

SELECT BOARD MEETING AGENDA

DATE: Tuesday, April 23, 2024

TIME: 5:00 P.M.

PLACE: Select Board Meeting Room, 10 Iredale Street, Bridgton

Please join the meeting from your computer, tablet, or smartphone.

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1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes: April 9, 2024
4. Public Comments on Non-Agenda Items (*Each speaker may be limited to 3 minutes.*)
5. Committee/Liaison Reports
6. Correspondence, Presentations and Other Pertinent Information
 - a. Shoreland Zoning Violation from CEO Brenda Day
 - b. Notice of Hearing Pursuant to 17 M.R.S §§ 2851-2859 Dangerous Building Proceeding from CEO Brenda Day
7. 5:30PM Public Hearing
 - a. Special Amusement Application from Players Billiard & Bar located at 224 Portland Rd. (new)
 - b. Special Amusement Application from Stella's on the Square located at 6 N. High St. (renewal)
8. Action Items Following Public Hearing
 - a. Special Amusement Application from Players Billiard & Bar located at 224 Portland Rd. (new)
 - b. Special Amusement Application from Stella's on the Square located at 6 N. High St. (renewal)
9. New Business
 - a. Awards and Other Administrative Recommendations
 1. Donation to Rec from Harvest Moon
 - b. Permits/Documents Requiring Board Approval
 1. Ashley Albrecht confirmation for Town Clerk position.
 2. Application to Register Beano/Bingo from St. Joseph's Men & Women's Club
 3. Victualer's License for Stella's on the Square (renewal) located at 6 N. High St.
 4. Sewer User Commitment #284
 - c. Select Board Comments
 - d. Town Manager's Report/Deputy Town Manager's Report
10. Old Business (*Board of Selectmen Discussion Only*)
 - a. Wastewater Status Update

11. Treasurer's Warrants
12. Public Comments on Non-Agenda Items (*Each speaker may be limited to 3 minutes.*)
13. Dates for the Next Meetings
 - a. May 7, 2024 MSAD #61 District Budget Meeting at LRHS
 - b. May 13, 2024 Absentee Ballots Available for June 11th Secret Ballot
 - c. May 14, 2024 Regular Select Board Meeting
14. Adjourn

Town Manager's Notes
Board of Selectmen's Meeting
April 23, 2024

3. **Approval of Minutes:**

- a. April 9, 2024

Suggested Motion: Move to approve the April 9, 2024, Selectboard Minutes.

5. **Committee/Liaison Reports**

6. **Correspondence, Presentations and Other Pertinent Information**

- a. In your binder, for action, is a Consent Agreement for property owned by Carla Manganello and Jeffrey Allen, 14 Big Sandy Road, Map 18A Lot 9. Included also is a memo from the CEO explaining the circumstances. The CEO will be present.

Suggested motion: Move to approve the Consent Agreement with Carla Manganello and Jeffrey Allen, 14 Big Sandy Road, Map 18A Lot 9.

- b. Please see the memo from the CEO requesting a public hearing pursuant to Dangerous Building Proceeding (please see statute in your binder) against the Howard Tucker property at 44 South High Street (Map 26 Lot 45).

Suggested motion: Move to set a public hearing for May 14 at 5:30pm pursuant to 17 MRS §2851-2859 for the Howard Tucker property at 44 South High Street (Map 26 Lot 45).

7. **Public Hearing (5:30PM)**

(Note: 1) Open Public Hearing- a) Anyone to speak in favor; b) in opposition; c) offer comments neither for nor against; 2) close Public Hearing)

- a. To accept written and oral comments on an application from Players Billiard & Bar for a Special Amusement Permit.
- b. To accept written and oral comments on an application from Stella's on the Square for a Special Amusement Permit.

8. **Action Items Following Public Hearing**

a. **Suggested Motion:** Move to approve a Special Amusement Permit to Players Billiard & Bar.

b. **Suggested Motion:** Move to approve a Special Amusement Permit to Stella's on the Square.

9. **New Business**

- a. Awards and Other Administrative Recommendations

1. Organizers of the Harvest Moon Fest event are donating to the Recreation Department. Please refer to their communication in your binder.

Suggested Motion: Move to accept the donation of _____ to the Recreation Department from the Harvest Moon Fest event.

- b. Permits/Documents Requiring Board Approval

1. Pursuant to the Town of Bridgton Personnel Policy Article 3 §1 "The employment of all personnel shall be the responsibility of the Town Manager in accordance with 30A MRS 2636 as follows: The Town Manager shall appoint, subject to confirmation of the Board of Selectmen...heads of departments...". I have appointed Ashley Albrecht as Bridgton's Town Clerk/ Deputy Tax Collector/Treasurer /GA Administrator.

Suggested Motion: Move to confirm Ashley Albrecht to the position of Town Clerk/ Deputy Tax Collector/Treasurer /GA Administrator.

2. In your binder, is an Application to Register Beano/Bingo from St. Joseph's Men and Women's Club.

Suggested motion: Move to approve the Application to Register Beano/Bingo from St. Joseph's Men and Women's Club.

3. *Suggested motion: Move to approve a Victualer's License to Stella's on the Square.*

4. Pursuant to 30-A M.R.S. § 3406 (copy of statute in your packet), please refer to Certificate of Commitment of Sewer User Rates: #284 in your packet.

Suggested motion: Move to commit the January 1, 2024, to March 31, 2024, Sewer User Rate Commitment #284 comprising 9 pages totaling \$47,895.57 to the Treasurer for collection.

10. Old Business

1. Projects Update

Select Board Meeting Minutes
April 9, 2024 at 5:00PM

Board Members Present: Carmen E. Lone, Chair; Kenneth J. Murphy, Vice-Chair; Paul A. Tworog; Carrye Castleman-Ross;

Board Members Absent: Robert J. McHatton, Sr.

Administration Present: Town Manager Robert Peabody, Jr.; Deputy Town Manager Georgiann Fleck; Interim Town Clerk Veronica LaCascia; Public Services Director David Madsen; Fire Chief Glen Garland.

1. Call to Order

Chair Lone called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

3. Approval of Minutes

- a. March 26, 2024 Select Board Meeting
Member Castleman-Ross made a **motion** to approve the minutes. Vice-Chair Murphy **seconded** the motion. **4 approve/ 0 oppose.**
- b. April 2, 2024 Executive Session
Member Castleman-Ross made a **motion** to approve the minutes. Vice-Chair Murphy **seconded** the motion. **4 approve/ 0 oppose.**

4. Public Comments on Non-Agenda Items

5. Committee/Liaison Reports

6. Correspondence, Presentations, and Other Pertinent Information

- a. MSAD #61 Superintendent Discussion: SRO Warrant Article.
MSAD 61 Superintendent addressed the Board regarding the new School Resource Officer (SRO) Warrant Article. Mr. Smith encourage voters to attend the May 7, 2024 budget meeting to voice their opinions on this matter. Mr. Smith explains that there would need to be a motion made from the floor and a second and a vote, because each article is an article to appropriate funds. You cannot put this out for a vote until the funds are appropriated. If at the May 7th meeting the article passes, then the second article will be its own article. The first article will be voting on the school budget. The second article is to raise \$110,000 for the SRO. If the citizens decide against this and it is not approved on the floor, then this article will still be available to be voted on. However, it's strictly an advisory vote at that point because the money would never have been appropriated.
- b. Bridgton Farmer's Market – 2024
Brenna Mae presented updates to the Board which included 24 vendors and 29 tents. 3 community tents for an information booth and non-profits in the area. There are also guest vendors booths available. April 19th insurance information is due at the town office. Brenna Mae would like to come back this fall to discuss spacing and mapping with the Board. The Director of the Community Center should be involved in this meeting also.

