



Town of Hermon

Public Safety Meeting Room

November 9, 2023

Town Council Meeting

7:00 PM

AGENDA

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom

Please see the complete video at [Town Council Meetings | Hermon \(hermonmaine.gov\)](http://Town Council Meetings | Hermon (hermonmaine.gov))

*****ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION*****

I. CALL TO ORDER BY CHAIRPERSON:

II. PLEDGE OF ALLEGIANCE:

III. ROLL CALL:

IV. PUBLIC ITEMS OR COMMENTS: *(ITEMS NOT ALREADY ON THE AGENDA)*

V. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, AND APPROVAL OF MINUTES:

MINUTES	-APPROVE	10/12/23
SIGNATURES	-APPROVE	
RESOLVES	-SIGN	
WARRANTS	-SIGN	10/27/2023 & 11/10/2023

VI. NEWS, PRESENTATIONS AND RECOGNITIONS:

Traffic plan for the holiday train- Shelby Reynolds

VII. PUBLIC HEARINGS:

- **Hold Public Hearing – MCCL Inc dba The Sports Arena new liquor license**
- **Hold Public Hearing – CPKC Holiday Train event**



VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R23-24-09 Consider approving CPKC Holiday Train event

R23-24-10 Consider approving MCCL, Inc dba The Sports Arena new liquor license

R23-24-11 Consider approving the Coldbrook Road Closure & Traffic Plan for the CPKC Holiday Train event

FR23-24-07 Consider approving transfer from Highway Reserve Account to Highway Reserve Expense Account for Emergency repairs to Annis Rd

O23-24-04 Consider approving a 180-day extension to Solar Moratorium

C. WORKSHOPS:

D. OTHER ITEMS: (FROM TABLE PACKAGE)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

XII. FINAL PUBLIC ITEMS OR COMMENT: (ITEMS NOT ALREADY ON THE AGENDA)

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

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

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
October 12, 2023
Town Council Meeting
7:00 PM
MINUTES

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom
Please see the complete video at Town Council Meetings | Hermon (hermonmaine.gov)

ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

I. CALL TO ORDER BY CHAIRPERSON

II. PLEDGE OF ALLEGIANCE

Chair Murphy led those in attendance in the Pledge of Allegiance

III. ROLL CALL

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

Members Absent: None

Others Present: Town Manager Joshua Berry, Town Clerk Kristen Cushman, 38 residents/guests

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

SIGNATURES. -APPROVE

MINUTES. -APPROVE 8/17/2023, 9/14/2023

WARRANTS. -SIGN 9/29/2023, 10/13/2023

RESOLVES. -SIGN

Councilor Snyder moved to approve the Consent Calendar with amendments as presented. Councilor Haggerty seconded the motion. Motion passes 7-0.



V. NEWS, PRESENTATIONS AND RECOGNITIONS:

◆ Promotion of Captain Mike Simmons to Deputy Fire Chief

Chief Cody Sullivan: The first promotion this evening is the promotion of Captain Mike Simmons to the rank of Deputy Fire Chief. Mike or “Uncle Mike” as he is better known around the fire house started his fire service career in Glenburn in 1989. Over Mike’s 34 years of service, he has worked for several different area fire depts, to include Glenburn, Hudson, Hampden, and the Penobscot Valley Hotshots. Mike was hired fulltime in Hermon in 2015 and promoted to the rank of Captain in 2019. Mike is well known and respected in the fire service community and the town is truly fortunate to have him assume the role of Deputy Chief.

◆ Promotion of Lieutenant Byron Ouellette to Captain

Chief Cody Sullivan: The second promotion this evening is Lieutenant Byron Ouellette to the rank of Captain. Byron started in the fire service in 2009 in Howland. During Byron’s 14 years of service, he has worked for several area fire departments to include Howland, Old Town, and Orono. Byron started with the Hermon Fire Dept. as a Live-in student in 2012, staying on as member after his internship Byron was promoted to the rank of Lieutenant in 2017 and was hired fulltime in Hermon in 2023 as the Hermon Fire Department’s first fulltime Paramedic. Byron is an enthusiastic and compassionate leader who has assumed the lead on the Hermon FD’s EMS first responder program.

