

Town of Hermon

Public Safety Meeting Room

February 15, 2024

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)

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

2/1/2024

SIGNATURES

-APPROVE

RESOLVES

-SIGN

WARRANTS

-SIGN

2/16/2024

- VI. NEWS, PRESENTATIONS AND RECOGNITIONS:
- VII. PUBLIC HEARINGS:
- VIII. COMMITTEE REPORTS:
- IX. SCHEDULED AGENDA ITEMS:
 - A. OLD BUSINESS:
 - **B. NEW BUSINESS:**



FR23-24-15 Consider accepting the FY25 Capital Improvement Plan

FR23-24-16 Consider accepting Maine Forest Service Volunteer Fire Assistance
Program Grant

FR23-24-17 Consider accepting sponsoring funds from Pottle family for the High School Athletic Complex

R23-24-13 Consider appointing members to the Charter Ad-Hoc Committee

C. WORKSHOPS:

Discussion on mailbox - current policy attached

RFP - Auditor

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:

Consider enter into Executive Session to discuss a personnel matter per 1 M.S.R.A. § 405(6)(A)

XV. ADJOURNMENT:

Please see the complete video at Town Council Meetings | Hermon (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.



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MINUTES

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ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION

- I. CALL TO ORDER BY CHAIRPERSON:
- II. PLEDGE OF ALLEGIANCE:

Councilor Gray led those in attendance in the Pledge of Allegiance

III. **ROLL CALL:**

Members Present: Richard Cyr, Christopher Gray, Danielle Haggerty, Ronald Murphy and

Steven Thomas

Members Absent: Derek Wood & John Snyer III: Excused

Others Present:

Town Manager Joshua Berry, Town Clerk Kristen Cushman and 6

residents/guests

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

Greg Newell, Stage Rd:

Handed out three packets of information to the council which included:

- DNS (Diversified Network Solutions) Hermon IT Assessment dated October 1, 2023
- DNS (Diversified Network Solutions) Hermon School IT Recommendations dated October 1, 2023
- CR (Cybersecurity Rubric) is a guide to review a school's current cybersecurity level using the cybersecurity framework for education, which combines crosssector standards with educational systems.



Chad Leonard, Wendy Acres:

- Clarified timeline for Chris McLaughlin for V. Chair
- V. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, AND APPROVAL OF MINUTES:

MINUTES

-APPROVE

1/18/2024

SIGNATURES

-APPROVE

Quitclaim Map/Lot 012-022-000 account # 1821

RESOLVES

-SIGN

WARRANTS

-SIGN

2/2/2024

Councilor Cyr moved to approve the Consent Calendar as presented. Councilor Thomas seconded the motion. Motion passes 5-0.

- VI. NEWS, PRESENTATIONS AND RECOGNITIONS:
- VII. PUBLIC HEARINGS:
- VIII. COMMITTEE REPORTS:
- IX. SCHEDULED AGENDA ITEMS:
 - A. OLD BUSINESS:
 - **B. NEW BUSINESS:**
 - C. WORKSHOPS:
 - 1. Forming a Charter ad hoc committee discussion/suggestions
 - Committee will be formed on February 15, 2024 and be charged with specific areas of the charter to give recommendations to the council in the future
 - Committee will include: two councilors, two school board, 3 to 5 residents along with Town Manager, Superintendent and a dedicated staff member
 - <u>Voting members will be two councilors two school board and 3 to 5</u> residents
 - Meetings will be public, allowing for residents to come, speak and give their recommendations
 - Adhoc committee will be charged to look at three areas in the charter

Hermon Town Council Minutes FY 2023-2024 February 1, 2024 Page 2 of 5



- a) Town Manager section # 4
- b) School Committee section # 6 (RSU agreement)
- c) Budget section # 8 (School Validation Vote)
- Town Attorney and the School Attorney work through the validation portion of the charter
- 2. FY25 Capital Improvement Plan Draft
 - <u>Historically the School CIP has been approved after the Town's</u> but hopeful to have School CIP to include with Town CIP
 - Funding of the reserves changed a bit because there is equipment that is no longer needed that will be sold to offset the reserves (fire truck and public works equipment)
- 3. Investment discussion
 - <u>Investing reserve funds via the Town Manager or Finance</u> Director
 - Looking to invest in CD's not stocks, bonds etc
 - Currently the town is getting 4.5% at Camden National and liquid
 - Councilor Thomas is interested in getting 5.5% or 6% and will work with the Town Manager
- D. OTHER ITEMS: (FROM TABLE PACKAGE)
- X. APPOINTMENTS:
- XI. MANAGER STATUS REPORT:
 - Joint meeting with the Planning Board on February 20, 2024 at 6:30
 - Condolences to the family and to Town of Carmel for their loss of Town Manager
 Kevin Howell. He was a big inspiration, and his loss will be felt by the town and region.
 - Sergeant Decker was involved in an accident on Monday as a tractor trailer truck rolled over into his cruiser. He is home resting and recovering.



