



Town of Hermon

Public Safety Meeting Room

March 4, 2021

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 Quitclaim Map/Lot 041-091-000 Account 1098

MINUTES. -APPROVE 02/18/2021 Council Minutes

WARRANTS. –SIGN 03/05/2021 Warrant

RESOLVES. -SIGN

V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

VII. PUBLIC HEARINGS:

- **TIF District #20** – Eurovia Atlantic Coast, LLC
- **TIF District #21** – Hopkins Paving, LLC
- **Approval** of Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program
- **Approval** of a Credit Enhancement Agreement with White Pine Road, LLC

Hermon Town Council Agenda

FY 2020-2021

March 4, 2021

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VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

R20-21-19 Consider scheduling a Public Hearing for Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program for March 4, 2021. (Public hearing was posted on 2/25/2021 and advertized in the Bangor Daily News on 2/22/2021).

B. NEW BUSINESS:

O20-21-05 AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 20) (Eurovia Atlantic Coast, LLC) and Adoption of Related Development Program

O20-21-06 AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 21) (Hopkins Paving, LLC) and Adoption of Related Development Program

O20-21-07 AN ORDER

Providing for: Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program

O20-21-08 AN ORDER

Providing for: Providing for Approval of a Credit Enhancement Agreement with White Pine Road, LLC

FR20-21-20

Consider approving the purchase from Norcon Communications a talk thru unit & headset.

R20-21-20

Consider holding a Special Town Council Meeting on Wednesday, March 10, 2021 at Hermon High School Auditorium.



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 18, 2021

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 Thomas led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: Douglas “Doug” Sinclair Sr., Ronald “Ron” Murphy, Charles Lever IV, Steven “Steve” Thomas, Anthony “Tony” Reynolds and G. Stephen “Steve” Watson

Members Absent: John Snyder III - Excused

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Ed Bearor Town Attorney, Cody Sullivan, Erika Oliveira, Jennifer Oliveira, Blaine Oliveira, Jeanne Jacques and Deputy Davis

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE 2/4/2021 Council Minutes

WARRANTS. –SIGN 02/19/2021 Warrant

RESOLVES. -SIGN

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



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

Mrs. Jennifer Oliveira introduced herself. Chair Thomas stated per the advice of our legal council, not to engage in conversation because of pending lawsuit.

Jennifer Oliveira from Holden Maine: Spoke on the property located at 200 Fuller Road. Mrs. Olivera gave an overview of the history of Erika Oliveira, her step daughter since she was 13 years old.

- 2005 Ericka was in a car accident
- 2011 purchased 200 Fuller Road
- 2018 notified father of tax liens

Letter was given to the Council
Property is currently vacant.

Ericka Oliveira 200 Fuller Road: Ms. Ericka Oliveira gave an overview of her recovery program and the work she has put into herself. She works at High Tide and planning on going back to school for Human Services. She does not wish to reside at 200 Fuller Road. A goal is to pay back the taxes and fix up the property and sell it.

Jeanne Jacques 185 Fuller Road: Commended Ms. Ericka Oliveira on her sobriety. Mrs. Jacques stated how terrifying and scary it was to live across the street from 200 Fuller Road for 8 years. Mrs. Jacques went on to say she is not sure why the Council is doing this with a pending court case.

Manager Kroll stated he can not refuse anyone who wishes to come to a public meeting and speak. This took a lot of courage for Ericka to come here and speak tonight. Also half of the Council was not on the board when the foreclosure started. This is her right to come here and speak.

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:



B. NEW BUSINESS:

R20-21-18 Consider approving the FY22 Capital Improvement Plan

Councilor Reynolds moved to approve R20-21-18. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

Councilor Reynolds moved to waive council rules and accept the table packet. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

IX. SCHEDULED AGENDA ITEMS:

EXECUTIVE SESSION:

Consider entering Executive Session to discuss a legal matter per 1 M.S.R.A. 405(6)(E)

Councilor Reynolds moved to enter Executive Session to discuss a legal matter per 1 M.S.R.A. 405 (6)(E). Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 7:25 p.m.

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

Manager Kroll stated he has requested budget numbers from department heads and will be presented in a future meeting.

Track committee will have a meeting next week.

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



XIII. COUNCIL ITEMS:

Tony Reynolds: Publically thank Patty Duran for fixing the ventilation system at the Elementary and Middle school 10 years ago.

Doug Sinclair: Can the parking lot at Jackson Beach be enlarged?

Manager Kroll stated this is owned by the State of Maine but we maintain it. Any renovations go through the State of Maine.

XIV. EXECUTIVE SESSION: See above

XV. ADJOURNMENT:

Councilor Sinclair made a motion to end executive session at 8:47 PM and adjourn council meeting. Councilor Watson gave seconded. With no objection the Executive Session and council meeting was adjourned at 8:47PM

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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.

