



Town of Hermon

Public Safety Meeting Room

January 16, 2025

Town Council Meeting

6:30 PM

AGENDA

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

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

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

I. CALL TO ORDER BY CHAIRPERSON:

II. PLEDGE OF ALLEGIANCE:

III. ROLL CALL:

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

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

| | | |
|-------------------|-----------------|---|
| MINUTES | -APPROVE | 12/5/2024 |
| SIGNATURES | -APPROVE | |
| RESOLVES | -SIGN | |
| WARRANTS | -SIGN | 12/20/2024, 1/3/2025 & 1/17/2025 |

VI. NEWS, PRESENTATIONS AND RECOGNITIONS:

- Boston Post Cane awarded on December 20, 2024 and presented on January 6, 2025– Stephen Fields**



VII. PUBLIC HEARINGS:

- **Hold Public Hearing – Dangerous buildings for:**
 1. 16 Chickadee Lane real estate # 1508
 2. 2027 Park Drive real estate # 1512
 3. 2032 Park Drive real estate # 1516
 4. 2033 Park Drive real estate # 1517
 5. 2035 Park Drive real estate # 1518
 6. 2041 Park Drive real estate # 1511

VIII. COMMITTEE REPORTS:

IX. SCHEDULED AGENDA ITEMS:

A. OLD or INCOMPLETE BUSINESS:

B. NEW BUSINESS:

- O24-25-08** Consider deeming 16 Finch Lane account # 1508 a dangerous building
- O24-25-09** Consider deeming 2027 Park Drive account # 1512 a dangerous building
- O24-25-10** Consider deeming 2032 Park Drive account # 1516 a dangerous building
- O24-25-11** Consider deeming 2033 Park Drive account # 1517 a dangerous building
- O24-25-12** Consider deeming 2035 Park Drive account #1518 a dangerous building
- O24-25-13** Consider deeming 2041 Park Drive account # 1511 a dangerous building
- FR24-25-12** Consider approval to abate uncollectible Personnel Property
- FR24-25-13** Consider approving the Hermon Elderly Project contract
- FR24-25-14** Consider accepting the donation from the Danforth's family for the High School Athletic Complex
- R24-25-19** Consider adopting MRS Title 36 Taxation
- R24-25-20** Consider action to withdraw prior approval of Neighbors Supporting Neighbors request for use of town property



R24-25-21 Consider approving amended reserve policy

C. WORKSHOPS:

- **Maine Uniform Building and Energy Code (MUBEC) to new I-2021 Codes – Jessefa Murphy**
- **Request for Proposal (RFP) review – Scott Perkins:**
 1. Street & Parking Lot Sweeping
 2. Street & Parking Lot Striping
 3. Roadside Mowing
 4. Winter Sand Supply
 5. Transportation & Disposal – Transfer Station
 6. Transportation & Disposal – Recycling Container
 7. Sidewalk Winter Maintenance
- **Capital Improvement Plan (CIP) FY26 – Stephen Fields**

D. OTHER ITEMS: (FROM TABLE PACKAGE)

X. APPOINTMENTS:

XI. MANAGER STATUS REPORT:

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

XIII. COUNCIL ITEMS:

XIV. EXECUTIVE SESSION:

XV. Consider entering Executive Session for consultation with legal counsel per 1 M.S.R.A. § 405(6)(E)

XVI. ADJOURNMENT:

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

Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

Explanatory Note #2: In the interest of effect decision-making: At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.



Town of Hermon
Public Safety Meeting Room
December 5, 2024
Town Council Meeting
6:30 PM
MINUTES

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

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

I. CALL TO ORDER BY CHAIRPERSON:

II. PLEDGE OF ALLEGIANCE:

Chair Snyder led those in attendance in the Pledge of Allegiance

III. ROLL CALL:

Members Present: Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III and Derek Wood

Members Absent: Joshua Berry - Excused

Others Present: Town Manager Stephen Fields, Town Clerk Kristen Cushman and 6 residents/guests

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

- **Carol Lackedy, 3026 Route 2**



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

| | | |
|------------|----------|------------------------|
| MINUTES | -APPROVE | 11/7/2024 |
| SIGNATURES | -APPROVE | |
| RESOLVES | -SIGN | |
| WARRANTS | -SIGN | 11/22/2024 & 12/6/2024 |

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

VI. NEWS, PRESENTATIONS AND RECOGNITIONS:

VII. PUBLIC HEARINGS: (ad ran on 11/26/2024)

- **Hold Public Hearing – Amendment for commercial kennels**

Chair Snyder opened the public hearing at 6:35PM. No public comments were given. The hearing closed at 6:35PM.

- **Hold Public Hearing – 2023 Comprehensive plan**

Chair Snyder opened the public hearing at 6:35PM. No public comments were given. The hearing closed at 6:36PM.

- **Hold Public Hearing – Sports Arena liquor license renewal**

Chair Snyder opened the public hearing at 6:36PM. No public comments were given. The hearing closed at 6:36PM.

- **Hold Public Hearing - Aquatic Development contract zone change**

Chair Snyder opened the public hearing at 6:36PM. No public comments were given. The hearing closed at 6:37PM.

- **Hold Public Hearing – Linda Davis zone change on Union St**

Chair Snyder opened the public hearing at 6:37PM. No public comments were given. The hearing closed at 6:37PM.

VIII. COMMITTEE REPORTS:



IX. EXECUTIVE SESSION:

Councilor Murphy moved to enter Executive Session to discuss a legal matter per 1 M.S.R.A. 405 (6)(E). Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 6:38 p.m.

Executive Session ended at 6:48 p.m. and returned to regular meeting at 6:48p.m.

- Consider entering Executive Session to discuss a legal matter per 1 M.S.R.A. § 405(6)(E)

X. SCHEDULED AGENDA ITEMS:

A. OLD BUSINESS:

B. NEW BUSINESS:

R24-25-11 Consider adopting Commercial Kennel Ordinance Amendment

Councilor Murphy moved to approve R24-25-11. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-12 Consider approving the Comprehensive Plan 2023

Councilor Murphy moved to approve R24-25-12. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-13 Consider approving MCCL LLC dba The Sports Arena liquor license renewal

Councilor Murphy moved to approve R24-25-13. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-14 Consider approving a Contract Zone Change to Village Commercial for Aquatic Development

Councilor Murphy moved to approve R24-25-14. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.



R24-25-15 Consider approving a Zone Change from Residential B for Linda Davis

Councilor Murphy moved to approve R24-25-15. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-16 Consider accepting a portion of Dave's Way Extension Phase III as a public way

Councilor Murphy moved to approve R24-25-16. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

FR24-25-08 Consider accepting funds from Robert Wendling and Fitch Company General Assistance fuel and for holiday meals/miscellaneous.

Councilor Murphy moved to approve FR24-25-08. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

FR24-25-09 Consider authorizing the Town Manager to sign mowing contract with LaPlante's Lawn Care

Councilor Murphy moved to approve FR24-25-09. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-17 Consider accepting GHCAC (Greater Hermon Community Athletic Complex) by Laws and charging the group as a standing committee

Councilor Murphy moved to approve R24-25-17. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

FR24-25-10 Consider accepting the USDA Rural Grant for snowmobile trail grooming Equipment

Councilor Murphy moved to approve FR24-25-10. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

R24-25-18 Consider scheduling a public hearing on January 16, 2025 regarding dangerous buildings

Councilor Hamm-Morris moved to approve R24-25-18. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.



FR24-25-11 Consider allocating remaining balance of ARPA (American Rescue Plan Act) funds

Councilor Murphy moved to approve FR24-25-11. Councilor Wood seconded the motion. The motion was accepted. Motion passes 5-1. Councilor Hamm-Morris opposed.

C. WORKSHOPS:

D. OTHER ITEMS: (FROM TABLE PACKAGE)

XI. APPOINTMENTS:

Appoint personnel to various positions as required by Charter and State Statute.

- **Registrar of Voters - Kristen Cushman, exp 12/31/2026**

XII. MANAGER STATUS REPORT:

The Town of Hermon has been awarded a USDA grant in the amount of \$89,500.00 to support the Penobscot Snowmobile Club with the purchase of snow grooming equipment. This is one of the largest snowmobile clubs in the state and maintains portions of two intersecting ITS trails. At least eight small businesses benefit from the area's groomed trails.

Thank you for everyone's patience and understanding while the Town and contractor tackled the first winter event of the season. Our goal is to provide safe and reliable roadways during all winter events.

The Town Office will be closed for staff training and luncheon on Wednesday, December 18, 2024, from 12pm-2pm. Office will be open regular hours except for this training period. Thank you for your understanding and cooperation.

Recreation will be hosting the Jingle and Mingle this Saturday, December 7th from 5-7pm and the Patrica A Duran School. All are welcome.

Santa is accepting letters at the Town Office lobby until December 20th. Santa will be writing back to all those nice and naughty. Are you on the nice list?

Holiday Lights Contest will be from Dec 7-25th. Good luck to all those participating.

Saturday, December 14th, time 10am, Rep Jim Thorpe is coordinating a Wreath Across America ceremony at Hermon Veteran Memorial in front of Patrica A Duran School.



School Committee is looking for two councilors, similar to last year, to participate in the School budget process. Councilor Berry has agreed to participate. I am asking the Council who would like to participate.

I received an update from Mr. Hall, Auditor, and the FY24 audit is in process. He will be meeting with the school next week and then will coordinate to meet with the Town. Expectation is to have final work done for January 2025.

I wish the Town citizens and staff a safe and happy holiday season.

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

- Haily Keezer, Orchard Dr
- Carol Lackedy, 3026 Route 2

XIV. COUNCIL ITEMS:

Richard Cyr: Had a resident reach out asking if the Town could reinstate the trash pick up of tires/debris or at least have a place where residents could dump things of those nature for free.

Ronald Murphy: Congratulated the Hermon High School football team and Coach Gallant on a tremendous season. Also congratulated the 7th and 8th grade football team on winning the first ever Eastern Maine Middle School Football League championship.

Terry Hamm-Morris: Congratulated the Hermon High School girls soccer team on a great game at the state championship. They made Hermon proud.



XV. EXECUTIVE SESSION:

Councilor Murphy moved to enter Executive Session to discuss a personnel matter per 1 M.S.R.A. 405 (6)(A). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 7:50 p.m.

Executive Session ended at 8:03 p.m.

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

XVI. ADJOURNMENT:

Councilor Gray moved to adjourn the meeting at 8:04 PM. Councilor Wood seconded. With no objection the meeting was adjourned at 8:04 PM.

Respectfully Submitted,

**Kristen Cushman
Town Clerk**

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Notice of Public Hearings

for January 16, 2025

16 Chickadee Lane real estate # 1508

2027 Park Drive real estate # 1512

2032 Park Drive real estate # 1516

2033 Park Drive real estate # 1517

2035 Park Drive real estate # 1518

2041 Park Drive real estate # 1511

Notices attached behind cover sheet

Mailing Address
333 Billings Rd
Hermon, ME 04401

Telephone: 207-848-1010
Fax: 207-848-3316

Physical Address
333 Billings Rd
Hermon, ME 04401

COPY

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/16/2025 at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **16 CHICKADEE LANE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent

Joshua Berry

[Signature]

Christopher Gray

[Signature]

Ronald Murphy

[Signature]

Derek Wood

[Signature]

Richard Cyr

[Signature]

Terry Hamm-Morris

[Signature]

John Snyder III, Council Chair

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Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyer III, Council Chair

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Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

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Pursuant to 17 M.R.S.A. §§ 2851-2859
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Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

Chris Gray
Christopher Gray

Bon Murphy
Ronald Murphy

Derek Wood
Derek Wood

Richard Cyr
Richard Cyr

Terry Hamm Morris
Terry Hamm Morris

John Snyder III
John Snyder III, Council Chair

COPY

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Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

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Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

COPY

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Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/14/25, at 6:30 P.M., at the Hermon Town Office at 333 **BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2041 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyer III, Council Chair

COPY



O24-25-08

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 16 Chickadee Lane, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **16 Chickadee Lane, Hermon, Maine**, also known as **Map 35, Lot 26-016T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 16 Chickadee Lane, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 16 Chickadee Lane, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Structural instability due to mold and visible water damage.
 - Bathroom floor compromised due to leaks around the toilet, sink, and bathtub.
 - Exposed plumbing and soft flooring, indicating rot.
 - Lack of fire safety systems (e.g., no smoke/CO detectors, fire extinguishers).
 - Electrical hazards from outdated wiring and moisture exposure.
 - Wall deterioration from moisture infiltration.
 - No visible foundation.
 - Unsanitary conditions, including mold and debris accumulation.and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

OR

- b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest:

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

DRAFT

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/04/2024

Date of Inspection: 09/06/2024

Tax Map: 35 **Tax Lot:** 26-016T

Book: 13363 **Page:** 1

Property Address: 16 Chickadee Lane, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because No stairs for entry/exit, lack of smoke/CO detectors, Mold in the and visible water damage in the ceilings in the bathroom and bedroom closets. Water leakage is evident around the toilet, bathtub/shower, and sink contributing a soft floor, suggesting rotting or structural compromise.
 - Unstable because Subfloor around the toilet appears soft, suggesting rotting or structural compromise. Wall deterioration due to moisture infiltration. Exposed plumbing that has visible leaks has the potential to weaken surrounding structural components. No foundation is visible.
 - Unsanitary because Poor sanitation around the kitchen sink and countertop. Debris and evidence of water damage were observed beneath the counter. Mold/mildew is evident, which can cause respiratory and other health issues.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because lack of working smoke/co detector(s), exposed electrical wiring, electrical risk from water damage, outdate wood paneling (which is highly flammable and could accelerate the spread of a fire) lack of proper upkeep, lack of fire extinguishers.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.

Code Enforcement Officer

 - The building is unsuitable or improper because numerous safety hazards, structural

deficiencies, and sanitation issues, including (but not limited to) entryway safety (doors, stairs) structural integrity, plumbing failures, electrical hazards, mold/moisture, and general neglect.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Water damage and leaks, unaddressed mold growth, damaged flooring exposed and damaged plumbing, electrical hazards, failure to maintain exterior access, general neglect.