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

- **Carol Lackedy, Route 2 – Neighbors Supporting Neighbors is looking for help with grant writing to help with funding to support a permanent building for the pantry. She is looking for a place out of the elements this winter to distribute pantry items.**
- **Haily Keezer, Orchard Dr –**
 1. **Why does the Town choose the auditor for the School but the School can pick their own attorney.**
 2. **Would like an update on the Hermon School lawsuits**
 3. **Inquiry on a code violation at the High School**
 4. **Thank you to Council members attending the School Board meetings and subcommittee meetings.**



VII. PUBLIC HEARINGS:

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

Consider voting to reconsider appointing an Auditor for Fiscal Year 2023, 2024 and 2025

Councilor Snyder moved to consider voting to reconsider appointing an Auditor. Councilor Wood seconded the motion. The motion was accepted. Motion passes 7-0.

- If the Council votes to reconsider appointing Peter J. Hall CPA LLC, then consider:

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

Councilor Gray made a motion to appoint an Auditor for FY 2023 only. A second was not received. Failed motion.

Councilor Cyr made a motion to approve FR23-24-06 as follows: Auditor for FY 2023, 2024 & 2025 with the clause be added to terminate with proper notice. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 6-1. Councilor Thomas voted against.

B. NEW BUSINESS:

R23-24-04 Consider accepting a town road named "Hawk's Crossing"

Councilor Snyder moved to approve R23-24-04. Councilor Gray seconded the motion. The motion was accepted. Motion passes 7-0.

R23-24-05 Approve the mill rate, due date, and interest rate for 2023 taxes

Councilor Snyder moved to approve R23-24-05. Councilor Wood seconded the motion. The motion was accepted. Motion passes 7-0.

R23-24-06 Consider accepting 2024 prepayment of taxes

Councilor Wood moved to approve R23-24-06. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.



R23-24-07 Consider appointing an authorized person for a Business Partnership Initiative with MaineDOT on behalf of Town of Hermon and C & K Variety (Hawk's Deli & Marketplace)

Councilor Gray moved to table R23-24-07 until 11/9/2023. Councilor Snyder seconded the motion. The motion was accepted unless doubted. Motion passed.

R23-24-08 Consider accepting final revisions of the Council Rules

Councilor Haggerty moved to approve R23-24-08. Councilor Snyder seconded the motion. The motion was accepted. Motion passes 7-0.

C. WORKSHOPS:

Discussion on proposed Solar Ordinance

Points of discussion: Council

- **Limitation on where solar farms can be installed**
- **At no time will chemical be used to clean**
- **Performance guarantee shall be equal to 150% of the estimated cost of removal**
- **Removal costs will be covered under surety bond – clarification needed**
- **Should a letter of credit be issued?**
- **Do we have to allow solar arrays, or can it be banned in Hermon?**
- **Solar is not feasible without subsidies and tax credits**
- **What happens if in 5 years there is a shift in political climate and the town is stuck dealing with a large solar farm and the burden is back on the taxpayers?**
- **Taxes, revenue, reimbursement to the town**
- **Is there any fallback to the landowner?**

Points of discussion: Residents

- **The only place the ordinance is allowing solar farms is in the industrial zone**
- **Would like to see solar allowed in areas not seen by the road and zoned in residential A**
- **Why would the town give up tax revenue from the industrial park for a solar farm?**
- **Hermon doesn't have the infrastructure (size of cable going down the road) to house these fields. Three phase power and a substation needed**
- **If solar is not allowed in other zones, residents will not have the opportunity to collect revenue to then spend in the town**



Residents are encouraged to attend the Planning Board meeting on 10/17/2023 where the ordinance will be discussed.

