



**Town of Hermon**

**Public Safety Meeting Room**

**March 19, 2020**

**Town Council Meeting**

**7:00 PM**

**AGENDA**

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

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

**I. CALL TO ORDER BY CHAIRPERSON**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

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

**SIGNATURES. -APPROVE**

**MINUTES. -APPROVE 2-13-2020 Minutes**

**WARRANTS. -SIGN 3-20-2020 Warrant**

**RESOLVES. -SIGN**

**V. NEWS, PRESENTATIONS AND RECOGNITIONS:**

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

**VII. PUBLIC HEARINGS:**

**TIF District #12 – The Shop Inc.**

**TIF District #13 – The Early Learning Center**

**VIII. COMMITTEE REPORTS:**

**Hermon Town Council Agenda**

**FY 2019-2020**

**March 19, 2020**

**Page 1 of 2**



**IX. SCHEDULED AGENDA ITEMS:**

**A. OLD BUSINESS:**

**B. NEW BUSINESS:**

- R19-20-44** Consider scheduling a Special Town Council meeting on Tuesday, 31 March 2020 @ 7:00 p.m. @ the Public Safety Building
- R19-20-45** Consider scheduling a Public Hearing for a TIF District – TIF District Amendment and Development plan creation of Mathews Brothers – 015-037-000
- R19-20-46** Consider scheduling a Public Hearing for a TIF District – TIF District creation for Howard Tool Company – 023-022-000
- FR19-20-29** RECONSIDER FR19-20-28
- O19-20-05** Order to provide “Assignment of Morgan Hill Ventures, LLC Credit Enhancement Agreement

**C. WORKSHOPS:**

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

**X. APPOINTMENTS:**

**XI. MANAGER STATUS REPORT:**

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

**XIII. COUNCIL ITEMS:**

**XIV. EXECUTIVE SESSION:**

**XV. ADJOURNMENT:**

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

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

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



Town of Hermon

Public Safety Meeting Room

February 13, 2020

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**

**II. PLEDGE OF ALLEGIANCE**

Chair McCluskey led those in attendance in the Pledge of Allegiance

**III. ROLL CALL**

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

**Members Absent:** None

**Others Present:** Town Manager Howard Kroll, Town Clerk Kristen Cushman, Chief Frank Roma, Cody Sullivan, Josh Berry, Ralph Shaw, Scott Perkins, Gary Gonyar, Randy Gardner, Hank Farrah, Scott Braley and 2 non residents.

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

**SIGNATURES. –APPROVE :** Quitclaim for 021-044 RE 2448, Quitclaim for 004-026 RE 47

**MINUTES. –APPROVE:** 1/9/2020 Special Town Meeting, 1/9/2020 Council Meeting, 2/6/2020 Special Council Meeting

**WARRANTS. –SIGN**

**RESOLVES. –SIGN**

**Councilor Snyder moved to approve the Consent Calendar as presented. Councilor Reynolds seconded the motion. Motion passes 7-0.**



**V. NEWS, PRESENTATIONS AND RECOGNITIONS:**

**Chief Roma** recognized Wayne Bouchard of Bouchard and Sons Towing with an Honorary Deputy Chief designation. Mr. Bouchard has provided the Fire Department with vehicles and a yard for training.

**RKO- FY19 Audit Presentation- Hank Farrah.** Mr. Farrah provided a financial overview of the Town and School position at the end of FY 2018-2019.

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

**VII. PUBLIC HEARINGS:**

**Public Hearing** for Hermon Golf Inc. Hermon Meadow Golf Club's Liquor License Application.

**Chair McCluskey opened the public hearing at 7:26PM. The hearing closed at 7:27PM with no comments.**

**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.

**Chair McCluskey opened the public hearing at 7:27PM. The hearing closed at 7:28PM with no comments.**

**VIII. COMMITTEE REPORTS:**

**IX. SCHEDULED AGENDA ITEMS:**

**A. OLD BUSINESS:**

**B. NEW BUSINESS:**

**R19-20-35** Consider approving Hermon Golf Liquor License Renewal

**Councilor Reynolds moved to approve R19-20-35 Councilor Lever seconded the motion. Councilor Snyder abstained. The motion was accepted. Motion passes 6-0.**

**R19-20-36** Approve Zone Change to Chapter 154 for a portion of Tax Map 040-062-000.  
Amended: 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.

