



**Town of Hermon**

**Public Safety Meeting Room**

**July 13, 2017**

**Town Council Meeting**

**7:00 PM**

**MINUTES**

*Council Meetings may be viewed live online and are archived after the meeting has taken place – check hermon.net for link.*

\*\*\*ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION\*\*\*

**I. CALL TO ORDER BY CHAIRPERSON**

Chair Thomas called the meeting to order at 7:00pm.

**II. PLEDGE OF ALLEGIANCE**

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

**III. ROLL CALL**

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

**Members Absent:** None

**Others Present:** Town Manager Howard Kroll, Town Clerk Ruth A. Nickerson, Assessor Ben Birch, Economic & Development Director Scott Perkins, Alden Brown, Donna Pulver, Wendy Wiles-Scott, Carolyn Ayer, Ed Bearor and Katie Foster

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

MINUTES. –APPROVE May 4, 2017

WARRANTS. –SIGN July 14, 2017

**Councilor Watson moved to approve the Consent Calendar as presented. Councilor Jacques 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)**



**Alden Brown** resides at 368 Fuller Road. He addressed the Council regarding the discussion at the last Council Meeting about the Assessing Ratio used by the Town, stating his surprise that the discussion did not continue on tonight's agenda. Chair Thomas said the conversation is ongoing and is not a public item. He specifically asked if the Council what ratio they will use, 75%, 80%, 95% or 100%? Chair Thomas stated that the Council is still trying to work out the mechanics of what ratios to use.

Mr. Brown then asked if there were to be no more volunteers in our community. He informed the Council that he has been volunteering in the Code Enforcement Office because he is available to help and it seems help is needed there. Mr. Brown stated that after volunteering 30 or 40 hours, his help was shut down. He asked if volunteers were participating in other parts of the town. Chair Thomas, responded, stating that all hiring decisions go through the Town Manager and that it really depends.

**VII. PUBLIC HEARINGS**

None

**VIII. COMMITTEE REPORTS**

None

**IX. SCHEDULED AGENDA ITEMS**

**A. OLD BUSINESS**

**#1. Review mowing schedule/plan**

Town Manager Howard Kroll told of his recent conversation with MDOT regarding mowing Coldbrook Road. He recently inquired about the possibility of a second mowing. If we want to pay for the mowing it can be mowed a second time. We can choose our own vendor or the State will dispatch theirs.

**#2. Consider repealing the Sewer Ordinance.**

Manager Kroll told how the Town adopted a Sewer Ordinance in 1994 and then signed an agreement with Bangor Wastewater in 1996. This agreement places a huge financial obligation on the Town of Hermon. Currently, the Town of Hermon is obligated to pay the City of Bangor any sewer bill 60 days overdue. Adopting a new ordinance would give the opportunity to establish rates, recovery fees and connection regulations and fees while protecting the Town. A new ordinance has been prepared by Katie Foster and Ed Bearor of the Law Offices of Rudman and Winchell. The Town Manager asked the Council to consider holding a public hearing on July 23, 2017 to hear comment from the public regarding the adoption of the new sewer ordinance.

**Councilor Jacques moved to approve R17-18-01. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R17-18-01 is attached for review.)**



## B. NEW BUSINESS

### **#3. Consider amending the Town of Hermon Personnel Policy.**

Manager Kroll informed the Council that he wants to create a more professional working environment in the Town. He told how he has reviewed the proposed amendments with his employees. He stated that he expects Town employees to treat each other with the same courtesy and respect we do the citizens. Howard reviewed the proposed changes with the Council and asked them to consider adding the *Professional Working Environment Policy* to the Personnel Policy. He then explained that he has offered a change to the Benefits section under Mandatory Insurance. This change will make any retirement contributions coincide with the State of Maine requirements for Maine State Retirement Plans. Contributions are determined annually by the State. The Manager affirmed that the Town Attorney has weighed in on the language of all proposed changes. Councilor McCluskey asked about the term “best effort,” mentioned in the *Professional Working Environment Policy*. After a brief conversation, Chair Thomas suggested removing the term all together.

**Councilor Jacques moved to approve R17-18-02. Councilor Snyder seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(R17-18-02 is attached for review.)**

### **#4. Consider approving construction and paving projects.**

Manager Kroll told how at the Annual Town Meeting several highway improvement projects were approved. These projects include drainage improvements, culvert replacement and surface repair for several Hermon roads, including Klatt Road, Crogan Road, Stoneybrook Drive, McDougal Drive and Westwood Drive. Brush and tree clearing on the Clark Road, Lewis Road Newburgh Road, Bond Road, Blackstream Road and McDougal Drive. Engineering and drainage improvements on the Odlin Road and New Boston Road. Paving of Route #2 from Danforth's to the Central Maine Harley Davidson. Catch basin installation, pavement reclamation and surface replacement at the Fire Station. Surveillance camera installation in the business parks, a gateway sign for the Village District, improvements to Autocar Lane, Propane Lane and Mack Lane. Completion of manhole riser repairs and the installation of a SCADA System at the Auto Car Lane pump station. The Manager requested authorization from the Council to seek competitive bids on the various construction items and to award paving projects to our current bid award winner Eaton Paving. In response to Councilor Sinclair, Mr. Perkins stated that the Coldbrook Road project will begin on August 31<sup>st</sup>. Responding to Councilor McCluskey, Perkins affirmed that all pavement material is coming from Sergeants.