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

Frank Rapp, Wing Rd:

- Apologized to the Town Manger regarding a voicemail he left last Thursday regarding his mailbox
- <u>He has been in IT for 18 years and did not make it past round two for the School IT Director.</u>
- Five year plan for the School and Town is a great idea but they do not get along. School does their own thing and rules.

XIII. COUNCIL ITEMS:

<u>Danielle Haggerty: Old Town Police lost a long-time employee, Debbie Holmes. Sending</u> condolences to them.

Update on the School finance committee meetings: Danielle wants to make sure she is sending the correct message from the council. To keep the town and school budget flat. Discussion ensued on the budget and how to keep burden off the taxpayers.

Richard Cyr: Relayed his gratitude and heartfelt sympathy to the Town of Carmel from the council and community.

Steve Thomas: Concerned with the timeline for when the Audit will be done. Josh Berry stated they are working with the Auditor and will be completed sooner than last year's. Ron Murphy reached out to Micah Grant and stated Hank (preps for the audit) has everything done. Danielle Haggerty stated Peter Hall has not started because we have not signed a letter of engagement. It's not because he is not willing to start.

Mr. Thomas still concerned the audit has not been amended. He gave the school a clean compliance audit despite the fact the school is being audited by USAC.

Danielle asked Steve if he feels the council should have a voluntary disclosure added to the audit? Steve agreed.

Chris Gray: Concerns about IT infrastructure and the cost to the taxpayers to fix the issues.

Thoughts and prayers to Mr. Howell's wife and son.

Sergeant Decker was very lucky to come away with minor injuries from the accident.



Mailboxes: Will research a few towns with mailbox reimbursement policies and see how it is structured and bring back as a workshop item for the Council to discuss.

Will reach out to DOT on accidents at Annis Rd and Route 2 and additional lighting.

Animal Control: We have a very large number of dogs not registered in the town currently and late fees went into effect on 2/1/2024. Would like to workshop at a future meeting to discuss possible fines and penalties for dogs that are repeat offenders for running at large.

Would like to dust off the RFP for municipal auditors and send it out looking for future auditors at the next meeting.

Ronald Murphy: Condolences to the Town of Carmel and glad Sergeant Decker will be ok.

XIV. EXECUTIVE SESSION:

XV. ADJOURNMENT:

Councilor Cyr moved to adjourn the meeting at 8:20 PM. Councilor Gray seconded. With no objection the meeting was adjourned at 8:20 PM.

Respectfully Submitted,

Kristen Cushman Town Clerk

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FR23-24-15

Be it resolved by the Hermon Town Council in Town Council assembled to accept the FY25 Capital Improvement Plan as follows:

Acct #	Res. Account	FY24	FY25	\$ Change	Explanation
HERM02	Administrative Reserve	0	0		
HERM05	Pub Safety & Fire Dept. Res.	\$75,000	\$160,000	NA	Combining Res
HERM06	Pub Works & Road Res	\$280,000	\$175,000	NA	Combining Res
HERM09	Recreation Facility Res	\$15,000	\$45,000	NA	Combining Res
HERM11	Municipal Office Res.	\$100,000	\$90,000	NA	Combining Res
HERM12	Sewer Maintenance Res.	\$20,000	\$20,000	<u>NA</u>	Combining Res
	Total	\$490,000	\$ 490,000	<u>o</u>	
Acct #	Rev. Account	FY24	FY25		
	Local Appropriation	\$490,000	\$440,000	<u>o</u>	
	TIF Funds			_	-
	Unrestricted Fund Balance				103
	Grants				
	Other (Equipment Sales)		\$50,000	-	
	Total	\$490,000	\$490,000		

Be it further resolved that the amounts listed above will include, at a future date, the Hermon School Department Reserve Accounts and projects proposed to be funded in FY25 and ultimately be voted on by the Town of Hermon Voters on Thursday, June 13, 2024

Ronal Murphy	-	Steven Thomas	
Richard Cyr		Christopher Gray	
Danielle Haggerty		John Snyer III	
		Derek Wood	
riginal:			
Motion	Yeas		
Second	Nays	Date	