MUNICIPAL QUITCLAIM DEED WITHOUT COVENANTS

The **TOWN OF HERMON**, a Municipal corporation located in Penobscot County, Maine, in consideration of taxes and costs due, releases to **William E. Bart** with the address of **123 Wendy Acres Drive in Hermon**, Penobscot County, Maine, Penobscot County, State of Maine, Described as follows:

Designated as **Map/Lot 041-091-000 Account 1098** on the Tax Maps of the Town of Hermon prepared by the Hermon Assessor's Office dated January 2018 on file at the Town of Hermon municipal office.

The purpose of this Deed is to release any interest the Grantor may have by virtue of undischarged tax liens filed in the name of to **William E. Bart, Account 1098** at the Penobscot Registry as:

	Year	Book	Page
Lien:	2017	14908	336
	2018	15246	86

EXCEPTING AND RESERVING all interests of the Municipality of Hermon in and to the above-described premises arising by virtue of undischarged tax liens for tax years subsequent to Tax Year **2018**.

The said Inhabitants of the Municipality of Hermon have caused this instrument to be signed in its corporate name by Chair Steven Thomas, Vice-Chair Anthony Reynolds, Douglas Sinclair, Sr., Charles Lever IV, Ronald Murphy, G. Stephen Watson, John Snyer III its Municipal Officers duly authorized, this 4th day of March 2021.

_____ Steven Thomas, Chair	_____ Douglas Sinclair, Sr
_____ Anthony Reynolds, Vice-Chair	_____ Charles Lever IV
_____ Ronald Murphy	_____ G. Stephen Watson
_____ John Snyer III	

ACKNOWLEDGMENT
State of Maine
Penobscot County, ss.

Then personally appeared before me the above named in their capacity as Chair Steven Thomas, Vice-Chair Anthony Reynolds, Douglas Sinclair, Sr., Charles Lever IV, Ronald Murphy, G. Stephen Watson, John Snyer III, it's Municipal Officers for the Town of Hermon, Maine and acknowledged the foregoing to be his free act and deed in their said capacity and the free act and deed of the Town of Hermon.

Dated: March 4, 2021 Before me, _____
Notary Public



R20-21-19

Be it resolved by the Hermon Town Council in Town Council assembled the authorization to schedule a public hearing to consider for Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program on Thursday, March 4, 2021.

Public hearing was posted on 2/25/2021 and advertized in the Bangor Daily News on 2/22/2021.

SIGNED this March 4, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



O20-21-05

AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 20) (Eurovia Atlantic Coast, LLC) and Adoption of Related Development Program

WHEREAS, the Town of Hermon is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, designating the proposed Municipal Development and Tax Increment Financing District (No. 20) (Eurovia Atlantic Coast, LLC) (the "District") and adopting and implementing the proposed related Development Program (the "Development Program") will help to provide new employment opportunities for the citizens of the Town and the surrounding region and will help the Town to continue the pursuit of business development in the Town and the region; and

WHEREAS, the Town has held a public hearing on the proposed District and Development Program in accordance with the requirements of 30-A MRSA sub-section 5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and

WHEREAS, the Town desires to designate the proposed District and adopt the Development Program in accordance with the proposed amendment presented to the Town Council this day; and

WHEREAS, it is expected that the Commissioner of the Maine Department of Economic and Community Development will approve the adoption of the above-described amendment;

NOW, THEREFORE,

IT IS ORDERED by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:

(a) At least twenty-five percent (25%) of the real property within the District is suitable for commercial sites as defined in 30-A M.R.S.A. §5223(3); and

(b) The total area of the District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and

(c) Subject to the exclusions permitted under 30-A MRSA §5223(3), the original assessed value of the District plus the original assessed value of all other tax increment financing districts in the Town does not exceed five percent (5%) of the total value of taxable property within the Town as of April 1, 2020; and

(d) Designation of the District and implementation of the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(e) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that designation of the District and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the Town Council hereby designates the proposed Municipal Development and Tax Increment Financing District (No. 20) (Eurovia Atlantic Coast, LLC) and adopts the related Development Program presented to the Town Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

3. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the Commissioner of the Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.
4. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the increased assessed value to be retained as captured assessed value in the District is hereby established as set forth in the Development Program.
5. The Town Manager be, and hereby is, authorized and empowered and directed to submit the proposed designation of the District and adoption of the Development Program to Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2). The Town Manager is further authorized, at his discretion from time to time, to make such revisions to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.
6. The Town Manager be, and hereby is authorized and directed to enter into and execute in the name of and on behalf of the Town, a credit enhancement agreement with Eurovia Atlantic Coast, LLC or its designee as contemplated by the Development Program, in the name of and on behalf of the Town, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the Development Program as the Town Manager may approve, his approval and the approval of the Town to be conclusively evidenced by his execution thereof.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