Dilapidation: Structural instability, ceiling damage, wall deterioration, plumbing infrastructure, exterior issues, rot and decay, hazardous entry and exit.

Obsolescence: Outdated electrical system, inefficient plumbing fixtures, non-compliant entry/exit poor energy efficiency, aging/neglected materials, inadequate fire safety feature, general neglect.

Abandonment: Lack of regular maintenance, unsecured entry points, acculated damage, absence of safety systems, environmental hazards, and a public safety risk.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Structural instability, water damage and mold, electrical hazards, unsecured entry points, lack of proper egress, fire risk, rotting and decayed materials, pest infestation potential, and a public safety concern.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

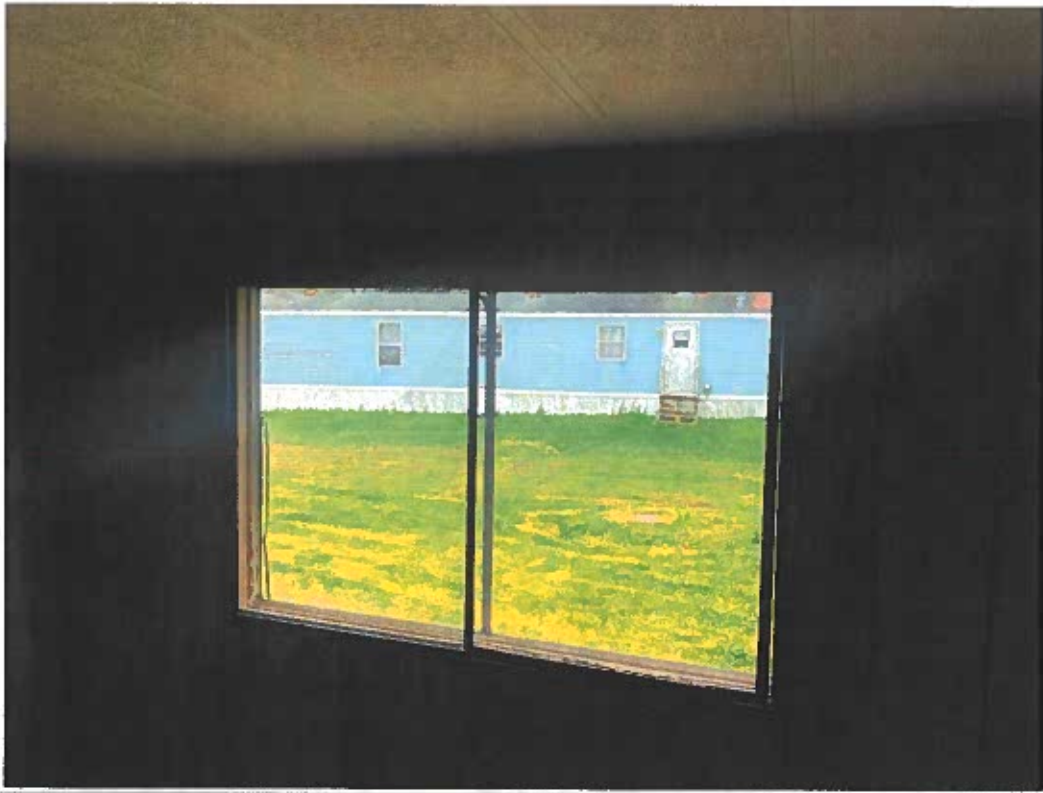
Name:
Its:
Town of Hermon

STATE OF MAINE
COUNTY OF PENOBSCOT _____, 2024

Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

Notary Public/Attorney at Law
Printed Name:
Commission Expires:



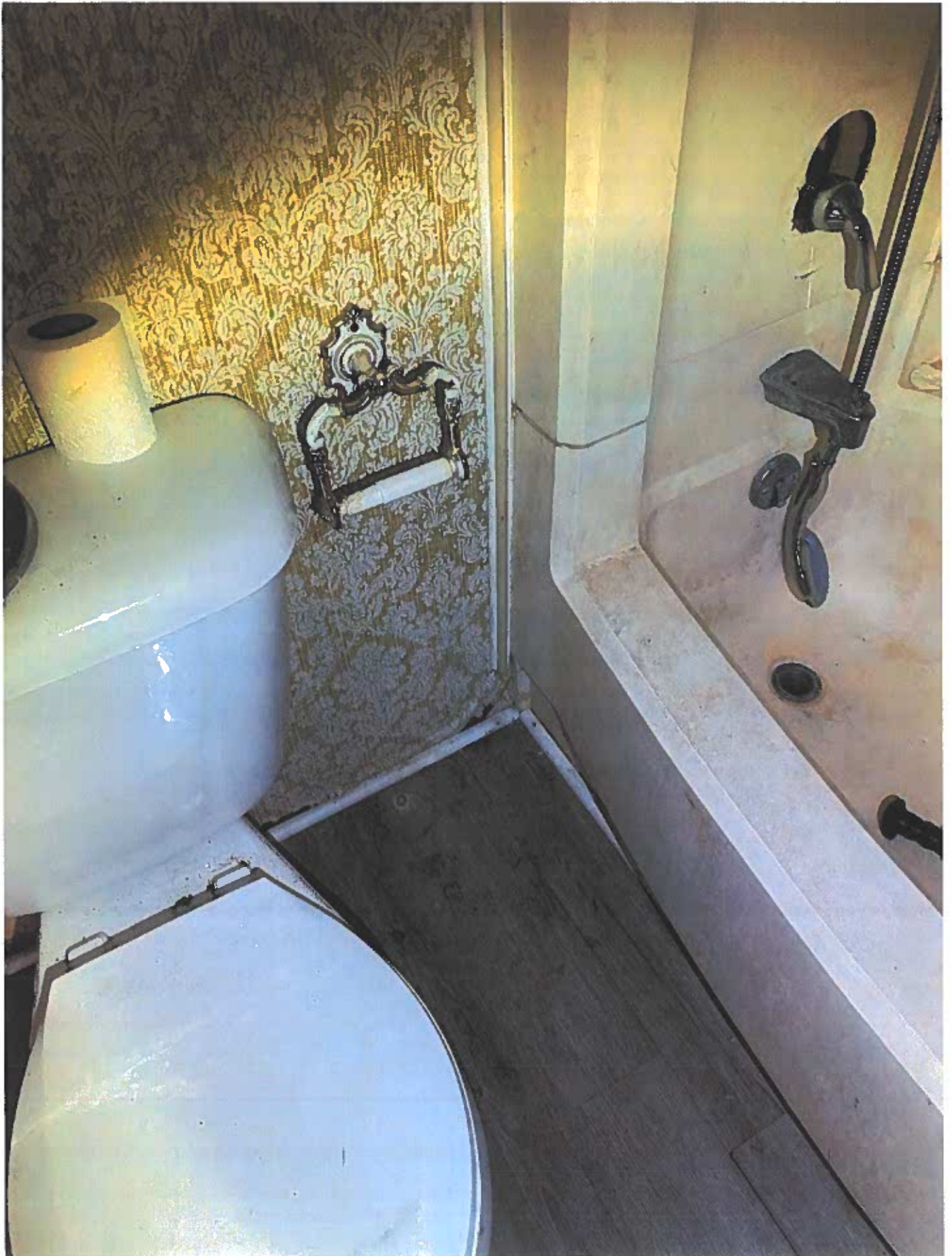


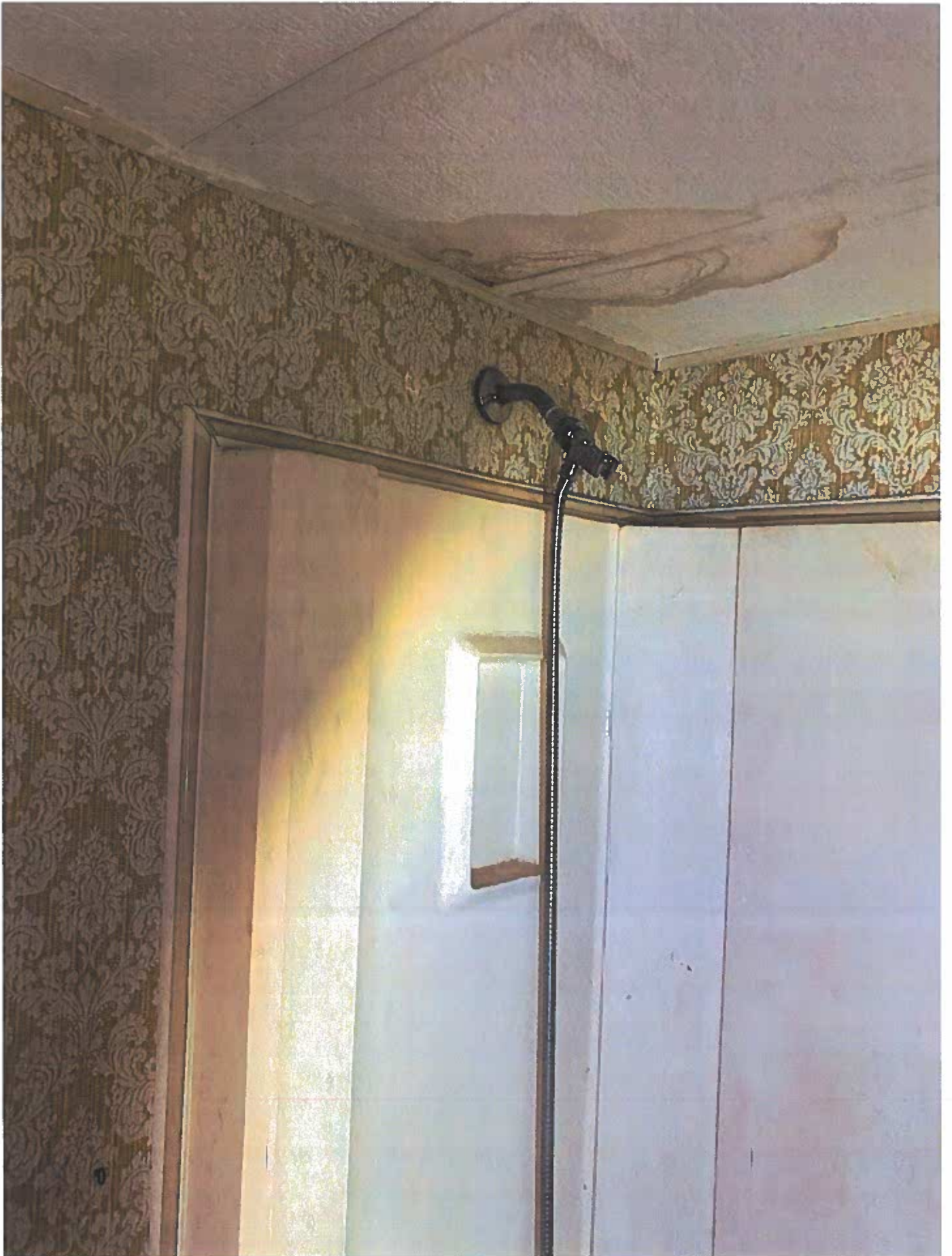














Hermon
8:38 AM

**RE Account 1508 Detail
as of 01/16/2025**

01/08/2025
Page 1

Name: HERMON MHP LLC
Location: 16 CHICKADEE LANE
Acreage: 0.00 Map/Lot: 035-026-016T
Book Page: B11658P64, B9624P239

Land: 0
Building: 16,600
Exempt: 0

Total: 16,600

Ref1: -090085016T

2024-1 Period Due:
1) 180.94

Mailing Address: C/O MICHAEL & JONATHAN BEHLING
12630 HUSTON ST
VALLEY VILLAGE, CA 91607

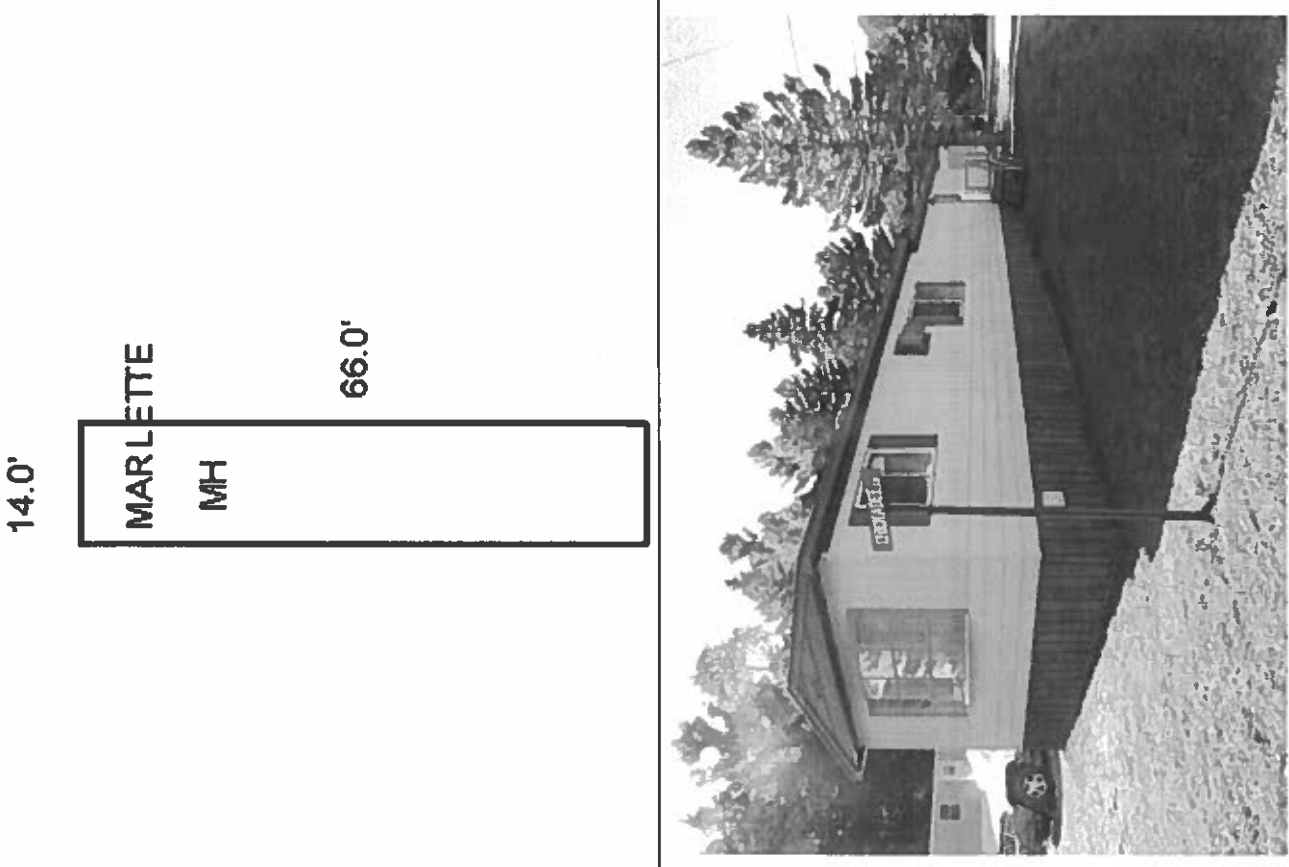
| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|--|------|-----------|---|---|---------------|--------------|--------------|---------------|
| 2024-1 | R | | | | 180.94 | 0.00 | 0.00 | 180.94 |
| 2023-1 | L * | | | | 177.43 | 11.27 | 78.02 | 266.72 |
| 2022-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | R | | | | 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 | L * | | | | 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 |
| 2011-2 | 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 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2007-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2006-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2005-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 358.37 | 11.27 | 78.02 | 447.66 |

| Per Diem | |
|----------|--------|
| 2023-1 | 0.0389 |
| Total | 0.0389 |

Exempt Codes:

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

| HERMON MHP LLC C/O MICHAEL & JONATHAN BEHLING VALLEY VILLAGE CA 91607 | | Property Data | | Assessment Record | |
|---|--|--|--|-------------------|--|
| B9624P239 B11658P64 | | Neighborhood 28 Fuller Rd Bldg/Bgr | | Land | |
| Previous Owner FERNALD, JENNIFER PO BOX 146 | | Tree Growth Year 0 | | Buildings | |
| ELLSWORTH ME 04654 | | TIF ACCOUNT 0 | | Exempt | |
| Sale Date: 10/10/2013 | | Y Coordinate 0 | | Total | |
| Previous Owner BOLSTRIDGE, NORMA 16 CHICKADEE LANE | | Zone/Land Use 12 Residential B | | | |
| HERMON ME 04401 | | Secondary Zone | | | |
| Sale Date: 1/25/2011 | | Topography 9 9 | | | |
| Previous Owner BEAULIEU, LINDA *N 287 OHIO ST APT 3 | | 1.Level 4.Below St 7. 2.Rolling 5.Low 8. 3.Above St 6.Swampy 9. Utilities 9 None 9 None | | | |
| BANGOR ME 04401 | | 1.Public 4.Dr Well 7.Cesspool 2.Water 5.Dug Well 8.Lagoon 3.Sewer 6.Septic 9.None | | | |
| Sale Date: 6/01/2007 | | Street 9 None | | | |
| Inspection Witnessed By: | | 1.Paved 4.Proposed 7. 2.Semi Imp 5.Private 8. 3.Gravel 6.Rear 9.None | | | |
| X | | Tree Growth Renew 0 | | | |
| Date | | Old Permit/Other 0 | | | |
| Date Insp. | | Sale Date 10/10/2013 | | | |
| Description | | Price | | | |
| | | Sale Type 4 Mobile Home | | | |
| | | 1.Land Re 4.Mobile 7.Land & Bld 2.L & B Re 5.Other 8.Bldg Comm 3.Building R 6.Land Comm 9. | | | |
| | | Financing 9 Unknown | | | |
| | | 1.Convent 4.Seller 7. 2.FHA/VA 5.Private 8. 3.Assumed 6.Cash 9.Unknown | | | |
| Notes: | | Validity 8 Other Non Valid | | | |
| | | 1.Valid 4.Split 7.Changes 2.Retated 5.Partial 8.Other 3.Distress 6.Exempt 9. | | | |
| | | Verified 1 Buyer | | | |
| | | 1.Buyer 4.Agent 7.Family 2.Seller 5.Pub Rec 8.Other 3.Lender 6.MLS 9. | | | |



| | | | |
|------------------------|-------------|------------|----|
| SF Bsmt Living | | | |
| 1.Conv. | 5.Colony/Ga | 9.Other | 7. |
| 2.Ranch | 6.Split | 10.Comp. C | 8. |
| GAS FIREPLACE | | | |
| Heat Type | | | |
| 1.HWBB | 5.FWA | 9.No Heat | 9. |
| 2.RadFloor | 6.GravWA | 12.RF/HWBB | |
| 3.H Pump | 7.Electric | 11. | |
| 4.Steam | 8.F/Wall | 12. | |
| Cool Type | | | |
| 1.Refrig | 4.W&C Air | 7. | |
| 2.Evapor | 5.Air Exch | 8. | |
| 3.H Pump | 6. | 9.None | |
| Kitchen Style | | | |
| 1.Modern | 4.Obsolete | 7. | |
| 2.Typical | 5. | 8. | |
| 3.Old Type | 6. | 9.None | |
| Bath(s) Style | | | |
| 1.Modern | 4.Obsolete | 7. | |
| 2.Typical | 5. | 8. | |
| 3.Old Type | 6. | 9.None | |
| # Rooms | | | |
| # Bedrooms | | | |
| # Full Baths | | | |
| # Half Baths | | | |
| # Addn Fixtures | | | |
| # Fireplaces | | | |
| Year Remodeled | | | |
| Foundation | | | |
| 1.Concrete | 4.Wood | 7.Fm/Conc | |
| 2.C Block | 5.Slab | 8. | |
| 3.Br/Stone | 6.Piers | 9.None | |
| Basement | | | |
| 1.1/4 Bmt | 4.Full Bmt | 7. | |
| 2.1/2 Bmt | 5.None | 8. | |
| 3.3/4 Bmt | 6. | 9.None | |
| Bsmt Gar # Cars | | | |
| Wet Basement | | | |
| 1.Dry | 4. | 7. | |
| 2.Damp | 5. | 8. | |
| 3.Wet | 6. | 9. | |

| | | | |
|-------------------------|------------|------------|----|
| Economic Code | | | |
| 0.None | 3.No Power | 6.View | |
| 1.Location | 4.Generate | 7.RESTRICT | |
| 2.Encroach | 5.Antiquat | 9.None | |
| Entrance Code | | | |
| 0 | 1.Interior | 4.Vacant | 7. |
| 1 | 2.Refusal | 5.Estimate | 8. |
| 2 | 3.Informed | 6. | 9. |
| Information Code | | | |
| 0 | 1.Owner | 4.Agent | 7. |
| 1 | 2.Relative | 5.Estimate | 8. |
| 2 | 3.Tenant | 6.Other | 9. |

| Date Inspected 5/25/2011 | | | | | | | |
|--|------|-------|-------|-------|-------|--------|-------------|
| Additions, Outbuildings & Improvements | | | | | | | |
| Type | Year | Units | Grade | Cond | Phys. | Funct. | Sound Value |
| 852 Marlette | M/H | 14x66 | 0 0 | 3 | 0 | %100 | % |
| 77 Slab..... | | 2011 | 924 | 3 100 | 4 | 0 | %100 % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |



NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/16/2025 at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **16 CHICKADEE LANE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a “dangerous building,” as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5, 2024


Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


Notary Public/ ~~Attorney at Law~~

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

Building at 16 Chickadee Lane, Hermon, Maine


You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/14/2025 AT 6:30 P.M, to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-016T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

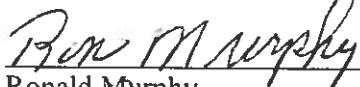
If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

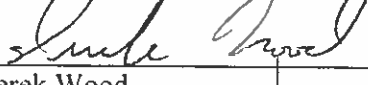
IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 16 day of January, ~~2024~~ 2025

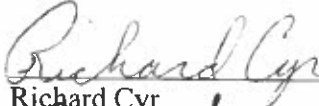
Absent

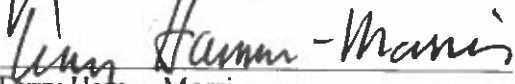
Joshua Berry


Christopher Gray


Ronald Murphy


Derek Wood


Richard Cyr


Terry Hamm-Morris

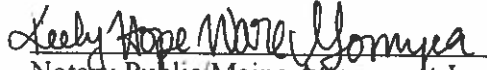

John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,



Notary Public/Maine Attorney-at-Law

Printed Name:

KEELY HOPE WARE GONYEA

Commission Expires:

Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

**TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654**

Building at 16 Chickadee Lane, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/2024 2025 AT 6:30 P.M, to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-016T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent

Joshua Berry

[Signature]

Christopher Gray

[Signature]

Ronald Murphy

[Signature]

Derek Wood

[Signature]

Richard Cyr

[Signature]

Terry Hamm-Morris

[Signature]

John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

[Signature]

Notary Public/~~Maine Attorney-at-Law~~

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**

Notary Public, State of Maine

My Commission Expires September 5, 2030



O24-25-09

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2027 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. § 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2027 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-002T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 2027 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2027 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon

MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").

2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Collapsed bathroom floor and exposed electrical hazards.
 - Mold presence and structural deficiencies due to water damage.
 - Lack of fire safety systems, including improperly attached smoke/CO detectors.
 - Poorly maintained exterior, including damaged siding and skirting.
 - Health risks from rodent infestation and poor air quality.
 - Inadequate maintenance leading to structural instability and sanitation issues.
 - **Unsecured entry points**, including compromised windows and sealing.and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.

2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

OR

- b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest:

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/4/2024

Date of Inspection: 4/27/2023

Tax Map: 35 **Tax Lot:** 26-002T

Book: 13363 **Page:** 1

Property Address: 2027 Park Drive, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because Collapsed bathroom floor, exposed electrical hazards, improperly labeled electrical panel, presence of mold, structural deficiencies, exterior hazards, inadequate fire safety measures, compromised windows and sealing, and general neglect.
 - Unstable because Collapsed bathroom floor, deteriorated structural components, water damage and rot, damage to exterior siding and skirting, unaddressed repairs over time due to neglect. Lack of proper foundation.
 - Unsanitary because Presence of mold, exposed insulation due to rodents, collapsed bathroom floor water damage, poor air quality, lack of proper maintenance and neglect.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because exposed electrical wiring, improperly maintained electrical panel, lack of working smoke/co detectors, improperly attached smoke/co detector, lack of fire extinguisher(s), structural damage and instability, presence of mold and moisture, poorly sealed and maintained building, general neglect.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.
 - The building is unsuitable or improper because Structural instability, health hazards from mold,

fire hazards, unsanitary conditions, inadequate maintenance, general neglect, energy inefficiency
from damaged windows, exposed insulation, and evidence of rodents.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Structural instability and damage, electrical system neglect,
exterior damage, water damage, visible mold, poor window and door conditions, sanitation issues,
lack of functional safety features, and general neglect.

Dilapidation: Structural failures, severe water damage, exterior deterioration, electrical and safety
hazards, unstable entry points, mold and rot, deteriorating/damaged/improperly sealed doors
and windows, and general neglect.

Obsolescence: inadequate electrical system, structural issues, poor sanitation issues due to
mold and rot, lack of life safety codes, aging material and fixtures, and general neglect.

Abandonment: Inadequate maintenance, structural damage, mold and moisture, electrical hazards,
rodent issues, visible decay, and general neglect.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Structural hazards including (but not limited to)
collapsed bathroom floor, damaged walls and flooring, exterior damage to skirting, siding, and stairs
Health hazards such as mold, mildew, rot, unsanitary conditions, and pest infestation. Fire and safety
hazards, and general neglect.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

Name:

Its:

Town of Hermon

STATE OF MAINE

COUNTY OF PENOBSCOT

_____, 2024

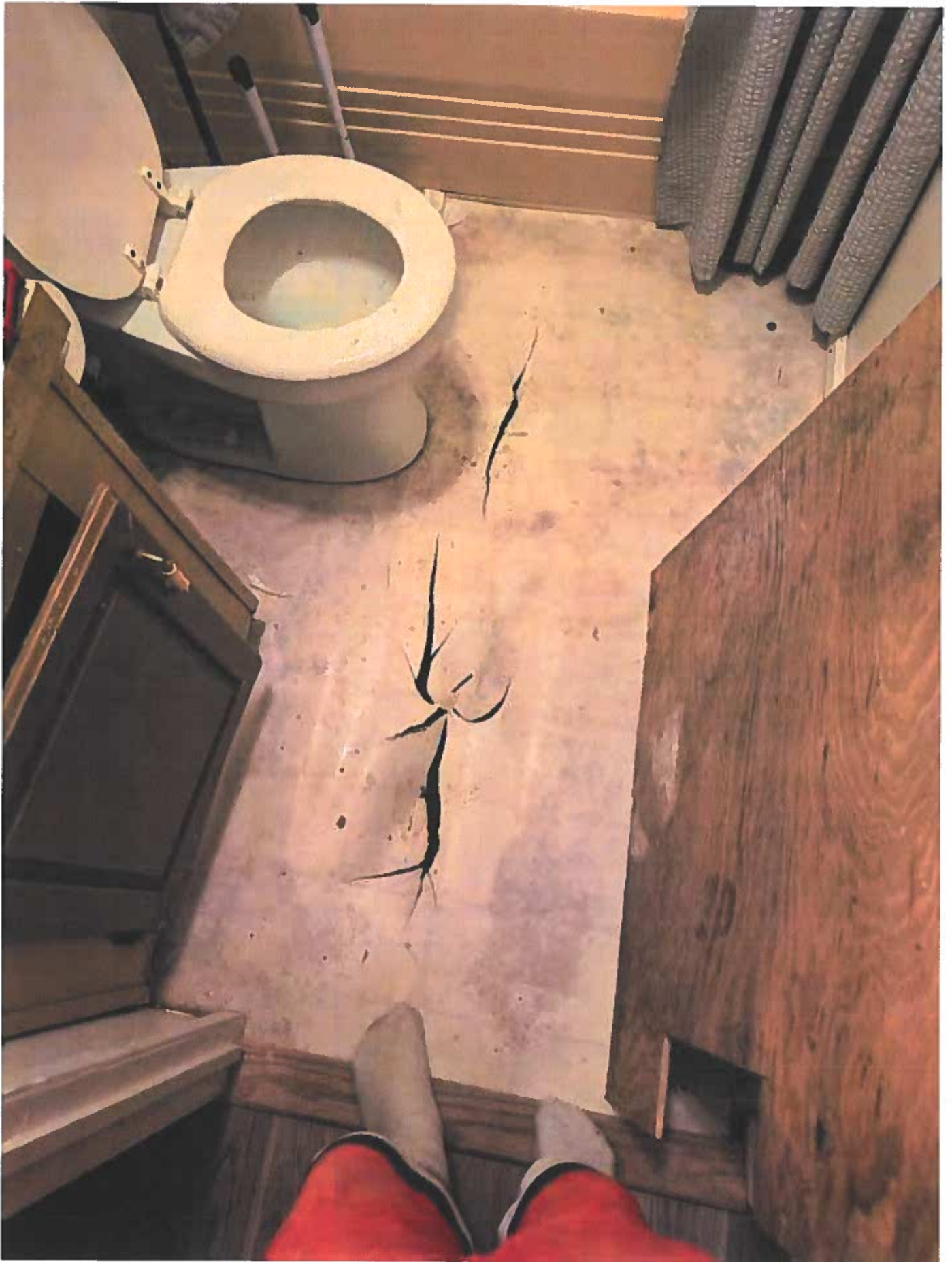
Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

