



Town of Hermon
Public Safety Meeting Room
September 15, 2022
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 **8/18/2022, 9/1/2022, 9/8/2022 Minutes**
WARRANTS. –SIGN **9/2/2022, 9/16/2022 Warrants**
RESOLVES. –SIGN
- V. NEWS, PRESENTATIONS AND RECOGNITIONS:**
- VI. PUBLIC ITEMS OR COMMENTS: *(Items Not Already on Agenda)***
- VII. PUBLIC HEARINGS:**
 - **Hold** a Public Hearing to amend the Cemetery Ordinance
 - **Hold** Public Hearing – GA Ordinance Appendices A – H for FY 2022-2023
 - **Hold** Public Hearing – Blackstream property (if needed)PH notices ran on 9/6/2022
- VIII. COMMITTEE REPORTS:**



IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

- R22-23-16** Consider adopting and amending the Cemetery Ordinance
- O22-23-06** Consider approving the amended Ordinance for the yearly General Assistance Ordinance Appendices A-H for FY2022-2023
- R22-23-13** Approve the mill rate, due date and interest rate for 2022 taxes
- R22-23-14** Consider accepting 2023 prepayment of taxes
- R22-23-15** Consider authorizing the Town Manager to enter into a Consent Agreement regarding 879 Blackstream Rd

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

Appoint Cody Sullivan to Fire Chief

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
August 18, 2022
Town Council Meeting
7:00 PM
MINUTES

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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: Richard Cyr, Ronald Murphy, John Snyder III, Steven Thomas, G. Stephen Watson,
and Derek Wood

Members Absent: None

Others Present: Interim Town Manager Joshua Berry, Town Clerk Kristen Cushman, Town
Attorney Tim Pease and 18 residents/guests

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

SIGNATURES. -APPROVE

MINUTES. -APPROVE 7/21/2022 Minutes

WARRANTS. -SIGN 8/4/2022, 8/19/2022 Warrants

RESOLVES. -SIGN

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

V. NEWS, PRESENTATIONS AND RECOGNITIONS:



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

Shawn McBreairty, Hampden Maine:

- **Hermon School department lawsuit**
- **Hermon is below state guidelines in math**
- **Library book display**
- **42% of high school students are below state guidelines for English**
- **Signed affidavit**

Chad Leonard, 106 Wendy Acres Dr:

- **School budget – Annual Town Meeting**
- **Track project**
- **Invoices from Drummond Woodsum**

Deb Langille, Billings Rd: Supports the track and wonders when the special town meeting will be to vote on the \$400,000.00?

Everett Buzzell, 564 Newburgh Rd:

- **Microphones for councilors to speak into**
- **Track project: did you scrap the project? Where's the money?**
- **What is the progress on the Recreation building?**
- **Where's Howard?**
- **Will be running for a council seat in November**

Please see the complete video at [Town Council Meetings | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for all public comments.

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:



B. NEW BUSINESS:

R22-23-05 Consider appointing Chief Frank Roma to be an “authorized person” for a grant application with Maine Forest Service Volunteer Fire Assistance Program.

Councilor Snyder moved to approve R22-23-05. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

R22-23-06 Consider appointing Chief Frank Roma to be an “authorized person” for a grant application with The Leary Firefighters Foundation.

Councilor Snyder moved to approve R22-23-06. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

R22-23-07 Consider scheduling secret ballot election for November 8, 2022.

Councilor Murphy moved to approve R22-23-07. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

R22-23-08 Consider appointing Lindsey Ouellette to be an “authorized person” for a grant application with WinterKids.

Councilor Murphy moved to approve R22-23-08. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

R22-23-09 Consider authorizing Scott Perkins to apply and accept a MDOT School Zone Feedback Sign Grant.

Councilor Murphy moved to approve R22-23-09. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

FR22-23-03 Consider amending FR21-22-10 for Recreation Enterprise.

Councilor Murphy moved to approve FR22-23-03. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

FR22-23-04 Consider approving funding for Veteran’s Park improvements.

Councilor Murphy moved to approve FR22-23-04. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.



FR22-23-05 Consider approving public safety building interior lighting to be converted to LED.

Councilor Murphy moved to approve FR22-23-05. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

FR22-23-06 Consider approving public safety building women's locker room repair.