FR23-24-16

Be it resolved by the Hermon Town Council in Town Council assembled to authorize the Fire Chief Cody Sullivan, or his designee, to accept and expend the Maine Forest Service Volunteer Fire Assistance Program Grant in the amount of \$2,100.00, and expend \$2370.60 in local matching funds from the FD Radio Maintenance Account (12-02-12-08)

Ronald Murphy	Richard Cyr
Christopher Gray	Danielle Haggerty
John Snyer III	Steven Thomas
	Derek Wood
inal:	
tion Yeas	
ondNays	Date



FR23-24-17

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to accept a donation in the amount of \$100,000.00 from Pottle family for the High School Athletic Complex. Funds are to be deposited in the new Track Donation Revenue account, R37-134.

SIGNED this February 15, 2024 by the Ronald Murphy	Richard Cyr
Christopher Gray	Danielle Haggerty
John Snyer III	Steven Thomas
	Derek Wood
Attest Original:	
Motion Yeas	
Second Nays	Date



R23-24-13

Be it resolved by the Hermon Town Council in town council assembled to establish the Hermon Town Charter Review Ad hoc Committee. Said committee is to be established for the purpose of reviewing the Town's Charter to provide guidance and recommendations for the updates of Article IV (Town Manager Section), Article VI (RSU agreement) and Article VIII (School Validation Vote) and further authorize the Town Manager, or his designee, to select the members for said committee.

Be it further resolved that the members of the committee will serve at the pleasure of the Town Council until such time the Town Council dissolves the committee and membership on the committee (approximately February 2024 – May 2024) to include:

Voting members:	
member(s) of member(s) of	
citizen(s)	,
Non-Voting members:	
Superintendent of the Hermon the Hermon Town Manager.	School Department and
SIGNED this February 15, 202	by the Hermon Town Council:
Ronald Murphy	Steven Thomas
Richard Cyr	Christopher Gray
Danielle Haggerty	John Snyer III
Attest Original:	Derek Wood
MotionYe	
Second Na	Date



Mailbox Policy for Hermon's Local and State-aid Highways

For convenience and practicality, mailbox installations have been allowed within the right-of-way of Hermon's local and state-aid highways; however it is important to recognize that such installations have two very important conditions:

- The mailbox must be installed in accordance with applicable standards to ensure that mail can be delivered and that the mailbox does not create an obstacle or safety hazard to those that use or maintain the highway, and
- 2) The mailbox is installed entirely at the owner's risk. In other words, if the mailbox incurs damage during any sort of highway operations or maintenance, the property owner is not entitled to replacement or compensation. In fact, if the mailbox was not installed in accordance with the applicable standards as stated above, the owner may even be held liable for injuries or damages that may have been incurred as a result.

Mailbox design and installation standards are available from several sources and mailbox owners are expected to consult this information prior to undertaking any mailbox installation or replacement. The following standards have nationwide relevance and were developed in cooperation with one another:

- The United States Postal Service (USPS) Mailbox Guidelines. The USPS defines the standards
 for mailbox construction, as well as the placement tolerance that must be met to accommodate
 postal operations. Specifics may be obtained from your local post office or online at:
 https://www.usps.com/manage/mailboxes.htm
- American Association of State Highway and Transportation Officials (AASHTO) Roadside
 Design Guide. The AASHTO Roadside Design Guide, Chapter 11: Erecting Mailboxes on
 Streets and Highways deals with the safety and construction of privately owned mailboxes,
 mailbox supports, and mailbox turnout designs and is less focused on postal operations. This
 publication may be obtained online through the AASHTO Bookstore at:
 https://bookstore.transportation.org/Item_details.aspx?id=1807

In addition, if the mailbox is to be installed in an area with sidewalks, it is important to recognize that the sidewalks must continue to comply with ADA requirements:

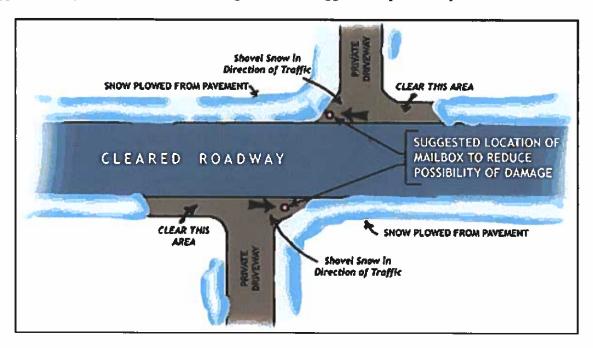
 American Disabilities Act (ADA). The most current version of the ADA Standards for Accessible Design set forth the minimum requirements to ensure facilities are readily accessible to and usable by individuals with disabilities. http://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards.htm#c4

The Town of Hermon has adopted this policy to promote compliance with these national standards and to help further clarify the expectations and responsibilities for mailbox owners. The following pages further specify the details associated with mailbox height, location, offset, and post type to minimize the potential hazards and conflicts associated with mailbox installations and to reduce the opportunities for damage to mailboxes.

