



Town of Hermon

Public Safety Meeting Room

March 30, 2023

Special 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: 03/16/2023, Special Town Meeting 3/16/2023

WARRANTS. SIGN: 03/30/2023

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:

X. COMMITTEE REPORTS:

XI. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

C. WORKSHOPS:

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 WARRANT
SPECIAL TOWN MEETING
Thursday, March 16, 2023**

To: Ashleigh McAlinden, a Resident of the Town of Hermon, Penobscot County and State of Maine,

Greeting: In the name of the State of Maine you are hereby requested to notify and warn the inhabitants of the Town of Hermon, in said County of Penobscot, qualified by law to vote in said town affairs of the Election and Town Meeting described in this Warrant.

To the Voters of Hermon –

You are hereby notified that a Special Town Meeting in this Municipality will be held at the Hermon Public Safety Building on Thursday, the 16th day of March A.D. 2023 at 7:00 p.m. to act on Articles 1 through 3.

The Town Clerk opened the meeting at 7:00PM. 43 voters were in attendance.

ART. 1: To elect a Moderator to preside at said meeting.

The Town Clerk asked for nominations for a Meeting Moderator. Steve Watson nominated Rylee Cushman. John Snyder III seconded the motion. There were no other nominations. A show of hands was unanimous in favor of Mr. Cushman moderating the meeting. Mr. Cushman willingly accepted the nomination and signed the Moderator's Oath. Town Clerk then turned the meeting over to Mr. Cushman.

ART. 2: Shall the Town vote to Provide Special Plan 4C 3C to its Firefighters who work more than 20 hours per week and who are not seasonal or temporary, as defined by the appendix to MainePERS Rule Chapter 802 for service rendered after March 31, 2023. Service rendered prior to April 1, 2023, for these employees, remains under Regular Plan AN. The town will continue to provide Regular Plan AN to all other employees who work more than 20 hours per week and who are not seasonal, or temporary, as defined by the appendix to MainePERS Rule Chapter 802 and to its elected/appointed officials. The town will also continue to exclude employees who work 20 hours per week or less and/or who are seasonal or temporary as defined by the appendix to MainePERS Rule Chapter 802 from membership. The Town will authorize Josh Berry, Town Manager, to sign the Amended Agreement between Town of Hermon and the Maine Public Employees Retirement System.

YES or NO

Mr. Cushman read Article 2 and noted article 2 had a change from 4C to 3C. Asked for a motion to amend Article 2 with 3C. Richard Cyr motioned to adopt the amendment to 3C and Ronald Murphy seconded the motion. Adoption accepted.

Mr. Cushman then asked for a motion to approve Article 2.

Steve Watson made a motion to approve Article 2 as written. Ronald Murphy seconded.

A show of hands was unanimous in favor of the motion. Article 2 passes.

ART. 3: Shall the Town vote to authorize the Town Council to transfer from the Public Works Facility Reserve Account (HERM08) to the Town of Hermon Public Works Building Account # 13-03-12-02 in the amount not to exceed \$35,000 to cover insulating and heating the Public Works Garage?

YES or NO

Mr. Cushman read Article 3. He then asked for a motion to approve Article 3.
John Snyder III moved to approve Article 3 as written. Ronald Murphy seconded the motion.
A show of hands was unanimous in favor of the motion. Article 3 passes.

Mr. Cushman asked for a motion to close the Special Town Meeting. Ronald Murphy made a motion to adjourn the meeting. Richard Cyr seconded the motion.

Mr. Cushman adjourned the meeting at 7:10PM.

**Respectfully Submitted,
Kristen Cushman, Town Clerk**

Attest Original/True Copy: , Clerk



Town of Hermon

Public Safety Meeting Room

March 16, 2023

Special Town Meeting

followed by

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, Danielle Haggerty, Ronald Murphy, John Snyer III, Steven Thomas, and G. Stephen Watson

Members Absent: Derek Wood

Others Present: Town Manager Joshua Berry, Town Clerk Kristen Cushman, Town Attorney Tim Pease and 46 residents/guests

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

SIGNATURES. APPROVE:

MINUTES. APPROVE: 03/2/2023

WARRANTS. SIGN: 03/17/2023

RESOLVES. SIGN:

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

Hermon Town Council Minutes

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V. NEWS, PRESENTATIONS AND RECOGNITIONS:

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

Lee Cliff Blackstream Rd: Asked for the resignation for Chair Steve Thomas based on the following reasons. 1. Abused an employee of the town 2. Broke law in executive sessions in 3 ways: law requires the council state the business of executive session. If executive session is regarding an employee, the employee must be present. The law states the final approval of any official action may not be approved in executive sessions. 3. Cover up and not allow due process, fair treatment, and break contracts.

Tony Reynolds Route 2: Stated the Council has not spoken in public but only in executive session regarding Hermon Volunteer Rescue Squad (HVRS). Stated the Town's attorney has made an offer to HVRS to leave town and go away.

Councilor Richard Cyr: This is my first rodeo and I have a lot to learn. Thank you for pointing out the shortcomings on how we run the meetings at the time. Example: When we come out of executive session, we must state we are now out of executive session in public. I want to thank you very much. It's a steep learning curve and I am slowly getting there. My second point, I generally do not like to speak off the cuff on what has just been said. I like to mull it over what has been said to me and make an intelligence response because I do not want to look like a fool. I want to thank you for admitting that for 12 years, you broke the rules while on Town Council in a meeting. I do my darndest to not break rules. I take great umbrage of you accusing me of breaking rules tonight. Please choose your words wisely in the future. Again, I thank you very much for your service and for the lessons you have given me but please don't accuse me of breaking the rules. Thank you, sir.