A true copy of the Order adopted March 4, 2020, by the Town Council of the Town of Hermon, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk
Date: March __, 2021



O20-21-05

AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 20) (Eurovia Atlantic Coast, LLC) and Adoption of Related Development Program

SIGNED this March 4, 2021 by the Hermon Town Council:

Charles Lever IV

Anthony Reynolds

John Snyder III

G. Stephen Watson

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest
Original: _____

Motion _____	Yeas _____
Date _____	



O20-21-06

AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 21) (Hopkins Paving, LLC) and Adoption of Related Development Program

WHEREAS, the Town of Hermon is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, designating the proposed Municipal Development and Tax Increment Financing District (No. 21) (Hopkins Paving, LLC) (the "District") and adopting and implementing the proposed related Development Program (the "Development Program") will help to provide new employment opportunities for the citizens of the Town and the surrounding region and will help the Town to continue the pursuit of business development in the Town and the region; and

WHEREAS, the Town has held a public hearing on the proposed District and Development Program in accordance with the requirements of 30-A MRSA sub-section 5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and

WHEREAS, the Town desires to designate the proposed District and adopt the Development Program in accordance with the proposed amendment presented to the Town Council this day; and

WHEREAS, it is expected that the Commissioner of the Maine Department of Economic and Community Development will approve the adoption of the above-described amendment;

NOW, THEREFORE,

IT IS ORDERED by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:

(a) At least twenty-five percent (25%) of the real property within the District is suitable for commercial sites as defined in 30-A M.R.S.A. §5223(3); and

(b) The total area of the District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and

(c) Subject to the exclusions permitted under 30-A MRSA §5223(3), the original assessed value of the District plus the original assessed value of all other tax increment financing districts in the Town does not exceed five percent (5%) of the total value of taxable property within the Town as of April 1, 2020; and

(d) Designation of the District and implementation of the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(e) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that designation of the District and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the Town Council hereby designates the proposed Municipal Development and Tax Increment Financing District (No. 21) (Hopkins Paving, LLC) and adopts the related Development Program

presented to the Town Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

3. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the Commissioner of the Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.
4. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the increased assessed value to be retained as captured assessed value in the District is hereby established as set forth in the Development Program.
5. The Town Manager be, and hereby is, authorized and empowered and directed to submit the proposed designation of the District and adoption of the Development Program to Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2). The Town Manager is further authorized, at his discretion from time to time, to make such revisions to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.
6. The Town Manager be, and hereby is authorized and directed to enter into and execute in the name of and on behalf of the Town, a credit enhancement agreement with Hopkins Paving, LLC or its designee as contemplated by the Development Program, in the name of and on behalf of the Town, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the Development Program as the Town Manager may approve, his approval and the approval of the Town to be conclusively evidenced by his execution thereof.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

A true copy of the Order adopted March 4, 2020, by the Town Council of the Town of Hermon, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk



O20-21-06

AN ORDER

Providing for: Designation of Municipal Development and Tax Increment Financing District (No. 21) (Hopkins Paving, LLC) and Adoption of Related Development Program

SIGNED this March 4, 2021 by the Hermon Town Council:

Charles Lever IV

Anthony Reynolds

John Snyder III

G. Stephen Watson

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

**Attest
Original:** _____

Motion _____

Yeas _____

Date _____



O20-21-07

AN ORDER

Providing for: Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program

WHEREAS, the Town of Hermon (the "Town") Business Parks Municipal Development and Tax Increment Financing Districts (collectively, the "District") and related Amended and Restated Omnibus Development Program (the "Development Program") were originally designated and adopted by the Town on March 3, 2005, subsequently amended and restated on March 6, 2008 and further amended on March 31, 2020; and

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to adopt additional amendments to the District and the Development Program; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, adopting and implementing the amendment to the District and the Development Program will remove a parcel of land from the District in furtherance of the Town's Municipal Development and Tax Increment Financing District (No. 16)(E-Z Mart), previously adopted by the Town Council on January 24, 2019; and

WHEREAS, the Town has held a public hearing on the proposed amendment to the District and Development Program in accordance with the requirements of Town Charter and Town Council Rules and the requirements of 30-A MRSA sub-section 5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and; and

WHEREAS, the Town desires to adopt the proposed amendment to the District and the Development Program in accordance with the proposed amendment presented to the Town Council this day; and

WHEREAS, it is expected that the Commissioner of the Maine Department of Economic and Community Development will approve the adoption of the above-described amendment;

NOW, THEREFORE,

IT IS ORDERED by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:

(a) Pursuant to Title 30-A M.R.S.A. Section 5226(5) pertaining to tax increment financing (TIF) district and development program amendments, the amendment to the District does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which pertain to the percentage of area within the District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the Town, and the total TIF district assessed valuation cap; and

(b) Adoption and implementation of the proposed amendment to the District and the Development Program will result in the construction of a new affordable housing in the Town, and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town, and therefore constitute a good and valid public purpose; and

(c) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that adoption and implementation of the proposed amendment to the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed amendment to the District and the Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the proposed amendment to the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town Council hereby adopts the proposed amendment to the District and the Development Program.

