



Town of Hermon

Public Safety Meeting Room

January 9, 2020

Town Council Meeting

IMMEDIATELY FOLLOWING THE SPECIAL TOWN MEETING

7:00 PM

AGENDA

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

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

- I. CALL TO ORDER BY CHAIRPERSON**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES,
And APPROVAL OF MINUTES:**
 - SIGNATURES. –APPROVE**
 - MINUTES. –APPROVE** December 12, 2019, Executive Session on December 23, 2019, Special
Council Meeting on December 23, 2019
 - WARRANTS. –SIGN** January 10, 2020
 - RESOLVES. –SIGN**
- V. NEWS, PRESENTATIONS AND RECOGNITIONS:**
- VI. PUBLIC ITEMS OR COMMENTS: *(Items Not Already on Agenda)***
- VII. PUBLIC HEARINGS:**
- VIII. COMMITTEE REPORTS:**
- IX. SCHEDULED AGENDA ITEMS:**



A. OLD BUSINESS:

B. NEW BUSINESS:

O19-20-04 Consider scheduling a Public Hearing for Hermon Golf Inc. Hermon Meadow Golf Club's Liquor License Application on February 13, 2020

O19-20-05 Consider scheduling a Public Hearing for a Zone Change Request to Map 50 Lot 63 (Corner of Billings Rd and Union St). The proposed zone change will be from Agriculture Forestry to Residential B.

C. WORKSHOPS:

FY21 CAPITAL IMPROVEMENT PLAN PRESENTATION

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

Explanatory Note #2: In the interest of effect decision-making: At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.



Town of Hermon

Public Safety Meeting Room

December 12, 2019

Town Council Meeting

7:00 PM

MINUTES

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

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair McCluskey led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: John Snyder III, Douglas Sinclair Sr., Donna Ellis, Anthony “Tony” Reynolds, Steve Thomas and Timothy McCluskey

Members Absent: Charles Lever IV - excused

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Chief Frank Roma, Cody Sullivan, Bobbie Pelletier, Mike Simmons, Ralph Shaw, Brooke Green, Jeanne Jacques and 7 non- residents.

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE November 14, 2019

WARRANTS. –SIGN December 13, 2019

RESOLVES. -SIGN

Councilor Snyder moved to approve the Consent Calendar as presented. Councilor Thomas seconded the motion. Motion passes 6-0.



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

- **Blue Star Flag Presentation to the family of Kenneth York. Hermon Deputy Sheriff Kenneth York is a Staff Sergeant with the Air Force Reserve and will be deploying to Afghanistan in January.**

Manager Kroll awarded Blue Star Flag to Sgt. Bobbie Pelletier to accept on Ken York behalf.

- **Hermon Firefighter Michael Simmons has been recognized as the Penobscot County Fire Chiefs Association 2019 Firefighter of the Year.**

Manager Kroll awarded a Proclamation from the Town Council to Michael Simmons for receiving 2019 Firefighter of the year from the Penobscot County Fire Chiefs Association.

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

Brooke Green: Ms. Green stated she is having issues with the plowing of the roads. Over the past two storms she has not been plowed out. She has noticed the road has been plowed with pick up trucks and a large plow truck once in awhile. The last storm she was actually plowed in by a wing row approx 2.5 feet. She has seen lots of different plow contractors over the years and after the first time of being shown how to plow her end of the road they (other contractors) have done a great job. Ms. Green stated the road was plowed seven times over the two storms but not once have they plowed her part of the road.

Jeanne Jacques: Ms. Jacques stated snowplowing is still an issue by her home. She has seen the road plowed by pick ups more than plow trucks. One of the plow trucks was green in color and she believes all of the contractor's trucks that are to plow in Hermon are yellow with tracking devices. The green truck belongs in Orrington? This truck would not have a tracking device and where is the product loaded in the back going? To Hermon roads or Orrington?

