January 2017 meeting.***

**#10. Consider- Authorizing the use of approved, dedicated Funds for maintenance at the community playground.**

Staff is seeking Town Council authorization to expend an amount not to exceed \$3,500 for purchasing engineered wood fiber.

Staff is seeking Town Council authorization to spend funds from the Recreation Reserve Account (HERM09).

***Town Manager recommends authorization.***

**#11. Executive Session- Regarding a Personnel Issue.**

Staff is requesting the Town Council to enter into Executive Session discussion of a personnel matter, pursuant to 1 M.R.S.A. §405(6)(A).

***Town Manager recommends authorization.***

#1.  
12-15-16

# Hermon

December 6, 2016

Memo re: Bid Item- Boss 9.2 V-Plow

Howard,

We received one bid for the Boss V-Plow from Mack Witham for \$300.00. I recommend that we ask the Council to accept this bid.

The bid was delivered November 21, two days after bids closed formally. There was no minimum placed on the item originally.

Thanks,



Scott Perkins

Town of Hermon  
Public Works  
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](http://www.Hermon.Net)**



Witham's Paving  
469 Hampden Road  
Carmel ME 04419

To whom it may concern:

I would like to place a bid on the Boss Plow for the sum of \$300.00.

Contact information  
Mac Witham 745-1940  
882 Hampden Road  
Carmel ME 04419

A handwritten signature in black ink, appearing to read "Mac Witham", written over a horizontal line.

Mac Witham

#2.  
12-15-16



December 6, 2016

Memo: Mowing Town Areas- Bid results

Howard,

Three qualified firms responded to the request for proposals entitled *Mowing and Cemetery Maintenance*. The firms listed below submitted bids on November 15, 2016 by 4pm.

The Town manager, Public Works director and the Clerk reviewed the submittals.

- |                             |             |
|-----------------------------|-------------|
| 1. C & M Integrity Services | \$63,520    |
| 2. Thibodeau Lawn Care, LLC | \$47,700    |
| 3. Tim Richardson Sr.       | \$44,411.01 |

I recommend awarding a three year contract renewable annually to Tim Richardson Sr. for \$44,411.01.

Thanks,

Scott Perkins

Town of Hermon  
Public Works  
852-2403 (cell)  
848-1010 (office)

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](http://www.Hermon.Net)

#3.  
12-15-16



## SITE LOCATION AGREEMENT

This Site Location Agreement (the "Agreement") sets forth the terms under which you, **The Town of Hermon**, with a mailing address of PO Box 6300, Hermon Maine 04402, as the (hereinafter "Tenant"), agree to allow **Redzone Wireless, LLC** a Maine Limited Liability Company with a place of business at 91 Mechanic St, Suite 404, Rockland, Maine 04841 (hereinafter "Redzone") to locate, install, operate, maintain, repair and replace the Network Equipment (as defined and described below) in, around, and on structures and/or premises owned by William Whitcomb and Marlene Whitcomb (hereinafter "Owner") located at **Newburgh Road, Hermon Maine 04401**.

I. **LOCATION.** Tenant hereby grants to Redzone a non-exclusive right and license to use the Premises to construct, operate, modify as necessary, and maintain thereon a wireless network, tower, one equipment building, and a security fence, together with all necessary lines, anchors, connections, devices, and equipment for the transmission, reception, encryption, and translation of voice and data signals by means of radio frequency energy and landline carriage. With the exception of the lines and anchors, all equipment and buildings as mentioned above must be contained within the security fence.

Owner, William Whitcomb and Marlene Whitcomb, must be notified of all entry and if Owner or his representative is not available, a message shall be left at each of these numbers (207) 848-5192, (207) 567-3238 and (207) 862-3575. The message must state the date and time of entry. Redzone agrees that in accordance with the agreement between Tenant and Owner, Redzone will give 24 hours notice of entry and entry shall be on foot only or by a company or persons approved by Owner.

Redzone acknowledges and agrees that this Agreement and terms therefore are consistent and coterminous with the Ground Agreement entered into between Owner and Tenant on December 17, 2007. Any and all activities contemplated by Redzone will be undertaken in accordance with the rights of the Town, as previously granted. If any question or controversy arises in connection with Redzone activities, Tenant and Redzone agree that the terms of the Ground Lease will control.

II. **PAYMENT.** For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Redzone agrees to pay Tenant, Town of Hermon, the total sum of five hundred dollars (\$500.00) per month, with two hundred fifty dollars (\$250.00) of the total amount per month, fifty percent (50%) of payment, going to the property owner, Hermon Mountain Ski Area.

III. **TERM.** This Agreement shall commence upon execution, with the Initial Term running through December 17, 2017. Thereafter, this Agreement shall be automatically renewed, on the same terms and conditions, for additional, successive five (5) year periods (each, a "Renewal Term") so long as Redzone is providing subscriber services to at least one (1) customer other than Tenant with service through the Equipment located at the Building at the time of renewal. The Initial Term and any Renewal Term are referred to herein collectively as the "Term."

IV. **EQUIPMENT OWNERSHIP.** The Equipment and any other personal property installed or placed in or on the Building by Redzone shall at all times belong to Redzone and shall be there at the sole risk of Redzone. Under no circumstances shall the Equipment become a fixture or permanent part of the

Building and any Equipment located by Redzone may be removed or replaced from time to time at Redzone's option. Redzone shall not be liable for interruptions in service to Tenant during any repair or replacement of Equipment. Tenant shall not be liable for any damage, theft, misappropriation or loss thereof, except to the extent that such damage, theft, misappropriation or loss is due to Tenants's gross negligence or willful misconduct. Upon termination or expiration of this Agreement, Redzone shall, upon written request by Tenant, remove the Equipment and any related personal property from the Building and repair any damage caused by such removal.