Notary Public/Attorney at Law

Printed Name:

Commission Expires:

















Hermon
8:46 AM

**RE Account 1512 Detail
as of 01/16/2025**

01/08/2025
Page 1

Name: HERMON MHP LLC
Location: 2027 PARK DRIVE
Acreage: 0.00 Map/Lot: 035-026-002T
Book Page: B12095P311

Land: 0
Building: 11,200
Exempt: 0

Total: 11,200

Ref1: B P -

2024-1 Period Due:
1) 122.08

Mailing Address: C/O MICHAEL & JONATHAN BEHLING
12630 HUSTON ST
VALLEY VILLAGE, CA 91607

| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|---------------------------------|------|-----------|---|---|-----------|----------|-------|--------|
| 2024-1 | R | | | | 122.08 | 0.00 | 0.00 | 122.08 |
| 2023-1 | L | * | | | 119.85 | 7.61 | 78.02 | 205.48 |
| 2022-1 | L | * | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | R | | | | 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 | L | * | | | 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 | L | * | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2006-1 | L | * | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2005-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2004-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 241.93 | 7.61 | 78.02 | 327.56 |

| Per Diem | |
|----------|--------|
| 2023-1 | 0.0263 |
| Total | 0.0263 |

Exempt Codes:

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

| Property Data | | Assessment Record | |
|-------------------|-----------------------|-------------------|-------|
| Year | Land | Buildings | Total |
| Neighborhood | 28 Fuller Rd Bill/Bgr | | |
| Tree Growth Year | 0 | | |
| TIF ACCOUNT | 0 | | |
| Y Coordinate | 0 | | |
| Zone/Land Use | 12 Residential B | | |
| Secondary Zone | | | |
| Topography | 9 | | |
| 1.Level | 4.Below St | | |
| 2.Rolling | 5.Low | | |
| 3.Above St | 6.Swampy | | |
| Utilities | 9 None | | |
| 1.Public | 4.Dr Well | | |
| 2.Water | 5.Dug Well | | |
| 3.Sewer | 6.Septic | | |
| Street | 9 None | | |
| 1.Paved | 4.Proposed | | |
| 2.Semi Imp | 5.Private | | |
| 3.Gravel | 6.Rear | | |
| Tree Growth Renew | 0 | | |
| Old Permit/Other | 0 | | |
| Sale Date | 10/10/2013 | | |
| Price | | | |
| Sale Type | 4 Mobile Home | | |
| 1.Land Re | 4.Mobile | | |
| 2.L & B Re | 5.Other | | |
| 3.Building R | 6.Land Comm | | |
| Financing | 1 Conventional | | |
| 1.Convent | 4.Seller | | |
| 2.FHA/VA | 5.Private | | |
| 3.Assumed | 6.Cash | | |
| Validity | 8 Other Non Valid | | |
| 1.Valid | 4.Split | | |
| 2.Related | 5.Partial | | |
| 3.Distress | 6.Exempt | | |
| Verified | 5 Public Record | | |
| 1.Buyer | 4.Agent | | |
| 2.Seller | 5.Pub Rec | | |
| 3.Lender | 6.MLS | | |

HERMON MHP LLC
 C/O MICHAEL & JONATHAN BEHLING
 VALLEY VILLAGE CA 91607

B12095P311
 Previous Owner
 FERNALD, JENNIFER

PO BOX 146
 ELLSWORTH ME 04605
 Sale Date: 10/10/2013

Previous Owner
 PERRY SR, MICHAEL *S08

2027 PARK DRIVE
 HERMON ME 04401
 Sale Date: 4/01/2010

Previous Owner
 PETERS, WINIFRED

812 OHIO ST APT 8
 BANGOR ME 04401 8101
 Sale Date: 1/13/2006

Inspection Witnessed By:

| Front Foot | Type | Effective | | Influence | | Influence Codes |
|----------------------|------|-----------|-------|--------------------|------|--------------------|
| | | Frontage | Depth | Factor | Code | |
| 11.Regular Lot | | | | | | 1.Unimproved |
| 12.Delta Triangle | | | | | | 2.Excess Frtg |
| 13.Nabla Triangle | | | | | | 3.Topography |
| 14.Rear Land | | | | | | 4.Size/Shape |
| 15.Miscellaneous | | | | | | 5.Access |
| | | | | | | 6.Restriction |
| | | | | | | 7.Cornr Infl |
| | | | | | | 8.View/Environ |
| | | | | | | 9.Fract Share |
| | | | | | | Acres |
| | | | | | | 30.Rear Land 3 |
| | | | | | | 31.Industrial Par |
| | | | | | | 32.Industrial Par |
| | | | | | | 33.Pasture/Hay fi |
| | | | | | | 34.Gravel Pk |
| | | | | | | 35.Tillable |
| | | | | | | 36.Pasture |
| | | | | | | 37.Softwood |
| | | | | | | 38.Mixed Wood |
| | | | | | | 39.Hardwood |
| | | | | | | 40.Waste 1 |
| | | | | | | 41.Lagoon per acr |
| | | | | | | 42.Mobile Home Si |
| | | | | | | 43.Condo Site |
| | | | | | | 44.Lot Improvement |
| | | | | | | 45.Shorefrontage |
| | | | | | | 46.Crop Land |
| Square Foot | | | | Square Feet | | |
| 16.Regular Lot | | | | | | |
| 17.Secondary Lot | | | | | | |
| 18.Excess Land | | | | | | |
| 19.Condominium | | | | | | |
| 20.GOLF COURSE HO | | | | | | |
| Fract. Acre | | | | Acres/Sites | | |
| 21.Homesite (Fract | | | | | | |
| 22.Basebot (Fract | | | | | | |
| 23.Corn Lot1(Frac | | | | | | |
| Acres | | | | | | |
| 24.Homesite | | | | | | |
| 25.Basebot | | | | | | |
| 26.Second Acre 1 | | | | | | |
| 27.Commercial 3 | | | | | | |
| 28.Rear Land 1 | | | | | | |
| 29.Rear Land 2 | | | | | | |
| Total Acreage | | | | 0.00 | | |

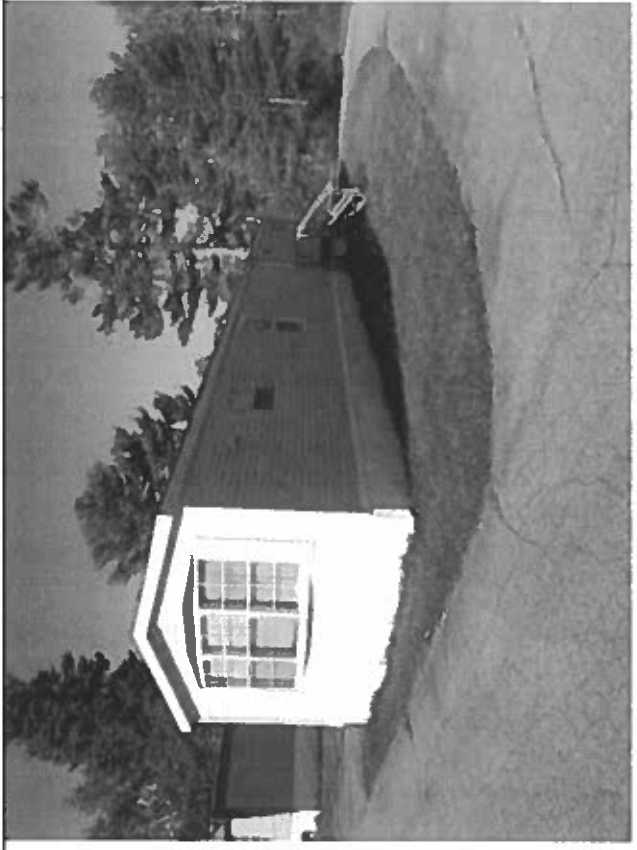
Notes:

Hermon



56.0'

14.0'



| SF Bsmrt Living | | Fin Bsmrt Grade | | Layout | |
|-------------------|-------------|-----------------|------------|-------------|-----------|
| 1.Conv. | 5.Colony/Ga | 9.Other | | 4. | 7. |
| 2.Ranch | 6.Split | 10.Comp. C | | 5. | 8. |
| 3.R.Ranch | 7.Contemp | 11.Trest | | 6. | 9. |
| 4.Ceje | 8.Log | 12. | | | |
| Heat Type | | 9.No Heat | | | |
| Dwelling Units | | 1.HWBB | 12.RF/HWBB | 4.Full Fin | 7. |
| Other Units | | 3.H Pump | 7.Electric | 5.F/Stair | 8. |
| Stories | | 4.Steam | 8.F/Wall | 6.1/3 Fin | 9.None |
| | | 1.1 | 4.1.5 | 7.1.1/4 Fin | |
| | | 2.2 | 5.1.75 | 8.1.2 Fin | |
| | | 3.3 | 6.2.5 | 9.None | |
| Cool Type | | 1.Refring | 4.W&C Air | 1.Full | 4.Minimal |
| Exterior Walls | | 2.Evapor | 5.Air Exch | 2.Heavy | 5. |
| | | 3.H Pump | 6. | 3.Capped | 6. |
| | | 1.Wood | 5.Stucco | 9.None | 9.None |
| Kitchen Style | | 2.Vin/Al | 6.Brck | | |
| | | 3.Compos. | 7.Stone | 4.Obsolete | 7. |
| | | 4.Asbestos | 8.Concrete | 5. | 8. |
| Bath(s) Style | | 9.Other | | 6. | 9.None |
| | | 1.Asphalt | 4.Composit | 7. | 7. |
| | | 2.Slate | 5.Wood | 8. | 8. |
| | | 3.Metal | 6.Other | 9.None | 9. |
| SF Masonry Trim | | | | | |
| # Bedrooms | | | | | |
| # Full Baths | | | | | |
| # Half Baths | | | | | |
| # Addn Fixtures | | | | | |
| # Fireplaces | | | | | |
| Year Built | | | | | |
| Year Remodelled | | | | | |
| Foundation | | | | | |
| 1.Concrete | | 4.Wood | 7.Fm/Conc | | |
| 2.C Block | | 5.Slab | 8. | | |
| 3.Br/Stone | | 6.Piers | 9.None | | |
| Basement | | | | | |
| 1.1/4 Bmt | | 4.Full Bmt | 7. | | |
| 2.1/2 Bmt | | 5.None | 8. | | |
| 3.3/4 Bmt | | 6. | 9.None | | |
| Bsmrt Gar. # Cars | | | | | |
| Wet Basement | | | | | |
| 1.Dry | | 4. | 7. | | |
| 2.Damp | | 5. | 8. | | |
| 3.Wet | | 6. | 9. | | |



Date Inspected 5/25/2011

| Additions, Outbuildings & Improvements | | | | | | | |
|--|---------|-------|-------|------|-------|---------|-------------|
| Type | Year | Units | Grade | Cond | Phys. | Funct. | Sound Value |
| 844 Mansion | M/H1993 | 14x56 | 0 0 | 4 | 0 | % 100 % | % |
| | | | | | | % | % |
| | | | | | | % | % |
| | | | | | | % | % |
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| | | | | | | % | % |
| | | | | | | % | % |

- 1.No Power
- 2.No View
- 3.No Generate
- 4.No Restrict
- 5.No Antiquat
- 6.No None
- 7.No Entrance Code
- 8.No Interior
- 9.No Vacant
- 10.No Refusal
- 11.No Estimate
- 12.No Informed
- 13.No Information Code
- 14.No Owner
- 15.No Agent
- 16.No Relative
- 17.No Estimate
- 18.No Tenant
- 19.No Other
- 20.No None
- 21.No One Story Fram
- 22.No Three Story Fr
- 23.No 4.1 & 1/2 Story
- 24.No 5.1 & 3/4 Story
- 25.No 6.2 & 1/2 Story
- 26.No 21.
- 27.No 22 Frame Shed
- 28.No 23.1 SF Garage
- 29.No 24.1 25 SF Garage
- 30.No 25.1 5 SF Garage
- 31.No 26.1 75 SF Garage
- 32.No 27.2 SF Garage
- 33.No 28.
- 34.No 29.