Kristie Miner: Ms. Miner is a resident of Bangor and running for Maine State Senate seat District #9 which includes the Hermon and Bangor. Ms. Miner is looking to have residents reach out to her with what is important and what their concerns are. Her telephone number is 945-6830 and email is miner4mesenate.com

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:



B. NEW BUSINESS:

R19-20-30 Consider scheduling a Special Town Meeting on Thursday, January 9, 2020

Councilor Reynolds moved to approve R19-20-30. Councilor Thomas seconded the motion. The motion was accepted unless doubted. Passed

R19-20-31 Consider approving RFP for Billings Road MPI project

Councilor Snyder moved to approve R19-20-31. Councilor Thomas seconded the motion. The motion was accepted. Motion to passes 6-0.

R19-20-32 Consider approving RFP for Route 2 MPI project

Councilor Reynolds moved to approve R19-20-32. Councilor Snyder seconded the motion. The motion was accepted. Motion to passes 6-0.

R19-20-33 Consider disbanding the Recycling Committee

Councilor Reynolds moved to approve R19-20-33. Councilor Snyder seconded the motion. The motion was accepted. Motion to passes 6-0.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

Manager Kroll wishes everyone a happy holiday season. Town Office hours over the holidays will be: closed at noon on 12/24/19, closed 12/25/19 and closed on 1/1/20. On 1/1/2020 the contract with Penobscot County Sheriff dept will take affect. All full time and part time employees have been notified of the change. Capital improvement plan will be rolled out at the 1/9/2020 council meeting for the first look for FY 21. Thank you for supporting the request for Special Town Meeting on behalf of Superintendent Gary Gonyar. Thank you for coming out tonight and recognizing Mike Simmons and Ken York.

Steve Thomas: Councilor Thomas asked Manager Kroll the status on the Hydrologist and testing of wells on Stoneybrook.



Manager Kroll: Mr. Leach has tested his well for certain chemical panels and the test came back within normal limits. Mr. Leach has sent off another sample to have further testing done with a lab in Massachusetts. Mr. Kroll is waiting to see the results of this test before proceeding with further testing on Stoneybrook. Mr. Leach and Mr. Bouchard are in the eye of the water issue. Mr. Kroll has not told anyone we would not do testing. Waiting on the results from the Hydrologist and we hired CES from Brewer to do the storm water. Results will be shared when received.

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

XIII. COUNCIL ITEMS:

Douglas Sinclair: Stated he also had an issue with our plow contractor. Mr. Sinclair had a truck leave the road because of their lack of plowing the road. It cost him wages, damage to his truck, damage to town property. Mr. Sinclair had to have a large truck pull out his other truck. Mr. Sinclair feels this is really poor on their part if they can't do this job and do it right.

Tony Reynolds: Stated he also had an issue with the plow contractor also. The property he owns on Patten Drive the contractor went off the road with the plow truck and there is 110 feet of rototilled garden on the front lawn.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Reynolds moved to adjourn the meeting at 7:49PM. Councilor Snyder gave seconded. With no objection the meeting was adjourned at 7:49 PM.

Respectfully Submitted,

Kristen Cushman
Town Clerk

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Explanatory Note #2: In the interest of efficient decision-making: At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

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Town of Hermon

Public Safety Meeting Room

December 23, 2019

Executive Session

7:00 PM

MINUTES

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

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair McCluskey led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: John Snyder III, Douglas Sinclair Sr., Donna Ellis, Charles Lever IV, Steve Thomas and Timothy McCluskey

Members Absent: Anthony “Tony” Reynolds at 6:30PM – arrived at Executive Session approx. 6:40PM

Others Present: Town Manager Howard Kroll, Town Attorney Ed Bearor

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE

WARRANTS. –SIGN

RESOLVES. -SIGN

V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

VII. PUBLIC HEARINGS:



VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

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:

Pursuant to 1 MRS Section 405 (6)(E), the Council shall meet in Executive Session to discuss its rights and duties pursuant to the current Snow Removal and Sanding Contract between the Town and JM RAMMS, Inc.