After much discussion on the Solar Ordinance, it was decided to bring back for more discussion.

Discussion on Fire Department cost recover billing – Chief Sullivan

Councilor Snyder moved to table until 11/9/2023. Councilor Cyr seconded the motion. The motion was accepted unless doubted. Motion passed.

D. OTHER ITEMS: (from Table Package)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

- **Annis Rd had a considerable washout due to the past weekend rain event. Thank you to Gardner Construction, Fire Department and Public Works for the prompt attention to public safety and repair**
- **Election will be happening on 11/7/2023 at the elementary school**
- **Next Council meeting is 11/9/2023**
- **The new audio system should be installed in the council chambers before the 11/9/2023 meeting**

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

- **Greg Newell, Stage Rd – Discussion at the last School Board meeting regarding remote day for Election and if the town was looking at different locations for the Election.**



XIII. COUNCIL ITEMS:

Danielle Haggerty: Thank you to the Town for promptly taking care of the malfunctioning crosswalk at the High School

While driving in Brewer by the school they have someone directing traffic for a short period of time during the morning and afternoon to help with traffic flow. Just a thought for Hermon.

Congratulations to Byron Ouellette and Mike Simmons on their promotions.

Appreciate Carol Lackedy for her help to the community and maybe someone who is watching might have a suggestion or solution for the food pantry.

Would like to look at the validation vote for the School budget and is that an opportunity we can go through the process to putting it to the town to remove it to make us more efficient. Potentially one less vote we have to do.

Richard Cyr: Would the town have an abandoned/foreclosed building for the pantry?

Steve Thomas: Thanked James Stubbs, the Animal Control Officer on his efforts in capturing the lost dog from an accident on Route 2.

Another instance Steve called the ACO regarding a dog walking on the side of the road and James was prompt and the dog was reunited with the owner.

Chris Gray: A resident inquired about snowplowing.

An interesting thing I learned today is there are some towns in Maine that do a mailbox reimbursement program. I don't know if that is worth looking info.

Ronald Murphy: Thank you to Gardner Construction for all they do for the town.

XIV. EXECUTIVE SESSION:



XV. ADJOURNMENT:

Councilor Thomas moved to adjourn the meeting at 9:18 PM. Councilor Wood seconded. With no objection the meeting was adjourned at 9:18 PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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Legal Notices
PUBLIC HEARING

By Order of the Hermon Town Council, the following Public Hearing have been scheduled for Thursday, November 9, 2023 at 7:00PM at the Public Safety Meeting Room.

TO CONSIDER comments regarding MCCL Inc IDBA The Sports Arena) Liquor License Application.

TO CONSIDER comments regarding CPKC Holiday Train Special Amusement Concourse Gathering Application.

The Public shall be given the right to comment before the Council acts.

Per O21-22-002, July 12, 2022

October 31, 2023



Coldbrook Road Closure/Traffic Control Plan

Event: Canadian Pacific Holiday Train Event

Date: November 21, 2023

Time: 11:00 a.m. to 12:45 p.m.

Description: This fund-raising event presented by the Canadian Pacific Railway will assist in alleviating food insecurity regionally in the central and eastern Maine area by coordinating business and local donations for a local food bank. A lighted Holiday Train will feature entertainers, music and a community presentation before making a return trip to Northern Maine. Since the Holiday Train program launched in 1999, it has raised over \$21 million and collected 5 million pounds of food for community food banks across North America, according to a Canadian Pacific news release.

Public Safety Officials - Contact List

- i. Public Safety: Fire Chief Cody Sullivan 207-307-9007
- ii. Law Enforcement: Staff Sargent Gary Decker 207-875-7040
- iii. Chain of Command: Unified Command: Hermon Fire Department, Penobscot County Sheriffs Office, and CPKC Railroad Police

Event Management Plan

Command and Communications

- i. Communications will be conducted vis VHF radios and cell phone; Penobscot regional Communications Center will have field dispatchers on site to handle radio traffic and a request has been submit to AT&T First Net to increase the capacity of the nearest cellular tower to provide more robust cellular signal.

