



Town of Hermon

Public Safety Meeting Room

June 24, 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 Town Council for a Zoom 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: John Snyder III, Douglas “Doug” Sinclair Sr., Ronald “Ron” Murphy, Charles Lever IV, Steven “Steve” Thomas, Anthony “Tony” Reynolds and G. Stephen “Steve” Watson

Members Absent: None

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Jim Thorne, Joe Baldacci and 2 residents.

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE 5/27/2021 Minutes, 6/10/2021 Annual Town Meeting Minutes

WARRANTS. –SIGN 6/10/2021 Warrant, ~~6/25/2021~~ 6/30/2021 Warrant

RESOLVES. –SIGN

Chari Thomas updated the warrant date to 6/30/2021 to capture invoices through the end of the Fiscal Year. Councilor Snyder moved to approve the Consent Calendar as presented. Councilor Murphy seconded the motion. Motion passes 7-0.



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

Updates from Augusta:

James Thorne, State Representative for Carmel/Hermon/Etna (part)

Joseph Baldacci, Senator for Bangor and Hermon

Jim Thorne: Hello, everybody. It's been a while since I've seen everyone. If any of you have been following what's been happening, we voted out all of our bills at this point. On Wednesday, June 30, is what we call veto day where all the bills that we've sent forward to the chief executive, the governor, for review. Anything that she vetoes will come back to us for a two thirds vote and for potential override.

If anybody's been following them, they are from mostly the absurd from gender marker change, for anybody that just wishes to change their, their sex from male to female. That's one of the bills, we also will be voting on the supplemental budget. As you are probably aware, it was a majority budget that was passed earlier this spring. That was based on a simple majority in the House and in the Senate that went forth. So now we'll be doing a supplemental budget that we'll be adding on to the biannual budget that was approved by the majority. So there are still some things that we're going back and forth on as far as items in that budget. So for the most part, that's what's going on, barring any specific questions that anybody may have about any particular items. I'll be glad to answer anything I can.

Steve Thomas: I was actually going ask you, Joe, some questions about the Pine Tree Power legislation. I know that looked like it was going go through and then a couple senators changed their vote. And I think it's on hold until, is it November?

Jim Thorne: I haven't seen how the governor has voted on that as of now or whether or not they will come back to us next week. I know that we did pass it on a simple majority out of the house. Well, actually, I think I think that the Senate is probably going to reconsider.

Joe Baldacci: I think that Senator Claxton from Auburn and Senator Woodson, who's Republican Senator in Waterboro, we are both supporters of it on the first note, and then they switched. The primary reason Senator Claxton switched because Auburn receives a lot of property taxes from CMP. But I think they're going to put an amendment to protect the property tax issue, but I expect that the governor will ultimately veto. It may pass the Senate by one vote, but I think it will be, ultimately that's my opinion.



Jim Thorne: There are a lot of other bills within there, the fine details as far as you know, they cut new paths and Maine, as law enforcement is concerned some of our class E crimes and possession of Fentanyl and other lesser crimes that are anticipated to be little or no fines. And it kind of goes back to what we were talking about when it talks about the legalization of marijuana in the state. There was a pro and con to it. As far as law enforcement not tying up the courts right now. I think it was on to say 90,000 cases, right now are in the backlog for the court systems within Maine. And that's everything from Class E crimes all the way up through so there's considerable backlog and a shortage of judges and so forth that we're trying to catch up with. And I was on the Judiciary Committee, we did approve a lot of District Court judges to replace and fill vacancies and so forth. So it's tough right now, the judiciary system is a quagmire. As far as cases go, and what we traditionally think of as law violations that should be prosecuted. We're in the process of dialing those back and doing other sentencing, alternative sentencing, and restorative justice, for those of you that might not have heard about it, restorative justice is if I steal something from you, rather than me go to jail or be fined for it, you and I agree to sit down and talk about why it was that I stole the money, and what it was that you were going to do with it. So we have a better understanding about the whole crime issue, so that rather than someone spending time in jail for petty theft, that they talk out their differences with each other, and that that's not an alternative sentencing. But it's another way of dealing with crime and petty crime rather than, the incarceration, recidivism with repeat criminals. Going back and forth from jail, back out, and jail, back out, and so forth.