7. Public Hearing

- a. Renewal of Special Amusement Permit from Campfire Grille, located at 518 Portland Rd.
- b. Renewal of Special Amusement Permit from Bridgton Highlands Country Club LLC, located at 379 Highland Rd

8. Action Items Following Public Hearing

- a. Renewal of Special Amusement Permit from Campfire Grille Located at 518 Portland Rd. Member Tworog made a **motion** to approve Campfire Grille's Special Amusement permit (renewal). Vice-Chair Murphy **seconded** the motion. **4 Approve/ 0 Oppose**
- b. Renewal of Special Amusement Permit from Bridgton Highlands Country Club LLC, located at 379 Highland Rd. Member Tworog made a **motion** to approve Bridgton Highlands Country Club LLC Special Amusement Permit (renewal). Member Castleman-Ross **seconded** the motion. **4 Approve/ 0 Oppose**

9. New Business

- a. Awards and Other Administrative Recommendations
 1. Open-Ended or Capped Warrant Articles for Budget Items
A warrant article seeking an appropriation can be stated in an open-ended form or include a cap or limit. In the latter, the appropriation may be amended reducing the amount, but may not be increased. Member Tworog made a **motion** to approve capped warrant articles for budget items. Chair Lone **seconded** the motion. **4 Approve/ 0 Oppose**
 2. Election Clerk Appointments for 2024-2026
Pursuant to MRS Title 21-A § 503, the Municipal Officers shall appoint election clerks to serve for two-year terms. Member Tworog made a **motion** to approve the list of election clerks. Chair Lone **seconded** the motion. **4 Approve/ Oppose**
 3. Warrant and Notice of Election Calling Maine School Administrative District No. 61 Budget Validation Referendum on May 21, 2024
Member Tworog made a **motion** to sign the Town of Bridgton Maine School Administrative District No. 61 Referendum Warrant and Notice of Election. Vice-Chair Murphy **seconded** the motion. **4 Approve/ 0 Oppose**
- b. Permits/Documents Requiring Board Approval
 1. Victualer's License Restaurant 50+ seating (renewal) Bridgton Highlands Country Club LLC, located at 379 Highland Rd.; Victualer's Fast Food License (renewal) for the Big Apple located at 16 Portland St.; Victualer's Fast Food License (renewal) for the Big Apple located at 93 Main St. Chair Lone made a **motion** to approve all Victualer License's presented. Member Tworog **seconded** the motion. **4 Approve/ 0 Oppose**
- c. Select Board Comments
Member Castleman-Ross- Stressed the importance of the Bridgton News in the community. There have been legitimate talks of the Bridgton News closing.
Chair Lone - Continued on the subject the Bridgton News being a lifeline to the communities when it comes to schools. She suggested the Chambers of Commerce encourage membership.
Vice Chair Ken Murphy – None
Member Paul Tworog – Continued the importance of the local paper for local businesses. He also mentioned the parking lot behind Bridgton House of Pizza facing the playground does not have a guard rail. He is worried for the kids on the play ground. He would also like signs back up since the snow is gone.

9. New Business *continued*

d. Town Manager's Report/Deputy Town Manager's Report
Town Manager Peabody read the following report into record,

"General Information

An important reminder that with April weather upon us, it is important to keep your driveways and private roads cleared and sanded so that, if the need arises, emergency personnel can safely access your property. Regarding weather events, please be aware that we post information on the Town's Facebook page and the Town's website. Additionally, all the local television channels are notified when the Town Office closes. The Town Office will be closed Monday, April 15th, for Patriot's Day.

Town Clerk/Tax Collector's Office

A reminder that quarterly real estate taxes are due May 15. Nomination papers are available until April 12th for the following: 2 Select Board Members, 2 MSAD 61 Directors for 3 years, 1 MSAD 61 Director for 2 years, 2 Planning Board members, 1 Planning Board Alternate, 1 Water District Trustee.

Community Development Department

Please visit the Community Development page on the Town of Bridgton website to answer the Question of the Month and to learn more about the Comprehensive Planning process.

Recreation

Upcoming Events:

May 4th: Four Square World Championships

Men, Women's, Children Divisions

May 18th: Kids To Parks Day

Story Book Walk through Pondicherry

Skate Park Fun

MLB Pitch Hit and Run Regional Qualifier

Bike Rodeo

Archery, Crafts, Food and More Games

June 29th R.B. Hall Day

July 3rd Fireworks and Craft and Vendor Fair

August 24th — Maine Senior Games Table Tennis Tournament @ Bridgton Town Hall 2025 will be a National Qualifier

Programs: Last Call for Sign UPS, Spring Sports are beginning this month, Baseball, Softball, Lacrosse

In May Run Club begins

Archery and Karate begin their Spring Session on Saturday

Town Hall programs are weekly, see the town hall gym calendar.

Hiring: Lifeguards and Swim Instructors, we will get you trained!

Public Services Department

The Director was pleased with how the Departments: PW, FD and EMA worked together during this spring storm. All wastewater is now going to the treatment plant. Howard Trusdell, WW Foreman, did a great job maintaining the flow during the storm successfully."

9. New Business continued

- d. Town Manager's Report/Deputy Town Manager's Report
Public Services Director David Madsen spoke to the Select Board on how the wastewater pumps fared during the recent spring snowstorm. Depot Street powers the Francis Bell Pump and Depot St Pump. Since there was no power to these pumps he enlisted the help of Dyer Septic. They brought waste from the two non-working pumps to one pump with power. Director Madsen noted that the last steps of the projects is giving generator power to all pumps. He thanked Dyer Septic for helping throughout the storm.

10. Old Business

- a. Project Status updates
Town Manager Peabody updated the Board on several ongoing projects.

11. Treasurer's Warrants

Member Tworog made a **motion** to approve treasurer's warrants numbered: 292, 293, 294, 295.
Vice-Chair Murphy **seconded** the motion. **4 approve / 0 oppose**

12. Public Comments on Non- Agenda Items

13. Dates for the Next Select Board Meetings

- a. April 11, 2024 Deadline for completed nomination papers
b. April 23, 2024 @ 5:00PM Next Regular Selectboard Meeting
c. May 7, 2024 @ 6:30PM MSAD #61 District Budget Meeting @ LRHS

14. Adjourn

Chair lone adjourned the meeting at 5:45PM.

Sincerely,
Veronica LaCascia
Interim Town Clerk

TOWN OF BRIDGTON

MEMO

TO: BOARD OF SELECTMEN
CC: ROBERT A. PEABODY, JR. TOWN MANAGER
FROM: BRENDA DAY, CODE ENFORCEMENT OFFICER
RE: 14 Big Sandy Rd., Map 18A lot 9
DATE: April 16, 2024

Carla Manganello currently has a Shoreland Zoning violation based on exceeding the 30% expansion guidelines.

I am not recommending a fine at this time due to the error made by the Architect, DEP and myself. The Shoreland Zoning ordinance had just changed, and all three parties approved the appropriate permits for the 30% expansion using the old guidelines. Ms. Manganello had started the permitting process prior to the change. She did everything required in regard to permitting and hired an architect, as recommended, to ensure compliance.

There were unpermitted items found during an inspection by DEP and myself that Ms. Manganello agreed to correct by November 2024.

Carla Manganello has agreed to the following:

1. Remove the unpermitted portion of the entryway.
2. Remove the unpermitted retaining wall.
3. Remove the unpermitted patio around firepit.
4. Revegetate areas where unpermitted structures are removed.
5. Revegetate 266 sf. of unpermitted non-vegetated surface.

Please see the attached Consent Agreement.

IN THE MATTER OF

**CARLA MANGANELLO
JEFFREY ALLEN**

) **ADMINISTRATIVE CONSENT AGREEMENT**
)
)
)
)

**14 BIG SANDY RD.
NORTH BRIDGTON, MAINE**

THIS AGREEMENT is entered into this 19th day of March, 2024 (the “Effective Date”) by and between Carla Manganello and Jeffrey Allen (hereafter, the “Homeowner”) of 21 Pumpkin Hollow, Cumberland, ME 04021, for herself, her heirs, successors and assigns, and the TOWN OF BRIDGTON, a municipal corporation located in Cumberland County in the State of Maine, acting by and through its Select Board (hereafter, the “Town”) (collectively, the “Parties”).