Vehicle List

- i. Hermon Fire Department, Northern Light Transport, Penobscot County Sheriffs Office, Penobscot Emergency Management, CPKC Railroad Police, Hermon Public Works Department.
- ii. Regional coverages, off site emergency incidents will be handle by automatic mutual aid companies.

Traffic Control Plan

- i. Public Safety personnel for traffic control and detour management
- ii. Changeable message signs will be located at the Route 2 and Coldbrook Rd and the Coldbrook Rd. and Odlin Rd. intersections. Appropriate detour signage and traffic control devices will be placed at the Autocar Ln. and Coldbrook Rd. and Dave way intersections, and along the detour route. Temporary Police No Parking will be placed on Autocar In., Printer's Dr., Dave's Way, and Mack Ln.
- iii. Changeable message signs-schedule TBD by MDOT

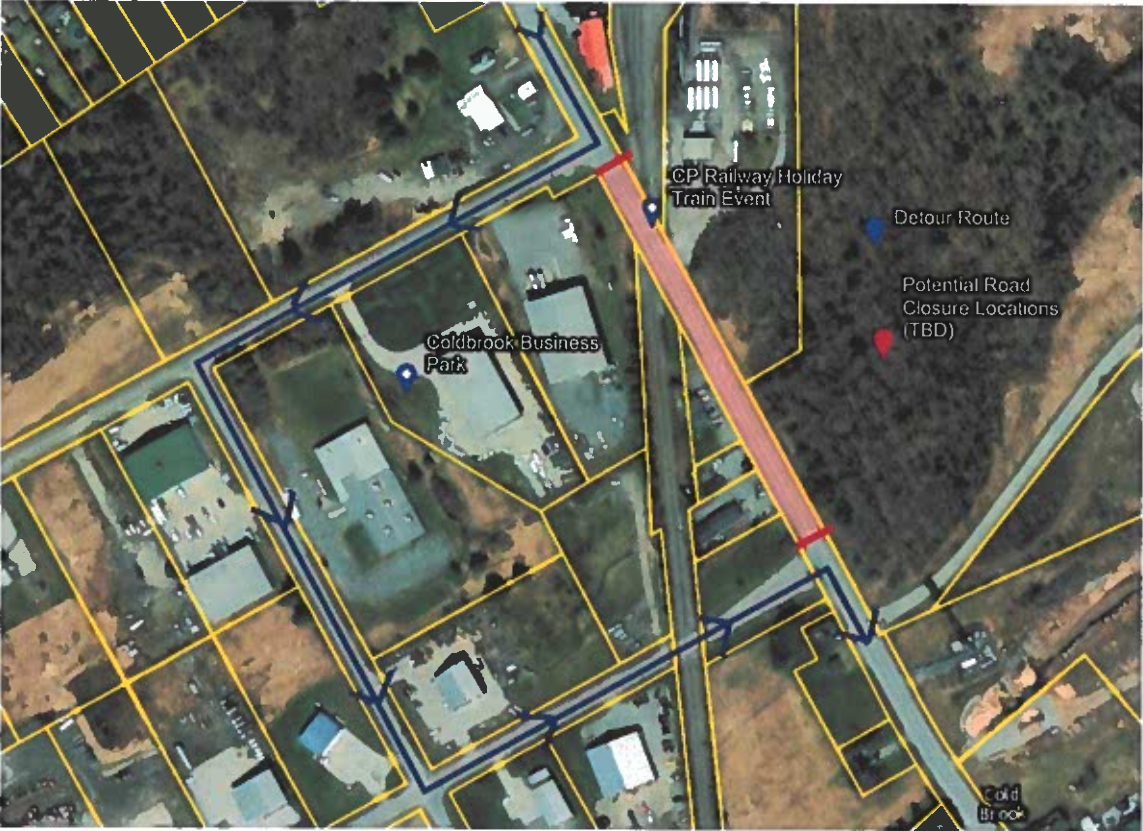
Set Up & Removal of Signage

- i. Advance set up schedule 20 November 2023
- ii. Removal of signage 21 November 2023