V. **NON-DISTURBANCE**. Tenant acknowledges and agrees that Redzone or its agents shall be the only party entitled to maintain and support the Equipment. Except for emergencies involving risk to the Building and/or the Equipment, under no circumstances shall Tenant or its agents handle, maintain or work with the Equipment in any manner nor interrupt the power supply to the Equipment. Except for the emergency situations noted above, Tenant agrees to notify Redzone promptly of any apparent failures or malfunctioning in the Equipment. Tenant shall not engage in nor allow any activity in or use of the Building that shall interfere with the Equipment or the receipt or transmission of data by Redzone and shall observe Redzone's directions in the event that any such interference is created.

VI. **TENANT'S WARRANTY**. Owner hereby represents and warrants to Redzone that: i) Owner owns or leases the Building and that under such ownership or lease arrangement, Owner is duly authorized to grant these license rights and execute this Agreement without condition and without providing notice to or obtaining the consent of any third party; and (ii) the execution of this Agreement shall not give rise to any restriction or obligation on Owner's performance hereunder nor any obligation to or rights in favor of any third party.

VII. **LIMITATION OF LIABILITY**. Except for instances of intentional misconduct, in no event shall either party be liable for any indirect, special, consequential, punitive, incidental or similar damages of any kind whatsoever, whether based on contract, tort or any other legal theory, arising out of this agreement or any services or equipment contemplated hereunder, even if such party has been previously advised of the possibility of such damages.

VIII. **INDEMNIFICATION**. Redzone agrees to defend, indemnify and hold Tenant harmless from any loss, cost, damage or expense (including reasonable attorneys' fees) arising from the installation, operation, maintenance and repair of Redzone's Equipment, except to the extent that such loss, cost, damage or expense is due to the negligence or willful misconduct of Tenant or its employees, agents or invitees.

IX. **TERMINATION**. This agreement and the transactions contemplated herein may be terminated (i) upon mutual written consent; (ii) by either party at the end of any Term, by providing one hundred eighty (180) days written notice to the other party; (iii) by Redzone, with written notice to Tenant, for breach of any section of this agreement by Tenant, where Redzone has notified Tenant of the breach, and Tenant has failed to cure within thirty (30) days of receipt of the written notice; (iv) by Tenant, with written notice to Redzone, for breach of any section of this agreement by Redzone, where Tenant has notified Redzone of the breach and Redzone has failed to cure within thirty (30) days of the receipt of written notice.

X. **INDEPENDENT CONTRACTORS**. It is expressly agreed that Tenant and Redzone are acting under this Agreement as independent contractors, and the relationship established under this Agreement shall not be construed as a partnership, joint venture or other form of joint enterprise, nor shall one party

be considered an agent of the other. Neither party is authorized to make any representations or create any obligation or liability, expressed or implied, on behalf of the other party, except as may be expressly provided for in this Agreement.

XI. **HEADINGS.** The headings of the sections of this Agreement are for convenience only and shall not be a part of or affect the meaning or interpretation of this Agreement.

XII. **ENTIRE AGREEMENT; AMENDMENTS.** This Agreement contains the entire agreement between the parties and supersedes all prior and contemporaneous discussions, understandings and writings by and between the parties and relating to the subject matter hereof. None of the terms of this Agreement shall be deemed waived by either party or amended or supplemented unless such waiver, amendment or supplement is specified in a written amendment to this Agreement that is signed by both parties.

XIII. **SUCCESSORS AND ASSIGNS; ASSIGNMENT.** The terms of this Agreement shall inure to the benefit of and be binding upon the parties and their respective successors and permitted assigns, and shall, upon recording, run with the land and bind any successor to Tenant who may buy the Building. Redzone's rights, although held in gross, may be assigned in whole or in part without further consent of the Tenant, and Tenant may assign this Agreement upon sale of the Building without further consent of Redzone, provided, however, that the assigning party must provide the other party with written notice of such assignment.

XIV. **GOVERNING LAW.** This Agreement shall be governed by, subject to and construed in accordance with the laws of the State of Maine without reference to its provisions relating to conflict of laws.

XV. **NOTICES.** All notices, requests and other communications hereunder shall be deemed to have been duly given if the same shall be in writing and shall be delivered personally, sent by registered or certified mail, postage prepaid, or via email transmission to the address set forth below with evidence of receipt by the primary addressee, as the case may be. If delivered by hand, the date on which a notice is actually delivered shall be deemed the date of receipt and if delivered by mail or email, the date on which a notice is actually received or the third day after the notice is mailed or emailed, whichever occurs first, shall be deemed the date of receipt. Either party may change the address for receiving notices by providing notice in accordance with this Section.

**Town of Hermon Contact Information**

Howard Kroll  
Town of Hermon  
PO Box 6300  
Hermon, ME 04402  
Phone: 207-848-1044

**Redzone's Contact Information**

James F McKenna  
Redzone Wireless, LLC.  
91 Mechanic Street, Suite 404  
Rockland, ME 04841  
Email: jim@redzonewireless.com  
Phone: 207-596-5700  
Cell Phone: 207-610-0504

XVI. **SEVERABILITY.** The invalidity or unenforceability of any particular provision of this Agreement, as determined by any court of competent jurisdiction or any appropriate legislature or governmental agency, shall not affect the other provisions hereof, and this Agreement shall be construed

in all respects as if such invalid or unenforceable provision had been omitted.

