



**Town of Hermon**  
**Public Safety Meeting Room**  
**March 17, 2022**  
**Town Council Meeting**  
**7:00 PM**  
**AGENDA**

To watch Council Meetings, go to [hermonmaine.gov](http://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**      **Quitclaim Deed for M/L 028-004-000 Account # 808**
  - MINUTES. – APPROVE**      **3/3/2022 Minutes**
  - WARRANTS. – SIGN**      **3/18/2022 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:**



- R21-22-19** Consider approving the FY23 CIP
- R21-22-20** Consider signing a FEMA updated county plan specific to our community risk assessment.
- FR21-22-07** Consider using Reserve Account funds to pay for damage to Town Office
- FR21-22-08** Consider awarding Road Striping Contract
- O21-22-06** Consider scheduling a Public Hearing for a zone change request on April 14, 2022, for M/L 019-001, (217 Newburgh Road) for a residential subdivision. The proposed zone change will be from Agricultural Forestry to Residential A.

**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:**

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

**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**

**March 3, 2022**

**Town Council Meeting**

**7:00 PM**

**MINUTES**

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**

Chair Thomas led those in attendance in the Pledge of Allegiance

**III. ROLL CALL**

**Members Present:** Ronald "Ron" Murphy, Phillip "Phil" Richardson, G. Stephen "Steve" Watson, Charles Lever IV, Steven "Steve" Thomas, John Snyder III, and Anthony "Tony" Reynolds

**Members Absent:** None

**Others Present:** Kristen Cushman Town Clerk, Michael Chamings Finance Director, Josh Berry Assessor, Jessefa Murphy Code Officer, Maclaren Davis and 9 guests

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

**SIGNATURES. – APPROVE** Quitclaim Deed for M/L 047-064-00R Account # 1604

Quitclaim Deed for M/L 011-025-000 Account # 1963

**MINUTES. – APPROVE** 2/17/2022 Minutes

**WARRANTS. – SIGN** 3/4/2022 Warrant

**RESOLVES. – SIGN**

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



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

**FY21 Audit Findings- Hank Farrah, RKO**

**TOWN OF HERMON**

**FINANCIAL OVERVIEW**

**INSIDE**

2. Summary of Audit Results
3. General Fund – Fund Balances
4. General Fund – Revenues – Town
5. General Fund – Expenditures – Town
6. Unassigned Fund Balance as Percentage of Budget
7. General Fund – Revenue Distribution
8. General Fund – Expenditure Distribution – 2021
9. General Fund – Expenditure Distribution – 2020

**About this presentation**

This presentation is intended as a tool to assist the Town Council and management in understanding its financial operating results. The information contained in this publication should be read in conjunction with the audited financial statements and related disclosures and should not be used for any other purposes without the expressed consent of [RUNYON KERSTEEN OUELLETTE](#).

Please contact us at 207-773-2986 or 1-800-486-1784  
20 Long Creek Drive, South Portland, ME 04106





## TOWN OF HERMON

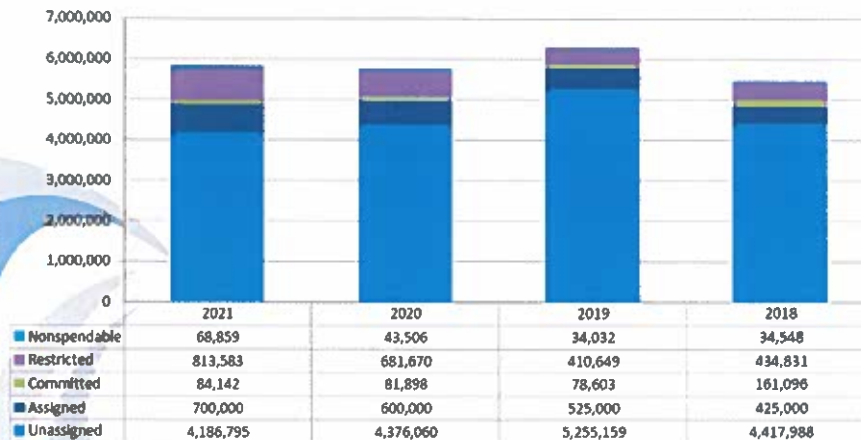
### SUMMARY OF AUDIT RESULTS

- Financial Statement Opinion - Unmodified
- Report Required by *Government Auditing Standards (GAS)*
  - No material weaknesses
  - No significant deficiencies
  - Recommendations / other comments related to:
    - Segregation of duties
    - Tax increment financing district tracking and budgeting
    - Credit enhancement payments
    - Payroll documentation
- Reports Required by Uniform Guidance
  - Major Program – Coronavirus Relief Funds (\$2.3M)
  - No Findings



## TOWN OF HERMON

### GENERAL FUND - FUND BALANCES



#### SUMMARY OF SIGNIFICANT CHANGES

- Total fund balance increased \$70,245 during the fiscal year to \$5,853,379.
- Restricted is made up of amounts for TIF Districts.
- Assigned is the budgeted use of surplus for the subsequent fiscal year.