Councilor Murphy moved to approve FR22-23-06. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

C. WORKSHOPS:

Cemetery Ordinance proposed amendments

Joshua Berry and Scott Perkins gave an overview of the amendments to the proposed cemetery ordinance.

Council did not have questions or comments.

D. OTHER ITEMS: (from Table Package)

Councilor Cyr to waive council rules and accept the table packet. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 6-0.

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R22-23-10 Consider setting a Special Town Council Workshop to discuss the potential ballot question regarding the track and football field renovation project

Councilor Murphy moved to approve R22-23-10. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passes.

Councilor Murphy withdraws the motion. Councilor Cyr withdrew his motion.

Councilor Murphy to waive council rules. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.



Councilor Murphy moved to approve R22-23-10. Councilor Wood seconded the motion. The motion was accepted unless doubted. Motion passes.

R22-23-11 Consider setting a Special Town Council Meeting to approve a ballot question for the track and football field renovation.

Councilor Murphy to waive council rules. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-0.

Councilor Murphy moved to approve R22-23-11. Councilor Cyr seconded the motion. The motion was accepted unless doubted. Motion passes.

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

- School will be starting in a few weeks and be mindful of buses taking children to and from school.
- Thank you to the Recreation Department for putting on the fireworks display.
- New tax stabilization law change – please come to the Town Office and fill out paperwork and see Rylee Cushman, Assessor for any questions.

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

Greg Newell 40 Stage Rd: What is the status on the fire truck replacing the truck with the broken frame?

Josh Berry: The replacement fire truck should be here by the end of next week.

Lee Cliff 762 Blackstream Rd: Question regarding executive sessions on the night of July 7th.

Tim Pease, Rudman & Winchell: Went into executive session to discuss a legal matter with the attorney.

Lee Cliff: When you go into executive session you must state why you are going to the meeting.

Tim Pease: The Maine statute must be stated to go into executive session such as: economic development, legal matter, and personnel matter.



Jeanne Jacques 185 Fuller Rd: How are people in the town aware of what happened in executive session because it happened in executive session, and it remains in executive session. It's either rumors or someone is talking outside the Executive Session. How is that occurring?

XIII. COUNCIL ITEMS: None

XIV. EXECUTIVE SESSION:

Councilor Murphy moved to enter Executive Session to discuss a legal matter per 1 M.S.R.A. § 405 (6)(E) and enter Executive Session to discuss an Economic Development matter per 1 M.S.R.A. § 405(6)(C). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 8:02 p.m.

- Consider enter into Executive Session to discuss a legal matter per 1 M.S.R.A. § 405(6)(E)
- Consider enter into Executive Session to discuss an Economic Development matter per 1 M.S.R.A. § 405(6)(C)

Councilor Murphy made a motion to end executive session at 8:49 pm. Councilor Snyder seconded the motion. With no objection the Executive Session was adjourned at 8:49 pm.

XV. ADJOURNMENT:

Councilor Murphy moved to adjourn the meeting at 8:50 PM. Councilor Snyder seconded. With no objection the meeting was adjourned at 8:50 PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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Town of Hermon

Public Safety Meeting Room

September 1, 2022

Town Council Workshop 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: Richard Cyr, Ronald Murphy, John Snyder III, Steven Thomas, G. Stephen Watson,
and Derek Wood

Members Absent: None

Others Present: Interim Town Manager Joshua Berry, Town Attorney Tim Pease and 30
residents/guests

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

SIGNATURES. -APPROVE

MINUTES. -APPROVE

WARRANTS. -SIGN

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:

C. WORKSHOPS:

Discuss a potential ballot question for the proposed track and football field renovation

History of the project – Steve Thomas:

- **Committee is charged with exploring locations for a rubber surface running track and to gauge the support.**
- **Meet MPA standards for a regulation track.**
- **Hermon Track Committee evolved to the Hermon Complex Committee due to the need for better drainage and surface for the existing football field.**
- **Plymouth Engineering worked with the committee to develop the complex.**
- **Budget for the project was \$2.4 million.**
- **Placed on the June 2021 Municipal ballot – 349 Yes, 123 No.**
- **Six qualified companies who have built this type of track were asked to bid the project.**
- **Lowest bid was significantly above the project amount approved June 2021.**
- **A wetland mitigation permit is needed - \$110,000.**
- **Build a 220' retaining wall around the north end of the track - \$104,000.**
- **Revised budget amount \$3,693,697.00**