XVII. **SURVIVAL**. The terms and conditions of this Agreement shall survive any change in ownership or control of the Building. Tenant agrees to provide Redzone with at least ninety (90) days advance written notice of any imminent sale or transfer involving the Building and the appropriate contact information for such a transferee.

**Redzone Wireless, LLC**

**Town of Hermon**

By: \_\_\_\_\_  
James F McKenna  
President & CEO

By: \_\_\_\_\_  
Harold Kroll  
Town Manager

# 4.  
12-15-16

154-008- **MARIJUANA-**

**a.** Medical Marijuana Cultivation and Processing Facility - A facility owned or operated by a Registered Dispensary used for the cultivation or growing of medical marijuana.

**b.** Registered Dispensary or Dispensary A not for profit entity registered under 22 M.R.S.A. Section 2428 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies or dispenses marijuana or related supplies and educational material to registered patients who have designated the dispensary to cultivate marijuana for their medical use and the registered primary caregivers of those patients.

(AF – Agricultural Forestry) (RA- Residential A (most subdivisions) (RB- Residential B) ( RC- Residential Commercial ) ( C – Commercial ) (VC- Village Commercial) ( I- Industrial)

AF RA RB RC C VC I

<b>Medical Marijuana Cultivation and/or Processing Facility</b> <sup>14</sup>	N	N	N	N	N	N	\$ 14
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<sup>14</sup> Medical Marijuana Cultivation and/or Processing Facility standards see §154.083  
Definition for Medical Marijuana Cultivation and/or Processing Facilities see §§ 154.008

**FEEES FOR CULTIVATION FACILITY AND YEARLY RELICENSING-**  
**\$10,000 Site Plan Review by Planning Boarding**  
**\$5,000 yearly relicensing fee**

§ 154.083 MEDICAL MARIJUANA CULTIVATION AND PROCESSING FACILITY

(A) All medical marijuana cultivation and/or processing must be conducted in a non-transparent secured building.

(B) The security measures to be employed at the premises shall include, but are not limited to: lighting; alarms; camera; armed security personnel on premises 24 hours a day, seven days a week; and automatic law enforcement notification.

(C) Security surveillance shall, at a minimum, include security surveillance cameras installed and operated 24 hours seven days a week to monitor all entrances, along with interior and exterior of the premises to discourage and facilitate the reporting of criminal acts and nuisance activities occurring at the premises. All security recordings shall be preserved for at least one week by the management of the facility.

(D) Applicants shall describe how the cultivated and /or processed medical marijuana will be safely and securely transported to the distribution facility and or qualified patients.

(E) On-site display or sale of paraphernalia employed in the consumption of medical marijunan shall not be allowed at the cultivation and/or processing facility.

(F)-All medical marijuana cultivation and/or processing facility shall maintain a setback of 150' from the side and rear property lines of the industrial district where they are permitted.

G) All signage and advertising for a medical marijuana cultivation and/or processing facility shall comply with §§ 154.225 through 1554.231, signage;

(H) A medical marijuana cultivation and/or processing facility must be served by municipal water and sewer and facility shall not rely on non-municipal water supply or wasterwater;

(I) Planning Board may place restrictions on outside storage of material and equipment.

**Definition of Substance Abuse**

**CLINIC - SUBSTANCE ABUSE.** A program or facility operated for the purpose of providing treatment for persons with heroin or other opiate addictions, when the treatment provided includes administration of prescriptions of methadone or other opiate replacements for either detoxification or maintenance purposes. For purposes of this definition the **SUBSTANCE ABUSE** includes but is not limited to substance abuse treatment programs licensed by the State of Maine Department of Behavioral and Development Services Office of Substance Abuse to provide opiate supervised withdrawal and maintenance treatment services on an out patient basis.

(AF – Agricultural Forestry) (RA- Residential A (most subdivisions) (RB- Residential B) ( RC- Residential Commercial ) ( C – Commercial ) (VC- Village Commercial) ( I- Industrial)

AF RA RB RC C VC I

<b>Medical, Dental Clinic</b>	N	N	N	N	S	S	S
<b>Substance Abuse Clinic<sup>12</sup></b>	N	N	N	N	S	S	S <sup>12</sup>

Criteria for site plan -

<sup>2</sup>**Substance Abuse Clinic**

- a) All substance abuse clinics shall have a minimum of 5 acres.
- b) All substance abuse clinics shall be situated on land owned by the care provider.
- c) All buildings associated with the clinic must be located at least 100 feet from all property lines which abut the VC, C and I Districts and at least 500 feet from the AF, RA, RB and RC Districts.
- d) No clinic shall be operated within a half mile radius of any school or daycare facilities operating at the time of the application for a Substance Abuse Clinic.



## TOWN OF HERMON

### Ordinance, Enacting a Moratorium on acceptance of applications or processing of applications for Chemical Dependency Treatment Facilities (Methadone Clinics).

*Be it ordained by the Town of Hermon, as follows:*

A moratorium on the acceptance or processing of applications by the Code Enforcement Officer or Planning Board for chemical dependency treatment facilities, such as methadone clinics, is enacted as follows:

#### **§ 1. Necessity.**

Municipalities are authorized by 30-A M.R.S.A § 4356(1) to enact moratoria:

- A) to prevent a shortage or an overburden of public facilities that would otherwise occur during the effective period of the moratorium or that is reasonably foreseeable as a result of any proposed or anticipated development, or
- B) because the application of existing comprehensive plans, land use ordinances or regulations or other applicable laws, if any, is inadequate to prevent serious public harm from residential, commercial or industrial development in the affected geographic area.