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/16/25, at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2027 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a “dangerous building,” as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris


[Signature]
John Snyder III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5. 2024

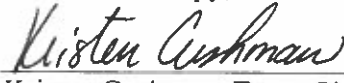
Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


Notary Public/ Attorney at Law

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. § § 2851-2859
(Dangerous Buildings)

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2027 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/14/25 AT 6:30 P.M. to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-016T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

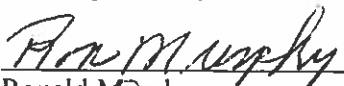
If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry



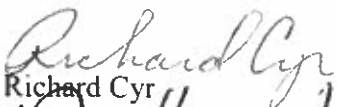

Christopher Gray



Ronald Murphy



Derek Wood


Richard Cyr


Terry Hamm-Morris



John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Keely Hope Ware Gonyea
Notary Public/Maine Attorney at Law

Printed Name:

Commission Expires:

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. § § 2851-2859
(Dangerous Buildings)

TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654

Building at 2027 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/25 AT 6:30 P.M, to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-016T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr
[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

[Signature]
Notary Public/~~Maine Attorney at Law~~

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030



O24-25-10

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2032 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2032 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-004T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 2032 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2032 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Rodent infestation with pervasive odor.
 - Accumulated garbage and decomposing food creating health hazards.
 - Poorly maintained exterior stairs and structural decay.
 - Mold and bacteria growth from unsanitary conditions.
 - Fire hazards due to improper storage of combustibles and exposed wiring.
 - General neglect, including blocked pathways and inadequate egress.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.

2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.
 - OR**
 - b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest: _____

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

DRAFT

|
|

|
|

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/4/2024

Date of Inspection: 09/06/2024

Tax Map: 35 **Tax Lot:** 26-004T

Book: 13363 **Page:** 1

Property Address: 2032 Park Drive, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because Rodent infestation accompanied by a pervasive odor, unstable exterior stairs, clutter and debris, debris and decomposing garbage, fire hazards, poor sanitation, electrical hazards, air quality, mold, general neglect.
 - Unstable because Deteriorated exterior stairs, weakend floor, neglected exterior maintenance, rodent infestation, accumulated trash, lack of foundation.
 - Unsanitary because Rodent infestation, presence of rodent feces and urine, decomposing food and trash, accumulation of garbage, lack of proper cleaning, and poor ventilation promoting mold, bacteria, and other harmful pathogens from the rodents.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because accumulation of garbage and clutter, potential wiring damage from rodent infestation, improper storage of combustibles, obstructed pathways, poor maintenance and neglect.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.
 - The building is unsuitable or improper because Health risk, structural hazards, unsanitary

conditions, fire hazards, lack of basic livability, poor air quality, neglected maintenance, and general neglect.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Rodent infestation which is evident from the foul odor of urine and feces, structural deterioration, accumulated garbage and debris, fire hazards, poor air quality, lack of basic repairs, and general neglect.

Dilapidation: Severe structural decay, exterior deterioration, unstable entry/exit points, rodent induced damage, interior decay from decomposing garbage, poor hygiene due to dilapidation, and general neglect.

Obsolescence: inadequate electrical system, structural issues, poor sanitation issues due to rodent infestation and decomposing garbage, insufficient ventilation and insulation, outdated sanitation, failure to meet modern fire safety standards, and general neglect.

Abandonment: Lack of general maintenance and repair, rodent infestation, accumulation of garbage clutter and debris, fire hazards, structural deterioration, unsecure property, degraded air quality.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Severe structural hazards, rodent infestation, fire hazards, fire hazards, unsanitary conditions, inadequate maintenance, blocked egress, exposure to toxic fumes or material, and general neglect.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

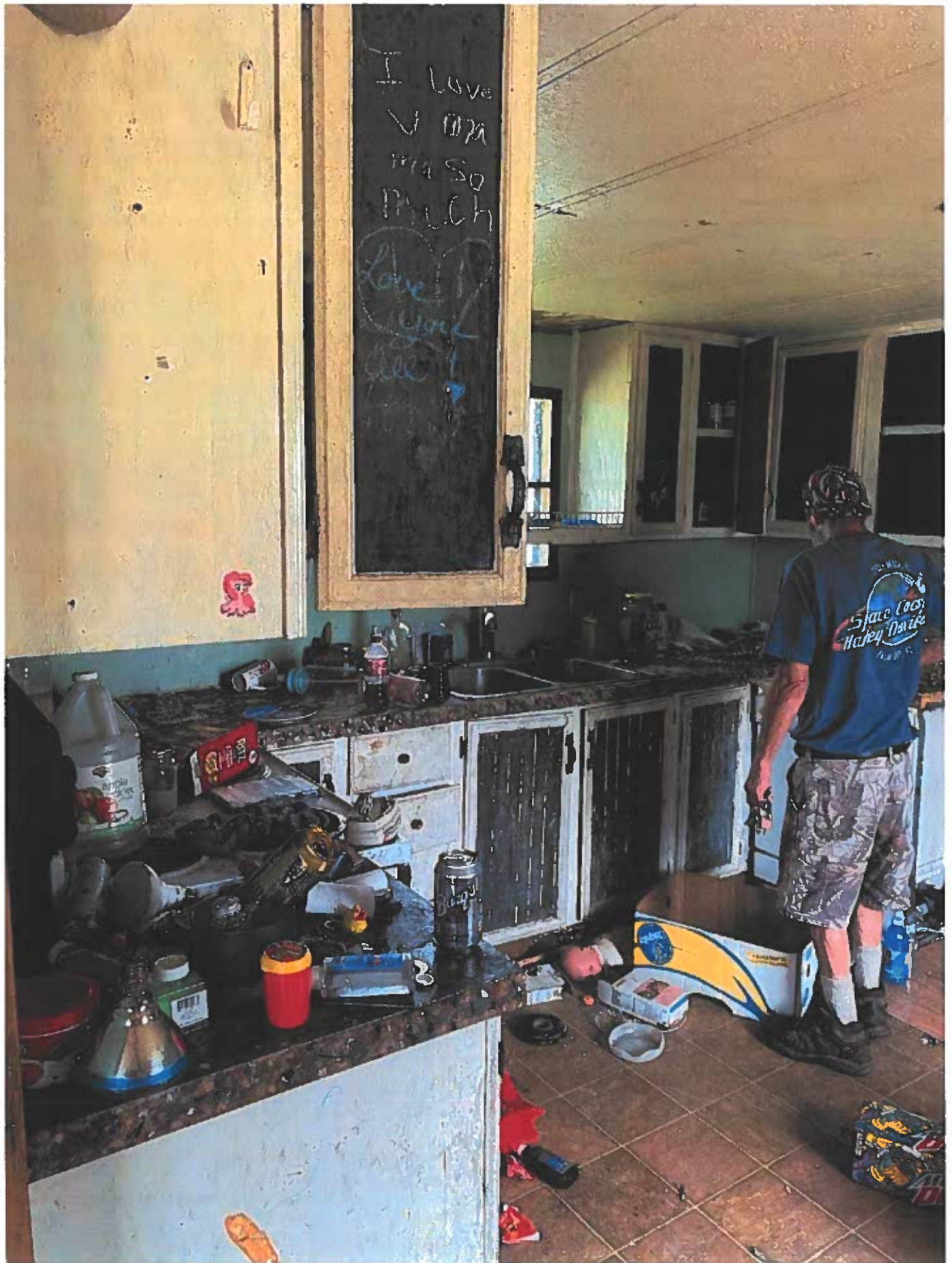
Name:
Its:
Town of Hermon

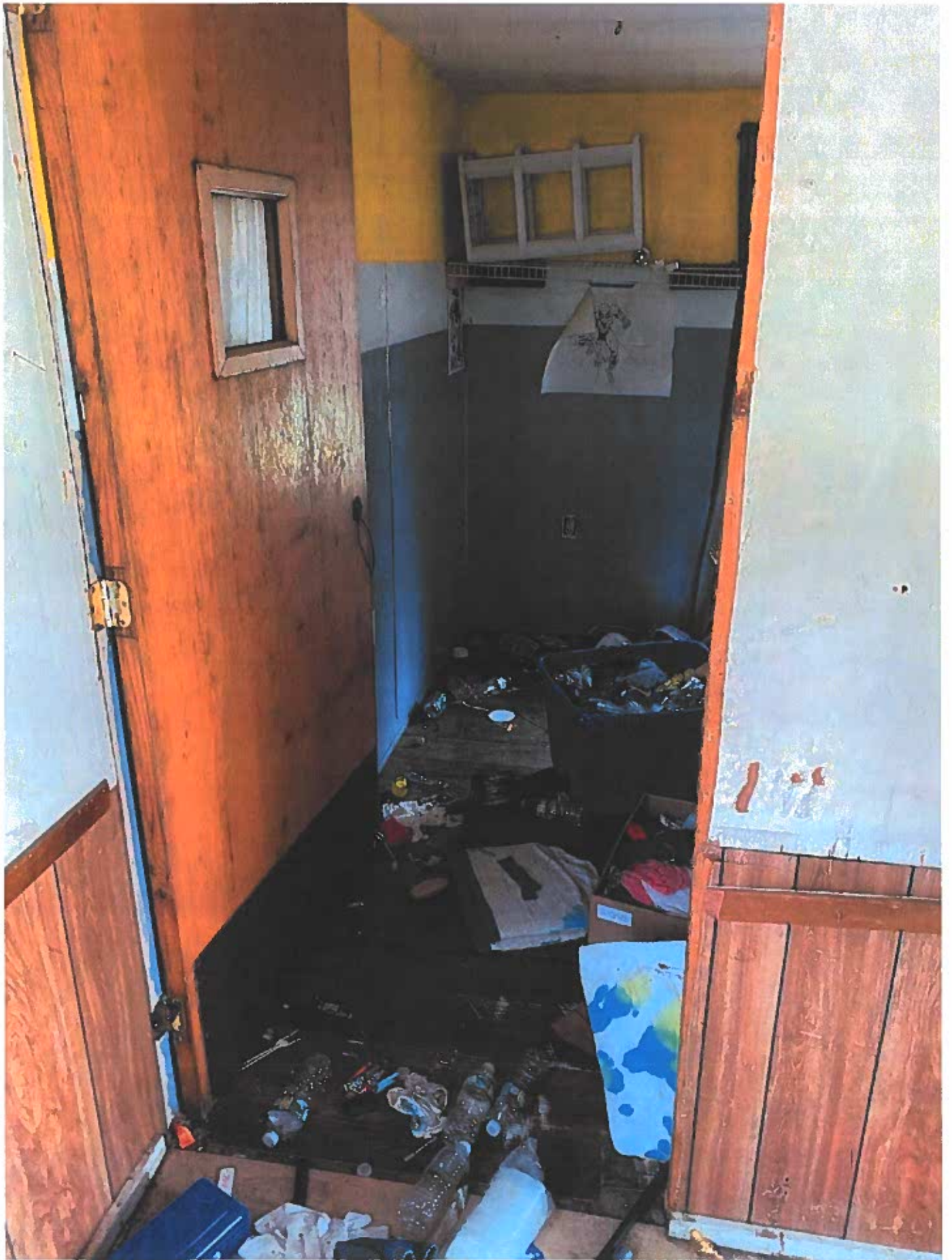
STATE OF MAINE
COUNTY OF PENOBSCOT _____, 2024

Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

Notary Public/Attorney at Law
Printed Name:
Commission Expires:









DANGEROUS BUILDING DECISION AND ORDER
Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2032 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2032 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-004T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on _____, 2024 at _____ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the _____, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”), Cody Sullivan, Hermon Fire Chief (“Chief Cody”), and _____.

Information concerning the history and condition of the mobile home at 2032 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2032 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has _____, and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.
 - OR**
 - b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Dated this __ day of _____, 2024

HERMON TOWN COUNCIL

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Ronald Murphy

John Snyder III, Council Chair

Derek Wood

A true copy, attest

Kristen Cushman, Town Clerk
Hermon, Maine

Hermon
8:47 AM

**RE Account 1516 Detail
as of 01/16/2025**

01/08/2025
Page 1

Name: HERMON MHP LLC
Location: 2032 PARK DRIVE
Acreage: 0.00 Map/Lot: 035-026-004T
Book Page: B13363P1

Land: 0
Building: 13,300
Exempt: 0

Total: 13,300

Ref1: B13363P1(Lots 35-26 &
Mailing: C/O MICHAEL & JONATHAN BEHLING
Address: 12630 HUSTON ST
VALLEY VILLAGE, CA 91607

2024-1 Period Due:
1) 144.97

| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|---------------------------------|------|-----------|---|---|-----------|----------|-------|--------|
| 2024-1 | R | | | | 144.97 | 0.00 | 0.00 | 144.97 |
| 2023-1 | L * | | | | 142.18 | 9.03 | 78.02 | 229.23 |
| 2022-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | L * | | | | 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 | L * | | | | 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 | R | | | | 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 |
| 2005-2 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2005-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2004-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 287.15 | 9.03 | 78.02 | 374.20 |

| Per Diem | |
|----------|--------|
| 2023-1 | 0.0312 |
| Total | 0.0312 |

Exempt Codes:

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

| HERMON MHP LLC C/O MICHAEL & JONATHAN BEHLING VALLEY VILLAGE CA 91607 | | Property Data | | Assessment Record | | |
|---|--|---------------|------|-------------------|--------|-------|
| No./Date | Description | Year | Land | Buildings | Exempt | Total |
| B13G3P1 | Previous Owner HERMON PARK LLC | | | | | |
| PO BOX 146 ELLSWORTH ME 04605 Sale Date: 10/11/2013 | Topography 9 9 | | | | | |
| Previous Owner EMERALD HOLDINGS LLC | 1.Level 4.Below St 7. 2.Rolling 5.Low 8. 3.Above St 6.Swampy 9. | | | | | |
| PO BOX 220 AUBURN ME 04212 Sale Date: 9/19/2007 | Utilities 9 None 9 None 1.Public 4.Dr Well 7.Cesspool 2.Water 5.Dug Well 8.Lagoon 3.Sewer 6.Septic 9.None | | | | | |
| Previous Owner STINSON, CHERYL | Street 9 None | | | | | |
| PO BOX 6135 HERMON ME 04402 6135 Sale Date: 11/22/2005 | 1.Paved 4.Proposed 7. 2.Semi Imp 5.Private 8. 3.Gravel 6.Rear 9.None | | | | | |
| Inspection Witnessed By: | Tree Growth Renew 0 Old Permit/Other 0 | | | | | |

| HERMON | | Sale Data | | Land Data | | |
|----------|-------------|----------------------|-----------|-------------|-----------|--------------------|
| No./Date | Description | Front Foot | Effective | Influence | Influence | |
| | | Type | Frontage | Depth | Factor | Code |
| X | | 11.Regular Lot | | | | 1.Unimproved |
| | | 12.Delta Triangle | | | | 2.Excess Frtg |
| | | 13.Nable Triangle | | | | 3.Topography |
| | | 14.Rear Land | | | | 4.Size/Shape |
| | | 15.Miscellaneous | | | | 5.Access |
| | | | | | | 6.Restriction |
| | | | | | | 7.Corner Infl |
| | | | | | | 8.View/Environ |
| | | | | | | 9.Fract Share |
| | | | | | | Acres |
| | | | | | | 30.Rear Land 3 |
| | | | | | | 31.Industrial Par |
| | | | | | | 32.Industrial Par |
| | | | | | | 33.Pasture/Hay fl |
| | | | | | | 34.Gravel Pit |
| | | | | | | 35.Tillable |
| | | | | | | 36.Pasture |
| | | | | | | 37.Softwood |
| | | | | | | 38.Mixed Wood |
| | | | | | | 39.Hardwood |
| | | | | | | 40.Waste 1 |
| | | | | | | 41.Lagoon per ac |
| | | | | | | 42.Mobile Home Si |
| | | | | | | 43.Condo Site |
| | | | | | | 44.Lot Improvement |
| | | | | | | 45.Shorefrontage |
| | | | | | | 46.Crop Land |
| | | Total Acreage | | 0.00 | | |

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/16/2025, at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2032 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyer III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5, 2024

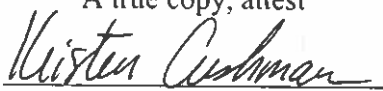
Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hammi-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


Notary Public/ Attorney at Law

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

**TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654**

Building at 2032 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/25 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-004T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry
Chris D
Christopher Gray
Ron Murphy
Ronald Murphy
Derek Wood
Derek Wood

Richard Cyr
Richard Cyr
Terry Hamm-Morris
Terry Hamm-Morris
John Snyder III
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Keely Hope Ware Gonyea
Notary Public/~~Maine Attorney-at-Law~~
Printed Name:
Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2032 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/25 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-004T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr
[Signature]
Terry Hamm-Morris

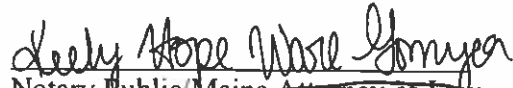
[Signature]
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,



Notary Public/Maine Attorney-at-Law

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030



O24-25-11

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2033 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2033 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-005T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 2033 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2033 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Severely compromised flooring and water damage.
 - Mold and rodent infestation due to neglect.
 - Exposed electrical hazards and potential wiring damage.
 - Structural instability and deteriorated exterior components.
 - Non-operational heating system and poor energy efficiency.
 - Safety risks from blocked egress and outdated systems.
 - **Unsecured entry points**, including broken windows and damaged exterior stairs.and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

OR

- b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision And Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or Shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest:

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/4/2024

Date of Inspection: 4/11/2023

Tax Map: 35 **Tax Lot:** 26-005T

Book: 13363 **Page:** 1

Property Address: 2033 Park Drive, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because Severely comprismised floor, mold growth, non-operational heating system, rodent infestation, structural damage, visable water damage, exposed electrical hazards, deteriorated entryways, overall habitability, and general neglect.
 - Unstable because Comprised structural flooring, water damage and rot, unstable load-bearing areas, exterior structural decay, lack of foundation, prest damage, general neglect.
 - Unsanitary because Mold growth, rodent infestation, water damage, accumulated trash and debris, exposed insulation, non-operating heating system, unsealed or broken windows, poor ventilation, general neglect.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because exposed electrical wiring, high potential of damage to wiring due to rodents, accumulation of combustable materials, non-operating heating system, structural decay, mold and damp insulation, improper ventilation, inadequate means of egress, aging utilites and systems, general neglect.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.
 - The building is unsuitable or improper because Structural instability, health hazards,

lack of functioning heating system, fire hazards, rodent infestation, inadequate protection from weater,
general neglect.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Structural deterioration, lack of floor system, mold growth, Mold growth, rodent infestation, water damage, accumulated trash and debris, non-functioning heating system, exposed electrical hazards, unsecured windows and siding, accumulation of debris, general neglect.

Dilapidation: Severely damaged flooring system, deteriorating walls and ceilings, rot and decay, comprised entry points, unstable exterior siding and stairs, unfit windows and doors, health hazards, fire hazards, general structural instability, general neglect.

Obsolescence: outdated and non-functioning heating system, comprimised electrical system, poor insulatino and energy efficiency, lack of flooring system, inadeguate structural system, comprimised windows and sealing, lack of pest control measures, extreme wear and tear, general neglect.

Abandonment: Unsecured premises, accelerated deterioration, pest infestation, fire hazard, vandalism and illegal activity, exposure to the elements, environmental hazards, general neglect.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Unsecured premises, accelerated deterioration, pest infestation, fire hazards, vandalism and illegal activities, exposure to the elements, environmental hazards, non-functioning heating system, lack of flooring system, extreme neglect.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer .

The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

Name:

Its:

Town of Hermon

STATE OF MAINE

COUNTY OF PENOBSCOT

_____, 2024

Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

Notary Public/Attorney at Law

Printed Name:

Commission Expires:







Rodent infestation, moisture and mold, missing smoke de





DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2033 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2033 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-005T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on _____, 2024 at _____ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the _____, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”), Cody Sullivan, Hermon Fire Chief (“Chief Cody”), and _____.

Information concerning the history and condition of the mobile home at 2033 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2033 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has _____, and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.
 - OR**
 - b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Dated this __ day of _____, 2024

HERMON TOWN COUNCIL

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Ronald Murphy

John Snyder III, Council Chair

Derek Wood

A true copy, attest

Kristen Cushman, Town Clerk
Hermon, Maine

**RE Account 1517 Detail
as of 01/16/2025**

Name: HERMON MHP LLC
Location: 2033 PARK DRIVE
Acreage: 0.00 Map/Lot: 035-026-005T
Book Page:

Land: 0
Building: 15,000
Exempt 0
Total: 15,000

Ref1: B P -

2024-1 Period Due:
1) 163.50

Mailing Address: C/O MICHAEL & JONATHAN BEHLING
12630 HUSTON ST
VALLEY VILLAGE, CA 91607

| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|--|------|-----------|---|---|---------------|--------------|--------------|---------------|
| 2024-1 | R | | | | 163.50 | 0.00 | 0.00 | 163.50 |
| 2023-1 | L * | | | | 160.98 | 10.23 | 59.69 | 230.90 |
| 2022-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2017-1 | 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 | R | | | | 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 |
| 2004-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 324.48 | 10.23 | 59.69 | 394.40 |

| | <u>Per Diem</u> |
|--------|-----------------|
| 2023-1 | 0.0353 |
| Total | 0.0353 |

Exempt Codes:

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

| Property Data | | Assessment Record | | | | |
|-------------------|-----------------------|-------------------|------|-----------|--------|-------|
| Neighborhood | 28 Fuller Rd Bldg/Bgr | Year | Land | Buildings | Exempt | Total |
| Tree Growth Year | 0 | | | | | |
| TIF ACCOUNT | 0 | | | | | |
| Y Coordinate | 0 | | | | | |
| Zone/Land Use | 12 Residential B | | | | | |
| Secondary Zone | | | | | | |
| Topography | 1 Level 9 | | | | | |
| 1.Level | 4.Below St 7. | | | | | |
| 2.Rolling | 5.Low 8. | | | | | |
| 3.Above St | 6.Swampy 9. | | | | | |
| Utilities | 9 None 9 None | | | | | |
| 1.Public | 4.Dr Well 7.Cesspool | | | | | |
| 2.Water | 5.Dug Well 8.Lagoon | | | | | |
| 3.Sewer | 6.Septic 9.None | | | | | |
| Street | 9 None | | | | | |
| 1.Paved | 4.Proposed 7. | | | | | |
| 2.Semi Imp | 5.Private 8. | | | | | |
| 3.Gravel | 6.Rear 9.None | | | | | |
| Tree Growth Renew | 0 | | | | | |
| Old Permit/Other | 0 | | | | | |
| Sale Data | | | | | | |
| Sale Date | 3/30/2008 | | | | | |
| Price | | | | | | |
| Sale Type | 1 Land Only - Res | | | | | |
| 1.Land Re | 4.Mobile 7.Land & Bld | | | | | |
| 2.L & B Re | 5.Other 8.Bldg Comm | | | | | |
| 3.Building R | 6.Land Comm 9. | | | | | |
| Financing | 1 Conventional | | | | | |
| 1.Convent | 4.Seller 7. | | | | | |
| 2.PHANA | 5.Private 8. | | | | | |
| 3.Assumed | 6.Cash 9.Unknown | | | | | |
| Validity | 1 Arms Length Sale | | | | | |
| 1.Valid | 4.Split 7.Changes | | | | | |
| 2.Related | 5.Partial 8.Other | | | | | |
| 3.Distress | 6.Exempt 9. | | | | | |
| Verified | 1 Buyer | | | | | |
| 1.Buyer | 4.Agent 7.Family | | | | | |
| 2.Seller | 5.Pub Rec 8.Other | | | | | |
| 3.Lender | 6.MLS 9. | | | | | |

| Land Data | |
|----------------------|--------------------|
| Type | Effective |
| Front Foot | Depth |
| Frontage | Code |
| 11.Regular Lot | % |
| 12.Delta Triangle | % |
| 13.Nabla Triangle | % |
| 14.Rear Land | % |
| 15.Miscellaneous | % |
| Square Foot | Square Feet |
| 16.Regular Lot | % |
| 17.Secondary Lot | % |
| 18.Excess Land | % |
| 19.Condominium | % |
| 20.GOLF COURSE HO | % |
| Fract. Acre | Acres/Sites |
| 21.Homesite (Fract) | % |
| 22.BaseLot (Fract) | % |
| 23.Contl Lot:(Fract) | % |
| 24.Homesite | % |
| 25.BaseLot | % |
| 26.Second Acre 1 | % |
| 27.Commercial 3 | % |
| 28.Rear Land 1 | % |
| 29.Rear Land 2 | % |
| Total Acreage | 0.00 |

| Influence Codes | |
|--------------------|------|
| Influence | Code |
| 1.Unimproved | |
| 2.Excess Frtg | |
| 3.Topography | |
| 4.Size/Shape | |
| 5.Access | |
| 6.Restriction | |
| 7.Corner Infl | |
| 8.View/Environ | |
| 9.Fract Share | |
| 30.Rear Land 3 | |
| 31.Industrial Par | |
| 32.Industrial Par | |
| 33.Pasture/Hay fi | |
| 34.Gravel Pit | |
| 35.Tillable | |
| 36.Pasture | |
| 37.Softwood | |
| 38.Mixed Wood | |
| 39.Hardwood | |
| 40.Waste 1 | |
| 41.Lagoon per acr | |
| 42.Mobile Home SI | |
| 43.Condo Site | |
| 44.Lot Improvement | |
| 45.Shorefrontage | |
| 46.Crop Land | |

Inspection Witnessed By:

| No./Date | Description | Date Insp. |
|----------|-------------|------------|
| X | | |

Notes:

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/14/25, at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2033 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a “dangerous building,” as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5, 2024

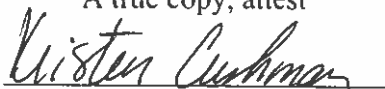
Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


Notary Public/ ~~Attorney at Law~~

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

Building at 2033 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/14/25 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-005T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Keely Hope Ware Gonyea
Notary Public/~~Maine Attorney at Law~~

Printed Name:

Commission Expires:

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654

Building at 2033 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/14/25 AT 6:30 P.M, to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-005T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

[Signature]
Notary Public/Maine Attorney-at-Law

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030



024-25-12

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2035 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2035 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-006T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 2035 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2035 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Structural deterioration, including compromised flooring and broken windows.
 - Rodent infestation and mold growth.
 - Lack of fire-resistant materials and poorly maintained electrical system.
 - Unsanitary living conditions due to accumulation of debris.
 - General neglect of structural and weatherproofing measures.
 - **Unsecured entry points**, including broken and poorly sealed windows and doors.and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

OR

- b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest:

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/4/2024

Date of Inspection: 4/11/2023

Tax Map: 35 **Tax Lot:** 26-006T

Book: 13363 **Page:** 1

Property Address: 2035 Park Drive, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because Strucural hazards, health risk from mold and rodent infestation, environmental exposures, fire and safety concerns, violation of housing standards, and general neglect.
 - Unstable because Structural deterioration, comprimised flooring, lack of founation, exposed and damaged skirting, lack of weatherproofing, broken windows and doors, rodent infestation, general neglect.
 - Unsanitary because Rodent infestation, mold growth, water damage, accumulation of debris, unsealed and damaged windows and doors, damage to skirting, general neglect.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because Rodent infestation, accumulation of flammable materials, poorly maintained electrical system, lack of fire resistant materials, blocked inadequate means of egress, general neglect.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.
 - The building is unsuitable or improper because Comprimised strucural integrity, health hazards,

lack of life safety items, inadequate weatherproofing, first and safety hazards, rodent infestation, failure to meet housing standards, general neglect.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Rodent infestation, water damage and mold, compromised structural integrity, unsecured openings, fire hazards, unsanitary living conditions, lack of general maintenance, general neglect.

Dilapidation: Compromised structural integrity, exposed and damaged skirting, broken windows and doors, water damage and mold growth, rodent infestation, fire hazards, unsanitary living conditions, general neglect.

