



Town of Hermon
Public Safety Meeting Room
September 14, 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

Councilor Cyr led those in attendance in the Pledge of Allegiance

III. ROLL CALL

Members Present: Richard Cyr, Christopher Gray, Ronald Murphy, John Snyder III and Steven Thomas

Members Absent: Danielle Haggerty & Derek Wood: Excused

Others Present: Town Manager Joshua Berry, Town Clerk Kristen Cushman, 15 residents/guests

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

SIGNATURES. –APPROVE

MINUTES. -APPROVE 8/17/2023

WARRANTS. –SIGN 9/1/2023, 9/15/2023

RESOLVES. –SIGN

Councilor Snyder moved to approve the Consent Calendar and amending removal of the 8/17/23 minutes for amendments as presented. Councilor Cyr seconded the motion. Motion passes 5-0.



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

Presentation from Municipal Auditor bids for Fiscal Year end 2023, 2024 and 2025.

- **RHR SMITH & COMPANY: Ron Smith presented to the Council via Zoom. Mr. Smith works with 56 employees, multiple Town and School districts and is licensed in 4 states.**

Steve Thomas: Have you ever worked with the Town? Answer: About 15 years ago.

Were you involved with the Audit? Answer: I was.

Are you able to speak as to why the change? Answer: Internal politics and a fresh set of eyes.

How do you go about starting an audit? Answer: Two teams of three working at the Town and School.

Can you walk through the Federal compliance testing? Answer: Would sit down and see what you have for Federal funds. The school is probably the primary recipient, and we would download the P100 from the State Department of Education and work with them on putting the schedule of awards together. Then have a conversation with Josh Berry, Town Manager and the finance department about the Federal ARPA funds received to the Town and put together that portfolio to see what was spent for Federal funds and based on that fill out the risk assessments and see what Federal programs you would need to test.

Is there any testing you do to make sure the funds based on the application were used as allowed? Answer: We would identify any major programs at the Town. A major program is \$750,000 of expenditures of Federal funds. We would do all the planning and identify all the programs and if there were any major funds we would download the compliance supplement to test those funds.

What is your firms role in evaluating unassigned surplus and compliance with the State for the School dept? Answer: We would look at the statute and there is language in there to deal with that within 2 years. There is no statute on municipal unassigned surplus. We would also review the Town Charter.



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

- **Leah Russell, Route 2: Concerns with the speeding on Route 2.**
Would like people pulled over and given tickets
What is the relationship with the Town and Sheriff Office
What are they doing?
Would like the speed to be reduced to 35 MPH.
Josh Berry: Speed has been an ongoing discussion
throughout Town. We have the same situation on Union St,
and Fuller Rd and this is an active conversation with the
Sheriff's dept. The electronic speed limit trailer will be
placed on Route 2 on 9/15/23. DOT sets the speed limits, and
the Town does not have control of this.

VII. PUBLIC HEARINGS:

- **Hold Public Hearing – GA Ordinance with Appendices A – H for FY 2023-2024**

Chair Murphy opened the public hearing at 7:32PM. Public comments were given. The hearing closed at 7:34PM.

- **Hold Public Hearing – Conley Events LLC, DBA Morgan Hill Event Center liquor license renewal.**

Chair Murphy opened the public hearing at 7:34PM. Public comments were not given. The hearing closed at 7:35PM.

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:



B. NEW BUSINESS:

O23-24-03 Consider accepting the GA Ordinance dated 9/2022 from MMA and the amended GA Ordinance repealing and replacing appendices A through H for FY 2023-2024

Councilor Thomas moved to approve O23-24-03. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0.

R23-24-03 Consider approving Morgan Hill Event Center liquor license renewal

Councilor Snyder moved to approve R23-24-03. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0.

FR23-24-04 Consider approving repairs to the cemetery fence at Pleasant Hill

Councilor Thomas moved to approve FR23-24-04. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0.

FR23-24-05 Consider approving cemetery pinning and boundary work at Snow's Corner

Councilor Snyder moved to approve FR23-24-05. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 5-0.

FR23-24-06 Consider appointing Auditor for Fiscal Year end 2023, 2024 and 2025.