## TOWN OF HERMON GENERAL FUND – REVENUES

	Budget	Actual	Variance
Taxes	\$ 9,425,294	10,195,415	770,121
Intergovernmental	918,278	1,311,552	393,274
Licenses and permits	59,600	92,576	32,976
Charges for services	39,100	67,685	28,585
Interest earned	70,000	117,070	47,070
Other revenues	21,991	35,586	13,595
<b>Total revenues</b>	<b>10,534,263</b>	<b>11,819,884</b>	<b>1,285,621</b>
Utilization of prior year surplus	575,000	-	(575,000)
Use of TIF funds	608,168	-	(608,168)
<b>Total revenues and other financing sources</b>	<b>\$ 11,717,431</b>	<b>11,819,884</b>	<b>102,453</b>

### SUMMARY OF SIGNIFICANT VARIANCES

- Tax revenues were over budget due to higher-than-expected excise tax revenues.
- The Town received more state revenue sharing than anticipated and \$250K of MDOT funding which caused intergovernmental revenue to come in over budget.
- Interest earned was conservatively budgeted in 2021.



## TOWN OF HERMON GENERAL FUND – EXPENDITURES

	Budget	Actual	Variance
General government	\$ 1,069,971	1,025,107	44,864
Economic development	373,168	186,277	186,891
Public safety	1,008,320	1,024,788	(16,468)
Public works	913,742	1,584,598	(670,856)
Solid waste	435,857	482,284	(46,427)
Recreation and social services	345,779	343,697	2,082
County tax	816,353	816,353	-
Tax increment financing	110,000	189,436	(79,436)
General assistance	5,000	2,343	2,657
Education	5,503,657	5,507,000	(3,343)
Transfers out	590,000	590,000	-
Appropriated for TIF	507,626	-	507,626
<b>Total expenditures and transfers out</b>	<b>\$ 11,679,473</b>	<b>11,751,883</b>	<b>(72,410)</b>

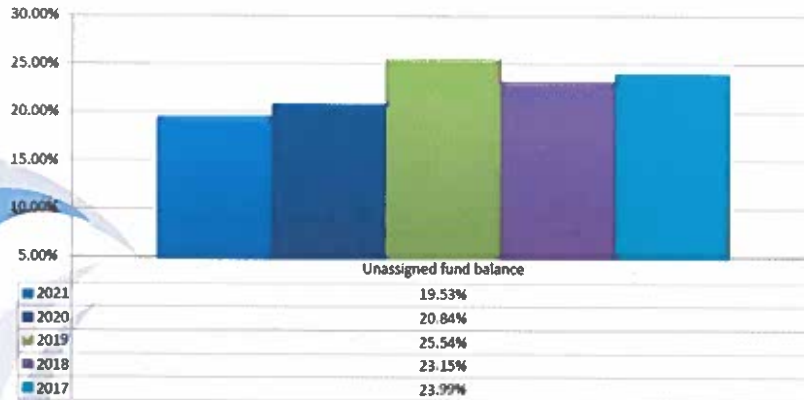
### SUMMARY OF SIGNIFICANT VARIANCES

- General government had savings in benefits.
- Economic development projects were not completed.
- Public works was over budget due to extra road construction required and the timing of the Billings Road project (received MDOT funding).
- TIF was overspent due to timing of RIDER payment (was pushed into FY21).