Councilor Snyder moved to enter Executive Session to discuss its rights and duties pursuant to the current Snow Removal and Sanding Contract between the Town and JM RAMMS, Inc. per 1 M.S.R.A. 405 (6)(E). Councilor Ellis seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 6:33 p.m.

XV. ADJOURNMENT:

Councilor Snyder made a motion to come out of executive session at 7:13 p.m. Councilor Ellis gave seconded. With no objection the Executive Session was adjourned at 7:13 p.m. and Special Council Meeting resumed.

Respectfully Submitted,
Howard Kroll, Town Manager

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Town of Hermon

Public Safety Meeting Room

December 23, 2019

Special Town Council Meeting

7:00 PM

AGENDA

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ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair McCluskey led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: John Snyder III, Douglas Sinclair Sr., Donna Ellis, Charles Lever IV, Steve Thomas and Timothy McCluskey

Members Absent: Anthony “Tony” Reynolds at 6:30PM – arrived at Executive Session approx. 6:40PM

Others Present: Town Manager Howard Kroll, Town Attorney Ed Bearor, Town Clerk Kristen Cushman, Jeanne Jacques, Ron Murphy, Wendy Wiles-Scott, Bill Scott, Donny Pelletier, Chris Cousins, Wayne Bouchard, Ralph Shaw, Bobbie Pelletier, David Quinn, Frank Roma, Mike Simmons, Teddy McLeod, Tim Richardson Jr., Brooke Green, Aaron Spence, Keith Moore, Josh McPherson, Ed Marsh and approximately 14 residents.

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

SIGNATURES. –APPROVE

MINUTES. –APPROVE

WARRANTS. –SIGN

RESOLVES. –SIGN



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R-19-20-34 Consider terminating Snow Plow contract with JM RAMMS

Chair McCluskey stated there would not be comment on this agenda item.

Residents spoke up “You are not going to allow us to speak; this is a Special Council meeting you called”.

Chair McCluskey stated he did not call the meeting, Town Manager Kroll did.

Wendy Wiles-Scott asked Town Manager Kroll if she could speak. Mr. Kroll said “sure”.

Wendy Wiles-Scott: I’m sure most of you know why I am here. On December 17th, a little after 5 pm, my parents were involved in a car accident on the Newburgh Road about 4/10 of a mile from their home, a road they have traveled for over 40 years, not because of anything they did, but because of the road conditions. Their car is totaled, Dad was lucky but is extremely bruised inside and out, literally head to toe, Mom is still in the hospital and will have a very, very long recovery. We had just come from watching a basketball game at Caravel Middle School on the Irish Road in Carmel. Funny - traveling across the Irish Road we had no problem, down route 2, no problem. Those roads were plowed, sanded, salted, actually had a bare spot or two. The Swan/Newburgh roads, well, nothing. And yes, I know, its two different towns – just an example. When Deputy Quinn called to tell me of the accident he informed me that the Newburgh road was just like a bottle, not plowed, no sand or salt. He called the town’s public works crew to plow, sand, salt so the ambulance could transport my parents. Our crews were out by 1:00 that day and I am told the snowplow contractor had also been called out at about that same time. Apparently, the Swan/Newburgh roads were forgotten. The contractor was called again at 4:13 specifically for those two roads and still never made it. They finally showed up as the accident was being cleaned up but the fire dept had to turn them away because the bed chain was broke and they couldn’t put down any sand or salt. It didn’t matter at that point, our public works dept. had already done it anyway and the accident had already happened. I don’t understand why we are purchasing so much sand and salt when only 1/3 of the town appears to get it. Anyway, I have had to travel