Councilor Snyder moved to approve FR23-24-06. Councilor Cyr seconded the motion. The motion was accepted. Motion failed 3 yes-2 no. Opposed Gray and Thomas.

Per Council Rules section 14A. To pass a vote, 4 councilors would need to vote either yes or no.

Council Rules – Section 14

A. Members must vote Unless a Town Council member shall recuse him or herself from voting for reason of conflict of interest, the Town Council member must vote when the yeas and nays are called. The yeas and nays shall be taken and recorded upon passage on the signed ordinances, orders, and resolutions. Every ordinance, order, and resolve shall require, on final passage, the affirmative vote of four members of the Council.



Steve Thomas asked Josh Berry to talk about how many CPA firms were reached out to and their responses.

Josh Berry:

In late July we began soliciting bids of Auditing Services for FY 2023, 2024 and 2025. The RFP was posted on the Town's website, Maine Municipal Association's website and mailed to 19 firms listed on the State of Maine's Auditor list.

Responses were due back August 31st, for which we received qualifying bids from RHR Smith & Company and Peter J Hall CPA LLC. Firms who did not respond (with either a bid or notice they would not be submitting a bid) received follow up emails or calls from my office, requesting responses. In doing so, I heard from almost all firms listed. Below is the list of firms and response status:

- Berry, Talbot & Rory— No Response- mailed RFP, additional follow up
- Brantner, Thibodeau & Assc. — Declined to submit proposal
- CH Dorr & Co — Declined to submit proposal
- Cummings, Lamont & McNamee Declined to submit proposal
- Felch & Company — Declined to submit proposal
- Haverlock, Estey & Curran — Declined to submit proposal
- Hoisington & Bean PA — No Response — mailed RFP, additional follow up
- Horton, McFarland & Veysey — Declined to submit proposal
- James Wadman — Declined to submit proposal
- Maine Municipal Audit Serv. — No Response — mailed RFP, additional follow up
- Peter Hall CPA LLC — Submitted proposal
- RHR Smith & Company — Submitted proposal
- Ron L Beaulieu — No formal proposal — "time and material"
- Roy & Associates — Declined to submit proposal
- RKO — Declined to submit proposal
- Smith & Associates — Declined to submit proposal
- Stephen Hopkins — No Response — mailed RFP, additional follow up
- William Brewer - No Response mailed RFP, additional follow up
- Wipfli LLP - No Response — mailed RFP, additional follow up

In reviewing the submitted proposals, I feel both would provide a quality audit for the Town and School. Both firms meet the qualifications the town is looking for, have the experience desired and are in good standing with the State of Maine. After discussing the proposals, with both firms, it is my recommendation to award the bid to Peter J Hall CPA LLC.



C. WORKSHOPS:

- Discussion on amendments to the Council Rules

Discussion revolved around the two public comment areas on the agenda. Residents spoke in favor of keeping the two public comments.

- Discussion on Fire Department cost recovery billing – Cody

Discussion revolved around how the recovery billing works for insurance claims.

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

Appoint Auditor for Fiscal Year end 2023, 2024 and 2025.

XI. MANAGER STATUS REPORT:

- **Working with SJ Rollins on the sound system for the council chambers.**
- **Electronic speed sign will be working on Route 2 tomorrow.**
- **Fire Department interviews for full time first responders, should be full staff by 11/1/2023.**
- **Transfer station will be open on 9/16/2023 unless the weather forecast worsens.**
- **September 28 the Town Office will be close for the clerks to attend a mandatory fall workshop for Motor Vehicle.**

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

- **James Stubbs ACO for Hermon: Mr. Stubbs came in with a dog he has picked up running at large multiple times (10 times) since December 2022. Jim is asking the town for stiffer penalties. Increase fees via the Humane Society to the residents to recover the dog....to try and slow down dogs running at large.**



XIII. COUNCIL ITEMS:

**Steve Thomas: Ask residents to watch their speed while driving.
Dog running at large from an accident on Route 2 earlier this week. Please
keep an eye out for her.**

**Chris Gray: Would like to see increase patrols in this section of town to slow down
speeding.**

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

**Councilor Thomas moved to adjourn the meeting at 8:33 PM. Councilor Cyr seconded.
With no objection the meeting was adjourned at 8:33 PM.**

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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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.