Steve Thomas: So that's going to be a requirement? If I was the victim and somebody stole money from me, I would have a hard time sitting down with them and explaining why I have the money and how I was going to spend it, what business is it of theirs?

Jim Thorne: Well, it's not as much a requirement as just an alternative sentencing process. Where if you as the victim, and I as the perpetrator, agree to sit down and discuss and talk it out. And it's something that's been going on for years and years, you know, anybody that has a child that does something wrong or, or steals something from someone, then they go to them and they talk about it, and they understand why it's wrong and so forth. And that's just kind of a new term of what they're doing. Because they're trying to close Long Creek. We're trying to get beyond that because it's a, it's not so much a juvenile detention center that people are looking for nowadays, they're looking for more or less, a way to help people, help youngsters rather than just put them in jail and leave them there. They're trying to counsel them and give them some type of feedback on what they've done and why it's wrong. And that way, it's just the new wave of the way. Senator Baldacci, you may be better to explain it to them. I am on the outside looking in.

Joe Baldacci: I'm not on the Judiciary Committee on Health and Human Services. But I think it's all going to be an option for the DA. The prosecutors are still in charge in terms of what options they going to pursue, this it gives them other options to pursue, depending on how they view the defendants, how they view the circumstances. And whether the victim agrees or doesn't agree to do it. The victim has a right to object in court. And oftentimes,



the Judge will side with the victim obviously. So they will reject something that they don't think makes sense, but it's because the DA, has more options. It's really up to the prosecutor to decide which options to pick for negotiating, but I just wanted to add a couple of things because I voted against my party on the law enforcement, the pretextual stop and some other issues, because I think they were not appropriate. And I think the governor vetoed those issues. But I voted against all the tax increases, the tobacco, the local option, the estate tax, the income tax. So those are all dead, which is good news, I think because the economy in Maine needs to recover, and we need to create jobs. So I'm hopeful that message gets out there. There's a different atmosphere in the house. Republican or Democrat? No, in the house. I know it's a different atmosphere. In the Senate there are several times we can do bipartisan, but even on the Health and Human Services Committee, we passed 25 unanimous bills about nursing homes, and about Mainecare and about healthcare and hospitals. There's a lot in that budget, we have to see how it comes out in terms of the nursing homes, in terms of the funding that the Appropriations Committee is going to give because nursing homes have been hard hit during the pandemic. And one of the things we're voting on next week is if approved, the way it is now that Hermon would receive additional \$300,000 for school funding, and \$75,000 more for revenue sharing. I'm assuming it will be approved next week. They're negotiating all the details. But that will be good news. I'm sure you guys have kept the tax rate low. But hopefully, there'll be additional good news that we can share with you next week on the 30th. We were also able to pass a bill to tether which would help local businesses with 400 jobs at the Hollywood Casino, because it generates a lot of business locally, because last year they had passed untethered, which would allow out of state businesses to do what they wanted to, and the governor vetoed it. So hopefully go through with a tethered bill.

Jim Thorne: Essentially this difference is between betting on site and betting not on site. That's the difference between the two is right.

Joe Baldacci: If you have a site in Maine already, you can have the sports betting the way the bill is now, but we'll have to see.

Jim Thorne: Some of that was also the tribal bill in the tribal casino. That was discussed and voted on as well. So there's a first hurdle that was done there that the State of Maine had promised the tribes of Maine was never followed through with which encompasses Passamaquoddy, Penobscot, Maliseet and Micmac all the way through. And Rena Newell, who is the tribal representative was there and was speaking early into the morning about there was a land settlement that was never actuated. The State of Maine never actually came through and awarded the tribes the land that was promised to them in an agreement many years ago. It was kind of the way that Foxwoods and the Connecticut Casino were authorized on their land to be able to have casino. So that was kind of an issue that was discussed and voted upon, the initial step was approved and there's a long ways to go between now and then. So yeah, they could move towards the direction of getting their own casino.



Joe Baldacci: And even if they don't get the casino, they are included in the sports betting bill. There were four sports betting bills, one by Tim Roach in the house that the NFL had really drafted. And we include some of that language, but they all included some provision for the tribes. So the tribes will include in sports betting issue, I don't know how the casino, the gambling issues have panned out because I think the governor might also veto that

Jim Thorne: But that's just something that the tribes are working on. They had their sights set on many years ago and haven't been able to prove. So they just keep chipping away. And there are a lot of repeat bills that just keep coming back every so many years. And some pass and some will go back.