## Town of Hermon

### GENERAL FUND – Unassigned Fund Balance as a Percentage of Expenditures



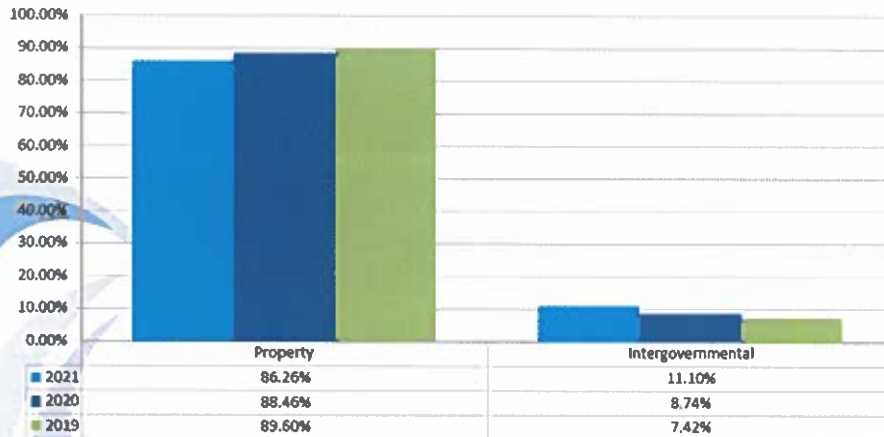
#### SIGNIFICANT OBSERVATIONS

- This calculation is comparing the Town's unassigned fund balance to the combined Town and School budgets.
- Town unassigned to Town budget (which includes appropriation to School) calculates to 35.85%. School has an unassigned fund balance percentage to budget of 20.5%.



## TOWN OF HERMON

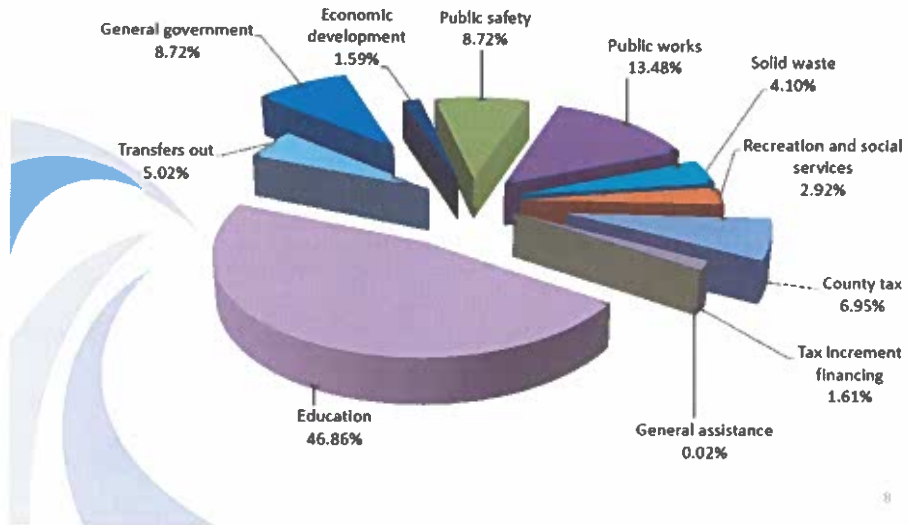
### GENERAL FUND – REVENUE DISTRIBUTION





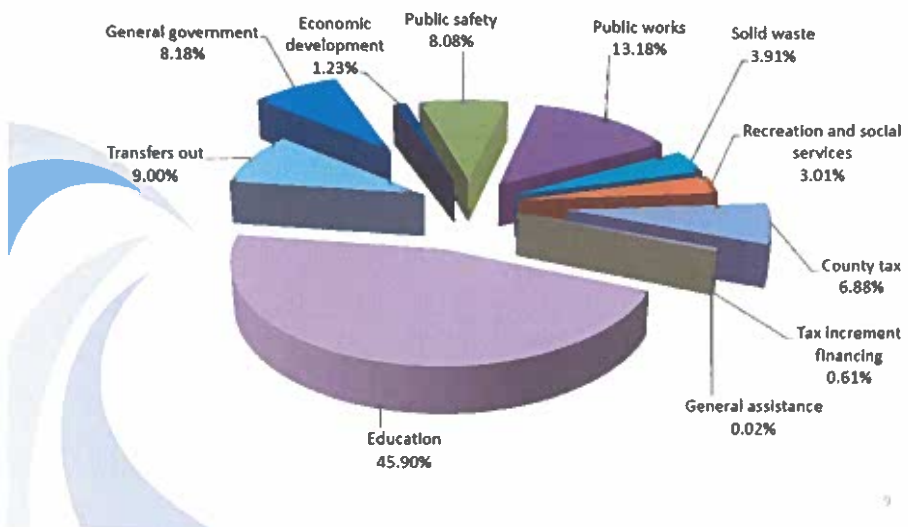
## TOWN OF HERMON

### GENERAL FUND – EXPENDITURE DISTRIBUTION - 2021



## TOWN OF HERMON

### GENERAL FUND – EXPENDITURE DISTRIBUTION - 2020







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:

**R21-22-19** Consider accepting the FY23 Capital Improvement Plan.  
Previously tabled from the February 17, 2022, meeting.

