



Town of Hermon

Public Safety Meeting Room

December 9, 2021

Town Council Meeting

7:00 PM

AGENDA

To watch Council Meetings, go to hermonmaine.gov click Council click Town Council Meetings click Zoom
Council Meetings will be archived online after the meeting has taken place.

*****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 11/18/2021 minutes, 11/18/2021 Special Town Meeting minutes,
12/9/2021 Workshop minutes

WARRANTS. – SIGN 11/26/2021 & 12/10/2021 warrant

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:

FR21-22-02 Consider accepting the Child Care Stabilization Grant award from the State of Maine in the amount of \$ 5,500.

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

November 18, 2021

Special Town Meeting

Followed by a

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 Thomas led those in attendance in the Pledge of Allegiance

III. ROLL CALL

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

Members Absent: John Snyder III – Excused, Phillip Richardson - Excused

Others Present: Town Manager Howard Kroll, Town Clerk Kristen Cushman, Josh Berry, Scott Perkins and 6 residents

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE 10/28/2021

WARRANTS. –SIGN 10/29/2021, 11/12/2021

RESOLVES. -SIGN

Councilor Reynolds moved to approve the Consent Calendar as presented. Councilor Murphy seconded the motion. Motion passes 5-0.

Hermon Town Council Minutes

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V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

Ernie Wheeler 20 Billings Road:

Tonight I am here because of a passed preliminary site plan for the C & K variety expansion. It's an incomplete site plan after studying it. Three quarters of the attendees at the Planning Board meeting spoke against this permit. I'd like to add that there was no fuel plan presented to the Planning Board, only a fuel canopy. I know enough about fuel that there's going to be at least two 20,000 gallon tanks because there will be two products; mid grade and premium. We're not even talking about diesel fuel, and that's going to be another 20,000 gallon tank. Right now that fuel is looking to be about 55 feet from my back lawn, I feel very uncomfortable about this because of the drainage situation that we've had for over 30 years. When I spoke to the planning board 16 days ago, they were not aware of the pond on the abutting property where the excavation is planning to take place. Now, unfortunately, we keep getting different stories of what's going to happen down there. The first story told is 8000 yards of gravel to be removed. If you do the math on that, that's some 675 truckloads of soil they want to take out. There is not any drainage plan addressed other than C & K. If you look on the green on this map that is truly the way the water runs. I lived there for 28 years, the company that went to GPS spent one day there, I don't think they got a true reading in one day. This was before we have had six inches of rain in the last three weeks. It's not standing water today. It's a pool of water. Since the Planning Board, I decided it was a prudent move to berm my property, 140 feet on the back with eight to ten loads of clay to stop water coming onto me. The site plan says they're going to go down eight feet plus. That piece of property has never been developed because it is not suitable to be developed. They're not talking about that drainage pond that came with Ed Morgan's original housing development. It is now privately owned, I'm very concerned about that. It is a hydraulic pond, a hydraulic pond is a pond and has 1000 gallons in it. And it holds it so good that another 10,000 or 2000 gallons in the next three or four days, it's right back to that 1000 gallons. So where that's going is it's leaching out of the bottom of that pond. Since 1989 we are still dealing with those problems.

Doris Rogerson 7 Wendy Acres:

And I stand by everything that Ernie has just said. So he is intending to build a drainage system all around, but he's putting in a building that's 165 feet long, 50 feet deep, and 35 feet high, but he's planning to go down. Because we have the underground springs. I asked at the Planning Board, if something has been designated a commercial lot, which Lot 21 is, where C & K is the lot in back is lot 20 that he also owns.



Steve Thomas:

I've done a little research on this. And I think a lot of this is new information for the council tonight. This is something you guys have been dealing with, this sounds like, for quite some time. I think the council was very concerned about drainage issues. To be honest, this is the first time I heard anything about fuel tanks being installed there. But with that being said, what I was told is that basically, the developer, the owner has been approved to start the site work. But having said that, there's still a lot of work that has to be done, they still have to get a permit from the DEP, that's not going to be easy, all of these issues are going to be taken into consideration. And then also, I was surprised that neither of you mentioned anything about access, and they actually have to have the Planning Board require them to get a special permit from the DOT to make sure that there aren't going to be any traffic issues created by this larger store going forward. But with that being said, I think the council would like to make, if at all possible, everyone happy here. And so, you know, I think we can ask the questions. But I guess on the other hand, we are somewhat limited because the Planning Board has the authority to make those decisions. But we do want to work with them and try to do what's best for you and the community.

Council set December 2, 2021 at 7:00 pm for a Special Council meeting.

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R21-22-06 Consider approving acceptance of an ordinance titled "Amendment to Chapter 154 Contract Zone change to Tax Map 042 Lot 083-000 § 154-006 (b) of the Hermon Town Code"

Councilor Reynolds moved to approve R21-22-06. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 5-0.

R21-22-07 Consider approving the street name: Hawk Crossing (proposed subdivision off Union Street)

Councilor Reynolds moved to approve R21-22-007 Councilor Murphy seconded the motion. The motion was accepted. Motion passes 5-0.



FR21-22-01 Consider accepting a Maine Forest Service grant in the amount of \$2,484.93 with a required match from Fire Department account 12-02-10-22.

Councilor Reynolds moved to approve FR21-22-01. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 5-0.