Steve Thomas: I do have a few more questions. And I know, Joe, you're going to speak on a few items. But right now I work with a lot of businesses. The common complaint right now is lack of people to work. And the big struggle or issue seems to be the extra \$300 a week in unemployment, in addition to regular unemployment. And I know the governor has supported the program to pay a \$1500 bonus to people that accepted a job during a certain timeframe. They have to work for eight weeks before they're eligible for that \$1500. It doesn't seem to really be motivating people to basically go out and find work. And so do you think at some point, that program is going to end as far as the extra \$300 per week?

Joe Baldacci: It is set to expire on September 3. So it's not going to be renewed.

Steve Thomas: It is going to have a pretty negative impact on everything, tourism, hospitality. I know most of the hotel operators, they can't find people to work. And they're probably going to end up closing rooms down. And I know some restaurants they've had to close early even on the weekend because they don't have people that want to work.

Jim Thorne: That's nothing that we as a legislature can override the governor's pre approval of that plan to negate it, or to cease it immediately. And executive governor for June 30, she will not renew the state of emergency for the State of Maine.

Doug Sinclair: You talk, Joe, about creating jobs in the State of Maine, I can name three companies that have probably 40 to 50 employees light. Every one of those jobs that pays over \$25 +. They all have insurance benefits, and they all have retirement, and they can't hire people. They can't get their product to the stores or restaurants. Because they don't have people to drive the trucks. They don't have truck drivers to deliver it they're going in the morning, early, doing their route, come back, pick up another truck that they finally get loaded. And driving back to Bangor do another delivery, which makes them legal, by the way. And why are we looking for more business jobs, I think we need to fill the ones have.

Joe Baldacci: I agree. But it's going take time, we lost about 50,000 people working on the last 18 months.



Doug Sinclair: And how did we lose them?

Joe Baldacci: Well, initially through the pandemic, when things closed down, and then the after effects of that the economy contracted considerably nationwide. We had a recession. I mean, technically, we're still in recession. But we need to bring those people back to work. I agree. But it's going take a little bit of time. I understand that. And the \$300, I understand is an incentive not to work.

Doug Sinclair: But, maybe on your low paying jobs. But these major companies that are paying \$25 and \$30 just have you walk through the door. And supplying with benefits insurances the day you start, with paid vacations. These are the jobs that should not be sitting out there looking for help. They should be coming to them. The answer is you got to find a way to have people go find those jobs.

Joe Baldacci: We need to attract more people to come to Maine, in general, to join our workforce. I agree, there's no simple solution. And I'm not sure what to say, but I definitely am paying attention to the issue. We hear that a lot from different people. There's no question about that. I'm not sure how it will be solved or when it will be solved. I'm hoping that slowly people will be returning to the workforce over the next 12 months. Fortunately, the emergency is going to be over with and hopefully people just go back to normal. But I totally understand.

Howard Kroll: Where did the unemployment, the incentive money come from? Did it come from the federal government, and it was funneled down to the States?

Joe Baldacci: Yes.

Howard Kroll: I guess in hindsight, it should have taken that money and incentivize businesses to go hire people. instead of giving \$600, then \$300. Originally, you had a bunch of people that were furloughed, and why would you go back to work when you can make more money sitting at home? I think we missed that opportunity.

Joe Baldacci: So those were the first and second Cares Act that was passed by prior Congress administration. So these have been policies that have been in place for the last 14 or 16 months. But I agree we're going to have to close this chapter. And we're going have to move forward, because we want to go back to our normal economy where everybody's working or supposed to be, I've been trying to focus on the local issues for Bangor and Hermon. That's why I've just been trying to focus on local issues when focused on the education. Most important is to keep a stable tax base. I know that Bangor is probably going to actually reduce its tax rate mill rate this year. And I'm assuming that Hermon is keeping....Are you guys are going down and or staying the same?

Howard Kroll: Same.



Joe Baldacci: You probably have not factored in the additional money that we're supposed to approve next week? No? Is that going to make a difference on your tax rate?

Howard Kroll: I guess I go back to that old theory until I see it, I'll believe it, I don't usually build a budget based on "might".