RECITALS

WHEREAS, the Homeowner and the Town each stipulates to the following facts:

1. The Homeowner is the owner of certain real property located at 14 Big Sandy Rd, Bridgton, Maine, being generally identified as Lot 9 on the Town Tax Map 18A, and more particularly described by a deed recorded in the Cumberland County Registry of Deeds in Book 39325, Page 193 (the “Property”).
2. This property is located in the Lakeside Neighborhood (LN) District, and Limited Residential (LR) Shoreland Zoning District. The Property is a non-conforming lot because it does not appear to meet the minimum shore frontage or the minimum lot size requirements of Section III-3(B) of the Town’s Land Use Ordinance, however, the Property became a lot of record prior to the enactment of these dimensional standards.
3. On March 7, 2022, the Homeowner applied for a building permit from the Town Code Enforcement Office to construct a 30% expansion on the non-conforming structure on Map 18A, Lot 9. The provisions in the ordinance limit expansions to whichever is greater, a total footprint of 1,000 square feet (sf) or 30% larger than the footprint that existed on January 1, 1989.
4. Based on the permit application, the footprint of the non-conforming structure is 1,362sf. Because the original structure already exceeded 1,000sf, the greatest expansion allowable would be the 30% option, resulting in a 408sf expansion and a total structure size of 1,769sf.
5. On April 7, 2012, the Town’s Code Enforcement Officer (“CEO”) issued a building permit to the Homeowner authorizing her to construct a 910sf expansion, resulting in a 67% expansion for a total structure size of 2,271sf. Plans for the expansion were submitted by Peter Biegel, Land Design Solutions. A Permit by Rule application was

also submitted on February 22, 2022, to DEP. These approvals authorized an additional 502sf expansion, over twice what is permissible under the applicable regulations.

6. Upon further review and inspection with DEP, it was discovered that the footprint of the original structure was 1,611sf. Using these measurements of the structure's footprint, the as-built expansion was 63.5% or 443sf greater than was allowed under the Ordinance.
7. Based on the permit application, the total lot area is 16,211sf and the non-vegetated surface of the lot, including the original non-conforming structure, was 4,070sf or 25% lot coverage. This is a non-conforming condition as the Ordinance, in Section III-3 (B), provides that within the shoreland zone, non-vegetated surface area (or "lot coverage") may not exceed 20% of the property. Through revegetation of non-vegetated surfaces, the permit as approved maintained the 25% lot coverage. This lot coverage calculation was based on the structure size approved by the permit (2,271sf), however, because the structure as-built (2,537sf) exceeds that allowed by the permit, the lot coverage as-built has increased by 266sf to 26.74%, which results in a non-conforming condition becoming more non-conforming. This is prohibited by the Guidelines in §12(A) and the Ordinance in Section II-2(A).
8. In reviewing the permit application and as-built plans, it was discovered that the entryway on the side of the structure containing the road was constructed larger than permitted by approximately 70sf. During inspections, it was observed that a retaining wall, and patio around the existing firepit were constructed within 25 feet of the normal high-water line of Highland Lake. Neither of these structures were permitted or can be permitted as built under the Ordinance.
9. The size of the Structure violates the conditions of the Permit and Section II-4, c-i Town of Bridgton's Land Use Ordinance ("LUZ Ordinance"), which violations are subject to the enforcement provisions of 30-A M.R.S. § 4452.
10. The Homeowner acknowledges and agrees that the size of the Structure contravenes the Permit, therefore constituting a violation of Section, II-4, c-1 of the Land Use Ordinance, and other applicable rules, regulations, and ordinances (the "Violations").
11. The Homeowner wishes to cooperate with the Town, and the Parties have agreed to address the Violations in accordance with this voluntary Consent Agreement.

NOW THEREFORE, in consideration of the mutual premises and covenants contained herein, the Parties agree as follows:

1. Remove the unpermitted portion of the entryway.
2. Remove the unpermitted retaining wall.
3. Remove the unpermitted patio with firepit.
4. Revegetate areas where unpermitted structures are removed.
5. Revegetate 266sf of unpermitted non-vegetated surface.
6. All to be completed by November 2024.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the Town and the Homeowner have executed this Agreement as of the Effective Date.

Dated

HOMEOWNER
CARLA MANGANELLO

By: Carla Manganello

TOWN OF BRIDGTON

On April _____, 2024, the Town of Bridgton's Board of Selectmen authorized Town Manager Robert Peabody to enter into this Agreement with the Homeowner.

Dated

Robert Peabody, Town Manager

STATE OF MAINE
CUMBERLAND, ss.

_____, 2024

Then personally appeared before me the above-named Robert Peabody and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney at law

Printed Name: _____

TOWN OF BRIDGTON

MEMO

TO: Board of Selectmen
FROM: Brenda Day, Code Enforcement Officer
RE: Dangerous Building
DATE: April 11, 2024

I will be attending the Board of Selectmen's meeting on April 23, 2024. I would like to start the procedure for taking action on a Dangerous Building located at 44 South High St. Map 26 Lot 45, the Tucker Property.

With the board's approval, I request a Hearing on May 14, 2024, at 5:00.

The attached is a Notice of Hearing Pursuant to 17 M.R.S. § 2851-2859 Dangerous Building Proceeding. This will require the boards signature upon approval.

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-2859
Dangerous Building Proceeding

Howard J. Tucker
65 Tenney Hill Road
Casco, Maine 04015

44 SOUTH HIGH STREET, BRIDGTON, MAINE 04009

You are hereby notified that the Town of Bridgton's Board of Selectmen will hold a hearing at the following time and location:

May 14, 2024, at 5 PM
3 Chase Street, Suite 1, Bridgton, Maine 04009

At this hearing the Board of Selectmen shall consider and decide whether the structure located at 44 South High Street, Bridgton, Maine 04009, such property being more generally depicted as Lot 45 on the Town of Bridgton's Tax Map 26, and more particularly described in a Deed recorded in the Cumberland County Registry of Deeds at Book 34674, Page 335 (the "Property"), is a dangerous building or a nuisance pursuant to the standards enumerated in 17 M.R.S. § 2851.

To determine whether the structure at the Property is a dangerous building the Board of Selectmen shall consider whether the structure is (1) structurally unsafe, unstable or unsanitary, (2) constitutes a fire hazard, (3) is unsuitable or improper for the use or occupancy to which it is put, (4) constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment, (5) or is otherwise dangerous to life or property.

If the Board of Selectmen find that any of the following factors are present at the Property, then the Selectmen may determine that the structure is a dangerous building or a nuisance within the meaning of 17 M.R.S. § 2851, and issue an order directing you to take appropriate remedial action. Such an order may require corrective action, including, but not limited to, demolition of the structure. The Town may undertake corrective action on its own in the event that you fail to comply with the mandates of the Board of Selectmen's order. The Town may then recover the expense of such corrective action, reasonable attorney's fees, and costs by either imposing a special tax on the Property, or instituting a civil action to recover such expenses.

You will have an opportunity to present testimony and evidence demonstrating why the structure is not a dangerous building, or a nuisance, at the hearing. You may also be represented by counsel at the hearing should you so choose.

Dated

Carmen E. Lone, Chair

Dated

Kenneth J. Murphy, Vice-Chair

Dated

Robert J. McHatton Sr., Selectman

Dated

Carrye Castleman-Ross, Selectman

Dated

Paul A. Tworog, Selectman

April ____, 2024

Veronica J. Lacascia
Town Clerk
Town of Bridgton

STATE OF MAINE
CUMBERLAND, ss

April __, 2024

Personally appeared before me the above-named Carmen E. Lone, Chairwoman of the Bridgton Select Board, and made oath that the above statements are true and accurate and are based on her own personal knowledge.