Public Outreach - Advance Notice

- i. Date Implemented- 18 October 2023
- ii. Methods Utilized for Notification
 - a. Website
 - b. Hermon Connection
 - c. Social Media
 - d. Emails, Direct Mail
 - e. Television/ Radio
- iii. Notification of Industrial Businesses- Trucking & Transportation
- iv. Press Release Schedule, once approved a press release will be released as soon as possible.
- v. Changeable Message Signs- CMS

Event Maps





R23-24-09

Be it resolved by the Hermon Town Council in Town Council assembled to approve the Town of Hermon CPKC (Canadian Pacific-Kansas City) Holiday Train event on November 21, 2023.

SIGNED this October 9, 2023, by the Hermon Town Council:

Ronald Murphy

Steven Thomas

Richard Cyr

Christopher Gray

Danielle Haggerty

John Snyder III

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



Date received: 10/10/23
Date approved: _____

SPECIAL AMUSEMENT/CONCOURSE GATHERING APPLICATION

Required for any gathering for the masses of people which attend public outdoor gatherings and to assure the comfort, convenience, safety, health and welfare of the citizens of the town and surrounding communities.

Concourse gathering of 500 people or more persons in an outdoor space or a temporary structure.

Applications must be submitted to the Clerk not less than 45 days before the date on which it is proposed to commence the event.

A \$50.00 filing fee is to be submitted with the completed Concourse Gathering Application.

A \$150.00 filing fee is to be submitted with the completed Special Amusement Event Application (outside: alcohol, dancing & live music). If approved, \$25.00 fee is due for Special Event Application.

SPONSOR INFORMATION

Name of Sponsoring Organization: Town of Hermon

Name of Contact Person for Event: Cody D. Sullivan

Title of Contact Person: Fire Chief

Mailing Address: 327 Billings Rd., Hermon Maine, 04401

Daytime Telephone: 207-848-1046

Cell Phone: 207-307-9007

Email Address: sullivanc@hermonmaine.gov

Contact Name and Cell Phone Number DURING the Event: Cody D. Sullivan, 207-307-9007

Is your organization incorporated as a non-profit organization? Yes ___ No

Non-Profit Number: Municipal, Tax-Exempt

EVENT INFORMATION

Name of Event: CPKC Holiday Train

Type of Event (walk, festival, concert, etc.): Concert

Date of Event: 21 November 2023 Rain Date: NA

Times of Event: Start Time including set-up: 0900 Ending time including clean up: 1500

Actual Event Start Time: 1130 Actual Event End Time: 1230

Estimated Attendance: 8,000

Location of Event: Coldbrook Rd., Between Autocan Ln. and Dave's Way

Have you held an event at this location within the last 12 months? Yes No

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
N/A	CROSS-STREET BANNERS Note: Contact power company guidelines.		<input checked="" type="checkbox"/>	
N/A	FOOD – Will food or beverages be sold? If yes, list what types of food or beverages:		<input checked="" type="checkbox"/>	
N/A	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, souvenirs, etc.)? If yes, list what items:		<input checked="" type="checkbox"/>	
Separate fee and Special Amusement Application required	LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: Note: per 28-A M.R.S.A. § 1054 and local ordinance.	<input checked="" type="checkbox"/>		
Separate fee and Special Amusement Application required	DANCING – Will there be any outdoor dancing? If yes, please describe: Note: per 28-A M.R.S.A. § 1054 and local ordinance		<input checked="" type="checkbox"/>	
N/A	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	<input checked="" type="checkbox"/>		
Separate fee and Catering Event Application	ALCOHOL – Will alcoholic beverages be sold? Note – Vendor must hold a valid State of Maine liquor license and submit an Off Premise Catering Event application (\$10.00 fee) 14 days prior to the event. Note: per 28-A M.R.S.A. § 1054 and local ordinance		<input checked="" type="checkbox"/>	
State Permit required	CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit.		<input checked="" type="checkbox"/>	
Permit required	FIREWORKS – Will there be a fireworks display? If yes, attach a copy of the state permit. Note: per M.R.S.A. § 227-A and local ordinance.		<input checked="" type="checkbox"/>	