In accordance with 30-A M.R.S.A. § 4355(1), the Hermon Town Council finds that a moratorium on the acceptance or processing of applications for chemical dependency treatment facilities, such as methadone clinics, is necessary and warranted in order to prevent overburdening of public services and to allow sufficient opportunity to revise the existing Land Use Ordinance to prevent serious public harm from such developments.

#### **§ 2. Moratorium on acceptance of or processing of applications for Chemical Dependency Treatment Facilities.**

The Hermon Code Enforcement Office and Planning Board shall not accept or process any applications for chemical dependency treatment facilities, including methadone clinics, while this moratorium is in effect.

### **§ 3. Term**

This moratorium shall continue for 180 days from the date of passage. It may be extended for additional 180-day periods in accordance with 30-A M.R.S.A. § 4356(2) upon a finding by the Hermon Town Council that the problem giving rise to this moratorium continues to exist and reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium.

#5.  
12-15-16



TO: Howard Kroll, Town Manager  
FROM : Annette M. Merrithew, Code Enforcement Officer  
DATE: November 30, 2016

RE: Meadow Ridge Drive

---

Attached is the documentation need for the acceptance of MEADOW  
RIDGE DRIVE-

I have reviewed the deed provided and spoken with the surveyor and am confident that it contains the appropriate language and distances that protect the Town. I also have asked Scott Perkins to do a site visit to the area to make sure he is satisfied with all improvements.

Bangor Engineering  
499 Broadway, #155  
Bangor, ME 04401

November 28, 2016

Mrs. Annette Merrithew  
Town of Hermon  
PO Box 6300  
Hermon, ME 04402

Pavement Inspection Report  
Meadow Ridge Subdivision – North Street

Dear Mrs. Merrithew:

On Wednesday, November 9, 2016, I inspected the final pavement of in the Meadow Ridge Subdivision section of North Street. Final pavement was installed on the road and the cul-de-sac. All pavement looks good and the pavement is even and uniform. The gravel shoulders were yet to be graded up to the edge of the pavement.

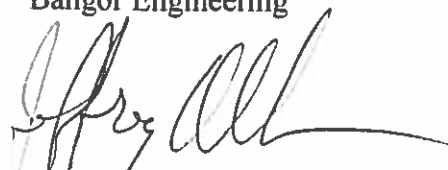
Some minor ditch patching remains to be done in the spring. Doing it now would remove vegetative cover and leave the site prone to erosion in the spring. This should be completed after the snow melts in the spring.

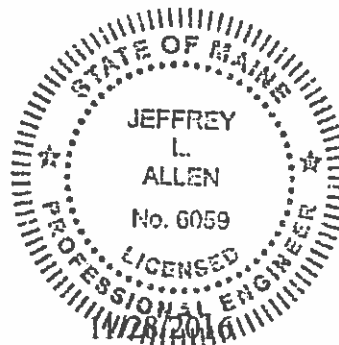
I don't believe there are any problems that would prevent the Town from accepting this road.

Please contact me by phone (478-3781) or email ([jallen@bangorengineering.com](mailto:jallen@bangorengineering.com)) if you have any questions.

Sincerely,

Bangor Engineering

  
Jeffrey Allen, PE



**WARRANTY DEED**

**Bangor Realty Group, LLC**, a Limited Liability Corporation, located in the County of Penobscot, State of Maine, for consideration paid, grants to **The Inhabitants of the Town of Hermon**, a body politic and corporate, located in the Town of Hermon, County of Penobscot, State of Maine, with Warranty Covenants a certain lot or parcel of land, with the improvements thereon, situated in the Town of Hermon, County of Penobscot, State of Maine, being bounded and described as follows, to wit:

A certain lot or parcel of land being shown as the road way extension of North Street on a plan titled "Amended Subdivision Plan Pine Ridge Apartments, North Street, Hermon, Maine" dated July 11, 2012 prepared by David B. Pooler, PLS #2094 of Holden, Maine and recorded in the Penobscot County Registry of Deeds in Map File 2012-87, situated in the town of Hermon, County of Penobscot, State of Maine, bounded and described as follows, to wit:

Beginning at the southwest corner of land, now or formerly, owned by Pearl M. Simpson as described in deed recorded in the Penobscot County Registry of Deeds in Book 7109, Page 187, said corner being located N 48° 38' W a distance of 0.47 feet from a found #6 rebar; thence along the westerly line of Simpson, N 11° 24' 02" E a distance of 100.00 feet to the northwest corner of Simpson; thence along the northerly line of Simpson, S 77° 42' 25" E a distance of 2.00 feet to a found #6 rebar; thence continuing along the line of Simpson, S 77° 42' 25" E a distance of 3.00 feet; thence N 11° 24' 02" E a distance of 326.77 feet; thence along a curve concave to the east with a radius of 570.00 feet an arc distance of 287.67 feet; thence N 40° 18' 59" E a distance of 131.89 feet; thence along a curve concave to the west with a radius of 230.00 feet an arc distance of 127.85 feet; thence N 08° 28' 01" E a distance of 78.26 feet; thence along a curve concave to the southwest and being the perimeter of the cul-de-sac as shown on said plan with a radius of 60.00 feet an arc distance of 150.34 feet; thence along a curve concave to the east and continuing along the perimeter of said cul-de-sac with a radius of 60.00 feet an arc distance of 154.66 feet; thence S 08° 28' 01" W a distance of 46.80 feet; thence along a curve concave to the west with a radius of 170.00 feet an arc distance of 94.50 feet; thence S 40° 18' 59" W a distance of 131.89 feet; thence along a curve concave to the east with a radius of 630.00 feet an arc distance of 317.95 feet; thence S 11° 24' 02" W a distance of 35.12 feet to the northerly line of land, now or formerly, owned by Jeremy Crocket and Trisha Pratt as described in Book 10973, Page 51; thence along the northerly line of Crocket and Pratt; S 78° 35' 58" E a distance of 3.44 feet to a found #6 rebar; thence continuing along the northerly line of Crocket and Pratt; S 78° 35' 58" E a distance of 1.56 feet to a #4 rebar set at the corner of Crockett and Pratt; thence along