Steve Thomas: I don't know. I think a lot of thought would have to go into that, because that's a one time event. And, you know, our mill rate right now is pretty low. I think it's about half of what Bangor's is. Yeah, I don't know how those funds would be used.

Joe Baldacci: It's not a one time event in that it's a restoration of what should have been under the law. It's what is legally mandated. And what had not been paid out, particularly on revenue sharing for the last 10 or 12 years. There is a law that says that is the amount you're supposed to get 10 years ago, or 2011. It was amended. But it was changed this past legislature. So yes, it's going to be up to the whole process. But that is what the law says, that it needs to go to 4.5 and then 5% the way it was originally. I don't know what you guys lost in the last 10 years and revenue sharing. But it was very expensive to the city of Bangor, the revenue sharing, power was changed. I think I know that Hermon is growing. And we just want to see that growth continues. So in terms of Hermon, I'm really interested in just making sure that education funding doesn't get cut. And that continues to increase. And that revenue sharing continues to increase. And you guys make decisions about how you want to handle that, but at least that helps the whole community. That's my philosophy. So like I said, I tried to focus on the local issues and local impacts. I've served on Health and Human Services Committee, as I said, and our major focus is protecting the hospitals, the health care sector, the nursing homes, is a number of areas that reimbursement rates haven't been changed in 15 or 20 years, in terms of providers. So we're trying to shore up the healthcare side of this, which is a lot of nursing homes or rural parts of the state. There have been a dozen that closed between 2012 and 2018. Statewide, there are about 6000 beds for seniors around the state nursing homes. So it's pretty important to a lot of families. So there are a number of bills pending before the Appropriations Committee to stabilize the nursing home situation, as well as to help our hospitals and our health care facilities or long term care facilities stay in business. So I have a bill LD949 but if it gets funded, would completely regenerate 20 million state funds, \$70 million federal funds for the nurses for nursing homes and long term care facilities. Hopefully that will get funded that will save a lot of jobs. So that's really what my focus has been.

Steve Thomas: If the Town of Hermon is going to get another \$400,000 a year going forward consistently, where's this money coming from? We're going to have to raise income taxes, right?

Joe Baldacci: No, money's coming from the fact that state surplus/revenue projections have changed as of May 1, considerably, the state is running a surplus. So it's coming from the



increase in revenues to the State of Maine. It's not coming from an increase in taxes. So that was put out on May 1, about the revenue projections. So the state is running a significant surplus based on increased revenues over the last 12 months.

Steve Thomas: The other item I thought you can speak about briefly tonight was the rail service program that you're working on.

Joe Baldacci: For many years people in Bangor have tried to get the legislature funded study, which is the first step in terms of trying to get federal and state money for passenger rail. Passenger rail left this area long before my time, in the early 60s. And it really would be an economic development tool to be able to connect Bangor, Waterville, to Augusta, to Brunswick, and then to Portland and Boston. Particularly helpful would be the summer tourism coming up here, as well as people coming to waterfront concerts. But being able to provide greater connections, not just through the internet, but through transit as well. I think it's going to be an economic plus for all of us. And so it was rejected twice in the last 15 years by the legislature. So I was happy to be able to work out a compromise. And the republicans and the democrats unanimously supported in the transportation committee, and it was unanimously supported on the floor of the Senate and floor of the House for signed by the governor. So it is a study, which is the first step in terms of qualifying or approving the need to look at the cost and feasibility of a passenger rail system that would go from Bangor, at least Brunswick and Portland, there is a private company that owns the rail lines, Pan Am, I've spoken with the CEO of Pan Am's are in the process of selling to CES X, but that could be some time, they are receiving about \$75 million. They're saving half the \$75 million reinvestment in the rail lines for Mattawamkeag down towards the Brunswick area. Half of that's being paid for by the federal government through legislation that Senator Collins is supporting the other half is being paid for by a private company. So there's already an effort because they have to make the rail lines be able to support heavier freight and higher speeds. So freight and passenger rail can go together, it makes it more economically feasible. So there are a lot of different moving parts in this thing. The greater Bangor area represents 155,000 people according to the Metropolitan what however they calculate versus the Lewiston area, which is 110,000 people. So Bangor is the second largest, this area, second largest metropolitan area in State, there's no reason we should not have passenger rail when they're talking about extending out to Lewiston. But it's really an economic development thing. As well as a transportation thing, it would be an enormous plus for our area to have that can have that connection to Portland and Boston. So it's going to be a long road, because the resistance from the DOT bureaucrats is one, they don't come from this area. They come from Augusta south. And two, they just want to spend money on roads, which is fine. But there are other different transportation alternatives that can also help people and help economies and help regions. So it's going to be a long process, but the study is the first step. And it's going to be a two year study funded with 150,000. From the state of Maine, I have to raise \$50,000 privately, half of that's already been committed by the city of Waterville and the city of Bangor. So I'll be working on that but I think it's totally doable. I think it would just be a huge plus for our area to have passenger rail and have us connected with Southern Maine and Boston for a lot of different reasons.