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
N/A	PARADE – Will there be a parade? If yes, describe route: Note – Contact Penobscot County Sheriff's office.		✓	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc.? If yes, describe route: Note – Contact Penobscot County Sheriff's office.		✓	
Separate permit required	BURN PERMIT – Will there be any open flame such as a bonfire? If yes, describe activity: Note - A permit from the Fire Department is required or online at Maine.gov		✓	
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes:		✓	
N/A	ELECTRICAL POWER/EQUIPMENT – Will electrically powered equipment be utilized, if so, provide a brief description of the equipment and the entity responsible for the installation of the electrical equipment?		✓	
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: <i>Coldbrook Rd Detour / Paves Way and Autocar Ln.</i> Note – Contact Penobscot County Sheriff's office.	✓		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, food service areas, etc? Note: This is a mandatory requirement for this application and must be included.	✓		
N/A	PARKING ACCOMODATIONS – What will be the anticipated need for parking and what is your parking plan? Note – Contact Penobscot County Sheriff's office.	✓		
N/A	TOILETS – Please list amount at event and/or nearest location:		✓	
N/A	WASTE DISPOSAL – Please list process and location:		✓	
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location:		✓	
N/A	POTABLE WATER – Please list amount at event and location:		✓	

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
N/A	FIRST AID FACILITIES – Please list location at event: Fire and EMS on standby at event.	✓		
\$ ____ .00	TOTAL FEE INCLUDED – Checks payable to “Town of Hermon”		✓	

DESCRIPTION OF EVENT – Please describe what will occur during your event

CPKC Holiday Train concert and Food Drive, train will arrive and conduct a one-half hour concert.

Provide a freehand Plan View Drawing of the site(s) showing the location and size of the site. Also include the location and extent of the following:

- Dining Facilities *NA*
- Fire Protection Facilities *NA*
- First Aid Facilities *NA*
- Off Street Parking Facilities *NA*
- Sanitary Facilities *NA*
- Water Supply Facilities *NA*

And other pertinent data.

See
attached

Please attach an additional sheet if necessary.



******FOR STAFF USE******

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Clerk	X		10/14/23	KC
Code Officer/Land Use & Zoning /Health Officer			on second page	
Finance Department	X		10-16-23	
Fire Department	X		10/17/2023	
Police Department	X		10/20/23	
Public Works Department	X		10-19-23	RS
Plumbing Inspector			on second page	
Recreation Department	X		10/18/23	LLO

Personal Property Tax Paid: Yes N/A No _____ Sewer User Fees Paid: Yes N/A No _____

COMMENTS/CONDITIONS from any of the above departments:

Town Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____

****FOR STAFF USE****

DEPARTMENT COMMENTS AND RECOMMENDATIONS:

DEPARTMENT	APPROVE	DENY	DATE	INITIALS
Clerk	X		10/16/23	KC
Code Officer/Land Use & Zoning /Health Officer	X		10/17/23	JCM
Finance Department				
Fire Department				
Police Department				
Public Works Department				
Plumbing Inspector	X		10/17/23	JCM
Recreation Department				

Personal Property Tax Paid: Yes N/A No _____ Sewer User Fees Paid: Yes N/A No _____

COMMENTS/CONDITIONS from any of the above departments:

Town Council Public Hearing date, if applicable: _____

License Approved/Denied: _____ Date applicant notified: _____



R23-24-10

Be it resolved by the Hermon Town Council in Town Council assembled to approve MCCL LLC (DBA) The Sports Arena liquor license on Thursday, November 9, 2023.