3. The foregoing adoption of the amendment to the District and the Amended Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the adoption of such amendment by the Commissioner of DECD, without requirement of any further action by the Town, the Town Council, or any other party.

4. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the increased assessed value to be retained as captured assessed value in the District is hereby established as set forth in the Development Program, as amended.

5. The Town Manager be, and hereby is, authorized and empowered and directed to submit the proposed amendment to the District and the Development Program to Commissioner of the Department of Economic and Community Development (DECD) for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2). The Town Manager is further authorized, at his discretion from time to time, to make such revisions to the proposed amendment to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

A true copy of the Order adopted March 4, 2020, by the Town Council of the Town of Hermon, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk
Date: March __, 2021



O20-21-07

AN ORDER

Providing for: Amendments to the Town's 2008 Amended and Restated First Omnibus TIF Development Program

SIGNED this March 4, 2021 by the Hermon Town Council:

Charles Lever IV

Anthony Reynolds

John Snyder III

G. Stephen Watson

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest
Original: _____

Motion _____

Yeas _____

Date _____



O20-21-08

AN ORDER

Providing for: Approval of a Credit Enhancement Agreement with White Pine Road, LLC

WHEREAS, the Town previously designated (February 17, 2011) and subsequently amended (January 31, 2013) the Coldbrook Business Park Municipal Development and Tax Increment Financing Districts (as amended, the "District") and adopted the related Second Omnibus Development Program (as amended, the "Development Program") to provide new employment opportunities for the citizens of the Town and the surrounding region and to help the Town to continue the pursuit of business development in the Town and the region; and

WHEREAS, pursuant to Section 2.01(c) of the Development Program, the Town Council is authorized to allocate a portion of the TIF revenues generated in the District to the developers of such District, and to approve and authorize the Town Manager to enter into a credit enhancement agreement with said developer to memorialize any such allocation of TIF revenues; and

WHEREAS, White Pine Road, LLC (the "Company") has relocated its business into the District in Pinewood Park and the Town desires to allocate a portion (40%) of the TIF revenues generated thereby to the Company for a period of 10 years, and to approve and authorize the Town Manager to enter into a credit enhancement agreement with said White Pine Road, LLC, all in accordance with the Development Program; and

WHEREAS, the Town has held a public hearing on the proposed credit enhancement agreement in accordance with the requirements of the Town Charter and Town Council Rules; and

NOW, THEREFORE,

IT IS ORDERED by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:

(a) Approval of the credit enhancement agreement with White Pine Road, LLC will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose and will contribute to the economic growth or

well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(b) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that approval of such credit enhancement agreement will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of such credit enhancement agreement on any existing business in the Town is outweighed by the contributions expected to be made by the Company and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. The Town Manager be, and hereby is authorized and directed to enter into and execute in the name of and on behalf of the Town, a credit enhancement agreement with White Pine Road, LLC or its designee as contemplated by the Development Program, in the name of and on behalf of the Town, such agreements to be in such form and to contain such terms and provisions, not inconsistent with this Order or the Development Program, as the Town Manager may approve, his approval and the approval of the Town to be conclusively evidenced by his execution thereof.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

A true copy of the Order adopted March 4, 2020, by the Town Council of the Town of Hermon, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk
Date: March __, 2021



O20-21-08

AN ORDER

Providing for: Approval of a Credit Enhancement Agreement with
White Pine Road, LLC

SIGNED this March 4, 2021 by the Hermon Town Council:

Charles Lever IV

Anthony Reynolds

John Snyder III

G. Stephen Watson

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest
Original: _____

Motion _____

Yeas _____

Date _____



FR20-21-20

Be it resolved by the Hermon Town Council in town council assembled to authorize the Town Manager to purchase one talk thru unit and headset assembly from Norcom Communication for \$2,000 to be installed at one of the front office cubicles. Purpose is to improve the sound quality for those residents with impaired hearing. Funds will be _____.

SIGNED this March 4, 2021 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



R20-21-20

Be it resolved by the Hermon Town Council in Town Council assembled to call a Special Town Council Meeting on Wednesday, 10 March 2021 to be held at the Hermon High School Auditorium at 7:00 p.m. to hear a presentation from the Hermon School Department Track Committee on the proposed track and football field renovation projects.

SIGNED this March 4, 2021 by the Hermon Town Council:

G. Stephen Watson

Charles Lever IV

John Snyder III

Anthony Reynolds

Douglas Sinclair, Sr.

Steven Thomas

Ronald Murphy

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	