the easterly line of Crockett and Pratt and the easterly line of land, now or formerly, owned by Daniel Pratt as described in Book 10131, Page 203, S 11° 24' 02" W a distance of 391.64 feet; thence S 78° 35' 58" E a distance of 50.00 feet to the point of beginning.

Excepting and reserving an easement granted by Bangor Realty Group, LLC to Bangor Hydro Electric Company, dated April 6, 2011 and recorded in the Penobscot County Registry of Deeds in Book 12564, Page 331.

Being a portion of land described deed of Jeffrey S. Bridge and Dale T. St. Louis to Bangor Realty Group, LLC, dated February 7, 2011 and recorded in the Penobscot County Registry of Deeds in Book 12398, Page 239.

The Grantor hereby waives any claims for damages and the Grantee agrees to accept the above described property as a town way or public street.

Bangor Realty Group, LLC has caused this deed to be signed and sealed in its name by Nathan M. Wicklow, its Manager, duly authorized, this \_\_\_ day of November, 201

Witness:

*[Handwritten signature of witness]*

**Bangor Realty Group, LLC**

*[Handwritten signature of Nathan M. Wicklow]*

by Nathan M. Wicklow  
Its Manager duly authorized

**STATE OF MAINE**

PENOBSCOT, ss.

November 30, 2016

Personally appeared the above-named Nathan M. Wicklow, its Manager, and acknowledged the foregoing instrument to be his fee act and deed in his said capacity and the free act and deed of the said Bangor Realty Group, LLC.

Before me,

*[Handwritten signature of Kristen L. Cushman]*

Notary Public

Kristen L. Cushman  
Notary Public, State of Maine  
My Commission Expires March 05, 2023



\*12RETTD\*

RETTD

00

MAINE REVENUE SERVICES  
REAL ESTATE TRANSFER TAX  
DECLARATION

36 M.R.S. §§ 4641-4641N

1. County

PENOBSCOT

2. Municipality/Township

INHABITANTS OF THE TOWN OF HERMON

3. GRANTEE/  
PURCHASER

3a) Name LAST or BUSINESS, FIRST, MI

Bangor Realty

3c) Name LAST or BUSINESS, FIRST, MI

P.O. BOX 6300

3e) Mailing Address after purchase of this property

3f) City

HERMON

3b) SSN or Federal ID

27-4578118

3d) SSN or Federal ID

3g) State

ME

3h) ZIP Code

04402

BOOK/PAGE—REGISTRY USE ONLY

4. GRANTOR/  
SELLER

4a) Name, LAST or BUSINESS, FIRST, MI

BANGOR REALTY GROUP, LLC

4c) Name, LAST or BUSINESS, FIRST, MI

4e) Mailing Address

P.O. BOX 345

4f) City

BANGOR

4b) SSN or Federal ID

4d) SSN or Federal ID

4g) State

ME

4h) ZIP Code

04402

5. PROPERTY

5a) Map

22

Block

Lot

PO20

Sub-Lot

5b) Type of property—Enter the code number that best describes the property being sold. (See instructions) →

501

Check any that apply:

No tax maps exist

5d) Acreage

Multiple parcels

Portion of parcel

.5

5c) Physical Location

MEADOW RIDGE DRIVE

6. TRANSFER TAX

6a) Purchase Price (If the transfer is a gift, enter "0")

6a

.00

6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value)

6b

500.00

6c) Exemption claim -  Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.

Title 36 M.R.S.A. subsection 4641-c(1) Conveyance to Governmental entity

7. DATE OF TRANSFER (MM-DD-YYYY)

12-15-2016

MONTH DAY YEAR

8. WARNING TO BUYER—If the property is classified as Farmland, Open Space, Tree Growth, or Working Water-front a substantial financial penalty could be triggered by development, subdivision, partition or change in use.

CLASSIFIED

9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:

10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:

Seller has qualified as a Maine resident

A waiver has been received from the State Tax Assessor

Consideration for the property is less than \$50,000

Foreclosure sale

11. OATH

Aware of penalties as set forth by 36 M.R.S. § 4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below:

Grantee \_\_\_\_\_ Date \_\_\_\_\_ Grantor  Date \_\_\_\_\_

Grantee \_\_\_\_\_ Date \_\_\_\_\_ Grantor \_\_\_\_\_ Date \_\_\_\_\_

12. PREPARER

Name of Preparer Kristan Cushman, Deputy Tax Collector

Phone Number 207-848-1010

Mailing Address

P.O. Box 6300

Email Address cushmank@hermon.net

Hermon, Maine

Fax Number 207-848-3316

#6.  
12-15-16



TO: Howard Kroll, Town Manager  
FROM : Annette M. Merrithew, Code Enforcement Officer  
DATE: December 06, 2016