SIGNED this October 9, 2023, by the Hermon Town Council:

Ronald Murphy

Steven Thomas

Richard Cyr

Christopher Gray

Danielle Haggerty

John Snyder III

Derek Wood

Attest Original: _____

Motion _____	Yeas _____	
Second _____	Nays _____	Date _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes <input type="checkbox"/> No <input type="checkbox"/>	

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Legal Business Entity Applicant Name (corporation, LLC): MCCL LLC	Business Name (D/B/A): The Sports Arena
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 1640 Hammond St. Hermon, ME 04401
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different:
Mailing address, if different from DBA address: 15 Charles St. Hampden, ME 04444	Email Address: thesportsarena207@gmail.com
Telephone # Fax #: 2074784811	Business Telephone # Fax #: 207-573-8700
Federal Tax Identification Number: 93-3863097	Maine Seller Certificate # or Sales Tax #: 1173-9307
Retail Beverage Alcohol Dealers Permit:	Website address: the sports arena.biz

1. New license or renewal of existing license?

New

Expected Start date: 01/01/2024

Renewal

Expiration Date: _____



R23-24-11

Be it resolved by the Hermon Town Council in Town Council assembled that the “Coldbrook Road Closure & Traffic Plan” be approved for the Canadian Pacific Holiday Train Event on November 21, 2023.

SIGNED this November 9, 2023, by the Hermon Town Council:

Ronald Murphy

Steven Thomas

Richard Cyr

Christopher Gray

Danielle Haggerty

John Snyder III

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



FR23-24-07

Be it resolved by the Hermon Town Council in Town Council assembled to authorize the Town Manager, or his designee, to transfer \$24,500 dollars from the Highway Reserve Account (HERM06) to Highway Reserve Expense Account (E 30-06-57-06) to cover an emergency roadway repair at Annis Road. Project to be completed by Gardner Construction Enterprises.

SIGNED this November 9, 2023, by the Hermon Town Council:

Ronald Murphy

Steven Thomas

Richard Cyr

Christopher Gray

Danielle Haggerty

John Snyer III

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



023-24-04

**TOWN OF HERMON
MORATORIUM ORDINANCE
ON
UTILITY SCALE SOLAR FACILITIES**

The Town of Hermon Council hereby enacts a moratorium ordinance entitled the Utility Scale Solar Facilities Moratorium Ordinance as follows:

WHEREAS, area of the Town of Hermon is suddenly faced with the prospect of increased development pressure from Utility Scale Solar Facilities;

WHEREAS, residents of the Town of Hermon have expressed concerns about such proposed or anticipated developments, including concerns regarding the quality of life, adjacent property values, health and safety, decommissioning costs, visual impacts, and environmental impacts;

WHEREAS, without appropriate regulation, the development of such proposals could pose a threat to the quality of life, adjacent property values, and the health and safety of the Town of Hermon's residents;

WHEREAS, the Town of Hermon seeks to balance these risks with the benefits associated with clean energy projects like Utility Scale Solar Facilities through appropriate regulations;

WHEREAS, the Town of Hermon requires at least 180 days to consider, develop, and implement necessary ordinances and regulations to protect the health, safety, and welfare of the residents of the Town of Hermon; and

WHEREAS, in the judgment of the Town Council, the foregoing facts demonstrate that a moratorium on the development of Utility Scale Solar Facilities is necessary pursuant to 30-A M.R.S. § 4356(1).