Before me,

Notary Public, State of Maine
My Commission Expires:
Print Name:

TO: Benjamin J. Plante, Esq.
FROM: Kerry L. Hryhor
DATE: March 25, 2024
RE: Town of Bridgton - #8260-100
44 South High Street. Bridgton, Maine (Tax Map 26-45)

MEMO:

In follow up to your request, current owner, Howard Tucker was search in the Cumberland County Registry of Deeds from May 7, 2014 through March 22, 2024.

Title is currently vested in Howard J. Tucker by virtue of a Warranty Deed from The Bank of New York Mellon, f/k/a The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-26CB, Mortgage Pass-Through Certificates, Series 2005-26CB dated May 7, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31537, Page 47. Further reference is made to a Municipal Quitclaim Deed from the Inhabitants of the Town of Bridgton to Howard J. Tucker dated February 13, 2018 and recorded in said registry in Book 34674, Page 335, for the redemption of two mature tax liens recorded in Book 33296, Page 89 and Book 34173, Page 305.

During the above-referenced search period the following encumbrance was found:

Real estate tax lien against Howard J. Tucker from the Town of Bridgton in the amount of \$1,412.18 dated July 26, 2023 and recorded in Book 40261, Page 264. If unpaid, this lien will mature on January 26, 2025.

No additional liens or encumbrances were found.

2

Prepared By:

Leila Hansen, Esq.
9041 S. Pecos Road, #3900
Henderson, Nevada 89074

After Recording Mail To:

Avenue 365 Lender Services
401 Plymouth Road, Suite 550
Plymouth Meeting, PA 19462

Mail Subsequent Tax Statements To:

Howard J. Tucker

WARRANTY DEED
TITLE OF DOCUMENT

KNOW ALL PERSONS BY THESE PRESENTS, that

The Bank of New York Mellon, f/k/a The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-26CB, Mortgage Pass-Through Certificates, Series 2005-26CB, GRANTOR,

OF c/o New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing, 55 Beattie Place Suite 110, Greenville, South Carolina 29601,

FOR the sum of THIRTY-TWO THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLAR (\$32,250.00) and other good and valuable consideration in hand paid by,

Howard J. Tucker, GRANTEE,

OF 112 Howards Trail, Bridgton ME 04009.

THE RECEIPT and sufficiency of which GRANTOR does hereby acknowledge; GRANTOR does hereby give, grant, bargain, sell and convey unto the said GRANTEE, GRANTEE'S heirs and assigns forever, with SPECIAL WARRANTY COVENANTS, the land in Cumberland County, State of Maine with the following legal description:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

MORE commonly known as: 44 South High Street, Bridgton, Maine 04009
Assessor's Parcel Number: 26-0-45-0

Prior Recorded Doc. Ref.: Deed: Recorded _____; BK _____, PG _____, Doc. No. _____

SUBJECT TO any Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record.

MAINE REAL ESTATE TAX PAID

- o "Grantor covenants that it is seized and possessed of the said land and has a right to convey it, and warrants the title against the lawful claims of all persons claiming by, through, and under it, but not further otherwise."
- o "The Following reservations from and exceptions to this conveyance and the warranty of title made herein shall apply:
 - i. All easements, rights-of-way and prescriptive rights whether of record or not, pertaining to any portion(s) of the herein described property (hereinafter, the "Property")
 - ii. All valid oil, gas and mineral rights, interest or leases, royalty reservations, mineral interest and transfers of interest of any character, in the oil, gas or minerals of record in any county in which any portion of the Property is located
 - iii. All restrictive covenants, terms, conditions, contracts, provisions, zoning ordinances and other items of record in any county in which any portion of the Property is located, pertaining to any portion(s) of the Property, but only to the extent that same are still in effect
 - iv. All presently recorded instruments (other than liens and conveyances by, through or under the Grantor) that affect the Property and any portions(s) thereof
 - v. Ad valorem taxes, fees and assessments, if any, for the current year and all prior and subsequent years, the payment of which Grantee assumes (at the time of transfer of title), and all subsequent assessments for this and all prior years due to change(s) in land usage (including, but not limited to, the absence of improvements, if any, on the Property), ownership, or both, the payment of which Grantee assumes
 - vi. Any conditions that would be revealed by a physical inspection and survey of the Property."

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever IN FEE SIMPLE; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

Grantor further SPECIALLY WARRANTS and agrees to FOREVER DEFEND all and singular the said property unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof, by, through, or under Grantor, but not otherwise.

IN WITNESS whereof, the said GRANTOR(s) has/have hereunto set his/her/their hand and seal this 7th day of MAY, A.D. 2014.

Signed, sealed and delivered:

BY: [Signature]
Officer of **The Bank of New York Mellon, f/k/a The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-26CB, Mortgage Pass-Through Certificates, Series 2005-26CB**
Printed Name & Title: Debra Thayer, Vice President

STATE OF Texas }
COUNTY OF Harris } SS

On this 7th day of May, 2014, personally appeared the above named Debra Thayer, as Vice President of **New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing, attorney in fact The Bank of New York Mellon, f/k/a The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc. Alternative Loan Trust 2005-26CB, Mortgage Pass-Through Certificates, Series 2005-26CB**, and acknowledged the foregoing instrument to be his/her/their free act and deed in his/her said capacity and the free act and deed of said corporation.

BEFORE ME,



[Signature]
Notary Public - Attorney at Law
Sarah A. Marion
Printed Name of Acknowledging Officer:
My Commission Expires: 01/06/15

EXHIBIT "A"
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF CUMBERLAND, STATE OF MAINE, AND IS DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED REAL PROPERTY:

A CERTAIN LOT OR PARCEL OF LAND SITUATE ON THE EAST SIDE OF SOUTH HIGH ST. IN BRIDGTON, CUMBERLAND COUNTY, STATE OF MAINE, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING ON THE E SIDE OF SO. HIGH ST. MARKED BY AN IRON STAKE SET IN THE GROUND; THENCE S 81 DEG 8' E A DISTANCE OF 188.07 FEET TO AN IRON PIPE SET IN THE GROUND; THENCE N 2 DEG 20' W A DISTANCE OF 83.85 FEET TO AN IRON PIPE SET IN THE GROUND; THENCE N 81 DEG 8' W A DISTANCE OF 175.23 FEET TO AN IRON STAKE SET IN THE GROUND ON THE E SIDE OF SOUTH HIGH STREET, WHICH IRON IS 165.50 FEET, MORE OR LESS, FROM THE SOUTHEAST CORNER OF INTERSECTION OF SOUTH HIGH STREET AND CHURCH STREET; THENCE SOUTH ALONG SAID SOUTH HIGH STREET, ON A COURSE BEARING S 6 DEG 22" W, A DISTANCE OF 82.75 TO THE POINT AND BOUND BEGUN AT, THE SAME WITH THE BUILDINGS THEREON.

EXCEPTING AND RESERVING THAT PORTION OF THE ABOVE PREMISES CONVEYED BY HARRY N. JOHNSON ET US TO THE FIRST CONGREGATIONAL CHURCH OF BRIDGTON, MAINE BY DEED DATED AUGUST 26, 1970 RECORDED IN CUMBERLAND COUNTY REGISTRY OF DEEDS, BOOK 3144, PAGE 749.

Received
Recorded Register of Deeds
Jun 02, 2014 03:39:36P
Cumberland County
Pamela E. Lovley

**MUNICIPAL
QUITCLAIM DEED**

KNOW ALL MEN BY THESE PRESENTS,

THAT the Inhabitants of the TOWN OF BRIDGTON a body corporate and politic, located at BRIDGTON in the County of CUMBERLAND and STATE OF MAINE, for consideration paid release to **Howard J. Tucker**, whose mailing address is 112 Howard Trail, Bridgton ME 04009, and forever quitclaim unto the said **Howard J. Tucker**, his heirs and assigns forever, all its right, title and interest in and to the following described real estate situated at Bridgton in the County of Cumberland and State of Maine:

Land as shown on the Assessor's Map of the Municipality of Bridgton as **Map 26 Lot 45**.
Said Map being on File at the office of the Assessor's of the Town of Bridgton,

All the grantor's right, title and interest in and to grantees' property described in the Warranty Deed signed on May 7, 2014 and recorded on June 2, 2014 at the Cumberland County Register of Deeds in Book 31537 Pages 47-50.

