



Town of Hermon
Public Safety Meeting Room
March 2, 2023
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: 02/16/2023
WARRANTS. SIGN: 03/03/2023
RESOLVES. SIGN:

- V. NEWS, PRESENTATIONS AND RECOGNITIONS:**
- VI. PUBLIC ITEMS OR COMMENTS: *(Items Not Already on Agenda)***
- VII. EXECUTIVE SESSION:**

Enter into Executive Session for the purpose of discussing a legal matter regarding Hermon Volunteer Rescue Squad (HVRS) per 1 M.R.S.A. 405 (6)(E).

- VIII. ADDITIONAL ITEMS:**

Consider taking action, as necessary, for the provision of ambulance service for the Town of Hermon.



IX. PUBLIC HEARINGS:

- **TIF District #24** – C & K Variety
- **TIF District #25** – Dollar General
- **TIF District #26** – Showcase Self Storage

X. COMMITTEE REPORTS:

XI. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

O22-23-08 AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 24) (C&K Variety) and Adoption of Related Development Program

O22-23-09 AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 25) (Dollar General) and Adoption of Related Development Program

O22-23-10 AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 26) (Showcase Self Storage) and Adoption of Related Development Program

Sign Special Town Meeting Warrant for the March 16, 2023 meeting

C. WORKSHOPS:

FY 24 Budget

D. OTHER ITEMS: (from Table Package)

XII. APPOINTMENTS:

XIII. MANAGER STATUS REPORT:

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



XV. COUNCIL ITEMS:

XVI. 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

February 16, 2023

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: Richard Cyr, Ronald Murphy, John Snyder III, Steven Thomas,

Members Absent: Danielle Haggerty, Derek Wood and G. Stephen Watson. All were excused.

Others Present: Town Manager Joshua Berry, Town Clerk Kristen Cushman,
Town Attorney Tim Pease and 19 residents/guests

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

SIGNATURES. APPROVE:

MINUTES. APPROVE: 02/02/2023

WARRANTS. SIGN: 02/17/2023

RESOLVES. SIGN:

Councilor Murphy moved to approve the Consent Calendar. Councilor Cyr seconded the motion. Motion passes 4-0.

V. NEWS, PRESENTATIONS AND RECOGNITIONS:



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

Tim Pease, Town Attorney:

- **Chair and Vice Chair are primarily responsible for trying to enforce the Council rules.**
- **Council rules don't say, but it is implied that they obviously are going to do their best as the Town Council to make sure people's First Amendment rights are followed. This goes without saying, all constitutional rights, they will do their best.**
- **Council is here to conduct business as the Council. The public comment section is in place so the Council can hear what the people have to say. Do your best to be respectful and to allow other people to have comments and so the Council can get on and do its business.**
- **If the Chair believes somebody has gone out of bounds and needs to be shut down and asked to be seated, please try to follow that the best you can.**
- **The three-minute rule is consistent with what State law allows for public comment. Having the timer will allow people to get their points across and allow others to get their points across.**

Shawn McBreairty, Hampden:

- **Played a recording.**
- **3 Police reports entered into record:**
 - 1. Threatening**
 - 2. Intimidation**
 - 3. Stalking**

Andrew Farnham, Hermon:

- **A resident of Hermon since 1983.**
- **Three children and wife have been through the Hermon school system.**
- **Wants people to know all the good things the school department does and has done.**

Kimberly Nichols, Hermon:

- **Sent an email to the Council and would like to sit down and talk.**
- **Board seats are nonpartisan, and Council is representing everybody, and families need to feel safe in Hermon.**

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:

R22-23-29 Consider appointing Jessefa Murphy (CEO/Health/Safety Officer) be appointed as an “authorized person” for a grant application with the Maine Municipal Association’s Risk Management MMA Property & Casualty Pool Risk Reduction Grant Program.

Councilor Snyder moved to approve R22-23-29. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 4-0.

R22-23-30 Consider appointing Jessefa Murphy (CEO/Health/Safety Officer) be appointed as an “authorized person” for a grant application with the Maine Municipal Association’s Ed MacDonald Safety Grant Program.

Councilor Snyder moved to approve R22-23-30. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 4-0.

R22-23-31 Consider accepting the FY24 Capital Improvement Plan

Councilor Snyder moved to approve R22-23-31. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 4-0.

FR22-23-13 Consider approving payment to Gardner Construction for flashing school speed signs at Billings Road.