Obsolescence: Outdate electrical system, health and safety hazard, damaged skirting, structural deficiencies, inadequate sanitation, energy inefficiency, and general neglect.

Abandonment: Rodent and pest infestation, unsecured premises, pest infestation, fire hazard, exposure to the elements, environmental hazards, general neglect.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Compromised structural integrity, health hazards, safety hazards, fire hazards, security risk, non-compliance with safety codes, general lack of maintenance, general neglect.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

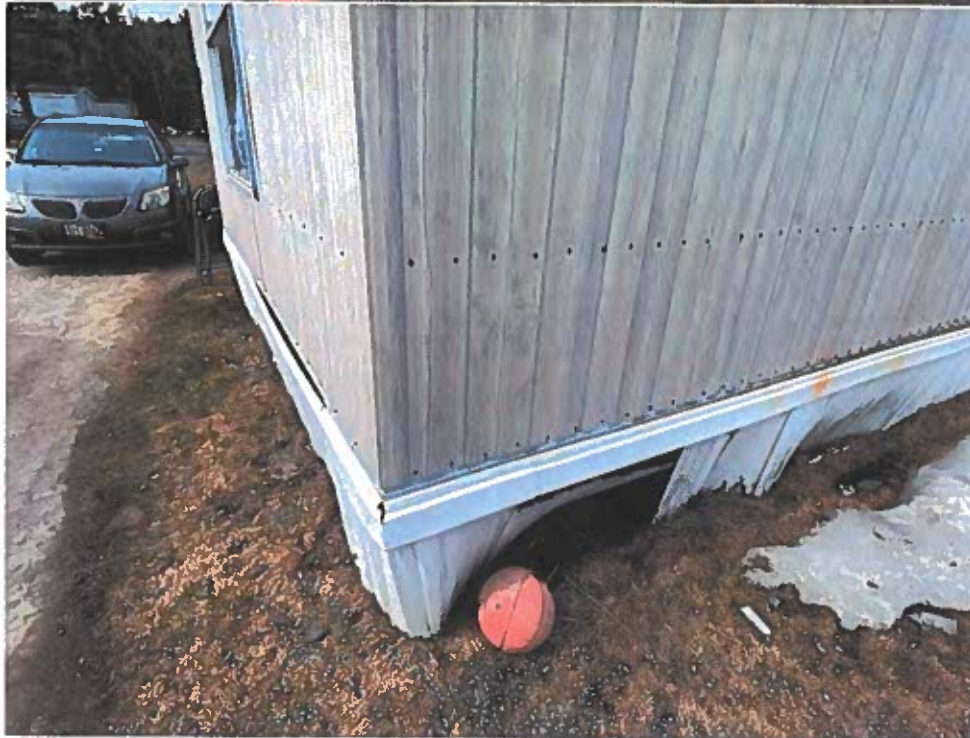
Name:
Its:
Town of Hermon

STATE OF MAINE
COUNTY OF PENOBSCOT _____, 2024

Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

Notary Public/Attorney at Law
Printed Name:
Commission Expires:















, m



DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2035 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2035 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-006T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on _____, 2024 at _____ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the _____, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”), Cody Sullivan, Hermon Fire Chief (“Chief Cody”), and _____.

Information concerning the history and condition of the mobile home at 2035 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2035 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has _____, and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.
 - OR**
 - b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Dated this __ day of _____, 2024

HERMON TOWN COUNCIL

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Ronald Murphy

John Snyer III, Council Chair

Derek Wood

A true copy, attest

Kristen Cushman, Town Clerk
Hermon, Maine

Hermon
8:48 AM

**RE Account 1518 Detail
as of 01/16/2025**

01/08/2025
Page 1

Name: HERMON MHP LLC
Location: 2035 PARK DRIVE
Acreage: 0.00 Map/Lot: 035-026-006T
Book Page:

Land: 0
Building: 10,700
Exempt: 0

Total: 10,700

Ref1: B P -

2024-1 Period Due:
1) 116.63

Mailing Address: C/O MICHAEL & JONATHAN BEHLING
12630 HUSTON ST
VALLEY VILLAGE, CA 91607

| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|--|------|-----------|---|---|---------------|-------------|--------------|---------------|
| 2024-1 | R | | | | 116.63 | 0.00 | 0.00 | 116.63 |
| 2023-1 | L * | | | | 115.15 | 7.32 | 78.02 | 200.49 |
| 2022-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | R | | | | 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 | L * | | | | 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 |
| 2010-2 | 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 | R | | | | 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 |
| 2004-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 231.78 | 7.32 | 78.02 | 317.12 |

| Per Diem | |
|-----------------|---------------|
| 2023-1 | 0.0252 |
| Total | 0.0252 |

Exempt Codes:

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

| Property Data | | Assessment Record | |
|-------------------|-----------------------|-------------------|-------|
| Year | Land | Buildings | Total |
| Neighborhood | 28 Fuller Rd Bill/Bgr | | |
| Tree Growth Year | 0 | | |
| TIF ACCOUNT | 0 | | |
| Y Coordinate | 0 | | |
| Zone/Land Use | 12 Residential B | | |
| Secondary Zone | | | |
| Topography | 9 | | |
| 1.Level | 4.Below St | | |
| 2.Rolling | 5.Low | | |
| 3.Above St | 6.Swampy | | |
| Utilities | 9 None | | |
| 1.Public | 4.Dr Well | | |
| 2.Water | 5.Dug Well | | |
| 3.Sewer | 6.Septic | | |
| Street | 9 None | | |
| 1.Paved | 4.Proposed | | |
| 2.Semi Imp | 5.Private | | |
| 3.Gravel | 6.Rear | | |
| Tree Growth Renew | 0 | | |
| Old Permit/Other | 2009 | | |

| Sale Data | | Land Data | | Influence Codes | |
|----------------------|----------------------|-------------|-----------|-----------------|-------------------|
| Front Foot | Type | Effective | Influence | Factor | Code |
| 11.Regular Lot | | | | | 1.Unimproved |
| 12.Delta Triangle | | | | | 2.Excess Frtg |
| 13.Nabla Triangle | | | | | 3.Topography |
| 14.Rear Land | | | | | 4.Size/Shape |
| 15.Miscellaneous | | | | | 5.Access |
| | | | | | 6.Restriction |
| | | | | | 7.Cornr Inf |
| | | | | | 8.View/Environ |
| | | | | | 9.Fract Share |
| | | | | | Acres |
| | | | | | 30.Rear Land 3 |
| | | | | | 31.Industrial Par |
| | | | | | 32.Industrial Par |
| | | | | | 33.Pasture/Hay fi |
| | | | | | 34.Gravel Pit |
| | | | | | 35.Tillable |
| | | | | | 36.Pasture |
| | | | | | 37.Softwood |
| | | | | | 38.Mixed Wood |
| | | | | | 39.Hardwood |
| | | | | | 40.Waste 1 |
| | | | | | 41.Lagoon per acr |
| | | | | | 42.Mobile Home SI |
| | | | | | 43.Conto Site |
| | | | | | 44.Lot Improvemen |
| | | | | | 45.Shorefrontage |
| | | | | | 46.Crop Land |
| Square Foot | Square Feet | | | | |
| 16.Regular Lot | | | | | |
| 17.Secondary Lot | | | | | |
| 18.Excess Land | | | | | |
| 19.Condominium | | | | | |
| 20.GOLF COURSE HO | | | | | |
| Fract. Acre | Acreage/Sites | | | | |
| 21.Homesite (Frac | | | | | |
| 22.BaseLot (Fract | | | | | |
| 23.Cornr Lot1(Frac | | | | | |
| Acres | | | | | |
| 24.Homesite | | | | | |
| 25.BaseLot | | | | | |
| 26.Second Acre 1 | | | | | |
| 27.Commercial 3 | | | | | |
| 28.Rear Land 1 | | | | | |
| 29.Rear Land 2 | | | | | |
| Total Acreage | | 0.00 | | | |

Inspection Witnessed By:

| No./Date | Description | Date Insp. |
|----------|-------------|------------|
| X | | |

Notes:

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/14/24 2025 at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2035 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a “dangerous building,” as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24 . Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5, 2024

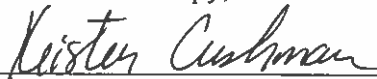
Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


~~Notary Public/ Attorney at Law~~

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2035 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/2025 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-006T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Joshua Berry
Joshua Berry

Christopher Gray
Christopher Gray

Ronald Murphy
Ronald Murphy

Derek Wood
Derek Wood

Richard Cyr
Richard Cyr

Terry Hamm-Morris
Terry Hamm-Morris

John Snyder III, Council Chair
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Keely Hope Ware Gonyea

Notary Public/~~Maine Attorney at Law~~

Printed Name:

Commission Expires:

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

**TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654**

Building at 2035 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/2025 AT 6:30 P.M. to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-006T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris

[Signature]
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

[Signature]

Notary Public/Maine Attorney-at-Law

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030



024-25-13

DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2041 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2041 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-019T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”) and Cody Sullivan, Hermon Fire Chief (“Chief Cody”).

Information concerning the history and condition of the mobile home at 2041 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. -

[Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2041 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
 - Rodent infestation and evidence of poor sanitation.
 - Structural decay and lack of maintenance.
 - Exposed plumbing and damaged interior surfaces.
 - Missing or non-operational smoke/CO detectors.
 - Electrical hazards and gas safety violations.
 - General neglect, including broken windows and lack of skirting.
 - **Unsecured entry points**, including broken and poorly sealed windows.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

OR

- b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to

satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" As defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

A true copy, attest:

Kristen L. Cushman, Town Clerk
Hermon, Maine

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

Town of Hermon, Maine
Property Inspection Report

Today's Date: 12/4/2024

Date of Inspection: 4/11/2023

Tax Map: 35 **Tax Lot:** 26-019T

Book: 13363 **Page:** 1

Property Address: 2041 Park Drive, Hermon, Maine 04401

Owner 1: Hermon MHP, LLC, C/O Michael & Johnathan Behling

Owner 1 Address: 12630 Huston Street, Valley Village, California 91607

Owner 2: _____

Owner 2 Address: _____

Please list additional owners on a separate sheet.

I, Jessefa Murphy, in my capacity as Code Enforcement Officer for the Town of Hermon, have personally inspected the above-named property and found the following to be true:

- The building on the property is structurally unsafe, unstable, or unsanitary.
 - Unsafe because Rodent infestation, moisture and mold, missing smoke/co detectors electrical hazards, environmental concerns, broken and poorly sealed windows, access and egress concerns, sanitation issues, non-operational heating system, missing or damaged skirting, and general neglect.
 - Unstable because Structural decay and rot, water intrusion, lack of proper maintenance, rodent infestation, broken and poorly sealed windows, rodent infestation, lack of proper flooring, and general neglect.
 - Unsanitary because Roden infestation, water damage and mold, damaged and exposed surfaces, exposed plumbling, poor maintenance and hygiene, broken and ineffective windows, accumulated dirt and debris, and general neglect.

- The building on the property constitutes a fire hazard.
 - The building constitutes a fire hazard because Missing smoke/co dectors, exposed and damaged electrical fixtures, rodent infestation, accumulated debris and combustable material, lack of gas shut-off valves for gas applicances, expired extinguishe, access and egress concerns, and general neglect.

- The building on the property is unsuitable or improper for the use of occupancy to which it is put.
 - The building is unsuitable or improper because lack of working smok/co detectors,

structural instability, health and sanitation concerns, fire hazards, lack of weatherproofing and insulation, poor maintenance, gas code violations, accumulated dirt and debris, general neglect.

The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.

Inadequate Maintenance: Structural deficiencies, health hazards, fire hazards, safety hazards, weatherproofing failures, poor repairs and maintenance, and general neglect.

Dilapidation: Structural decay, damaged/missing interior flooring, broken/damaged windows, electrical hazards, plumbing hazards, rodent infestation, fire hazards, exposed wiring, inadequate waterproofing, damaged walls and gaps, uninhabitable living conditions, prolonged maintenance, general neglect.

Obsolescence: Outdated structural systems, lack of modern safety features, health and sanitation risks from antiquated systems, energy inefficiency and weatherproofing deficiencies, inadequate fire protection infrastructure, failure to meet modern building standards, general neglect.

Abandonment: Structural decay, health and sanitation hazards, environmental hazards, pest infestation, fire and safety risk, unsafe accessibility of egress, weather and environmental exposure, and general neglect.

The building on the property is otherwise dangerous to life or property.

Dangerous to life or property because Structural hazards, health risk, fire hazards, gas safety concerns, environmental exposure and damage, risk to neighbors and surrounding properties, general neglect.

Pictures of the property are attached.