The purpose of this deed is to convey any interest the Grantor may have in the foregoing property by virtue of unpaid taxes as follows: an undischarged tax lien dated July 22, 2016, and recorded at the Cumberland County Registry of Deeds in Book 33296, Page 89, an undischarged tax lien dated July 21, 2017, and recorded at the Cumberland County Registry of Deeds in Book 34173, Page 305;

Meaning and intending to convey and hereby conveying any interest the Grantor herein may have in the foregoing property by virtue of unpaid taxes for the tax year 2015, 2016 and 2017.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging to the said **Howard J. Tucker**, his heirs and assigns forever.

IN WITNESS WHEREOF, the said Inhabitants of the TOWN OF BRIDGTON have caused this instrument to be sealed with its corporate seal and signed in its corporate name by its Selectmen thereunto duly authorized, this 13th day of the month of February A.D. 2018.

SEAL:	Inhabitants of the TOWN OF BRIDGTON	By: <u><i>[Signature]</i></u> Gregory N. Watkins, Chairman
	Municipal Officers	<u><i>[Signature]</i></u> Glenn R. Zaidman, Vice-Chairman
		<u><i>[Signature]</i></u> Robert P. Murphy
		<u><i>[Signature]</i></u> Robert J. McHatton, Sr.
		<u><i>[Signature]</i></u> G. Frederick Packard

STATE OF MAINE

COUNTY OF CUMBERLAND ss.

February 13, 2018

Then personally appeared the above named Municipal Officers of the Town of Bridgton and acknowledged the foregoing to be their free act and deed in their said capacity, and the free act and deed of the Inhabitants of said Municipality.

Before me, *[Signature]*
Laurie L. Chadbourne
Notary Public, State of Maine
My Commission Expires November 14, 2019

SEAL
Received
Recorded Register of Deeds
Feb 26, 2018 10:54:03A
Cumberland County
Nancy A. Lane

003483

State of Maine
Tax Lien Certificate
2022

TUCKER, HOWARD J
112 HOWARD TRAIL
BRIDGTON ME 04009

I, Robert A. Peabody, Jr., Collector of Taxes for the Town of Bridgton, a municipal corporation located in the County of Cumberland, State of Maine, hereby give you notice that a tax in the amount of \$1,319.62 has been assessed, and was committed to me for collection on June 28, 2022, against real estate in said Town of Bridgton, and against TUCKER, HOWARD J as owner(s) thereof, said real estate being described as follows:

Real Estate located at: 44 SOUTH HIGH ST.
Map Lot Description: 026-045
Registry of Deeds reference: B34674P335 02/26/2018

Received
Recorded Register of Deeds
Jul 26, 2023 08:58:04A
Cumberland County
Jessica M. Spaulding

Map and Lot numbers refer to such numbers as found on tax maps of the Town of Bridgton, prepared by: James W. Sewall & Co. and dated April, 1963, on file at the Town of Bridgton municipal office.

I give you further notice that said tax, together with interest in the amount of \$30.46, which has been added to and has become part of said tax, remains unpaid; that a lien is claimed on said real estate, above described, to secure the payment of said tax; that proper demand for payment of said tax has been made in accordance with Title 36, Section 942, revised statutes of 1964, as amended.

Costs to be paid by taxpayer:

Statutory Fees and	
Mailing Costs	\$62.10
Principal	\$1,319.62
Interest	\$30.46
<u>Total</u>	<u>\$1,412.18</u>

SEAL

Robert A. Peabody, Jr.
Tax Collector
Town of Bridgton

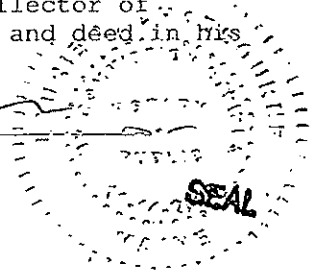
NOTICE: The municipality has policy under 36 M.R.S. Section 906 to apply all payments to the oldest outstanding tax obligation. If you are uncertain of the status on this property, contact the Tax Collector.

NOTICE: Partial payments do not waive a lien.

Cumberland, SS. State of Maine Bridgton, Maine July 26, 2023

Then personally appeared the above named Robert A. Peabody, Jr., Collector of Taxes, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before Me, Laurie L. Chadbourne
Laurie L. Chadbourne
Notary Public
November 14, 2026



For questions or payments:
Town of Bridgton; 3 Chase St., Ste. 1; Bridgton, ME 04009
(207) 647-8786

RE Account 3483 Detail

Bridgton
11:05 AM

04/17/2024
Page 1

as of 04/17/2024

Name: TUCKER, HOWARD J
Location: 44 SOUTH HIGH ST.
Acreage: 0.33 Map/Lot: 026-045
Book Page: B34674P335

Land: 31,096
Building: 55,721
Exempt: 0
Total: 86,817

2023-1 Period Due:

- 1) 411.65
- 2) 373.31
- 3) 373.31
- 4) 373.31

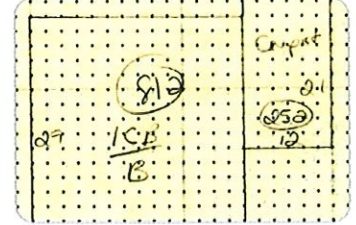
Ref1:
Mailing: 112 HOWARD TRAIL
Address: BRIDGTON ME 04009

Year/Rec #	Date	Reference	P C	Principal	Interest	Costs	Total
2023-1 R	07/11/23	Original		1,493.25	0.00	0.00	1,493.25
		CURINT		0.00	-38.33	0.00	-38.33
		Total		1,493.25	38.33	0.00	1,531.58
(As of 04.17.2024 there is a total of \$2609.45 due on this account.)							
2022-1 L	06/28/22	Original		1,319.62	0.00	0.00	1,319.62
	6/21/2023	DEMAND	A 3	0.00	0.00	-11.10	-11.10
			Demand Fees				
7481	07/26/23	Liened		1,319.62	30.46	62.10	1,412.18
		CURINT		0.00	-39.00	0.00	-39.00
		Total		1,319.62	69.46	62.10	1,451.18
2021-1 R	07/13/21	Original		1,284.89	0.00	0.00	1,284.89
368779	4/4/2022	CHGINT	1 I	0.00	-22.49	0.00	-22.49
368779	4/4/2022		A P	1,284.89	22.49	0.00	1,307.38
(Last payment received. Paid for by Howard Tucker.)							
		Total		0.00	0.00	0.00	0.00
2020-1 R				0.00	0.00	0.00	0.00
2019-1 R				0.00	0.00	0.00	0.00
2018-1				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 L *				0.00	0.00	0.00	0.00
2015-1 L *				0.00	0.00	0.00	0.00
2014-1 R				0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
2008-1 L *				0.00	0.00	0.00	0.00
2007-1 R				0.00	0.00	0.00	0.00
2006-1 R				0.00	0.00	0.00	0.00
2005-1 R				0.00	0.00	0.00	0.00
Account Totals as of 04/17/2024				2,812.87	107.79	62.10	2,982.76

Per Diem

2023-1	0.2489
2022-1	0.1466
Total	0.3955

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.