Councilor Snyder moved to approve FR22-23-13. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 4-0.



FR22-23-14 Consider approving money from a public works reserve account to public works expense account for salt shed repair.

Councilor Snyder moved to approve FR22-23-14. Councilor Murphy seconded the motion. The motion was accepted. Motion passes 4-0.

O22-23-08 Consider setting a Special Town Meeting on March 16, 2023.

Councilor Murphy moved to approve O22-23-08. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 4-0.

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

- Roads are posted in Hermon as of 2/15/2023.
- Town Office closed 2/20/2023 Presidents' Day
- Casella trash pickup schedule looks to have changed a bit. Trash should be out by 7a.m.

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

Terri Hamm-Morris, Hermon: One time hardship money was paid to Ed Techs and Teachers during Covid

XIII. COUNCIL ITEMS: None

XIV. EXECUTIVE SESSION:

Enter into Executive Session for the purpose of discussing a legal matter regarding Hermon Volunteer Rescue Squad (HVRS) per 1 M.R.S.A. 405 (6)(E).

Councilor Murphy moved to enter Executive Session to a discuss a legal matter regarding Hermon Volunteer Rescue Service (HVRS) per 1 M.S.R.A. § 405(6)(E). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 4-0.

The motion carries. Executive Session started at 7:28 p.m.

Councilor Cyr made a motion to end Executive Session at 8:20pm. Councilor Murphy seconded the motion. With no objection the Executive Session was adjourned at 8:20 pm.



XV. ADJOURNMENT:

Councilor Snyder moved to adjourn the meeting at 8:20 PM. Councilor Murphy seconded. With no objection the meeting was adjourned at 8:22 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.

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O22-23-08

AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 24) (C&K Variety) and Adoption of Related Development Program

WHEREAS, the Town of Hermon is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, the Town has held a public hearing on the Town's proposed Municipal Development and Tax Increment Financing District (No. 24) (C&K Variety) (the "District") and related Development Program (the "Development Program") in accordance with the requirements of 30-A M.R.S. §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and

WHEREAS, the Town desires to designate the proposed District and adopt the Development Program in accordance with the Development Program presented to the Town Council this day;

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED, by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:
 - (a) At least twenty-five percent (25%) of the real property within the District is suitable for commercial sites and development as defined in 30-A M.R.S. §5223(3); and
 - (b) The total area of the District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and
 - (c) Subject to the exclusions permitted under 30-A M.R.S. §5223(3), the original assessed value of the District plus the original assessed value of all other tax increment financing districts in the Town does not exceed five percent (5%) of the total value of all taxable property within the Town as of April 1, 2022; and

(d) Designation of the District and implementation of the Development Program will generate substantial economic benefits for the Town and its residents, including retaining jobs, creating new employment opportunities, broadening and improving the tax base and promoting economic stimulus and growth in the Town, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(e) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and hereby finds and determines that designation of the District and adoption and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the Town Council hereby designates the proposed Municipal Development and Tax Increment Financing District (No. 24) (C&K Variety) and adopts the related Development Program presented to the Town Council and such Development Program is hereby incorporated by reference into this Order as the Development Program for the District.

3. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the Commissioner of the Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

4. Pursuant to the provisions of 30-A M.R.S. §5227, the term of the District and the percentage of the increased assessed value to be retained as captured assessed value in the District are hereby established as set forth in the Development Program.

5. The Town Manager be and hereby is authorized, empowered and directed to submit the proposed designation of the District and adoption of the Development Program to the Commissioner of DECD for review and approval, pursuant to 30-A M.R.S. §5226(2). The Town Manager is further authorized, in his discretion and from time to time, to make such revisions to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason, so long as such revisions are not inconsistent with these Order or the basic structure and intent of the Development Program.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

A true, correct and complete copy of an Order adopted March 2, 2023, by the Town Council of the Town of Hermon, at a meeting duly convened and conducted at Hermon, Maine, attest.

