



**Town of Hermon**  
**Public Safety Meeting Room**  
**May 26, 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, Anthony “Tony” Reynolds, Phillip “Phil” Richardson, G. Stephen “Steve” Watson, Steven “Steve” Thomas, and John Snyder III

**Members Absent:** Charles Lever IV - Excused

**Others Present:** Town Manager Howard Kroll, Kristen Cushman Town Clerk, Town Attorney Timothy Pease, and 109 guests

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

**SIGNATURES. –APPROVE**

**MINUTES. -APPROVE** 5/5/2022 Minutes

**WARRANTS. –SIGN** 5/13/2022 Warrant, 5/27/2022 Warrant

**RESOLVES. –SIGN**

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



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

Town Manager Howard Kroll: Welcomed Sergeant Gary Decker as the new Sergeant for Hermon.

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

Donald Page 720 Newburgh Rd: Hermon is a great town to live in. Mr. Page thanked the staff, council and school board for their hard work and service as they are tough jobs.

Shawn McBreairty from Hampden Maine: I understand you as Hermon town council members have influence but no real authority over the Hermon School District. Except that little item of having to approve or hopefully disapprove of the budget. Hermon School District has a lawsuit against Shawn McBreairty. I submit to you Mr. Chair, this lawsuit against me, Sean McBrearty, from the school department. And I would like to submit into the minutes.

Nicole LaBarnes 6<sup>th</sup> grade math teacher at Hermon Middle School: We just saw the shooting in Texas....We care about the kids and would protect them as if they were our own.

Mallory Cook Hermon High School teacher and Gender and Sexuality Alliance Advisor: This is a club for students created by students to create a safe space.

Ernest Wheeler 20 Billings Rd: Requested water test results.

Howard Kroll: 20 Billings Road water test was negative for E. coli. LPI (Licensed Plumbing Inspector) will review.

Reverend Carl Schreiber Jr 2009 Skyway Valley: I have had four children who have come through the Hermon school system and are now a nurse practitioner, a teacher, department head at St. Joseph Hospital and Covenant Health IT security. All have done well through the Hermon school system. When you give back to the students, it will pay back in this community tenfold.

VII. PUBLIC HEARINGS:

- Hold Public Hearing – Municipal Budget for FY 2022-2023

Chair Thomas opened the public hearing at 7:23PM. Public comments were given. The hearing closed at 7:31PM

Manager Kroll gave an overview of the Municipal Budget.



Amy Oliver Stubbs 640 York Rd: Resident for over 40 years. If putting a moratorium on new subdivisions and new apartment complexes is on the table because we can't sustain our services and the growth we have right now.

Chair Thomas: There has been a lot of discussion about some type of moratorium because there is concerned about the residential growth. Every house if they have one or two students, it does add a lot to the burden of the schools. Having said that, if you look at the numbers for the high school, right now we have 267 tuition students. That's 48% of the student population. These are kids that are coming from Carmel, Levant, and Glenburn. Even if there was a moratorium, it doesn't prevent developers from building in Carmel and Levant. If the houses are built in those communities, they don't have a high school. They come here and they pay less. If they live in Carmel, and come here, the tuition that we receive is less per student than if they lived here on Hermon. We are experiencing growth, but a moratorium based on these numbers probably will not fix the issue.

Amy Oliver-Stubbs: Can something be done with the tuition rates?

Chair Thomas: That's something that the school committee or the superintendent would have to address.

- **Hold Public Hearing -- School Budget for FY 2022-2023**

Chair Thomas opened the public hearing at 7:31PM. Public comments were given. The hearing closed at 8:47PM

Superintendent Micah Grant gave an overview of the school budget.

Chair Thomas: At the last council meeting we talked about the surplus. After the deposits tomorrow, the school will have over \$3.5 million and the operating account. If this was the last day of the month, and those funds were in there that would be a surplus. And what's happened over the past several years is that surplus has grown every year. At the end of last year, that was \$2.8 million on undesignated surplus. And if this \$3.5 million figure holds, I know you're going have some expenditures over the next month, but you're going get almost another million dollars.