**Councilor Murphy moved to table R21-22-19. Councilor Snyder seconded the motion. The motion accepted unless doubted. Motion passes.**

C. WORKSHOPS:

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

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT: None

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

**Ernest Wheeler 20 Billings Road: Six weeks ago, Mrs. Rogerson came and spoke and asked you all to put some boots on the ground at 4 Billings Road, Mr. Perry's project. I'd like a show hands, how many people have been to 4 Billings Road in the last 30 days?**

**Four councilors raised their hand.**

**Mr. Chairman do we have a permit for putting footings in the ground?**

**Steve Thomas: We are not experts with every aspect of the building code here. I'll just say this project has been reviewed extensively, it went to the Planning Board, I understand that you're concerned about the underground storage tanks, there is a process that the developers have to go through with a DEP. And they cannot, from what I understand, provide a fuel storage plan until they complete their research.**



**Ernest Wheeler:**

**4 Billings Rd.**

- **Lack of safety fences**
- **Site visit from the Town Engineer to review the walls**
- **Plan for permanent fences and landscaping**
  
- **2440 Route 2 has over 1000 yards of soil**
- **Ellis plaza has over 1000 yards of soil**

**Jessefa Murphy: Plan was submitted on October 25, 2021. Planning Board of Appeals issue number four by a vote of 5 to 0 the Board determined the Planning Board did not err on determining the application was complete.**

**Councilor Reynolds: So, you have all the plans for gasoline and all the fittings.**

**Jessefa Murphy: The Town does not do anything with gasoline. DEP takes care of the fuel.**

**Councilor Reynolds made a motion to get a complete plan for the project, so we don't break our ordinance. Motion was seconded by Councilor Watson. Vote: 2 Yes, 2 No, and 3 Abstain.**

XIII. COUNCIL ITEMS: None

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

**Councilor Snyder made a motion to adjourn the council meeting at 7:43 pm. Councilor Watson seconded. With no objection the council meeting was adjourned at 7:43 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.

**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 **Pamela Jacobsen A/K/A Pamela Jacobson** with the address of **107 Maxwell Avenue** in **Anderson**, Anderson County, South Carolina, the real estate located in Hermon, Penobscot County, State of Maine, described as follows:

Designated as **Map/Lot 028-004-000 Account 808** 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 **Jacobsen, Pamela, Account 808** at the Penobscot Registry as:

	<b>Year</b>	<b>Book</b>	<b>Page</b>
<b>Lien:</b>	2019	15644	288

**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 2019**.

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**, Phillip Richardson, Charles Lever IV, Ronald Murphy, G. Stephen Watson, John Snyer III its Municipal Officers duly authorized, this **17<sup>th</sup> day of March 2022**.

\_\_\_\_\_  
**Steven Thomas, Chair**

\_\_\_\_\_  
**Phillip Richardson**

\_\_\_\_\_  
**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**, Phillip Richardson, 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 17, 2022 Before me, \_\_\_\_\_  
Notary Public



**R21-22-19**

Be it resolved by the Hermon Town Council in Town Council assembled to accept the FY23 Capital Improvement Plan as follows:

Acct #	Res. Account	FY22	FY23	\$ Change	Explanation
HERM01	Police Equipment Res.			0	
HERM02	Unemployment Res.	5000	5000	0	
HERM03	Legal Res.	0	0	0	
HERM04	Cemetery Res.	5000	0	0	
HERM05	Fire Equipment Res.	150000	**276000	126000	<u>\$226,000 unrestricted fund balance request</u>
HERM06	Highway Improvement Res.	250000	250000	0	
HERM08	PW Eqp/blg. Res	75000	75000	0	
HERM09	Recreation Facility Res	25000	*20000	-5000	<u>\$10000 match</u>
HERM11	Municipal Office Res.	5000	25000	20000	
HERM12	Sewer Maintenance Res.	25000	20000	-5000	
HERM13	Public Land Acquisition Res.	0	0	0	
HERM14	Planning & Ordinance Res.	0	0	0	
HERM16	Economic Development Res.			0	
HERM17	Public Safety Building Res.	10000	10000	0	
HERM19	Town Off Equip &Tech. Res.	35000	40000	5000	
HERM24	Tax Stabilization Res.	0	0	0	
HERM28	Jackson Beach Res.	0	0	0	
HERM27	Transfer Station Site Res.	0	0	0	
HERM29	Rural Fire Protection Res.			0	
HERM32	Veterans Mem. Park Res.	5000	5000	0	
HERM34	Sick Leave Res.			0	
HERM35	Solid Waste Res.				
	<b>Total</b>	<b>\$590,000</b>	<b>\$ 726,000</b>	<b>\$236,000</b>	
	<b>CIP FY22- FY23 comparisons</b>				
Acct #	Res. Account	FY22	FY23		
	Local Appropriation	\$490,000	\$490,000	0	
	TIF Funds				
	Unrestricted Fund Balance	\$100,000	**\$226,000		<u>Fire Dept req.</u>
	Grants	-	*\$10,000		<u>Little League Donation</u>
	Other (Enterprise)				
	<b>Total</b>	<b>\$590,000</b>	<b>\$726,000</b>	<b>\$136,000</b>	