Plymouth Engineering – Mike Byram:

- **Pending the outcome of the vote on November 8, 2022, construction on the project will start December 1, 2022.**
- **Track will be behind the existing tennis courts.**
- **Drainage system, field prep and coverage material, concession stand updates, storage building for track equipment, turf for the football field pending vote from the voters and parking.**



Hermon High School – Bryan Walsh, Principal:

- **Because of the dedication from the Town, School, taxpayers, and businesses working together, Hermon does a great job getting things done.**
- **Examples: 4 tennis courts at the High School, fantastic walking trail joining all three schools, field hockey field built with the extra supplies taken from Route 2 project, entry way to Pottles field, bathrooms, grandstands, scoreboard, football field with goal posts, and press box.**
- **Football program has a huge impact.**
- **What the improvements mean to the kids: Positive socialization with peers, improved communication skills, improves friendships with kids from other schools – Hermon enrollment draws from 12 middle schools, appropriate behavior development, and a feeling of community and acceptance.**
- **Football: Friday night football is a great community event even if we lose by 40 points.**
- **This project will go beyond the health and wellness of our students and will benefit the residents also.**

Coach David King, Track:

- **Coached indoor and outdoor track for over 40 years.**
- **Development of muscle memory and skills.**
- **Pride to be on a team and accomplishment will be showcased in front of the community and their family.**

Coach MJ Ball, Girls Varsity Soccer:

- **Opportunity to host regional and national competitions.**
- **Hold High School playoffs, Olympic development programs, tournaments, and clinics.**
- **Generate revenue for local business: food, gas etc.**
- **500,000 to a million gallons of water a year is needed for a grass field. Cost to maintain a grass field is \$15,000 to \$20,000 per year (mowing, pesticides etc).**
- **Rented other turf fields over April, May and June 2022 for a cost of \$14,000.**

Coach Chris Cameron, Girls Varsity Basketball:

- **The cross training and off-season training would benefit other sports offered in Hermon.**
- **Takes away from the hometown feeling when we need to rent other turf fields.**



Coach Kyle Gallant, Football:

- **Three football programs use the field in the fall. Six teams, over 40 games are played on natural grass.**
- **Hermon has needed to rent turf fields to hold sporting events.**
- **Supports the need for a turf field for all sports use.**

Regina Leonard:

- **Moved to Hermon in 2005 while supporting the new football program.**
- **Students learn life skills and have gone on to play at the college level.**
- **Dylan Leonard, Regina's son, stated the life skills he learned from Coach Gallant got him through basic training in the Air Force.**
- **More and more people show up Friday nights to watch football.**
- **Hermon has become a football town.**

Brett Danforth:

- **The track and the turf will benefit people of all ages for many years to come.**
- **Will supply a level and safe surface for community members to walk or jog on.**
- **Businesses benefit from large events held in town. All day cheering competitions, 5 basketball games in a day, or youth sports on all the town fields this allows for multiple people to come into the businesses throughout the day. The smaller businesses are feeling the impact as well with food service industry, gas stations and our stores.**
- **People are seeing what Hermon has to offer: nice plaza, schools, autobody shops, mechanic shops, salons, and a spa.**



Steve Thomas:

Costs:

- **Rubber for the track \$250,000.**
- **A wetland mitigation permit is needed \$110,000.**
- **Build a 220' retaining wall around the north end of the track \$104,000.**
- **Aluminum bleachers \$125,000 and will hold 566 people and ADA compliant.**
- **Booster clubhouse renovation \$80,000.**
- **Storage building \$40,000.**
- **Seeding the grass and a commercial well and pump house \$75,000.**
- **Blast and rebuild Pottle Field \$946,935.**
- **Groundwork and asphalt below the rubber surface \$1,596,831.**
- **Miscellaneous/contingency plan budget \$300,000.**

Total: \$3,692,697.00

Funding:

- **ARPA funds for drainage \$400,000.**
- **Recreation reserve \$295,000.**
- **School maintenance reserve \$300,000.**

Total: \$995,000.