BRIDGTON

44 SOUTH HIGH ST.

PROPERTY INFORMATION

Site:	Map 026, Lot 045	Land Value:	\$31,096
Town:	Bridgton	Building Value:	\$55,721
Tax Year:	2023	Total Real Value:	\$86,817
Owner:	TUCKER, HOWARD J	Exemption Value:	\$0
Last Committed Tax:	\$1,493.25	Net Taxable Real Value:	\$86,817

OWNER INFORMATION

Owner #1:	TUCKER, HOWARD J	Owner Since:	02/26/2018	Documents: <ul style="list-style-type: none"> • 026-045 • 026-045 rear • 026-045 sketch
Mailing Address:	112 HOWARD TRAIL	Book:	34674	
		Page:	335	

BRIDGTON, ME
04009

Purchase Price: \$0

Trio Account #: 3483

LAND INFORMATION

LAND GROUP: TYPE	SIZE	VALUE
Primary Lot: Table 2	0.33 Ac	\$15,096
	0.33 AC	\$15,096

SITE IMPROVEMENT

Improvements made to the property such as a well, septic system or driveway.

DESCRIPTION	SI VALUE
Grade 3	\$16,000
	\$16,000

BUILDING DATA

BUILDING TYPE	AREA	GRADE	COND	F.OBS.	E.OBS.	VALUE	COLOR	YEAR
1-Story House	812	3.25	75%	90%	100%	\$54,703	RED	1960
Shed	252	2.00	70%	100%	100%	\$1,018		

VISIT HISTORY

DATE	PURPOSE	RESULT	INDIVIDUAL
11/19/2015	Equalization	Measure & List	Rob Sutherland
05/17/2000	Equalization	Measure	Sally Mitchell

EXEMPTIONS

TYPE

VALUE

No exemptions listed for this property.

§2851. Dangerous buildings

The municipal officers in the case of a municipality or the county commissioners in the case of the unorganized or deorganized areas in their county may after notice pursuant to section 2857 and hearing adjudge a building to be a nuisance or dangerous, in accordance with subsection 2-A, and may make and record an order, in accordance with subsection 3, prescribing what disposal must be made of that building. The order may allow for delay of disposal if the owner or party in interest has demonstrated the ability and willingness to satisfactorily rehabilitate the building. If an appeal pursuant to section 2852 is not filed or, if an appeal pursuant to section 2852 is filed and the Superior Court does not order, stay or overturn the order to dispose of the building, the municipal officers or the county commissioners shall cause the nuisance to be abated or removed in compliance with the order. After recording an attested copy of the notice required by section 2857 in the registry of deeds located within the county where the building is situated, the municipality or the county may seek a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. [PL 2019, c. 557, §1 (AMD).]

For the purposes of this subchapter, "building" means a building or structure or any portion of a building or structure or any wharf, pier, pilings or any portion of a wharf, pier or pilings thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, and "parties in interest" has the same meaning as in Title 14, section 6321. [PL 2017, c. 136, §1 (NEW).]

1. Notice.

[PL 2017, c. 136, §1 (RP).]

2. Notice; how published.

[PL 2017, c. 136, §1 (RP).]

2-A. Standard. To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

[PL 2017, c. 136, §1 (NEW).]

3. Recording of the order. An order made by the municipal officers or county commissioners under this section must be recorded by the municipal or county clerk, who shall cause an attested copy to be served upon the owner and all parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. If the name or address cannot be ascertained, the clerk shall publish a copy of the order in the same manner as provided for notice in section 2857.

[PL 2017, c. 136, §1 (AMD).]

4. Proceedings in Superior Court. In addition to proceedings before the municipal officers or the county commissioners, the municipality or the county may seek an order of demolition by filing a complaint in the Superior Court situated in the county where the building is located. The complaint must identify the location of the property and set forth the reasons why the municipality or the county seeks its removal. Service of the complaint must be made upon the owner and parties in interest in accordance with the Maine Rules of Civil Procedure. After hearing before the court sitting without a jury, the court shall issue an appropriate order and, if it requires removal of the building, it shall award costs as authorized by this subchapter to the municipality or the county. The municipality or the county may petition the court for a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure. Appeal from a decision of the Superior Court is to the law court in accordance with the Maine Rules of Civil Procedure.

[PL 2019, c. 557, §2 (AMD).]

SECTION HISTORY

PL 1965, c. 284 (RPR). PL 1967, c. 401, §1 (AMD). PL 1973, c. 143, §1 (AMD). PL 1979, c. 27, §§1-3 (AMD). PL 1997, c. 6, §1 (AMD). PL 2017, c. 136, §1 (AMD). PL 2019, c. 557, §§1, 2 (AMD).

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The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.

§2852. Appeal; hearing

An appeal from a decision of the municipal officers or county commissioners under section 2851 or section 2856 must be to the Superior Court, pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B. [PL 2017, c. 136, §2 (AMD).]

SECTION HISTORY

PL 1965, c. 284 (RPR). PL 1979, c. 27, §4 (RPR). PL 1997, c. 6, §2 (AMD). PL 2017, c. 136, §2 (AMD).

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§2853. Recovery of expenses

All expenses incurred by a municipality or county related to an order issued under section 2851, including, but not limited to, expenses relating to the abatement or removal of a building, must be repaid to the municipality or county by the owner within 30 days after demand, or a special tax may be assessed by the assessors against the land on which the building was located for the amount of the expenses and that amount must be included in the next annual warrant to the tax collector of the municipality or county for collection and must be collected in the same manner as other state, county and municipal taxes are collected. [PL 2017, c. 136, §3 (AMD).]

In the case of any claim for expenses incurred in the abatement or removal of any wharf, pier, pilings or any portion thereof that extends beyond the low water mark, the special tax authorized by this section must apply to the land from which the wharf, pier or pilings extended or to which they were adjacent, if the owner of the land is also the owner of the wharf, pier, pilings or portion thereof. [PL 2017, c. 136, §3 (AMD).]

Expenses include, but are not limited to, the costs of title searches, location reports, service or process, reasonable attorney's fees, costs of removal of the building, any costs incurred in securing the building pending its removal and all other costs incurred by the municipality or county that are reasonably related to the removal of the building. In addition to levying a special tax, the municipality or county may recover its expenses, including its reasonable attorney's fees, by means of a civil action brought against the owner. [PL 2017, c. 136, §3 (AMD).]

SECTION HISTORY

PL 1965, c. 284 (RPR). PL 1967, c. 401, §2 (AMD). PL 1973, c. 143, §2 (AMD). PL 1977, c. 707, §§5-A (AMD). PL 1979, c. 27, §5 (AMD). PL 2017, c. 136, §3 (AMD).

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§2856. Securing dangerous buildings

In addition to other proceedings authorized by this subchapter, a municipality has the right to secure buildings that pose a serious threat to the public health and safety and to recover its expenses in so doing as provided in section 2853. If a building is secured under this section, notice in accordance with section 2857 must be given. This notice need not be given before securing the building if the threat to the public health and safety requires prompt action. [PL 2017, c. 136, §4 (AMD).]

SECTION HISTORY

PL 1979, c. 27, §6 (NEW). PL 2017, c. 136, §4 (AMD).

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§2857. Notice; recording

Notice required under section 2851 or section 2856 must be served on the owner and parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. When the name or address of an owner or party in interest is unknown or is not ascertainable with reasonable diligence, the notice must be published once a week for 3 successive weeks prior to the date of hearing in a newspaper generally circulated in the county, or if none, in the state paper. [PL 2017, c. 136, §5 (NEW).]

The municipal or county clerk shall cause an attested copy of the notice to be recorded in the Registry of Deeds located within the county where the building is situated. Recording of this notice puts any person claiming under the owner of a building subject to proceedings under this subchapter on notice of the pendency of the proceedings. [PL 2017, c. 136, §5 (AMD).]

SECTION HISTORY

PL 1979, c. 27, §6 (NEW). PL 2017, c. 136, §5 (AMD).

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§2858. Consent to removal

The owner or a party in interest of a dangerous building may consent to its removal and to the recovery of the expenses incurred by a municipality or county by means of a special tax as set forth in this subchapter. Notices of the consent must be recorded in the Registry of Deeds located in the county where the building is situated. [PL 2017, c. 136, §6 (AMD).]

