



**Town of Hermon**

**Public Safety Meeting Room**

**March 3, 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 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**

- V. NEWS, PRESENTATIONS AND RECOGNITIONS:**

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

**5 years of service: Presentation by Town Manager Howard Kroll and  
Assistant Chief Cody Sullivan**

- 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.

**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.

**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 **Farrar, Robert & Jeanette and Farrar, Stuart & Jacqueline** with the address of **48 Overfar Way in Hermon**, Penobscot County, Maine, Penobscot County, State of Maine, described as follows:

Designated as **Map/Lot 047-064-00R Account 1604** 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 **Farrar, Robert & Jeanette and Farrar, Stuart & Jacqueline, Account 1604** at the Penobscot Registry as:

	<b>Year</b>	<b>Book</b>	<b>Page</b>
<b>Lien:</b>	2019	15644	275

**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 Snyder III its Municipal Officers duly authorized, this **3<sup>rd</sup> day of March 2022**.

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

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**Phillip Richardson**

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**Anthony Reynolds, Vice-Chair**

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**Charles Lever IV**

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**Ronald Murphy**

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**G. Stephen Watson**

\_\_\_\_\_  
**John Snyder 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 Snyder 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 3, 2022 Before me, \_\_\_\_\_

Notary Public

**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 **Smith, Steven** with the address of **63 Hopkins Road in Hermon, Penobscot County, Maine, Penobscot County, State of Maine**, described as follows:

Designated as **Map/Lot 011-025-000 Account 1963** 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 **Smith, Steve, Account 1963** at the Penobscot Registry as:

	<b>Year</b>	<b>Book</b>	<b>Page</b>
<b>Lien:</b>	2019	15644	330

**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 Snyder III its Municipal Officers duly authorized, this **3<sup>rd</sup> day of March 2022**.

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

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**Phillip Richardson**

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**Anthony Reynolds, Vice-Chair**

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**Charles Lever IV**

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**Ronald Murphy**

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**G. Stephen Watson**

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**John Snyder 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 Snyder 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 3, 2022 Before me, \_\_\_\_\_  
Notary Public



**Town of Hermon**  
**Public Safety Meeting Room**  
**February 17, 2022**  
**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:** G. Stephen “Steve” Watson, Charles Lever IV, Steven “Steve” Thomas, John Snyder III, and Anthony “Tony” Reynolds

**Members Absent:** Ronald “Ron” Murphy – excused, Phillip “Phil” Richardson - excused

**Others Present:** Town Manager Howard Kroll, Town Clerk Kristen Cushman, Josh Berry, Jessefa Murphy, Maclaren Davis and 4 guests

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

**SIGNATURES. –APPROVE**

**MINUTES. -APPROVE** 1/20/2022 Minutes

**WARRANTS. –SIGN** 2/4/2022 Warrant, 2/18/2022 Warrant

**RESOLVES. –SIGN**

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



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

5 years of service: Presentation by Town Manager Howard Kroll and Assistant Chief Cody Sullivan – Postponed until 3/3/2022

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

Ernest Wheeler 20 Billings Rd: We are going to talk about gasoline tonight. Two weeks ago, there were no wells at C & K. A week ago, we got a whole bunch of wells. Have not seen a fuel plan in 108 days. Now onto the topic of safety. I've got a 14-foot shear wall abutting my property as of four o'clock tonight. There is not one single safety fence. I have three families with children within 300 feet and I have several seniors all behind this project. How many do you suppose have some dementia and could get lost? How many children can fall over this edge? How many animals? When are you all going to get serious about this situation? Thank you.

Councilor Tony Reynolds: We were supposed to have a complete plan for this piece of property and that's in our ordinance for buildings.

Chair Steve Thomas: When you say we, who is that? You or the Planning Board?

Councilor Tony Reynolds: The Planning Board is supposed to give it to the Town.

Chair Steve Thomas: But wasn't the requirement once they have the fuel plan, it is submitted to the DEP for approval by the DEP?

Councilor Tony Reynolds: The ordinance plain and simple, says a complete plan. Does anybody know if there is going to be a restaurant going in there? And when the ordinance says a complete plan and they're talking about even the color of the siding on the building. If the Planning Board wants to get mad at me that's fine, but I don't think we should be breaking the Town's ordinance and not having a complete plan.

When we did the Route 2 project (Hermon EZ Mart) I wasn't on board at the time. Okay, but I know they had to have a complete plan before they put in a gas station right down to the fittings. We don't even know if there is going to be gas or not at C & K. But when they gave us the first plan, this gas area is set on the plan.