Remaining balance: \$2,700,000 for track project

Remaining balance: \$1,200,000 for turf project

Please view the video at [Town Council Meetings | Hermon \(hermonmaine.gov\)](https://www.hermonmaine.gov) for a complete breakdown of funds and details



D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

Successful meeting and a great vibe in the room tonight.

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

XIII. COUNCIL ITEMS:

Ron: Great discussion in a long time and a lot of pleasant attitudes here and hopefully that will continue. Sometimes the employees at the Town Office do not get enough recognition and let the staff know what a good job they do. Appreciate the job you (Josh) are doing and the communication from Josh to the Council.

Derek: First meeting I have been at where the dialog was good the tone was accepting.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Murphy moved to adjourn the meeting at 8:55 PM. Councilor Snyder seconded. With no objection the meeting was adjourned at 8:55 PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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Town of Hermon
Public Safety Meeting Room
September 8, 2022
Special 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: Richard Cyr, Ronald Murphy, John Snyder III, Steven Thomas, and G. Stephen Watson

Members Absent: Derek Wood - Excused

Others Present: Interim Town Manager Joshua Berry, Town Clerk Kristen Cushman, Town Attorney Stephen Wagner and 14 residents/guests

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

SIGNATURES. -APPROVE

MINUTES. -APPROVE

WARRANTS. -SIGN

RESOLVES. -SIGN

V. NEWS, PRESENTATIONS AND RECOGNITIONS:



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

Greg Newell 40 Stage Rd: Has the price for the turf surface changed since the last meeting?

Chair Thomas: The factors which may cause a change in the price of turf: quality of product, transportation of the product or installation costs.

Everett Buzzell 564 Newburgh Rd: The track project should not be on the ballot due to the economy. The kids do not need a track and are perfectly fine. The money should be used for safety of the residents.

VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R22-23-12 Consider a potential ballot question(s) for the proposed track and football field renovation. If the council approves this resolve the warrant will be signed tonight.

Stephen Wagner Town Attorney from Rudman Winchell: Mr. Wagner outlined the process for the election and the ballot questions.

Councilor Murphy moved to approve the warrant. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 5-0.

Councilor Watson moved to approve R22-23-12. 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:

Information regarding the Tax Stabilization Program may be obtained at the Town Office.

The fill-in Fire Truck from down south has been delivered and fire is working on setting the truck up.

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

XIII. COUNCIL ITEMS:

Richard Cyr: It was like Christmas when the fire truck was delivered.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Murphy moved to adjourn the meeting at 7:50 PM. Councilor Cyr seconded. With no objection the meeting was adjourned at 7:50 PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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R22-23-16

Amend Cemetery Ordinance

- Shall an ordinance titled "Amendment to Chapter 93 Cemeteries of the Town of Hermon Code of Ordinances" being for the purpose of establishing new fees for the interment prices. The proposed changes are underlined or ~~crossed out~~ and read as follows:

DRAFT

CEMETERY ORDINANCE
for the
HERMON MUNICIPAL CEMETERIES
HERMON, MAINE

Adopted May 3, 2003
Amended February 5, 2009
Amended July 8, 2010
Amended December 19, 2013
Amended September 26, 2019

FORWARD

It is the desire of the Town to make the Hermon Municipal Cemeteries quiet, beautiful resting place for the dead where a sense of repose will be obtained by dignified landscape effects on a well-maintained lawn. To secure these effects, the Town has spent and will continue to expend considerable sums of money. Preserving these effects will require the cooperation of every lot owner. Anything which would mar the general beauty and harmony of the cemeteries must be avoided. Peace and good order must prevail, and the sacredness of the place must be maintained at all times. It is to this end that these rules and regulations have been made effective, and the suggestions as contained herein are offered.

SECTION 1: CEMETERY SEXTON

1.1: The Cemetery Sexton shall be appointed by the Town Manager. The Sexton shall serve until removed by the action of the Manager. The Sexton shall be responsible to the Town Manager for the control and management of all municipal cemeteries; for the direction of all assistants under the Sexton's supervision, and for the administration of the Cemetery Ordinance adopted by the Town Council. The Sexton or a designee is expected to attend every interment.