Gene MacDonald, Blackstream Rd (read by Ernest Wheeler):

My primary concern is the division I find in our community which is on display. I find it interesting that the Chair is also the spokesperson for the Council. In my experience, normally the role of the spokesperson would be the Town Manager. In my opinion, Mr. Thomas - Chair, has not demonstrated the ability to promote unification; but has succeeded in promoting a division in this community that I have never seen before.

The Town of Hermon has many strengths:

- 1. The residents of our community**
- 2. For business purposes, the proximity to Bangor**
- 3. The mill rate**
- 4. Most importantly, the school system**



I strongly recommend a change in the protocol for the spokesman representing the council. One must question the professionalism, integrity, and transparency that is now being presented by the council.

On another note, I have utilized the services of the Hermon Rescue Squad. I required medical ambulance service and was transported to a hospital in Bangor. I was treated with professionalism, medical knowledge and above all, I knew the attendants which was very comforting. The Hermon Rescue Service is an intricate part of our community and hopefully will be retained.

Sincerely, Gene R. MacDonald

Ernest Wheeler, Billings Rd: Mr. Wheeler has used the Hermon Ambulance for his wife in the past two weeks. It was well done and handled professionally. We need this service in town. Fourteen months ago, Mr. Chairman, you gave us a tear filled rendition of how much you felt about this service, and I request you remind yourself of this when you go into executive session tonight.

Jeanne Jacques, Fuller Rd: Appreciate all you do as I have to sat where you sit tonight. I worked on Rescue for 18+ years and after being off this service and having my eyes open a little bit, I'm embarrassed as to some of the tactics that I was involved in. Some of the ongoings that take place on that service, I now understand the prior life members (of Rescue) feelings from that service and why they felt that way. Some of the things that go on are not ok. When you are medical personnel and you're being told by a driver ...oh you don't need ALS (Advanced Life Support) and not quite confident enough to know that you do or don't. You're listening because it costs \$300 to 400 to put ALS on the back of the truck. If you're in cardiac arrest and don't have that type of a life skill to give medication and care you need.

Food pantry called Oasis purchases from the Good Shephard Food Bank and donates food to Rescue who then write checks for \$8000 every 6 months and gives the receipts to a hardware store. There are a lot of other things people are not privy to and I would be glad to fill you in, in public.

Alan Dwelley St. Louis Ave: Has been a resident of Hermon for eight years. I have read in the newspaper about the situation going on for well over a decade, regardless of what happens, that ambulance service, I am not equipped to speak whether they should or shouldn't, but the town definitely needs an ambulance service. And I don't think any one of you would let the town go without. How best to provide that service is what you're facing now. You have Hermon Rescue providing a public service and it is a private entity and you've got a co-mingling of private funds with public funds. What oversight does the Town have over this particular service? That becomes a legal issue which is definitely the subject of executive session. How much liability does the town have and oversight over this particular situation? Your challenge is to remove the emotion and the personalities from this equation and to



come up with a commonsense business decision that is legally sound and the best for the town. I don't envy your decision. Sometimes sitting in your seat feels like it's a thankless job, and sometimes you can't please anybody, but I want to thank you all for your service and what you are doing here. And whatever decision you're making, if you always keep in mind you want to do what's in the best interest of the town and can articulate that, you won't be wrong.

Douglas Sinclair Sr., Route 2: I guess I'm looking at this meeting like we have 3 or 4 people that I refer to as bullies. I worked with Steve Thomas for 12 years straight while I was on the council. We had our agreements and disagreements, but I have not yet seen a reason why anybody would be stupid enough to ask Steve to resign his position.

Tylor Perry, Billings Rd: Thank you guys for everything you do. The position you're in is never easy to make everybody happy. I think you have done a really good job of looking out for the residents of Hermon and not your own personal opinion due to some things that have happened in the past. You have taken a lot of heat over the past couple of months, and most of that from my project. I appreciate you all. Doug was correct when he said there are about 3 bullies in this room, and I don't think anyone should be blinded by their opinions. But I think you have done a great job, and I want to thank you for being on the board.

Councilor Danielle Haggerty: There's been a lot of tough discussions with your project and concerns brought up, and every time you're here, you're positive and don't bring forth an attitude, and your demeanor when this is going on is very positive. And that is what I believe we need in this town. When we have discussions, people can stay in that place, and you've done an excellent job of doing that.

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).

Councilor Murphy moved to enter Executive Session to discuss a legal matter regarding Hermon Volunteer Rescue Squad (HVRS) per 1 M.S.R.A. 405 (6)(E). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0. Councilor Watson abstained.

The motion carries. Executive Session started at 7:31 p.m.

Councilors returned and ended executive session at 8:44 p.m.



VIII. ADDITIONAL ITEMS:

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

No action taken.

IX. PUBLIC HEARINGS:

X. COMMITTEE REPORTS:

XI. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

C. WORKSHOPS:

D. OTHER ITEMS: (from Table Package)

XII. APPOINTMENTS:

XIII. MANAGER STATUS REPORT:

Thanked Matthew Farnham for working for the Town of Hermon Recreation Dept and wished him well at his new job.

Julie Nadeau currently is part time with the Recreation Dept and will replace Matt.

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

Alan Dwelley St. Louis Ave: Mr. Dwelley spoke on the High School Library offerings of books. It was never intended to make a divide between parents vs teachers and is more inline with parents vs pornographic material. He also thanked the council for serving the community.

XV. COUNCIL ITEMS:

Danielle Haggerty: School finance/budget meeting on 3/21/23.

Ronald Murphy: Mr. Murphy asked Josh to look into increased police patrols during the flashing school zone times due to residents going over 15 MPH.



XVI. ADJOURNMENT:

Councilor Murphy made a motion to end the council meeting at 8:53 pm. Councilor Cyr seconded. With no objection the council meeting was adjourned at 8:53 pm.

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