Alternate Code Officer, Josh Berry: I wasn't prepared to talk on this plan tonight. I haven't reviewed any of it and I wouldn't be doing it justice without reviewing. We can look into and see what areas of approval if they still need it for the store. But I do know there still is a question mark whether gas is going to take place. We can look at the plans and then review them and see what else still needs to be approved.



**Councilor Tony Reynolds: How does the Code Officer do his job as the Code Enforcement Officer, if you don't have a complete plan? I know, this town, and I've been in favor, we want all the business we can get here. And as long as nobody's complaining or getting hurt by it, then I've been happy to say go get it. But in this case, there's a lot of people that are upset in that area.**

**Alternate Code Officer, Josh Berry: You know, you're right, until there's a problem the review process isn't looked at very thoroughly. The Planning Board hasn't reviewed anything any differently in the way that they have in the past. But a discussion we've been having with the Planning Board is how we handle these plans moving forward. One thing I'll mention, the only thing that's been permitted out is the store. But I do believe they did give us at least a sketch plan on the building design. We were able to permit the store. The finer details of the building, that's worked out as it gets going, not necessarily at the Planning Board level, but with the Code Officer. The planning board, 8000 square foot store, the type of use, that sort of thing. They approved that plan. And then usually the Code Officer that takes it from there. The Code Officer can permit out the store right now, gas is not included in that permit.**

**Councilor John Snyder: Out of curiosity, do you get a plan on how the groundwork and elevations change?**

**Alternate Code Officer, Josh Berry: Yes, that's already in there. Village Commercial is the most sensitive zone in town. You know, when there's commercial development in Village Commercial, there's a whole different set of building standards that need to be met and land use standards as far as site plan, then if you were in the industrial or commercial zone, they are pretty much wide open but Village Commercial, there's a lot more detail. We don't have a lot of experience in Village Commercial development, so to speak, you know, it's been very limited so I can understand why there may be some potholes or stumbling blocks as we get used to the development in the village. And I know there is an item about the comprehensive plan and I think that's going to be a big help to all of us.**

**VII. PUBLIC HEARINGS:**

**VIII. COMMITTEE REPORTS:**

**IX. SCHEDULED AGENDA ITEMS:**

**A. OLD BUSINESS:**



**B. NEW BUSINESS:**

**FR21-22-06** Consider accepting the Hermon 2022 Middle School SRTS Sidewalk Project Grant from the Maine Department of Transportation in the amount of \$ 85,000.

**Councilor Reynolds moved to approve FR21-22-06. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 5-0.**

**R21-22-14** Consider creating a Comprehensive Plan Review Ad-Hoc Committee and members.

**Councilor Watson moved to table R21-22-14 until 3/3/2022. Councilor Reynolds seconded the motion. The motion was accepted unless doubted. Motion carries.**

**R21-22-15** Consider amending a previously scheduled Public Hearing for Hermon Family Dental P.A. from March 3, 2022, to April 14, 2022

**Councilor Snyder moved to approve R21-22-15. Councilor Lever seconded the motion. The motion was accepted unless doubted. Motion carries.**

**R21-22-16** Consider amending a previously scheduled Public Hearing for Bouchard and Sons Towing Inc. from March 3, 2022, to April 14, 2022

**Councilor Snyder moved to approve R21-22-16. Councilor Lever seconded the motion. The motion was accepted unless doubted. Motion carries.**

**R21-22-17** Consider accepting the FY23 Capital Improvement Plan

**Councilor Lever moved to table R21-22-17 until 3/3/2022. Councilor Watson seconded the motion. The motion was accepted unless doubted. Motion carries.**





**C. WORKSHOPS:**

FY23 Capital Improvement Plan

**Manager Kroll gave an overview of the Capital Improvement Plan**

**Please find enclosed the FY23 Capital Improvement Plan (CIP) for the Town of Hermon. Each Reserve Account I am requesting funds for expenses is included with the request highlighted for easy identification. The Town is extremely healthy in reserve balances as indicated on page 2 of this package. I estimate we will have over \$4.1 million in reserve accounts as of 30 June 2022.**

**The total proposed amount required from local appropriation totals \$490,000 (same as FY22). This also includes the School Department's CIP request.**

**Highlights of the Plan include but not limited to:**

**HERM05/Fire Res.- Purchase a new fire truck- funding with existing reserve funds;**

**HERM07/School Repairs Res.- repair HHS roof phase II over the auditorium for \$225,000 and replace the motor fuel tank that is set to expire in 2024 as required by MDEP requirements;**