Mailbox Installation Standards

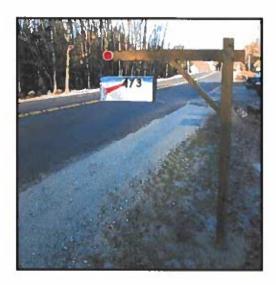
General Location:

Whenever possible, your mailbox should be located after your driveway opening. This location placement improves visibility, minimizes the amount of snow that comes off of the snow plow, and improves the approach for your mail carrier. The diagram below suggests the preferred placement:



Mailbox Support Design:

In many cases, it is best to use an extended arm type of post with a free-swinging suspended mailbox. This allows snowplows to sweep near or under boxes without damage to supports and provides easy access to the boxes by carrier and customers. The following picture shows a free-swinging suspended mailbox:



In addition, note the strategic placement of the red reflector on the point closest to the road. This will help your local snow fighter see and avoid your mailbox during winter storms.

Offset:

Mailboxes should be set back from the edge of the shoulder – regardless of whether the shoulder is gravel or paved. In other words, the face of the mailbox should be at least one foot (1') back from the edge of the normally plowed surface of the highway or the face of curb. Greater offset distances are encouraged whenever possible to allow the mail carrier to get further out of traffic and to further minimize potential damage to your mailbox. The following picture shows a mailbox with a reasonable offset:

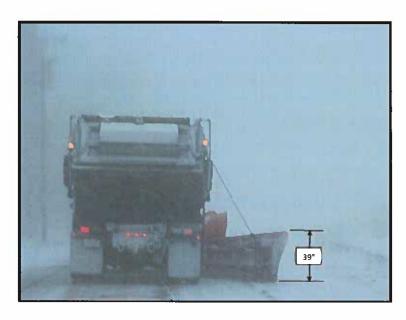


Mailboxes in sidewalk areas should leave at least 36" behind the back of the box or the post, whichever is located the furthest from the road.



Height:

According to USPS standards, a mailbox must be installed with the bottom of the mailbox located between 41" and 45" high above the surface of the highway shoulder. The Town of Hermon recommends that this height be closer to the 45" measurement to minimize conflict with the height of the plow truck wing when snow is being pushed back during, or between, winter storms. The following picture further clarifies the height considerations:



Post Size, Type and Embedment:

Mailbox posts must be sturdy enough to hold up the mailbox in all types of weather conditions; however they cannot be so rugged that they present a hazard to vehicles that inadvertently leave the road. If a mailbox support is struck by a vehicle, it must easily break away. Therefore, the following types of posts are deemed acceptable:

- 4" x 4" wooden posts embedded 2 feet into the ground. Larger wooden posts may be used only if the post is drilled through with an appropriate spade bit to create a shear plane that is no higher than 6" above the surface of the surrounding ground. The number and size of the drilled holes depends upon what is necessary to bring the cross-section of the larger post down to the equivalent cross-sectional area of a standard 4" x 4" post.
- 1" to 2" round diameter steel or aluminum pipe or standard U-channel post embedded 2 feet into the ground.
- Unacceptable mailbox supports include: anything that is filled with concrete, masonry and stone structures, heavy steel structures, and most objects that were intended for other uses (e.g. antique plows, I-beams, and various other household tools and objects).

NOTICE: Mailboxes, attachments or support systems not consistent with this policy are considered "Deadly Fixed Objects" (aka. "DFOs") and are in violation of 23 MRSA §1401-A. As such, when these installations are recognized by Hermon, the owner may be informed of the hazard and immediate removal requested. If the property owner does not comply with this request, The Town of Hermon may elect to remove the installation and seek reimbursement from the property owner for all costs incurred.



REQUEST FOR PROPOSALS MUNICIPAL AUDITOR

The Town of Hermon invites qualified independent public accountants to submit proposals for the performance of an audit of its financial accounts and records covering a term of three fiscal years for the purpose of rendering an auditor's opinion regarding the fairness of applicable financial statements and compliance with applicable legal provisions, in accordance with generally accepted auditing principals. The contract would commence September 1, 2024, with the FY2024 audit and continue through June 01, 2027, ending with the FY2026 audit.