Micah Grant: We've overspent our revenues by just under a million dollars, we will not be taking any money into undesignated funds, we will spend to zero. We still have six payrolls to go, that's almost a million and a half dollars. We still have a variety of other expenses that have to be rounded out, we will not be adding money to the undesignated fund.



Chair Thomas: So even in the worst-case scenario, you're still going to have close to \$2.8 million from the surplus fund. This is a significant amount of money. A law in the State of Maine states schools is not supposed to carry a surplus of over 9%. And what's in the checking account right now is 22% of last year's budget, that's more than twice the legal limit. You're asking us to increase taxes when the money is in the bank to cover operating requirements.

Micah Grant: Yes, that's correct. Because these expenses are operational costs.

Brian Walsh 48 Hardwood Dr: I was the principal if Hermon High school before we had to put a buzzer on the door and lock the place up and add 38 security cameras. During my tenure, I have four times including this year, asked for an SRO that's a school resource officer. And I realize money is tight. I did ask for that back in the fall when we started the budget process. And I'm not going to ask the Council for \$110,000 for an SRO. However, I would just ask you to take that into consideration if indeed we really do have 4.1 million, and another 2.7 million. It looks like the town with \$6.8 million is healthy. I think we've been conservative and smart, fiscally responsible for many years. And I just want to bring that up when it comes to student safety. And I just want to say that we've had this conversation multiple times over the years when a tragedy has occurred. We've had the conversation when a tragedy has not occurred. Some of you may or may not remember, I held a safety summit with the FBI, federal agents, US Marshals, TSA, John Snyder, we had 22 agencies at the high school. We had a real serious conversation about school safety. We had Glenn Barnes from the FBI, some of you may remember when he was at Columbine. He lived in town; his kids went through this through the system. And one of the interesting things that came out of that they said, they'd never sat down together and had that conversation. And the bottom line was we think school resources officers a great idea, but there's expense to it. I'm not asking you for anything other than conversation to continue.

Danielle Haggerty 10 Bog Rd: And I got the opportunity to go over the budget extensively. Budgets aren't foreign to me, it's something I do on my everyday life. And I feel like the committee and Micah did a great job looking at expenditures. They seem to be hitting the IT concerns head on with both federal funds and making use outside funds. The much-needed raises, as you guys all said, everything's going up for everybody. And then the added staff at the high school, which the numbers show is necessary. We as a town are in the most amazing position. Towns all over the United States would like to be in our position. We have reserved funds that are adequately funded and we're making use of in this budget. We have funds in our checking account



that aren't designated. We have 2.8 million. The city also has undesignated fund balance, which I believe you're required to carry. Am I right?

Howard Kroll: We have a fund balance policy in town that we can go up to 25% of all combined budgets, school, and municipal County. It would be around \$6 million. That would be the cap that we could combine for undesignated fund balance?

Danielle Haggerty: And what do you do with it? Because it sounds like a lot of money, like the books going to close, and you're going to have \$4 million. What are you going to do with the \$4 million?

Howard Kroll: We send out our tax bills, late August 1 first of September. They are not due until April. The majority pay taxes at the end of March and first of April. We go about nine months with no cash flow other than excise tax. So that \$4.2 million, every month I pay the school about \$471,000 a month, the end of September, pay the county commitment, which was \$960,000. And by the time we start collecting the money, we're down to about \$1.8 million in the checking account. I can spend all that money and we go borrow July 1 and have a tax anticipation note. However, I think the philosophy of this town is that's not the way we're going to live. And that's not the way we are going operate. I know this council is very prideful on the mill rate, but also, how do we protect the town from the unforeseen. Two years ago, March when pandemic hits we were down about \$400,000 in excise tax. And the only thing that really saved us was the timing and we were getting, about 90% of our property taxes paid the end of March 1 and April. We had an influx of money, but I couldn't spend it. We had a freeze on our municipal budget, based on the unforeseen. And you know what we got lucky, we opened back up the town office in mid-May. And we came within \$10,000 of what we projected for that FY. We got lucky, but it was all based-on time. That money is there to keep operations afloat for about three quarters of the year.

Danielle Haggerty: It's not uncommon for towns to collect taxes twice a year, correct?

Howard Kroll: I've worked in four or five other municipalities, and we cut your bill in half and we bill you in late summer and in the spring. This is for cash flow purposes only.