**Councilor Reynolds moved to approve R19-20-36 Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.**



**R19-20-37** Consider scheduling a Special Town Council meeting on Wednesday, 26 Feb 20 to approve the FY21 CIP

**Chair McCluskey stated no action on R19-20-37.**

**R19-20-38** Consider rescheduling the March 12<sup>th</sup> regularly scheduled Town Council meeting to Thursday, March 19<sup>th</sup>

**Councilor Snyder moved to approve R19-20-38 Councilor Ellis seconded the motion. The motion was accepted. Motion was accepted unless doubted.**

**FR19-20-25** Consider awarding contract for BPI project on Hammond St

**Councilor Reynolds moved to approve FR19-20-25 with Gardner Construction for \$158,700. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.**

**FR19-20-26** Consider awarding contract for MPI project on Billings Road

**Councilor Snyder moved to approve FR19-20-26 with Gardner Construction for \$516,000. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.**

**FR19-20-27** Consider awarding contract for Winter Sand for FY21 & FY22

**Councilor Sinclair moved to approve FR19-20-27 with Street's Landscaping for \$11.50 per yard. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.**

**FR19-20-28** Consider awarding contract for Cemetery mowing for FY21 & FY22

**Councilor Reynolds moved to approve/extend contract FR19-20-28 with Timothy Richardson Sr. for \$49,500.00. Councilor Ellis seconded the motion. The motion was accepted. Motion passes 7-0.**

**R19-20-39** Consider approving a policy on Economic Development

**Councilor Reynolds moved to approve R19-20-39 Councilor Ellis seconded the motion. The motion was accepted. Motion was accepted unless doubted.**

**R19-20-40** Consider scheduling a Public Hearing for a TIF District – Morgan Hill Ventures, LLC to Conley Events, LLC – 021-083-000

**Chair McCluskey stated no action on R19-20-40.**



- R19-20-41** Consider scheduling a Public Hearing for a TIF District – TIF District Amendment and Development plan creation of Mathews Brothers – 015-037-000
- R19-20-42** Consider scheduling a Public Hearing for a TIF District – TIF District creation for Howard Tool Company – 023-022-000

**Councilor Snyder moved to approve R19-20-41 & R19-20-42. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.**

**C. WORKSHOPS:**

**Discussion- Review Ordinances (Councilor Reynolds)**

Discussions lead to setting up a committee to review Town Ordinances. Manager Kroll stated the committee should have five (5) members. Possible members may include: Tony Reynolds, Chief Roma, Ralph Shaw, Charles Lever IV and Donny Pelletier.

**FY21 CIP Requests- continued discussion**

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

**Councilor Snyder moved to waive council rules and accept the table packet. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.**

**B. NEW BUSINESS:**

- R-19-20-43** Consider accepting Capital Improvement Plan for FY20 to FY21

**Councilor Snyder moved to approve R19-20-43 Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 7-0.**

**X. APPOINTMENTS:**

**XI. MANAGER STATUS REPORT:**

**Manager Kroll congratulated the High School Cheerleaders for winning State Championship. Wish the High School boys and girls best of luck in the tournament. Welcome Carolyn Duran to the front office staff. Department heads are working on budget requests and will be rolled out at the 3/19/2020 meeting. Superintendent will be retiring on 6/30/2020 and the School Committee is actively seeking candidates. Mr. Kroll stated possibly sharing a Business Manager between the School and Town. School appropriation was up \$225,000.00 from the State of Maine. County budget is \$816,000.00 for FY 20-21.**



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

**XIII. COUNCIL ITEMS:**

**Charles Lever:** Thanked Mr. Gardner for taking down the tennis courts at the Patricia A. Duran School.

**Tony Reynolds:** Thanked Mr. Gardner for plowing the roads and what a great job is being done. Mr. Reynolds stated Mr. Ted McLeod would like to be on the committee for a new fire truck.

**XIV. EXECUTIVE SESSION:**

**XV. ADJOURNMENT:**

**Councilor Thomas moved to adjourn the meeting at 8:06PM. Councilor Lever gave seconded. With no objection the meeting was adjourned at 8:06 PM.**

Respectfully Submitted,

**Kristen Cushman  
Town Clerk**

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

**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.



**R19-20-44**

Be it resolved by the Hermon Town Council in Town Council assembled to call a Special Town Council Meeting on TUESDAY, 31 March 2020 @ 7:00 P.M. to hold public hearings and to receive the FY21 Town Manager's PROPOSED Municipal Budget.