**HERM09/Recreation Res.-Shared projects with the Hermon Little League committing up to \$10,000 of the costs projects that include improving the infields at Fields 1, 2, 3 & 4.**

**I am recommending a workshop be scheduled for March 3, 2022, to approve the plan. The plan must be approved by the Town Council prior to March 16, 2022.**

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

**Councilor Watson moved to waive council rules and accept the table packet. Councilor Reynolds seconded the motion. The motion was accepted. Motion passes 5-0.**

**IX. SCHEDULED AGENDA ITEMS:**

**A. OLD BUSINESS:**

**B. NEW BUSINESS:**

**R21-22-18** Consider appointing Scott Perkins to be an “authorized person” to apply for a *USDA Rural Business Development Grant* and the



*Strategic Economic and Community Development Grant  
(SECD) on behalf of the Penobscot Snowmobile Club*

**Councilor Lever moved to approve R21-22-18. Councilor Watson seconded the motion. The motion was accepted unless doubted. Motion carries.**

**X. APPOINTMENTS:**

**XI. MANAGER STATUS REPORT:**

**Over the last couple of weeks, we've had a couple major weather events. We had some workplace challenges. And I want to thank Gardner Construction for stepping up and assisting us when we really needed them during that event.**

**As you all know, Jim Chasse announce his resignation. He has been a good colleague to work with, I wish he would stick around but at the same time, he's doing what's best for him and his family. And I wish him best in his future endeavor.**

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

**XIII. COUNCIL ITEMS:**

**Councilor Reynolds: Sad to see Jim go, I can't imagine anybody could hold up under the pressure of being a Superintendent in any State with what has been going on. Wish him well.**

**XIV. EXECUTIVE SESSION:**

**XV. ADJOURNMENT:**

**Councilor Reynolds made a motion to adjourn the council meeting at 7:30 pm. Councilor Lever seconded. With no objection the council meeting was adjourned at 7:30 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.



**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.			<u>0</u>	
HERM02	Unemployment Res.	5000	5000	<u>0</u>	
HERM03	Legal Res.	0	0	<u>0</u>	
HERM04	Cemetery Res.	5000	5000	<u>0</u>	
HERM05	Fire Equipment Res.	150000	150000	<u>0</u>	<i>\$226,000 unrestricted fund balance request</i>
HERM06	Highway Improvement Res.	250000	250000	<u>0</u>	
HERM08	PW Eqp/blg. Res	75000	75000	<u>0</u>	
HERM09	Recreation Facility Res	25000	20000	<u>-5000</u>	<i>\$10000 match</i>
HERM11	Municipal Office Res.	5000	25000	<u>20000</u>	
HERM12	Sewer Maintenance Res.	25000	20000	<u>-5000</u>	
HERM13	Public Land Acquisition Res.	0	0	<u>0</u>	
HERM14	Planning & Ordinance Res.	0	0	<u>0</u>	
HERM16	Economic Development Res.			<u>0</u>	
HERM17	Public Safety Building Res.	10000	10000	<u>0</u>	
HERM19	Town Off Equip &Tech. Res.	35000	40000	<u>5000</u>	
HERM24	Tax Stabilization Res.	0	0	<u>0</u>	
HERM28	Jackson Beach Res.	0	0	<u>0</u>	
HERM27	Transfer Station Site Res.	0	0	<u>0</u>	
HERM29	Rural Fire Protection Res.			<u>0</u>	
HERM32	Veterans Mem. Park Res.	5000	0	<u>-5000</u>	
HERM34	Sick Leave Res.			<u>0</u>	
HERM35	Solid Waste Res.			<u>-</u>	
	<b>Total</b>	<b>\$490,000</b>	<b>\$ 490,000</b>	<b><u>0</u></b>	
	<b>CIP FY22- FY23 comparisons</b>				
<b>Acct #</b>	<b>Res. Account</b>	<b>FY22</b>	<b>FY23</b>		
	Local Appropriation	\$490,000	\$490,000	<u>0</u>	
	TIF Funds				
	Unrestricted Fund Balance	\$100,000	\$ 226,000		<i>Fire Dept req.</i>
	Grants	-	\$10,000		
	Other (Enterprise)				
	<b>Total</b>	<b>\$590,000</b>	<b>\$726,000</b>	<b><u>\$136000</u></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, meeting.

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**SIGNED this March 3, 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 \_\_\_\_\_