Danielle Haggerty: I believe that part of the problem that has been created by two major things one is the tuition we are not capturing the maximum number of tuition dollars could. And not to blame anybody or anything federal funds were coming. We were in a pandemic, everybody's doing the best they can. And then we're on the other end and realize, Oh, no. And then I think the



other part that we talked about was there was a huge drop in census students in 2020. Do you want to explain how that impacts what you are getting paid?

Micah Grant: Yes, they wanted the EPSE279. They took a two-year average and so they take the fall average of 2020 and the fall average of 2021. In October our census calculation fall average is 1270. And then this year was 1390. We're getting hit for less kids. They're paying us for 1319 kids, but we have more like 1350. And next year, we're going to have 1378. We're going to get a little bit higher but that fall count really hurt us in respect to our average number of kids, which is money directly from the state.

Danielle Haggerty: Further talks that next year, when the census calculation is done based on the fall, it would be a 50 student's gap. The gap will start to close.

Micah Grant: Yes, the gap will start to close.

Danielle Haggerty: And does that equate to revenues coming in?

Micah Grant. Yes.

Danielle Haggerty: At the same time, if say we were to add maybe 300, more from your undesignated funds, the tuition going up through the great things you're doing with staffing at the high school, and the state calculation going up? It doesn't really create as huge of a difference in two to three years, then it may seem.

Micah Grant: Hopefully not.

Danielle Haggerty: I really encourage you guys to consider using the Undesignated funds a little more this year, if you have any say in that tonight at all, just to maybe use them more this year, and a little less and a little less. While Micah is doing the good work to close the gap. And the state calculation is going to work to our favor. It may work out that we could get away with not as big of a gap as it may have seemed on paper.

## VIII. COMMITTEE REPORTS:

## IX. SCHEDULED AGENDA ITEMS:

### A. OLD BUSINESS:

### B. NEW BUSINESS:



**R21-22-27** Consider scheduling and setting Secret Ballot Election to June 14, 2022, and Annual Town Meeting to June 16, 2022

**Councilor Reynolds moved to approve R21-22-27. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion carries.**

**O21-22-11** Consider amending Council meeting schedule from original Order 20-21-21

**Councilor Reynolds moved to approve O21-22-11. Councilor Watson seconded the motion. The motion was accepted unless doubted. Motion carries.**

**R21-22-28** Consider approving hauler license applications for 2022-2023.

**Bolster's Rubbish Removal, LLC** has requested to renew their license to haul solid waste to PERC.

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

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

IF approved – sign permits

**Councilor Snyder moved to approve R21-22-28. Councilor Murphy seconded the motion. The motion was accepted unless doubted. Motion carries.**

**FR21-22-10** Consider approving 2022-2023 FY Municipal Budget

**Councilor Reynolds moved to approve FR21-22-10. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.**

**FR21-22-11** Consider approving 2022-2023 FY School Budget

**Councilor Murphy moved to amend FR21-22-11 as follows: School is asking for \$17,616,987 to be reduced by \$100,000 for a total of \$17,516,987.**

**Proposed use of the schools' undesignated fund is \$ \$1,228,628.00 for FY23.**

**Councilor Richardson seconded the motion. The motion was accepted. Motion passes 4-2.**

**C. WORKSHOPS:**

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

**X. APPOINTMENTS:**



**XI. MANAGER STATUS REPORT:**

**Manager Kroll: Annual Town Meeting will be held on June 16, 2022, and I encourage you to come out and vote. June 14, 2022 is the Election at PADS where you will vote on elected officials. Thank you for the turn out tonight. Lastly, I would like to wish everyone a Happy Memorial Day and to honor our veterans who sacrificed their life for this county.**

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

**XIII. COUNCIL ITEMS:**

**Councilor Reynolds: Should we be notifying the State about the E. coli at C & K.?**

**Manager Kroll: DEP was notified and the licensed plumbing inspector.**

**XIV. EXECUTIVE SESSION:**

**XV. ADJOURNMENT:**

**Councilor Murphy made a motion to adjourn the council meeting at 9:08 pm. Councilor Snyder seconded. With no objection the council meeting was adjourned at 9:08 pm.**

**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.