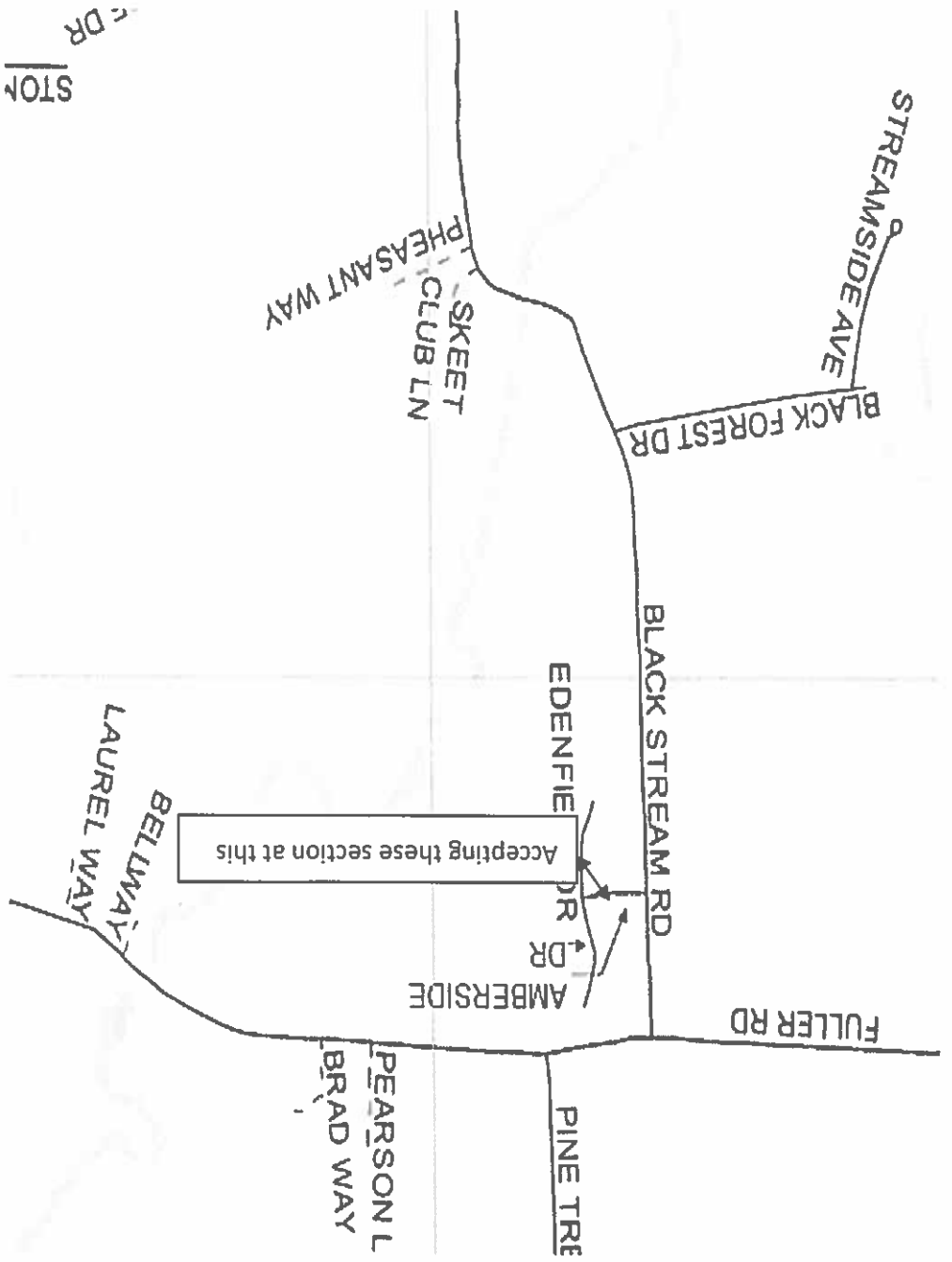
RE: Amberside Dr and Edenfield Dr.

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Attached is the documentation needed for the acceptance of a portion of Amberside Drive and all of Edenfield Dr.

I have reviewed the deed provided and it contains the appropriate language for the section of road we are accepting which is Amberside Dr from Blackstream to the intersection of Edenfield and all of Edenfield which is the area to the right of the intersection . See street map attached -





Bangor Engineering  
499 Broadway, #155  
Bangor, ME 04401

November 28, 2016

Mrs. Annette Merrithew  
Town of Hermon  
PO Box 6300  
Hermon, ME 04402

Pavement Inspection Report  
Nursery Subdivision

Dear Mrs. Merrithew:

On Friday, November 25, 2016, I inspected the paved section of the road in the Nursery Subdivision. Final pavement was installed on the segment of road coming down the hill from Blackstream Road and the segment of road to the right. The paved area includes the cul-de-sac at the end. Also, an approximately 60-ft segment of the road to the right was paved. All pavement looks good and the pavement is even and uniform. The gravel shoulders are complete and have been graded to the edge of the pavement.

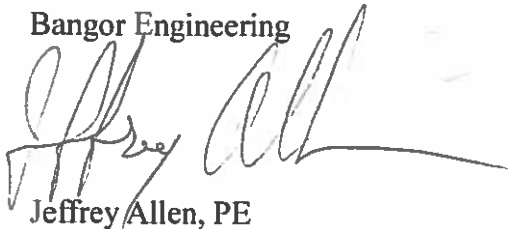
Some ditch work and patching remains to be done in the spring. Doing it now would remove all vegetative cover and leave the site prone to erosion in the spring. This should be completed after the snow melts in the spring.

I don't believe there are any problems that would prevent the Town from accepting this road.