SECTION HISTORY

PL 1979, c. 27, §6 (NEW). PL 2017, c. 136, §6 (AMD).

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§2859. Summary process

In cases involving an immediate and serious threat to the public health, safety or welfare, in addition to any other remedies, a municipality or a county may obtain an order of demolition by summary process in Superior Court, in accordance with this section. [PL 2019, c. 557, §3 (AMD).]

1. Commencement of action. A municipality, acting through its building official, code enforcement officer, fire chief or municipal officers, or the county commissioners shall file a verified complaint setting forth such facts as would justify a conclusion that a building is dangerous, as described in section 2851, and shall state in the complaint that the public health, safety or welfare requires the immediate removal of that building. The municipality or the county may seek a writ of attachment of the property on which the building is located in accordance with Title 14, chapter 507 and the Maine Rules of Civil Procedure.

[PL 2019, c. 557, §4 (AMD).]

2. Order of notice. Whenever a complaint is filed under this section, the justice before whom it is brought, acting ex parte, shall promptly issue an order:

A. Requiring the owner and all parties in interest to appear and show cause why the building should not be ordered demolished; [PL 2017, c. 136, §8 (AMD).]

B. Specifying the method of service of the order and the complaint; [PL 1981, c. 43 (NEW).]

C. Setting a time and place for hearing the complaint, which shall be the earliest possible time but not be later than 10 days from the date of filing; and [PL 1981, c. 43 (NEW).]

D. Fixing the time for filing an answer to the complaint if the court determines that an answer is required. [PL 1981, c. 43 (NEW).]

[PL 2017, c. 136, §8 (AMD).]

3. Enlargement of time; default. The court may for good cause shown enlarge the time for the hearing. If the owner or parties-in-interest, or any of them, fail to answer, if an answer is required, or fail to appear as directed, or to attend the hearing at the time appointed or as enlarged, the court shall order a default judgment to be entered with respect to the owner or parties-in-interest.

[PL 1981, c. 43 (NEW).]

4. Hearing. After hearing, the court shall enter judgment. If the judgment requires removal of the building, the court shall award costs to the municipality or the county as authorized by this subchapter. The award of costs may be contested and damages sought in a separate action to the extent permitted by subsection 7.

[PL 2019, c. 557, §5 (AMD).]

5. Appeal. A judgment requiring demolition issued pursuant to this section may not be appealed. The owner of a building that is the subject of an order issued under this section or a party in interest may appeal the award of costs, if any, or seek damages for wrongful removal pursuant to subsection 7.

[PL 2017, c. 136, §9 (AMD).]

6. Stay. No judgment authorizing demolition may be stayed pending appeal, unless the court first determines that granting a stay would not pose a significant risk to the public health, safety or welfare.

[PL 1981, c. 43 (NEW).]

7. Damages. Any complaint that either seeks damages for the wrongful removal of a building or challenges the award of costs must be filed no later than 30 days from the date of the judgment or order that is the subject of the appeal. The damages that may be awarded for wrongful demolition are limited to the actual value of the building at the time of its removal. The provisions of Title 14, section 7552 do not apply. If the municipality or the county prevails, the court may award it its costs in defending any appeal, which may include, but are not limited to, reasonable attorney's fees.

[PL 2019, c. 557, §6 (AMD).]

SECTION HISTORY

PL 1981, c. 43 (NEW). PL 1995, c. 450, §6 (AMD). RR 2007, c. 2, §5 (COR). PL 2017, c. 136, §§7-10 (AMD). PL 2019, c. 557, §§3-6 (AMD).

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TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Veronica LaCascia, Deputy Town
Clerk Business Licenses
DATE: April 16, 2024

April 23, 2024 Select Board Meeting

7. Public Hearing 5:30PM

- a. Special Amusement Application from Players Billiard & Bar located at 224 Portland Rd. (new)
- b. Special Amusement Application from Stella's on the Square located at 6 N. High St. (renewal)

8. Action Items Following Public Hearing

- a. Special Amusement Application from Players Billiard & Bar located at 224 Portland Rd. (new)
- b. Special Amusement Application from Stella's on the Square located at 6 N. High St. (renewal)

9. New Business

b. Permits/Documents Requiring Board Approval

1. Victualer's Licenses to:

Stella's on the Square located at 6 N. High St. (renewal)

CEO (Including any Planning Board Requirement) FIRE POLICE TOWN CLERK

Complete applications are on file at the Town Clerk's Office and available for Select *Board review*.

Town Clerk's Office * 3 Chase Street, Suite 1, Bridgton, ME 04009 *

vlacascia@bridgtonmaine.org

Re: Public hearing ad for paper 4.11.2024

Bridgton News Ads <ads@bridgton.com>

Tue 4/9/2024 11:21 AM

To: Veronica LaCascia <vlaCascia@bridgtonmaine.org>

Hi Veronica!

Thank you so much and we will get this in for this week's edition.

Samantha Berke

Advertising Manager

118 Main Street

PO Box 244

Bridgton, Maine 04009

Phone: (207) 647-2851

Email: ads@bridgton.com

From: Veronica LaCascia <vlaCascia@bridgtonmaine.org>

Sent: Monday, April 8, 2024 12:52 PM

To: Bridgton News Ads <ads@bridgton.com>

Subject: Public hearing ad for paper 4.11.2024

Good Afternoon, I know its a little late, but

NOTICE OF PUBLIC HEARING

The Municipal Officers of the Town of Bridgton will hold a Public Hearing at 5:30 P.M. on Tuesday, April 23, 2024 to accept oral and written comments on a new Special Amusement Permit application from Players Billiard & Bar located at 224 Portland Road.

Please advertise in the Bridgton News for April 11, 2024.

Kindly confirm receipt, if you can!

Thank you,

Veronica J. LaCascia

Interim Town Clerk

Registrar of Voters

Re: PUBLIC HEARING AD

Bridgton News Ads <ads@bridgton.com>

Mon 4/1/2024 2:53 PM

To:Veronica LaCascia <vlaCascia@bridgtonmaine.org>

Hi Veronica,

Not a problem. We will get this in next week!

THE **BRIDGTON NEWS**

Samantha Berke

Advertising Manager

118 Main Street

PO Box 244

Bridgton, Maine 04009

Phone: (207) 647-2851

Email: ads@bridgton.com

From: Veronica LaCascia <vlaCascia@bridgtonmaine.org>

Date: Monday, April 1, 2024 at 2:49 PM

To: Bridgton News Ads <ads@bridgton.com>

Subject: PUBLIC HEARING AD

Good afternoon

NOTICE OF PUBLIC HEARING

The Municipal Officers of the Town of Bridgton will hold a Public Hearing at 5:00 P.M. on Tuesday, April 23, 2024, to accept oral and written comments on a Special Amusement Permit Application from Stella's on the Square located at 6 North High St.

Please advertise in the Bridgton News on April 11, 2024.

Kindly confirm receipt.

Thank you,

Veronica LaCascia

TOWN OF BRIDGTON

MEMO

TO: Select Board
FROM: Veronica LaCascia, Deputy Town
Clerk Business Licenses
DATE: April 16, 2024

April 23, 2024 Select Board Meeting

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Town Clerk's Office * 3 Chase Street, Suite 1, Bridgton, ME 04009 *
vlacascia@bridgtonmaine.org

Georgiann M Fleck

From: Nikki Hodgkins
Sent: Tuesday, April 2, 2024 7:09 AM
To: Georgiann M Fleck
Subject: FW: Bridgton Harvest Moon Fest check

FYI

Nikki Hodgkins

Town of Bridgton - Executive Assistant

From: Gary Colello <gcolello@bridgtonmaine.org>
Sent: Monday, April 1, 2024 9:47 PM
To: Pam Ward <24pjward@gmail.com>
Cc: Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>; Nikki Hodgkins <nhodgkins@bridgtonmaine.org>
Subject: Re: Bridgton Harvest Moon Fest check

Hi Pam, sorry for the delayed response. Thank you so much for considering donating to the Recreation Department! If you would like to earmark the money to enrichment programs (before and after school / summer camp) we can certainly make that happen.