R21-22-08 Consider accepting 2022 prepayment of taxes

Councilor Reynolds moved to approve R21-22-08. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 5-0.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

Two great Hermon residents passed away in the last couple of weeks. Mr. Doug Smith, who was superintendent in Glenburn, and a longtime school board member and active in the community, and Ken Locke who was a very good friend of mine, I know he's Tony's brother-in-law. Ken ran the Brewer sewer plant over there as a superintendent. Just a great human being and my condolences to the families. December 2, obviously, we'll schedule a special meeting for the subject that we talked about this evening. And the regular scheduled council meeting is December 9, which is a week after that. Obviously, winter is here and just want people to get prepared because Mother Nature could change on a dime and our 60 degree weather today could turn into 10 degrees tomorrow with howling winds and snow. I also wanted to congratulate the varsity football team and the women's varsity soccer team. They had great seasons. And I'll tell you, I firmly believe that next year you're going to see a couple state championships. I think these teams have been built up, I think they've been together for probably since they were young kids and I think those stars are going to align. So I think next year, you're going to see very good things out of those athletic programs. So again, I just want to congratulate them on a great season. Finally, I want to wish everyone Happy Thanksgiving and please stay safe.

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

XIII. COUNCIL ITEMS:

Steve Watson: Happy Thanksgiving

XIV. EXECUTIVE SESSION:



XV. ADJOURNMENT:

Councilor Reynolds made a motion to adjourn the council meeting at 8:20 pm. Councilor Murphy seconded. With no objection the council meeting was adjourned at 8:20 pm.

Respectfully Submitted,

Kristen Cushman, Town Clerk

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MINUTES

TOWN WARRANT SPECIAL TOWN MEETING Thursday, November 18, 2021

To: Rylee Cushman, a Resident of the Town of Hermon, Penobscot County and State of Maine,

Greeting: In the name of the State of Maine you are hereby requested to notify and warn the inhabitants of the Town of Hermon, in said County of Penobscot, qualified by law to vote in said town affairs of the Election and Town Meeting described in this Warrant.

To the Voters of Hermon:

You are hereby notified that a Special Town Meeting in this Municipality will be held at the Hermon Public Safety Bldg on Thursday, the 18th day of November A.D. 2021 at 7:00 p.m. to act on Articles 1 through 4.

The Town Manager opened the meeting at 7:02PM. 11 voters were in attendance.

ART. 1: To elect a Moderator to preside at said meeting.

The Town Manager asked for nominations for a Meeting Moderator. Anthony Reynolds nominated Mr. Joshua Berry. Ronald Murphy seconded the motion. There were no other nominations. A show of hands was unanimous in favor of Mr. Berry moderating the meeting Mr. Berry willingly accepted the nomination and signed the Moderator's Oath. Town Clerk then turned the meeting over to Mr. Berry.

ART. 2: Shall the Town of Hermon vote to approve and accept a Northern Borders Regional Commission Grant, Grant Agreement Number-NBRC21GEDA01, in the amount of \$800,000, and to submit same to the Northern Borders Regional Commission and if said program is approved, to authorize the municipal officers to accept said grant funds, to make such assurances, assume such responsibilities, and exercise such authority as are necessary and reasonable to implement such programs including authorizing the Town Manager to (1) sign the NBRC Grant Agreement, (2) authorize matching funds up to \$400,000, (3) sign a contract agreement with Eastern Maine Development Commission for technical support and (4) to send out an RFP for engineering services using the federal guidelines described in the compliance manual and contract agreement. Furthermore, the Town of Hermon is cognizant of the requirement that should the intended National and local Objective of the Northern Borders Regional Commission Grant program not be met all grant funds must be repaid to the Northern Borders Regional Commission?

YES or NO

Mr. Berry read Article 2. He then asked for a motion to approve Article 2. Anthony Reynolds moved to approve Article 2 as written. Ronald Murphy seconded the motion. A show of hands was unanimous in favor of the motion. Article 2 passes.

ART. 3: To see if the Town will vote to approve and accept Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) in the amount of \$637,141.75?

YES or NO

Mr. Berry read Article 3. He then asked for a motion to approve Article 3. Anthony Reynolds moved to approve Article 3 as written. Ronald Murphy seconded the motion. A show of hands was unanimous in favor of the motion. Article 3 passes.

ART. 4: To see if the Town will vote to appropriate \$400,000 from Coronavirus Local Fiscal Recovery Funds (aka American Rescue Plan Act or ARPA funds) received by the Town from the federal government for the following project: **Sewer project on Hammond Street lift station and extend public sewer entire length of Logistics Lane?**

YES or NO

Mr. Berry read Article 4. He then asked for a motion to approve Article 4. Anthony Reynolds moved to approve Article 4 as written. Ronald Murphy seconded the motion. A show of hands was unanimous in favor of the motion. Article 4 passes.

Mr. Berry asked for a motion to close the Special Town Meeting. Anthony Reynolds made a motion to adjourn the meeting. Ronald Murphy seconded the motion.

Mr. Berry adjourned the meeting at 7:15PM.

**Respectfully Submitted,
Kristen Cushman, Town Clerk**



FR21-22-02

Be it resolved by the Hermon Town Council in town council assembled to accept a Child Care Stabilization Grant award from the State of Maine under the American Rescue Plan Act in the amount of \$5,500.00. No local match required.

SIGNED this December 9, 2021 by the Hermon Town Council:

Ronald Murphy

Charles Lever IV

John Snyder III

Anthony Reynolds

Phillip Richardson

Steven Thomas

G. Stephen Watson

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____