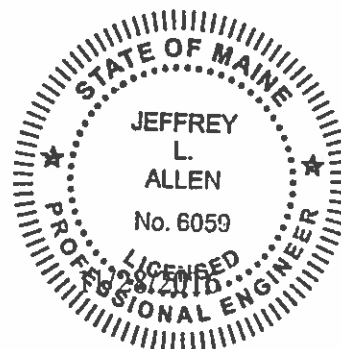
Please contact me by phone (478-3781) or email ([jallen@bangorengineering.com](mailto:jallen@bangorengineering.com)) if you have any questions.

Sincerely,

Bangor Engineering



Jeffrey Allen, PE



## DEED

**M & M TRUCK SALES, INC.**, a Maine corporation with a place of business in Hermon, County of Penobscot, Maine (hereinafter the “Grantor”), for valuable consideration, the receipt of which is hereby acknowledged, does hereby grant unto the **TOWN OF HERMON**, a body politic located in Penobscot County with a mailing address of 333 Billings Road, Hermon, Maine 04401 (hereinafter the “Grantee”), and its successors and assigns forever, the following property in the Town of Hermon, more particularly described on attached **Exhibit A**.

Hereby conveying Amberside Lane (formerly known as Plantation Drive) and Edenfield Lane (formerly known as Potter Avenue), as shown on the Final Subdivision Plan for Rolling Meadow Estates dated June 12, 2007 as prepared by Engineering Dynamics, Inc. of Bangor, Maine. The subdivision plan is based on a February 2007 Boundary Survey for Balsam Associates, LLC by Richard Perry - Land Surveyors of Bangor, Maine, recorded in the Penobscot County Registry of Deeds at Plan Book 2007, Page 90. Being a portion of the premises described in the deed from Machias Savings Bank to M & M Truck Sales, Inc. dated August 12, 2014 and recorded in Book 13616, Page 147 in the Penobscot County Registry of Deeds.

The premises herein described are conveyed for highway purposes. This deed is delivered pursuant to 23 M.R.S.A. § 3025 in connection with municipal subdivision approval of Rolling Meadow Estates.

ALSO GRANTING non-exclusive easements upon the portions of Rolling Meadow Estates described on **Exhibit B** attached hereto, for the purposes of storm water buffers, drainage ditches and the installation of fire hydrants. Such rights shall be in common with M & M Truck Sales, Inc., its successors and assigns, who may own all or any portion of the premises depicted on the said Rolling Meadow Estates Subdivision Plan. Said easements are depicted on the said Rolling Meadow Estates Subdivision Plan.

ALSO GRANTING the right to excavate, clear and trim trees, shrubs and other growth within the easement limits as necessary to accomplish any work related to the within-granted easements, provided that all such work shall be in accordance with all applicable laws, codes, ordinances and other governmental requirements, and performed in a good and workmanlike manner. The Grantee shall take the best practical measures to (1) restore the easement areas after any excavation or any other work by the Town of Hermon disturbing the land, and (2) to prevent erosion and other further damage including planting grass or other vegetation, as required following any work by the Town of Hermon.

IN WITNESS WHEREOF, M & M Truck Sales, Inc., has caused this instrument to be executed by its duly authorized representative as of this \_\_\_\_\_ day of December, 2016.

M & M Truck Sales, Inc.

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
By: Maury L. Thayer  
Its: President

STATE OF MAINE  
PENOBSCOT, ss.

\_\_\_\_\_, 2016

Personally appeared the above-named Maury L. Thayer in his capacity as President of M & M Truck Sales, Inc., and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of M & M Truck Sales, Inc.

Before me,

\_\_\_\_\_  
Notary Public

## EXHIBIT A

Amberside Lane (formerly Plantation Drive)  
Edenfield Lane (formerly Potter Ave.)

A certain lot or parcel of land in Hermon, Penobscot County, Maine being more particularly described as follows:

Beginning in the easterly line of Blackstream Road at the southwesterly corner of Lot 4 as shown on the Final Subdivision Plan of Rolling Meadow Estates recorded June 22, 2007 in Penobscot Registry of Deeds Map File 2007-90; thence southeasterly by the arc of a 10.00 foot radius non tangent curve concave to the northeast an arc distance of 14.66 feet (chord S 35° 52' 47" E 13.39'); thence South 77° 53' 28" East 115.54 feet to the beginning of a 800.00 foot radius curve concave to the north; thence easterly by the arc of said curve 89.03 feet to the southeasterly corner of Lot 4 and the southwesterly corner of Lot 8; thence continuing easterly by the arc of said curve a distance of 73.46 feet (chord pc-pt S 83° 42' 35" E 162.21'); thence South 89° 31' 43" East 173.90 feet to the beginning of a 10.00 foot radius curve concave to the northwest; thence northeasterly by the arc of said curve 17.09 feet (chord N 41° 30' 27" E 15.09') to the beginning of a 300.00 foot radius curve concave to the west; thence northerly by the arc of said curve 8.54 feet ( chord N 08° 16' 20" W 8.54'); thence North 09° 05' 16" West 17.00 feet; thence North 80° 54' 44" East 60.00 feet to the southwesterly corner of Lot 11 and the northwesterly corner of Lot 17; thence South 09° 05' 16" East 17.00 feet to the beginning of a 360.00 foot radius curve concave to the west; thence southerly by the arc of said curve 114.21 feet ( chord S 00° 00' 02" W 113.73') thence South 09° 05' 21" West 251.15 feet to the beginning of a 360.00 foot radius curve concave to the west; thence southerly by the arc of said curve 142.05 feet ( chord S 20° 23' 34" W 141.13' ); thence South 31° 41' 48" West 98.35 feet to the beginning of a 50.00 foot radius curve concave to the east; thence southerly by the arc of said curve 37.82 feet ( chord S 10° 01' 33" W 36.93' ) to the beginning of a 60.00 foot radius cul-de-sac curve ( S 78° 21' 18" W 60.00 feet to the radius point ) ; thence southerly, westerly and northerly by the arc of said cul-de-sac curve a distance of 279.27 feet to the beginning of a 50.00 foot radius curve concave northwesterly; thence northeasterly by the arc of said curve 37.82 feet ( chord N 53° 22' 03" E 36.93' ); thence North 31° 41' 48" East 98.35 feet to the beginning of a 300.00 foot radius curve concave to the west; thence northerly by the arc of said curve 118.37 feet ( chord N 20° 23' 34" E 117.61' ); thence North 09° 05' 21" East 251.15 feet to the beginning of a 300.00 foot radius curve concave to the west; thence northerly by the arc of said curve 3.61 feet ( chord N 08° 44' 40" E 3.61' ) to the beginning of a 10.00 foot radius curve concave to the southwest; thence northwesterly by the arc of said curve 17.09 feet ( chord N 40° 33' 52" W 15.09' ); thence North 89° 31' 43" West 173.90 feet to the beginning of a 860.00 foot radius curve concave to the north; thence westerly by the arc of said curve 174.68 feet ( chord N 83° 42' 35" W 174.38' ); thence North 77° 53' 28" West 107.16 feet to the beginning of a 10.00 foot radius curve concave to the southeast; thence southwesterly by the arc of said curve 16.75 feet ( chord S 54° 07' 13" W 14.86' ) to the easterly line of said Blackstream Road; thence along the easterly line of said road, North 06° 07' 54" East 80.44 feet to the point of beginning.