Plus, it will help some people from smaller towns and our area access to those areas as well. So I think it's an important long term development issue.

Steve Thomas: And I think there was one other subject that you want to speak to as far as daycare facilities.

Joe Baldacci: Well, there are a number of childcare bills that got passed. One is based on the program in Waterville that was put together by public and private money with the Warren Buffett Foundation, as well as the State of Maine, back in 2010. It's called Educare. And they serve about 250 families a year, they provide schooling, and education, both for the child as well as helping the parents find jobs. It's like a total resource for families, particularly for single parents, who don't have other supports and have to find a job. We approved a bill; it still has to be funded by the Appropriations Committee. So I can't say whether or not it's going to get to the next stage. But I'm pretty confident that if it does, the governor will sign it. But we're creating five more Educare centers; the one in Waterville has been very successful. It's been a very public effort. And people in the area know it's also been funded by the Alford Foundation. They did another one recently in Skowhegan, which has also done well. So we have two of these models, which are like complete education and job training Social Assistance Centers, particularly for single parents. It can be for married for couples as well. But a lot of people in low income situations are single parents raising children. The bill will create five more around the state. I'm hopeful that if it gets funded, that we could have one in our area, I would like to see in this area which serve around 200 families a year, over 10 years, I think the Waterville one served over 2500 families. If you want to get more information on the issue, it's under Educare. In terms of a website, it's been in existence since 2010. And it's been a successful program, Waterville is very lucky to have it; it'd be good to have in some other places like this area. There is also a childcare bill to expand funding childcare, but almost all primarily from the federal government in terms of the funding for that, this would be a permanent State program. And it would be partnering with private foundations, like the Waterville one is, and Skowhegan. So that it could be partially funded by private foundations that are interested in doing this. When Waterville was created it was only 1 of 12 in the country that had this model. And it's worked out well there, and it will help other people, in my opinion,

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:



R20-21-50

Consider accepting three right-of-ways – Richardson Drive, Rocky Ridge Drive and Nicole’s Way

Councilor Reynolds moved to approve R20-21-50. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-51

Consider approving hauler license applications for 2021-2022.

Casella & Waste Management has requested to renew their License to haul solid waste to Perc and Old Town Transfer Station (OTTS Recycling).

Waste Management has requested to renew their License to haul solid waste to PERC.

IF approved – sign permits

Councilor Reynolds moved to approve R20-21-51. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

R20-21-52

Consider authorizing the Town Clerk to sign future Catering Event Applications

Councilor Snyder moved to approve R20-21-52. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.

FR20-21-28

Consider approving payment for emergency Fiber Optic Cable repair between the High School and Town Office. Gardner Construction \$ 10,091.00 and Northeast Cable \$ 3787.00.

Councilor Reynolds moved to approve FR20-21-28. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 7-0.

R20-21-53

Consider amending Personnel Policy titled “Holidays”, in subsection E.5 to include the “Juneteenth Independence Day” as an observed holiday on June 19th of each year.

Councilor Reynolds moved to approve R20-21-53. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion passes.



O20-21-21 Consider setting the council calendar for FY 21-22

Councilor Reynolds moved to approve O20-21-21. Councilor Lever seconded the motion. The motion was accepted unless doubted. Motion passes.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

Reappoint personnel to various positions as required by Charter and State Statute.

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Reynolds moved to adjourn the meeting at 8:17PM. Councilor Snyder gave seconded. With no objection the meeting was adjourned at 8:17PM.

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.