those two roads every day since then. Howard has had to hear me complain about their conditions on last Wednesday, Thursday and Friday because apparently and in my opinion the contractor still wasn't maintaining them. Again, I drove them so yes I am sure they were still not being maintained. Mother Nature stepped in Friday afternoon and helped. There is absolutely no need for this situation. NONE! Mr. Thomas, your wife was in an accident a couple years ago, correct? And that is when you started coming in front of the council with concerns of the Annis Road and Route 2 intersection, correct? And now steps are being taken to make that a safer intersection. Well, my complaint is more than just 1 intersection. My complaint is approximately 2/3rds of the town's winter road conditions. 2/3rds of the town's roads. And this is only a start for my complaining until something gets done. Here are 8 pages of complaints from residents, thus far this winter, that the front office staff records. These pages do not reflect how many more that go directly to Howard, Ralph, the Police or Fire dept's, or any other staff that might hear from a resident. Everyone one of you need to be aware of these complaints. Take a day during or after a storm and ride on Hermon's roads. Better still, sit at the front counter during and after a storm and listen to the residents. Let me read a few.

I appreciate the fact that the tax rate is low BUT sometimes buying the less expensive product is NOT the best deal. Right now, I don't care what it costs to have better maintained winter road conditions in Hermon. I really don't. I don't care if all the mailboxes in town are knocked down as long as the roads are not filled with ice and snow and no one gets hurt. I will say, the next accident that happens because of the contractor not doing the work the town is paying him to do, might result in someone's death, not just broken bones. Then what will you do? It's time for the council to admit they have made a mistake, that this contractor is not a good fit for Hermon. You need to put on your grown up pants and get someone else that will actually care about the safety of the Hermon residents. And by the way - this is my being nice. You do not want to hear what I really, really want to say. Thank you

Jeanne Jacques: Wendy brought up a good point – where is all the sand/salt going? It's not going on road in Hermon.

Linda Murphy: Body of her car and windshield was pelted with sand/salt as she went down the road. She has an estimate of \$2200.00 to fix her car she has only made one payment on.

Chair McCluskey stated Town Manager Kroll will be making the decision later tonight on the snow plow contract.

Mr. Kroll stated he would make the decision tonight and inform the contractor tomorrow.

Jeanne Jacques: Does not seem like the Town Manager has the support of the Council.

Many side comments were made....

A new resident to the Town of Hermon asked if his mailbox was hit/taken down would the Town pay for a new mailbox.



Town Manager Kroll stated if the mailbox was put in to USPS standards yes the Town would purchase a one.

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:

Tony Reynolds: Stated Manager Kroll does have the support from the Council in his decision he will make later tonight.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Reynolds to adjourn the Special Council Meeting at 7:28 p.m. Councilor Ellis seconded. With no objection the meeting was adjourned at 7:28 p.m.

Respectfully Submitted,

Kristen Cushman
Town Clerk

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STATE OF MAINE
 DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
 BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
 DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
 Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): HERMON GOLF INC.	Business Name (D/B/A): HERMON MEADOW GOLF CLUB
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 281 BILLINGS RD HERMON ME
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 281 BILLINGS RD HERMON ME 04401
Mailing address, if different from DBA address: 56 BEECH RIDGE DR, HERMON ME	Email Address: hermonmeadow@gmail.com
Telephone # Fax #: (207) 266-3830	Business Telephone # Fax #: (207) 848 3741
Federal Tax Identification Number: 27-3294902	Maine Seller Certificate # or Sales Tax #: 1146989
Federal Basic Permit Number:	Website address:



TO: Howard Kroll, Town Manager
FROM: Josh Berry, Code Enforcement Officer
DATE: January 2, 2020
SUBJECT: Zone Change Request – Ball Development Group– Map 50 Lot 63

It's the recommendation of Hermon's Planning Board that the Town Council schedule a Public Hearing, for February 13, 2020 at 7:00 PM, to consider comments on a Zone Change Request to Map 50 Lot 63 (Corner of Billings Rd and Union St). The proposed zone change will be from Agricultural Forestry to Residential B.