Background

The Town of Hermon is a community of approximately 6,900 residents with an annual operating budget of \$30 million. Town funds include General Fund, Capital Fund, TIF Funds, Grants and any additional funds requested by the Town Council. The Hermon School system is a department of the Town and is included in the Town's Audit.

The Town uses TRIO financial software.

Audit Requirements

These services will not be required of the Auditor and include:

- Preparation of financial statements in accordance with GASB Standards.
- Preparation of schedule of expenditures of federal awards in accordance with Uniform Guidance requirements,
- Assistance with preparation of the management's MD&A,
- Compilation and organization of supporting documentation to the financial statements, and
- End-of-year account balance reconciliation.

These services render most of the detailed data compilation included in a municipal audit complete prior to handing information off to the Auditor. Services the Town needs the Municipal Auditor to provide include:

- Auditing of all pre-prepared financial statements in accordance with GASB Standards and the requirements of the State of Maine Department of Audit and Title 30-A M.R.S.A. § 5823,
- Auditing of the school department accounts in accordance with the requirements of Title 20-A MRSA, Section 6051, which will include examining the Financial

Telephone: 207-848-1010

Fax: 207-848-3316



Report of Public Schools submitted to the State Department of Education of Form EF-M-45 for fairness of presentation,

- Certification that the financials are free from fraud, abuse or waste,
- Auditor shall review the system of internal control, operating procedures, and compliance with budgetary and legal requirements of the Town of Hermon and School Department,
- Auditor will provide an overview of how internal controls and compliance are proven,
- Verification of Uniform Guidance compliance,
- A written report, containing an expression of opinion regarding the financial statements of the municipality,
- A management letter, which shall identify management and internal control weaknesses, if any, and propose steps to correct them,
- Be available for additional inquires as seen fit by Town Manager, Superintendent of School, School Committee and Town Council (per hourly rate sheet provided),
- A brief presentation of the final audit at a public Town Council meeting, and
- Provision of 8 hard copies and an electronic copy of the final Comprehensive Annual Financial Report (CAFR) no later than thirty (30) days after completion of the Audit.

The audit should be completed by January 1 of each year for the prior fiscal year. Any inability to meet this deadline must be communicated to the Town Manager, at the earliest possible date, to allow communication with various reporting entities that require the Town's financial reports.

Instructions for Proposals

Proposals will not receive consideration unless submitted in accordance with the following instructions to bidders. Please mark sealed envelopes plainly: "Municipal Auditor RFP 2024-2026." All proposals should include:

- Name, address, phone number and website of the auditing firm.
- A brief description of your firm and its municipal experience and a description of the senior personnel to be assigned to the engagement, including their resumes.
- A brief description of the audit procedures to be followed, presented in a form, which will aid in evaluating your firm's understanding of local governments and their financial problems.

Telephone: 207-848-1010

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- Please provide an <u>estimate</u> on the total project cost your firm will charge for the requested services, as well as an hourly rate sheet if additional services are requested by the Town Manager or Town Council. Final payment shall become due only after the submission of all required reports.
- Any other information which will aid the Town in evaluating your firm's proposal and qualifications.

Mailing Address 333 Billings Rd Hermon, ME 04401

Physical Address 333 Billings Rd Hermon, ME 04401



Evaluation

During the evaluation process, more weight will be given to the bidder who fully complies with the RFP requirements and whose past performance, reputation and capability is deemed acceptable. The Town Manager may wish to conduct oral interviews with the firms considered most qualified in order to assist the municipality in the selection process. The Town Manager will then present the top three proposals to the Hermon Town Council to make a final selection.

The Town reserves the right to accept or reject any and all proposals, to waive technical or legal deficiencies, and to accept any proposal that it may deem to be in the best interest of the Town and to negotiate the terms and conditions of any proposal leading to execution of a contract.

Questions regarding this Request for Proposals should be directed to Josh Berry, Town Manager, berryj@hermonmaine.gov . RFP documents including a link to prior year audits and the bid form are available on the Town's website at www.Hermonmaine.gov .

Please submit your proposal to the Town of Hermon by 2:00 p.m. Thursday, August 31, 2023. Proposals must be delivered to the Hermon Town Office at 333 Billings Road, Hermon, ME 04401, or electronically to the email address above, on or before the date and time appointed. No proposals will be accepted after the time and date listed above. Proposals will be opened publicly at 3:00 p.m. on that date.

Telephone: 207-848-1010

Fax: 207-848-3316