The above description is the area depicted as Plantation Drive and Potter Ave. on the plan recorded in said Map File 2007-90.

## EXHIBIT B

### Easements

#### Storm Water Buffer Lot 17

Beginning at the southwesterly corner of Lot 17 and the easterly line of Edenfield Lane; thence along said road line, North  $09^{\circ} 05' 21''$  East 70.19 feet to the beginning of a 360.00 foot radius curve concave to the west; thence northerly by the arc of said curve 114.21 feet; thence North  $09^{\circ} 05' 16''$  West 17.00 feet to the northwesterly corner of Lot 17; thence along the division line between Lot 17 and Lot 11, North  $80^{\circ} 54' 44''$  East 34.00 feet; thence South  $09^{\circ} 05' 16''$  East 17.00 feet to the beginning of a 394.00 foot radius curve concave to the west; thence southerly by the arc of said curve 124.99 feet; thence South  $09^{\circ} 05' 21''$  West 70.19 feet to the division lot between Lot 17 and Lot 19; thence along said division line North  $80^{\circ} 54' 39''$  West 34.00 feet to the point of beginning.

#### Storm Water Buffer Lot 21

Beginning at the southwesterly corner of Lot 21; thence by and along the road, North  $31^{\circ} 41' 48''$  East 35.00 feet; thence South  $58^{\circ} 18' 12''$  East 90.00 feet; thence South  $31^{\circ} 41' 48''$  West 35.00 feet to the division line between Lot 21 and Lot 22; thence along said division line, North  $58^{\circ} 18' 12''$  West 90.00 feet to the point of beginning.

#### Drainage Easement Lot 20

Beginning at the end of the cul-de-sac at the corner between Lot 20 and Lot 22; thence along the division line between Lot 20 and Lot 22, South  $24^{\circ} 20' 07''$  West 15.51 feet; thence northerly by the arc of a 75 foot radius curve concave to the east, said curve being parallel and 15 feet from the road right of way a distance of 196.62 feet ( chord N  $22^{\circ} 36' 19''$  E 144.96' ) to the westerly line of the road; thence southerly by the arc of a 50' radius curve concave to the northwest a distance of 30.82 feet to the beginning of a 60' radius cul-de-sac curve; thence southerly by the arc of said curve 130.02 feet to the point of beginning.

#### Drainage/Hydrant Easement Lot 22

Beginning at the end of the cul-de-sac at the corner between Lot 20 and Lot 22; thence along the division line between Lot 20 and Lot 22, South  $24^{\circ} 20' 07''$  West 118.32 feet; thence along the southerly line of Lot 22, South  $65^{\circ} 39' 53''$  East 300.94 feet; thence North  $24^{\circ} 20' 07''$  East 120.00 feet; thence North  $65^{\circ} 39' 53''$  West 95.00 feet; thence South  $24^{\circ} 20' 07''$  West 90.00 feet; thence North  $65^{\circ} 39' 53''$  West 174.89 feet; thence North  $24^{\circ} 20' 07''$  East 87.48 feet to the right of way of the road; thence westerly by and along said road line by the arc of a 60 foot radius cul-de-sac curve 31.42 feet to the point of beginning.

# 8.  
# 9.  
12-15-16



December 9, 2016

Memo: TIF District Creation

Howard,

Hermon DECD will be presenting two potential TIF Districts to be created including Maine Salt Company and Bangor Waterfront Concerts. Both have made suitable investments in Hermon and have created new value that we should ask the Council to capture. No changes to the development plan are expected.

Here is the proposed schedule:

December 15- Read TIF proposals and request Council to set a Public Hearing- January 26, 2017

January 15- Advertise the Public Hearing in the Bangor Daily News

January 26- Hold Public Hearing and Vote to create TIF Districts after State of Maine DECD approval

Thanks,

Scott Perkins

Town of Hermon  
Economic & Community Development

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](http://www.Hermon.Net)