Be it further resolved that the amounts listed above will include, at a future date, the Hermon School Department Reserve Accounts and projects proposed to be funded in FY23 and ultimately be voted on by the Town of Hermon Voters on Thursday, June 16, 2022.

Previously tabled from the February 17, 2022 & March 3, 2022, meeting.

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**SIGNED this March 17, 2022, 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 \_\_\_\_\_



**R21-22-20**

Penobscot County Hazard Mitigation Plan — 2022 Update

**2. PREREQUISITES**

RESOLUTION

Whereas, natural and man-made disasters may occur at any time, we recognize that to lessen the impacts of these disasters we will save resources, property, and lives in Penobscot County;

And whereas the creation of a Multi-Jurisdictional Hazard Mitigation Plan is necessary for the development of a risk assessment and effective mitigation strategy;

And whereas, this multi-jurisdictional county of 3 cities, 52 towns, 4 plantations and a portion of Maine's Unorganized Territory is committed to the mitigation goals and measures as presented in this plan;

Therefore, the City Councils and Boards of Selectmen of the Incorporated Towns and Plantations hereby adopt the Penobscot County Multi-Jurisdictional Hazard Mitigation Plan — 2022 update; and

Therefore, the Penobscot County Commissioners, acting on behalf of the County and its portion of the Unorganized Territory hereby adopt the Penobscot County Hazard Mitigation Plan — 2022 Update.

SIGNED this March 17, 2022, 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 \_\_\_\_\_



**FR21-22-07**

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to pay for replacing the repairs to the interior of the Town Office due to a frozen pipe bursting in late January 2022 in an amount not to exceed \$2,407.50 payable to D.P. Porter Contractors, Inc of Hermon Maine.

Be it further resolved the cost of the services is to be funded from the Town Office Reserve Account R30-011 (HERM 11) through the Municipal Building Maintenance expense account #10-08-10-04.

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SIGNED this **March 17, 2022**, 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 \_\_\_\_\_



**FR21-22-08**

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to award the bid for road striping services on various town owned roads, intersections and parking lots to \_\_\_\_\_ for FY23, FY24 and FY25. Town Manager is directed to sign a contract most advantageous to the Town.

Be it further resolved the cost of the future services is to be paid out of the FY23, FY24, and FY25 Public Works budget line item for striping.

SIGNED this March 17, 2022, 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 \_\_\_\_\_





2-17-2022

Memo: Road & Parking Lot Striping 2022-2024

To: Howard Kroll

Howard,

We opened one bid for Road & Parking Lot Striping on 2-16-2022. The package offered to four vendors was a three-year contract for line striping local roads and applying legends.

Totals for all projects including stop bar legends, crosswalks, intersections, center & fog lines and parking lots at Jackson Beach and Hermon Town office are as follows:

FY 2022- FY 2024

Fine Line Striping

2022 \$20,500

2023 \$22,650

2024 \$24,200

Striping Town Office Parking Lot and Jackson Beach (as needed)

Town Office: \$750

Jackson Beach: \$500

My recommendation is to award *Fine Line Striping* the legend and striping work for 2022-2024 at a future Council meeting in an amount not to exceed the bid amount(s). *Fine Line Striping* is a Hermon company delivering quality work Statewide and has always been responsive to Hermon's special requests when items come up needing immediate attention.

Thanks,

Scott Perkins



**O21-22-06**

**BY ORDER** of the Hermon Town Council, the following Public Hearing has been scheduled for Thursday April 14, 2022, at 7:00PM at the Public Safety Meeting Room.

**TO CONSIDER** comment regarding a Zone Change request to M/L 019-001, (217 Newburgh Road) for a residential subdivision. The proposed zone change will be from Agricultural Forestry to Residential A.

The Public shall be given the right to comment before the Council takes action.

\_\_\_\_\_  
**SIGNED** this March 17, 2022, 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 _____	Date _____
Second _____	Nays _____	