Hermon Town Clerk

O22-23-08

Steven Thomas

Ronald Murphy

Richard Cyr

Danielle Haggerty

John Snyder, III

G. Stephen Watson

Derek Wood

March _____, 2023



022-23-09

AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 25) (Dollar General) and Adoption of Related Development Program

WHEREAS, the Town of Hermon is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, the Town has held a public hearing on the Town's proposed Municipal Development and Tax Increment Financing District (No. 25) (Dollar General) (the "District") and related Development Program (the "Development Program") in accordance with the requirements of 30-A M.R.S. §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and

WHEREAS, the Town desires to designate the proposed District and adopt the Development Program in accordance with the Development Program presented to the Town Council this day;

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED, by the Hermon Town Council that:

1. The Town Council hereby finds and determines that:
 - (a) At least twenty-five percent (25%) of the real property within the District is suitable for commercial sites and development as defined in 30-A M.R.S. §5223(3); and
 - (b) The total area of the District does not exceed two percent (2%) of the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and
 - (c) Subject to the exclusions permitted under 30-A M.R.S. §5223(3), the original assessed value of the District plus the original assessed value of all other tax increment financing districts in the Town does not exceed five percent (5%) of the total value of all taxable property within the Town as of April 1, 2022; and

(d) Designation of the District and implementation of the Development Program will generate substantial economic benefits for the Town and its residents, including retaining jobs, creating new employment opportunities, broadening and improving the tax base and promoting economic stimulus and growth in the Town, and therefore constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(e) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and hereby finds and determines that designation of the District and adoption and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the Town Council hereby designates the proposed Municipal Development and Tax Increment Financing District (No. 25) (Dollar General) and adopts the related Development Program presented to the Town Council and such Development Program is hereby incorporated by reference into this Order as the Development Program for the District.

3. The foregoing designation of the District and adoption of the Development Program shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the Commissioner of the Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Town Council, or any other party.

4. Pursuant to the provisions of 30-A M.R.S. §5227, the term of the District and the percentage of the increased assessed value to be retained as captured assessed value in the District are hereby established as set forth in the Development Program.

5. The Town Manager be and hereby is authorized, empowered and directed to submit the proposed designation of the District and adoption of the Development Program to the Commissioner of DECD for review and approval, pursuant to 30-A M.R.S. §5226(2). The Town Manager is further authorized, in his discretion and from time to time, to make such revisions to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason, so long as such revisions are not inconsistent with these Order or the basic structure and intent of the Development Program.

6. The Town Manager be and hereby is authorized, empowered and directed, in the name of and on behalf of the Town, to enter into and execute a credit enhancement agreement with Hermon Holdings, LLC, or its designee, as contemplated by the Development Program, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the Town Manager may approve, his approval and the approval of the Town to be conclusively evidenced by his execution thereof.

IT IS FURTHER ORDERED that this Order shall take effect immediately upon adoption.

022-23-09

Steven Thomas

Ronald Murphy

Richard Cyr

Danielle Haggerty

John Snyder, III

G. Stephen Watson

Derek Wood

March _____, 2023



O22-23-10

AN ORDER

Providing for: Designation of Town of Hermon, Maine Municipal Development and Tax Increment Financing District (No. 26) (Showcase Self Storage) and Adoption of Related Development Program

WHEREAS, the Town of Hermon is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a municipal development district and tax increment financing district and to adopt a development program for such district; and

WHEREAS, there is and continues to be a need to encourage the expansion, improvement and attraction of manufacturing, industrial and commercial, businesses in the Town, and to provide continuing employment opportunities for the citizens of the Town and the surrounding region, to improve and broaden the tax base of the Town, and to improve the general economy and general business development climate of the Town, the surrounding region and the State of Maine; and

WHEREAS, the Town has held a public hearing on the Town's proposed Municipal Development and Tax Increment Financing District (No. 26) (Showcase Self Storage) (the "District") and related Development Program (the "Development Program") in accordance with the requirements of 30-A M.R.S. §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town, and in accordance with the requirements of the Town Charter and Town Council Rules; and

WHEREAS, the Town desires to designate the proposed District and adopt the Development Program in accordance with the Development Program presented to the Town Council this day;

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(e) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and hereby finds and determines that designation of the District and adoption and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the District and the projects and improvements described in the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town.

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4. Pursuant to the provisions of 30-A M.R.S. §5227, the term of the District and the percentage of the increased assessed value to be retained as captured assessed value in the District are hereby established as set forth in the Development Program.
5. The Town Manager be and hereby is authorized, empowered and directed to submit the proposed designation of the District and adoption of the Development Program to the Commissioner of DECD for review and approval, pursuant to 30-A M.R.S. §5226(2). The Town Manager is further authorized, in his discretion and from time to time, to make such revisions to the Development Program as the Town Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval by DECD, or for any other reason, so long as such revisions are not inconsistent with these Order or the basic structure and intent of the Development Program.

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