SECTION 2: PURCHASE OF LOTS

2.1: Persons desiring to purchase a lot in the cemeteries are referred to the Cemetery Sexton. The Sexton will have available suitable plots showing size and price of lots and such other information as may be required and will be pleased to render assistance to those desiring to make lot purchases. Upon having made a lot selection, the Sexton will issue a lot order to the Town Clerk, where the lot sale will be made and the deed issued. The Cemetery Sexton may act as the agent of the Town whenever necessary.

2.2: The purchase price of lots and opening fees shall be determined by the Hermon Town Council. These fees shall be set out in Appendix A of this Ordinance and may be adjusted from time to time as the Council sees necessary.

SECTION 3: OWNERSHIP OF LOTS

3.1: The terms "Lot Owner" and "Ownership" shall mean the right to use a lot, purchased from the Town for burial purposes only.

3.2: Upon payment of the purchase price the Town shall issue a Deed under its seal, and the deed will be recorded in the records of the Town as proof of ownership of the lot.

3.3: The title to a cemetery lot invest in the owner the right to use the lot for burial purposes only, for themselves, their heirs, or for any such persons as they may choose to admit, provided such admission is free of charge and without compensation and in accordance with Cemetery Ordinance.

3.4: The lot owner cannot resell or transfer their lots to any person or persons whomsoever, without written notification to the Cemetery Sexton. A cemetery lot that an owner may desire to dispose of may be listed for sale with the Cemetery Sexton. The Town is under no obligation for making a satisfactory sale of such lots.

SECTION 4: CARE OF LOTS (“ANNUAL CARE”)

4.1: All cemetery lots in the Town of Hermon are provided with annual care. A lot sold or created prior to the existence of this ordinance shall be afforded all rights to annual care. Any lot sold in accordance with Appendix A of this Ordinance will be afforded annual care as part of the purchase price of the lot. Annual Care shall include mowing of the lot, trimming around monuments and markers, fertilizing when necessary, and pruning trees and shrubs.

4.2: In addition to Annual Care, the Town reserves the right under the direction of the Town Manager and Cemetery Sexton to make minor repair to cemetery monuments and markers and to clean the monuments and markers as they deem appropriate. This does not require the town to

take such action, but merely grants them the authority when it is necessary to maintain the overall appearance of the cemeteries in a dignified manner.

4.3: Each lot in the cemetery will, prior to its sale, be suitably marked by the Sexton with an iron or metal marker, placed on each lot corner and set level with the adjacent ground.

4.4: No mounds shall be raised upon any grave above the general level of the lot. Mounds are difficult to maintain, and the town reserves the right at any time to remove unsightly mounds and to level the grave at the general level of the lot.

4.5: ~~The Cemetery Sexton or a Designee will clean the cemetery grounds.~~ Cleaning of the grounds shall happen on or about May 1st of every year, but no earlier, and on or about October 15th of every year, but no earlier. Cleaning shall occur to maintain the appearance of the cemeteries and shall include but is not limited to: removal of flowers (artificial or real), removal of unsightly structures, damaged or broken containers, pottery, etc, and items deemed inappropriate. Persons wishing to assure the care of specific items shall remove them prior to these dates or contact the Cemetery Sexton to make necessary arrangements. Appropriate signing will be installed at all town maintained cemeteries instructing that ornaments be removed two weeks after holidays or special occasions.

4.6: The Cemetery Sexton or Designee may remove items from the lots during the year in order to maintain the lots in accordance with Section 4.1. Further, any person placing items on a lot does so at their own responsibility. The town is not responsible for damage, loss, vandalism, or the elements (weather).

4.7: Under the authority of the Cemetery Sexton a person may decorate a lot with permanent plant, shrub, or tree. The care of these items is not the responsibility of the town. Further, no addition shall interfere with any adjacent lot, or in any way change the general plan or landscaping of the cemetery.

4.8: The Cemetery Sexton or Designee may remove trees and shrubs from a lot that is hindering the care of the Cemetery or damaging stones, lots, or grounds. The Cemetery Sexton shall meet with the Town Clerk to determine if any family members are available for contact. If not, a note should be made and left in the cemetery file dating and stating a reason for the removal of the tree.