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**SIGNED** this March 19, 2020 by the Hermon Town Council:

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**Donna Ellis**

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**Charles Lever IV**

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**John Snyder**

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**Anthony Reynolds**

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**Douglas Sinclair, Sr.**

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**Steven Thomas**

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**Timothy McCluskey**

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

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	





**R19-20-45**

Be it resolved by the Hermon Town Council in Town Council assembled the authorization to schedule a public hearing to consider a Tax Increment Financing Project for Mathews Brothers on Map 15, Lot 37 on Tuesday, March 31, 2020.

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SIGNED this March 19, 2020 by the Hermon Town Council:

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

\_\_\_\_\_  
Charles Lever, IV

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

\_\_\_\_\_  
Anthony Reynolds

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

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

\_\_\_\_\_  
Timothy McCluskey

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

Motion \_\_\_\_\_

Yeas \_\_\_\_\_

Second \_\_\_\_\_

Nays \_\_\_\_\_

Date \_\_\_\_\_



**R19-20-46**

Be it resolved by the Hermon Town Council in Town Council assembled the authorization to schedule a public hearing to consider a Tax Increment Financing Project for Howard Tool Company on Map 23, Lot 22 on Tuesday, March 31, 2020.

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SIGNED this March 19, 2020 by the Hermon Town Council:

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

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Charles Lever, IV

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John Snyer

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Anthony Reynolds

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

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

\_\_\_\_\_  
Timothy McCluskey

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

Motion \_\_\_\_\_

Yeas \_\_\_\_\_

Second \_\_\_\_\_

Nays \_\_\_\_\_

Date \_\_\_\_\_



**FR19-20-29**

Be it resolved by the Hermon Town Council to reconsider FR19-20-28 a Financial Resolve to award a contract to mow municipal cemeteries and other public owned grounds. Contractor withdrew bid therefore Town has prepared an RFP for the privatization of mowing all municipal facilities in Hermon with the exception of school department maintained facilities.

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**SIGNED** this March 19, 2020 by the Hermon Town Council:

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**Donna Ellis**

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**Anthony Reynolds**

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**John Snyder**

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**Charles Lever IV**

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**Douglas Sinclair, Sr.**

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**Steven Thomas**

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**Timothy McCluskey**

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

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



**O19-20-05**

**AN ORDER**

**Providing for: Assignment of Morgan Hill Ventures, LLC Credit Enhancement Agreement**

WHEREAS, on March 3, 2005 and March 6, 2008, the Town Council designated and then amended the Business Parks Municipal Development and Tax Increment Financing Districts and adopted and amended an Omnibus Development Program (the "Development Program") with respect thereto; and

WHEREAS, the Town subsequently entered into a Credit Enhancement Agreement dated July 1, 2007 with Morgan Hill Ventures, LLC ("Morgan Hill") with respect to one of the Districts designated in the Development Program, to support the construction of an events center (the "Project"); and

WHEREAS, Morgan Hill now desires to sell the Project and to assign its interest in the CEA to Conley Events, LLC (the "Assignee"); and

WHEREAS, such an assignment requires the consent of the Town; and WHEREAS, the Town Council desires to grant such consent;

NOW THEREFORE, BE IT HEREBY ORDERED by Town Council of the Town of Hermon as follows:

1. The Town Council hereby authorizes the Town Manager, acting in the name of and on behalf of the Town, to approve and consent to the assignment by Morgan Hill Ventures, LLC of its right, title and interest under the Development Program and in the CEA to Conley Ventures, LLC.
2. The Town Manager be and hereby is authorized to take any and all additional action and to execute and deliver, in the name of and on behalf of the Town, an amendment to the CEA or a new separate credit enhancement agreement, to document and memorialize the assignment described above, such amendment or new agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program and this Order, as the Town Manager may approve, the Town's and the Town Manager's approval consent to be conclusively evidenced by his execution thereof.

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A true copy of the Order adopted March 19, 2020, by the Hermon Town Council, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk  
Date: March, 2020



**019-20-05**

**AN ORDER**

**Providing for: Assignment of Morgan Hill Ventures, LLC Credit Enhancement Agreement**

\_\_\_\_\_  
**Charles Lever IV**

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

\_\_\_\_\_  
**Anthony Reynolds**

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

\_\_\_\_\_  
**John Snyder, III**

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

\_\_\_\_\_  
**Timothy McCluskey**

**March 19, 2020**

\_\_\_\_\_

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

Motion _____	Yeas _____	
Second _____	Nays _____	Date _____