NOW, THEREFORE, the Town of Hermon hereby ordains that the following Utility Scale Solar Facilities Moratorium Ordinance be enacted:

- I. **Authority:** This Utility Scale Solar Facilities Moratorium Ordinance is enacted pursuant to 30-A M.R.S.A. § 4356; the Town of Hermon's home rule authority pursuant to the Maine Constitution and 30-A M.R.S.A. § 3001; and section 2.13(6) of the Charter of the Town of Hermon.
- II. **Definitions:** The following definition shall be used in the interpretation and construction of this Moratorium Ordinance:
 - a. **Utility Scale Solar Facility:** is any solar facility, project, or installation which is intended to or in fact does generate solar power and feeds said power into the electric grid supplying the local utility with power. This shall include any ground-mounted or pole-mounted photovoltaic (PV) project that generates greater than 1 megawatt (MW) of solar energy. Residential/commercial solar arrays that generate less than 1 MW of solar energy are not included in this definition. Solar arrays installed on roofs of commercial or residential properties in compliance with existing ordinances and codes are not included in this definition.
- III. **Purpose:** The purpose of this Moratorium Ordinance is to allow municipal officials a reasonable time to evaluate the concerns raised in regards to anticipated or proposed Utility Scale Solar Facilities, to determine the adequacy of existing land use ordinances and regulations, and, if necessary, develop additional ordinances and regulations to provide adequate protection for the property, health, welfare, and safety of the Town of Hermon's residents.
- IV. **Moratorium on Utility Scale Solar Facilities:** The Town of Hermon hereby declares and imposes a moratorium, prohibiting the development of any and all Utility Scale Solar Facilities within the Town of Hermon. No person or organization shall develop or operate a Utility Scale Solar Facility within the Town of Hermon.
- V. **Moratorium on Processing Applications:** No official, officer, board, or body of the Town of Hermon, including but not limited to the Code Enforcement Officer, the Planning Board, or the Municipal Officers, shall accept, process, review, deny, approve, authorize, or issue any applications, petitions, plans, permits, licenses, or requests for approval or authorization involving Utility Scale Solar Facilities development, construction, operation, or use located, in whole or in part, within the Town of Hermon.
- VI. **Severability:** Any provisions of the Town of Hermon's existing ordinances that are inconsistent or conflicting with the provisions of this Moratorium Ordinance are hereby repealed to the extent applicable for the duration of this Moratorium Ordinance. If any section or provision of this Moratorium Ordinance is declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.
- VII. **Effective Date, Retroactivity & Term:**
 - a. Pursuant to the Charter of the Town of Hermon, this Moratorium Ordinance shall take effect 30 days after passage by the Town of Hermon Council.
 - b. Upon its effective date, notwithstanding the provisions of 1 M.R.S. § 302, this Ordinance shall be retroactive and applicable, to the maximum extent permitted by law and subject to the severability clause above, to all filed, pending, or future

applications and petitions for Utility Scale Solar Facilities which have not received all necessary development permits and licenses from the Town of Hermon and all proposed Utility Scale Solar Facilities that were not fully operational and/or did not have all the required State permits as of _November 9, 2023, the date the Moratorium Ordinance was first proposed to the Town of Hermon Council.

- c. Unless, after notice and hearing, the Town of Hermon Council votes to extend it, this Moratorium Ordinance shall remain in full force and effect for 180 days after its enactment, or until a new and revised set of regulations is adopted by the Town of Hermon, whichever shall first occur.

VIII. Enforcement: The Municipal Officers are hereby authorized to institute any and all actions, either legal or equitable, that they deem necessary or appropriate to enforce the provisions of this Moratorium Ordinance.

IX. Civil Penalties: Any violation of this Moratorium Ordinance is subject to an enforcement action under 30-A M.R.S.A. § 4452. Any violation of this Moratorium Ordinance constitutes a nuisance. Each day of violation shall constitute a separate offense. All civil penalties shall inure to the benefit of the Town of Hermon.

SIGNED THIS 9th day of November, 2023, BY THE MUNICIPAL OFFICERS:

Ronald Murphy

Steven Thomas

Richard Cyr

Christopher Gray

Danielle Haggerty

John Snyder III

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____