**Councilor Snyder moved to approve R17-18-03. Councilor Watson seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(R17-18-03 is attached for review.)**

### **#5. Consider approval of Propane Lane**



The Town Manager informed the Council that Propane Lane is a private road currently owned and maintained by Maine Montreal & Quebec Railway. The road serves Pine Tree Propane at the end but also connects to several industrial lots that with development potential. TIF funds were approved for use at the Annual Town Meeting to improve the quality of Propane Lane should the Town accept Propane Lane as a Town Road. Responding to Councilor Sinclair, Scott Perkins stated that there are several potential buyers who are looking to develop lots on that road.

**Councilor Jacques moved to approve FR17-18-01. Councilor Watson seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR17-18-01 is attached for review.)**

**#6. Consider authorization of payment to Gardner Construction (sidewalk project)**

Gardner Construction performed necessary work during the sidewalk project that was outside the scope of the contract. This work includes additional curing and grading at the Baptist Church and the Masonic Lodge, the installation of detectable slab on Billings Road and Route #2 and adjusting a catch basin missed during the engineering phase of the project. Scott Perkins informed the Council that this will not be the last bill. There are still several very steep driveways that need to be dealt with as well.

**Councilor Jacques moved to approve FR17-18-02. Councilor Snyer seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR17-18-02 is attached for review.)**

**#7. Consider scheduling a Public Hearing/Concourse Gathering Permit-Penobscot Snowmobile Club.**

Byron Ogden, Master Director of the Penobscot Snowmobile Club informed the Council that a second fundraiser for the club has been set up. Grass drags are scheduled to take place on the Bog Road in August and again in September. Last year was a huge success. Everything went smooth. We have the best track in all of Maine and possibly New England. People from all over the country and Canada will be here. We have done everything by the book. We have permits from the IF & W, we have the appropriate insurance, parking is planned and law enforcement and the fire department have been informed and are on board. Mr. Ogden made clear to the Council that he would prefer to have their blessing on the event and has applied for a Concourse Gathering Permit should at least 500 people attend.

**Councilor Watson moved to approve R17-18-04. Councilor Jacques seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**\*(FR17-18-04 is attached for review.)**

**#8. Consider adopting 2017-2018 Council Schedule.**

The Council reviewed the proposed Council Schedule for July 1, 2017 thru June 30, 108 the current fiscal year. The Manager reviewed, asking the Council to approve just one meeting in



August and three in November in addition to the regular schedule of every other week. The Council Schedule is designed to coincide with the Accounts Payable Warrant.

**Councilor Sinclair moved to approve O17-18-01. Councilor Snyder seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**\*(O17-18-01 is attached for review.)**

### **C. WORKSHOPS**

None

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

None

### **X. APPOINTMENTS**

#### **#9. Consider Board of Assessment Review Appointment.**

Manager Kroll informed the Council that Herbert Dickey of 37 Homsted Lane has stated he is willing to serve on the Assessment Review Board as a certified appraiser.

#### **#10. Consider approving 2017-2018 Council Appointments.**

The Council reviewed the proposed appointments for 17/18.

**Councilor Jacques moved to approve the 2017-2018 Council Appointments. Councilor Snyder seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

#### **#11. Elect Council Chairperson.**

Councilor Snyder nominated Steve Thomas to serve as Chairperson. Councilor Sinclair nominated Tim McCluskey to serve as Chair. There were no other nominations. A secret ballot vote resulted in 5 votes for Steve Thomas and 2 votes for Tim McCluskey. Steve Thomas accepted the Chair seat for 17/18.

#### **#12. Elect Council Vice-Chairperson.**

Councilor Watson nominated Doug Sinclair to serve as Vice-Chairperson. There were no other nominations. A show of hands was unanimous in favor of the nomination. Doug Sinclair accepted the Vice-Chair seat for 17/18.

### **XI. MANAGER STATUS REPORT:**

- We have received a notice to proceed with regard to the sprinkler system at the HES construction project. Dunbar/Brawn is working with the Fire Marshall. They have requested an additional 5 years before being required to sprinkle the remainder of the existing building.



- I have contacted 10 firms regarding the RFP for audit services. I placed an ad in the BDN, on MMA and mailed 12 to 15 packets. All bids are due July 28, 2017.

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

None

**XIII. COUNCIL ITEMS:**

None

**XIV. EXECUTIVE SESSION:**

- #8. Consider holding an Executive Session per 1 M.R.S.A. § 405(6) (C) to discuss the acquisition of real property.**

**Councilor Sinclair moved to go into Executive Session per 1 M.R.S.A. § 405(6) (C) to discuss the acquisition of real property. Councilor Ellis seconded the motion. A Roll Call vote was unanimous in favor of the motion.**

*The motion carries.*

**Councilor Sinclair moved to exit Executive Session, taking no action, at 8:36pm. Councilor Ellis seconded the motion. The motion was accepted without doubt.**

*The motion carries.*

**XV. ADJOURNMENT:**

**Councilor Sinclair moved to adjourn the meeting at 8:36pm. Councilor Snyder seconded the motion. With no objection the meeting was adjourned.**

**Respectfully Submitted,**

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