This generous donation would need to be officially accepted by the Select Board.

I have attached Bob Peabody to this e-mail so he can make sure this ends up on the agenda for the BOS meeting.

Thank you again! You are much appreciated. I will be sure we find the most beneficial and useful way to impact as many children as possible with this donation.

Gary Colello, CSCS, CPRP
Director of Recreation
Town of Bridgton
Cell – 207-647-1126

From: Pam Ward <24pjward@gmail.com>
Date: Monday, April 1, 2024 at 8:02 AM
To: Gary Colello <gcolello@bridgtonmaine.org>
Subject: Bridgton Harvest Moon Fest check

Hi Gary,

To: Brenda Day <bday@bridgtonmaine.org>; David Madsen <DMadsen@bridgtonmaine.org>; Gary Colello <gcoello@bridgtonmaine.org>; Georgiann M Fleck <gmfleck@bridgtonmaine.org>; Chief Glen Garland <ggarland@bridgtonmaine.org>; Holly Heymann <hheyman@bridgtonmaine.org>; Laurie Chadbourne <lchadbourne@bridgtonmaine.org>; Chief Phillip Jones <pjones@bridgtonmaine.org>; Todd Perreault <ema@bridgtonmaine.org>; Victoria Hill <vhill@bridgtonmaine.org>
Cc: Nikki Hodgkins <nhodgkins@bridgtonmaine.org>
Subject: Town Clerk

Folks-

I have appointed Ashley Albrecht to the position of Town Clerk/Registrar/GA Administrator subject to Selectboard confirmation at their April 23rd meeting. Assuming she is confirmed, she will begin on April 24th.

Bob

Robert A. Peabody, Jr.
Bridgton Town Manager
3 Chase Street, Suite 1
Bridgton, Maine 04009
rpeabody@bridgtonmaine.org
207.647.8786 Office
207.256.7211 Cell

RE: Town Clerk

Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>

Tue 4/9/2024 3:18 PM

To: Veronica LaCascia <vlaCascia@bridgtonmaine.org>

9.b.1

Robert A. Peabody, Jr.

Bridgton Town Manager

3 Chase Street, Suite 1

Bridgton, Maine 04009

rpeabody@bridgtonmaine.org

207.647.8786 Office

207.256.7211 Cell

From: Veronica LaCascia <vlaCascia@bridgtonmaine.org>

Sent: Tuesday, April 9, 2024 9:03 AM

To: Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>

Subject: Re: Town Clerk

I'll add to 4.23.2024 agenda under line 6?!

Veronica J. LaCascia

Interim Town Clerk

Registrar of Voters

Main 207.647.8786

Direct 207.803.9954

Town of Bridgton

3 Chase Street, Suite 1

Bridgton, ME 04009

www.bridgtonmaine.org

From: Robert "Bob" Peabody, Jr. <rpeabody@bridgtonmaine.org>

Sent: Tuesday, April 9, 2024 8:58 AM

FOR OFFICE USE ONLY

Check # _____

Amount \$ _____



Application to Register Beano/Bingo

MGCU - 5000

****The application (to include the house rules) and registration fee must be received by the Gambling Control Unit at least ten business days prior to the Bingo Occasion****

Beano/Bingo: \$5.00 Special Per Game Registration; \$12 Calendar Week (Monday through Sunday); \$36 Calendar Month; \$400 Calendar Year

Make check payable to Treasurer, State of Maine

Return the completed and signed application to:

**Department of Public Safety
Gambling Control Unit
Central Maine Commerce Center
87 State House Station
45 Commerce Drive, Suite 3
Augusta, Maine 04333-0087
(207) 626-3900 – Office
(207) 287-4356 – Fax**

1. Organization Name: St Joseph's Men + Women's Club.

Organization Number (NPO or NCO): NPO 3019 Federal Tax ID # (EIN): _____

Business Address: St Joseph Church Hall 225 S. High St.

City: Bridgton State: ME Zip Code 04009

Mailing Address: 479 Fosterville Rd. Phone: 207-743-2606
Church office

City: Bridgton State: ME Zip Code: 04009

2. Current Officers:

NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
<u>Thomas Leonard - Pres.</u>	<u>479 Fosterville Rd.</u>	<u>Bridgton ME 04009</u>	<u>(207) 468-1522</u>	<u>N/A.</u>

NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
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NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
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NAME & TITLE	ADDRESS	CITY/ZIP	PHONE	DATE TERM EXPIRES
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3. Location where Beano/Bingo is to be conducted:

BUILDING	ADDRESS	CITY/ZIP
<u>St Joseph Church</u>	<u>225 S. High St</u>	<u>Bridgton ME 04009</u>

4. Person responsible for conduct of Beano/Bingo:

NAME	DAYTIME PHONE & EVENING PHONE
<u>Thomas Leonard</u>	<u>207 468 1522</u>

E-Mail Address: leonard2051@gmail.com

5. Check the day(s) of the week you will be conducting Beano/Bingo:

Mon Tue Wed Thu Fri Sat Sun

6. What time do the doors open? 5³⁰ PM What time does the game start? 6³⁰ PM

7. Dates – Please specify the dates of the Bingo Occasion(s). If more space is needed, please attach a separate sheet of paper with this information on it.

<u>7-11-24</u>	<u>8-15-24</u>	_____	_____	_____
<u>7-18-24</u>	<u>8-22-24</u>	_____	_____	_____
<u>7-25-24</u>	<u>8-29-24</u>	_____	_____	_____
<u>8-1-24</u>	_____	_____	_____	_____
<u>8-8-24</u>	_____	_____	_____	_____

8. Does the organization own all the equipment used in operating Beano/Bingo? Yes No

If "NO", Attach a sheet of paper to this application explaining the circumstances under which the equipment was acquired. Please write your organization name and number on the sheet.

9. Has any current officer of the organization or association ever been convicted of or have any charges currently pending for violating the gambling or lottery laws of the United States or the State of Maine?

Yes No

If "YES" attach a sheet of paper to this application providing the person's name, address, and date and place of conviction or date and location of pending charge. Please write your organization name and number on the sheet.

10. Does the organization have any delinquent / outstanding Disposition of Funds Reports? Yes No

If "YES" include all reports with this application. If the reports are not included, this application is considered incomplete.

11. **Fair Association Only:** Attach a list of the names and home addresses of the persons operating or assisting in the registered activity. Please write your organization name and number on the list.

12. The following consent must be completed by the municipal officers of the city or town where the Beano/Bingo will take place unless a separate "Letter of Approval" is attached to this application.

Check here if you have attached a "Letter of Approval." Letters that have an expiration date of greater than five years from the issue date will not be accepted by this office.

Municipal Consent to Register

The undersigned municipal officers of the City/Town of _____ hereby certify that we consent to the registration by _____ to operate Beano/Bingo in accordance with the provisions of 17 M.R.S.A. Chapter 13-A and in accordance with the Rules promulgated by the State of Maine, Department of Public Safety, Gambling Control Unit governing the operation of Beano/Bingo.

Name: _____

Date: _____ Title: _____

Name: _____

Date: _____ Title: _____

Name: _____

Date: _____ Title: _____

Name: _____

Date: _____ Title: _____

13. The applicant agrees to obey Federal, State of Maine laws, and rules governing Beano/Bingo promulgated by the Department of Public Safety, Gambling Control Unit. The applicant warrants the truth of the foregoing statements on penalty of perjury.

Signed: Thomas Leonard

Print Name: Thomas Leonard Title: President

Date: 4-1-24 Age 18 or older: Yes No

NOTE: Ensure a Copy of the House Rules for Bingo are attached to the application.

TOWN OF BRIDGTON

TO: Select Board
FROM: Veronica LaCascia, Deputy Town
Clerk Business Licenses
DATE: April 16, 2024

MEMO

April 23, 2024 Select Board Meeting

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