4.9: A family member may also request the removal of items including trees from a lot. This request must also be in writing and signed. This letter will be kept on file in the Town Office. The Town reserves the right to deny the request if the item is deemed to not be hindering the cemetery or damaging a lot. (The Town is not responsible for differing opinions of family members on the removal of items.)

4.10: Vaults. Employees or contractors hired by the Town of Hermon will under no conditions enter a cemetery vault deemed to be a confined space for maintenance or any other purpose. The lot owner assumes responsibility for the vault's maintenance. It is the sole responsibility of the lot owner to make certain the individual entering the confined space has the required qualifications to do so. The Town of Hermon is not liable for any injuries to individuals entering the vaults deemed to be a confined space, nor is the Town of Hermon responsible for

any damages to the vault or its contents while the individual is in the vault. (Amended July 8, 2010; Effective August 8, 2010)

SECTION 5: CEMETERY FUNDING

5.1: One hundred percent (100%) of the purchase price of lots, as described in Appendix A, shall be placed in a Cemetery Maintenance Reserve. ~~maintained by the town except for the Snow's Corner Cemetery Expansion, \$100 per lot shall be placed in the Cemetery Maintenance Reserve and the remaining amount will be placed in the Snow's Corner Cemetery Reserve to be used as authorized pursuant to the provisions of the Town Charter to complete the expansion of Snow's Corner Cemetery.~~

5.2: ~~The town will expend the interest of the reserve for the annual care of all lots. The town will also expend principle, as is necessary, for the care and appearance of the cemeteries. The Cemetery Maintenance Reserve will always maintain a balance of \$25,000.~~

5.3: 5.2 The Cemetery Maintenance Reserve shall also be used towards the purchase price of land for the expansion of Town Cemeteries.

5.4: 5.3 The town may appropriate funds to the reserve account as part of a specific warrant article for cemetery improvement, maintenance, or expansion at the annual town meeting.

SECTION 6: GENERAL PROVISIONS

6.0: Before any monument company or lot owner installs markers or attempts to alter any lot, contacting the Cemetery Sexton for instruction is required.

6.1: VAULTS: The casket shall be enclosed in a permanent outside container. The following are considered permanent outside containers: Concrete boxes, concrete copper or steel burial vaults, and sectional concrete crypts.

6.2: TRESPASS: No unauthorized person shall be allowed upon the grounds after dark.

6.3: VANDALISM: No person shall injure any tree or shrub, or mangle any landmarks, marker, memorial, or structure, or in any way deface the grounds of the cemetery.

6.4: DISCLAIMER: The town shall not be responsible for any theft or damage to anything left on the grave lots or in the cemetery.

6.5: VEHICLES: Any person driving in the cemetery shall be responsible for any damage done by his/her vehicle. Speeds of over 10 mph will not be permitted and no person shall drive a vehicle upon the lawns.

6.6 SNOW'S CORNER CEMETERY EXPANSION: ~~Additional rules will apply to the expanded portion of this cemetery that include:~~

- a. Only one monument per lot may be installed and the size and location of the monument must be approved by the Cemetery Sexton.
- b. Markers installed flush to the ground may be installed at each gravesite located on the lot.
- c. Only grass cover will be allowed on the lot except where the markers and the monument is located.
- d. No Sheppard hooks will be allowed.
- e. Only miniature shrubs will be allowed.

- f. No plants that grow thorns or any permanent flowering bush.
- g. No ground cover will be allowed.
- h. All monuments must be pinned.
- i. All monuments must be installed in the line of sight
- j. All grave sites must be dug by a contractor selected by the Town except for cremation lots, which can be dug by a relative or friend once approved by the Cemetery Sexton.
- k. All gravesites will be level to the ground and not humped.
- l. The location of all gravesites will be recorded by the Cemetery Sexton and provided to the Town Clerk.

APPENDIX A

1. RESIDENT

A resident means any person or son or daughter of person that can show proof of residency. Residency shall be proven to the satisfaction of the Sexton or Town Clerk and can include, but is not limited to, birth certificate, voter registration, tax bill, motor vehicle registration, lease agreement, or affidavit of a current resident.

2. LOT PRICES

All Cemeteries: except Snow's Corner Cemetery Expansion

Resident: _____ \$150.00

Non-resident: _____ \$300.00

Snow's Corner Cemetery Expansion

Resident: 4' X 12' Lot	\$350.00	<u>\$400.00</u>
4' X 4' Lot	\$200.00	

Non-resident: 4' X 12' Lot	\$500.00	<u>\$600.00</u>
4' X 4' Lot	\$300.00	

3. INTERNMENT PRICES

	<u>Weekdays</u>	<u>Weekends</u>
Adult Grave, greater than 3 feet:	\$625.00 <u>\$650.00</u>	\$675.00 <u>\$700.00</u>
Cremation Grave or graves less than 3 feet:	\$175.00 <u>\$200.00</u>	\$250.00

4. ADDITIONAL FEES

Funeral Homes will pay ~~\$45.00~~ \$50.00 per hour for services required by the town after 3:00 pm. There will be a ~~\$45.00~~ \$50.00 fee for the Sexton for burials on Sundays and Holidays.

SIGNED this September 15, 2022 by the Hermon Town Council:

Steven Thom

Ronald Murphy

John Snyder III

Richard Cyr

Derek Wood

G. Stephen Watson

Vacant

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



R22-23-13

Be it resolved by the Hermon Town Council in town council assembled, the mill rate for Fiscal Year 2022-2023 is set at no more than 11.99 with a due date of 04-01-2023, interest to start on 04-04-2023 at the annual interest rate of 4% on the unpaid balance.

SIGNED this September 15, 2022 by the Hermon Town Council:

Richard Cyr

Derek Wood

John Snyder III

G. Stephen Watson

Vacant

Steven Thomas

Ronald Murphy

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



R22-23-14

Be it resolved by the Hermon Town Council in town council assembled the Town will accept pre-payment of the 2023 taxes with no interest paid back on refunds, and interest on abatements will be paid at 4% annum.

SIGNED this September 15, 2022 by the Hermon Town Council:

G. Stephen Watson

Derek Wood

John Snyder III

Richard Cyr

Vacant

Steven Thomas

Ronald Murphy

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



R22-23-15

Be it resolved by the Hermon Town Council in town council assembled to authorize the Town Manager to enter into a Consent Agreement, substantially in the form presented to the Council, to resolve the dangerous building, land use, and property maintenance dispute at 879 Blackstream Rd., and take any further action necessary to enforce said Consent Agreement and violations.

SIGNED this September 15, 2022 by the Hermon Town Council:

Derek Wood

Ronald Murphy

Vacant

G. Stephen Watson

Richard Cyr


Steven Thomas

John Snyer III

Attest Original: _____

Motion _____	Yeas _____	Date _____
Second _____	Nays _____	



TO: Town Council
FROM: Josh Berry, Interim Town Manager 
DATE: 9/9/2022

RE: Fire Chief Appointment

As you may already know, Chief Roma gave written notice of his retirement effective October 1, 2022. For the past 6 years, Frank has represented the Town of Hermon and the Fire Department in a very respectable manner. It's been a pleasure working with Frank and we wish him nothing but the best in his future endeavors.

With guidance from our attorney, I posted the available position to internal candidates already serving in the Hermon Fire Department. From that posting, Cody Sullivan has applied and interviewed. My recommendation, after a successful interview, discussion about the future of the Fire Department and the Town of Hermon, is to appoint Cody Sullivan as the next Town of Hermon Fire Chief. Cody has a proved track record with the town and has all the necessary skills and knowledge to successful lead this department.


Certificate of Appointment

To: **Cody Sullivan:**

In accordance with the provisions of the laws of the State of Maine, I do hereby appoint and confirm you as a **Fire Chief**.

Your term of office: Indefinite.

Given under my hand on this day, October 1, 2022.

Interim Town Manager

I, **Cody Sullivan**, do swear, that I will support the constitution of the United States, and of this State, so long as I shall continue a citizen thereof, that I will in all respects observe the provisions of the Charter and all the duties incumbent upon me as a **Fire Chief** for the Town of Hermon, according to the Constitution and laws of the State of Maine, So Help Me God.

Signature

Subscribed and sworn before me, _____

Title

Hermon, Maine

Date

(Before assuming the duties of office, a town official or deputy shall be sworn by the Moderator in open Town Meeting, by the Clerk, or any other person authorized by law to administer an oath. Unless the oath is