Under 17 M.R.S. § 2851, in order 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. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

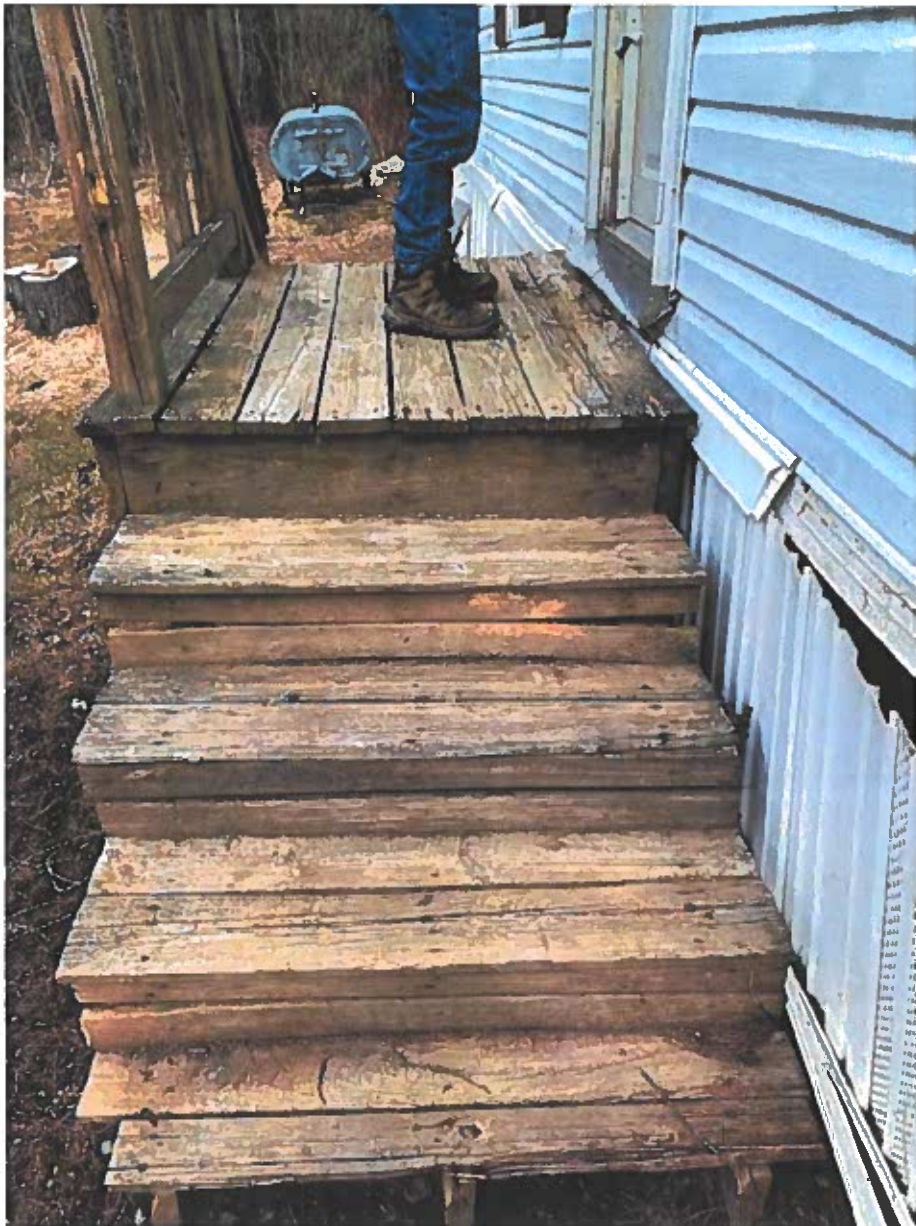
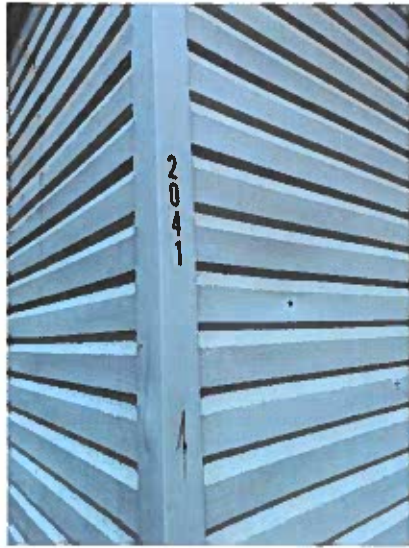
The above information is based on my personal inspection of the property and is true to the best of my knowledge and belief.

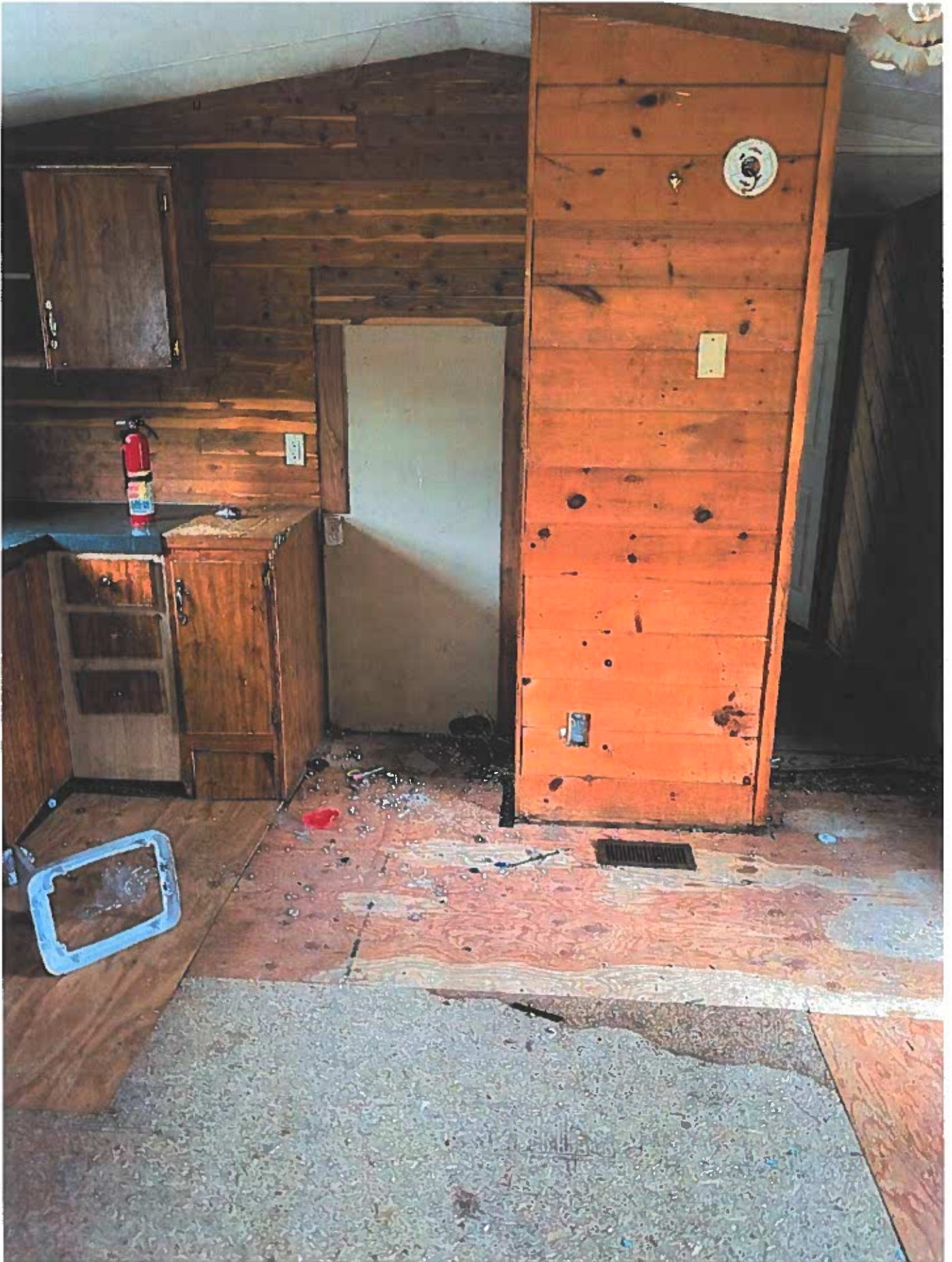
Name:
Its:
Town of Hermon

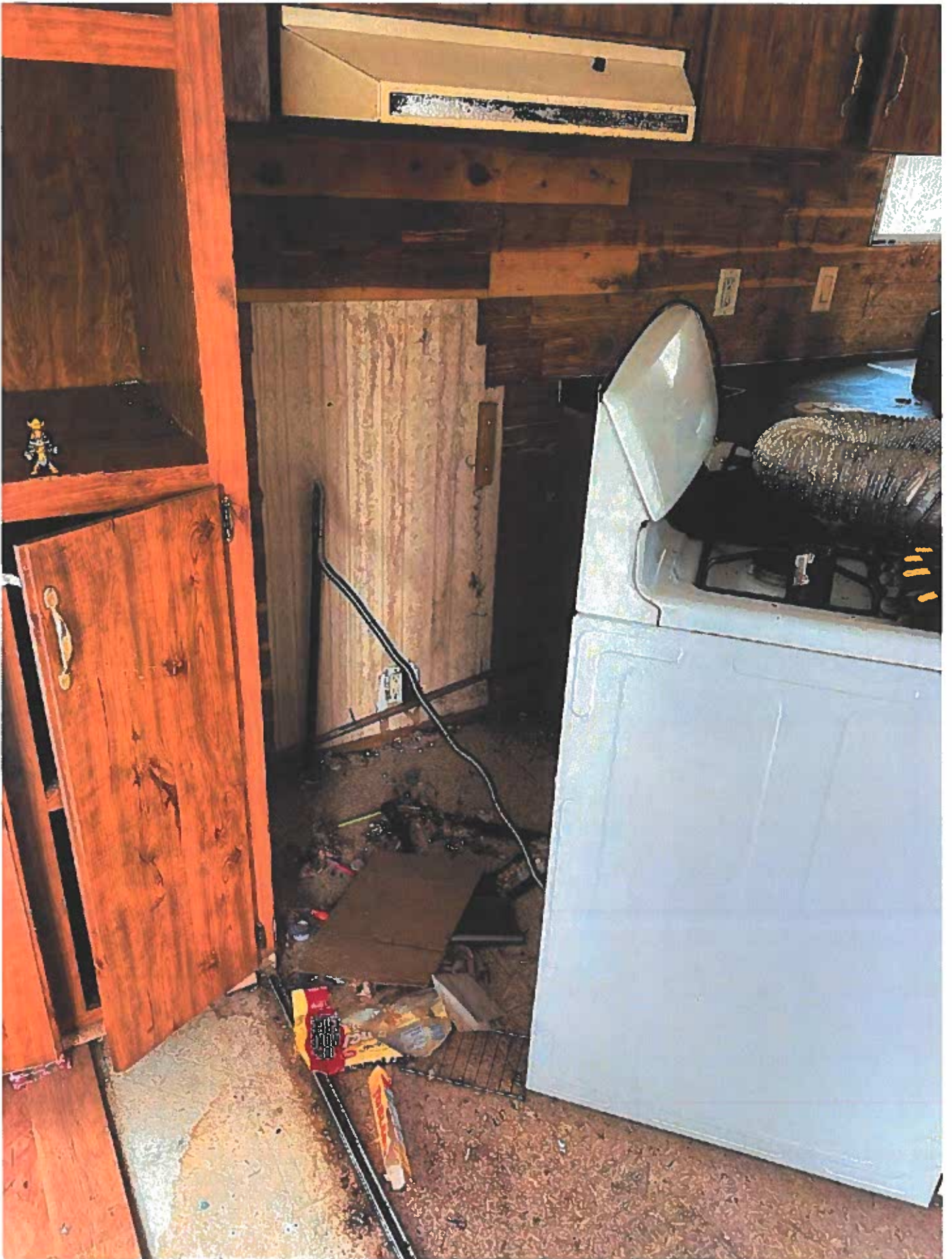
STATE OF MAINE
COUNTY OF PENOBSCOT _____, 2024

Personally appeared before me the above-named _____,
_____ of the Town of Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said capacity.

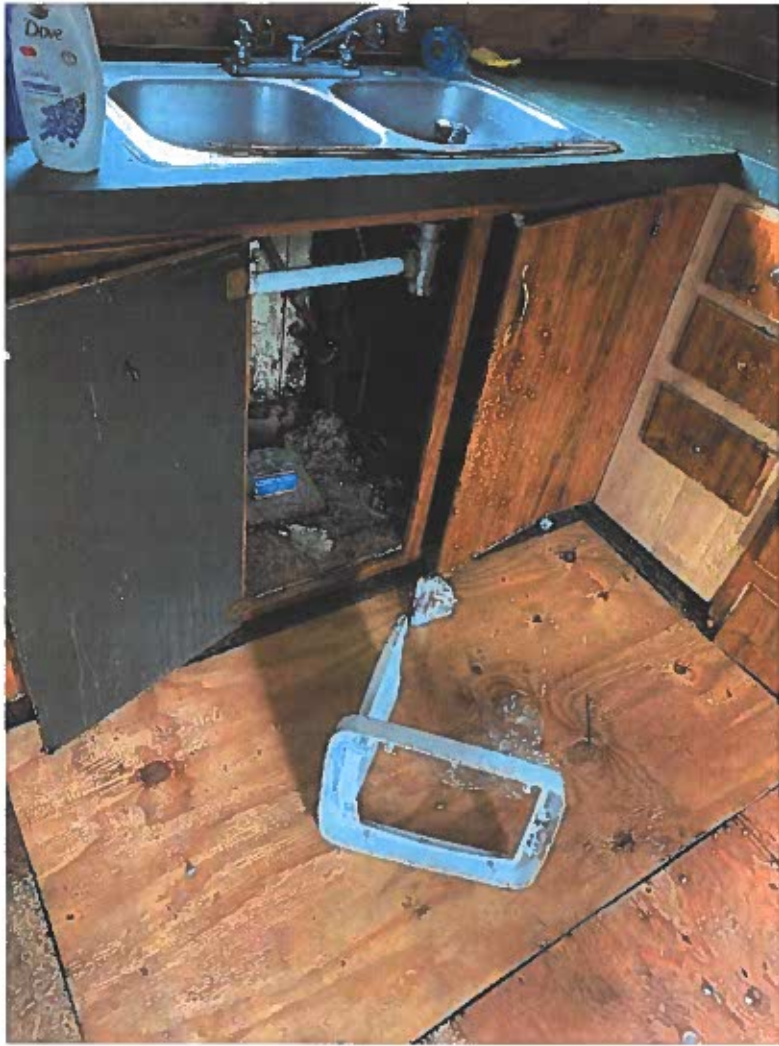
Notary Public/Attorney at Law
Printed Name:
Commission Expires:













DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

**TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607**

Building at 2041 Park Drive, Hermon, Maine

The Hermon Town Council (“Council”), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 *et seq.* (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2041 Park Drive, Hermon, Maine**, also known as **Map 35, Lot 26-019T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the “Property Owner” or “HMHP”), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on _____, 2024 at _____ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the _____, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer (“CEO Murphy”), Cody Sullivan, Hermon Fire Chief (“Chief Cody”), and _____.

Information concerning the history and condition of the mobile home at 2041 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2041 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
3. A title search current through the date of this Decision and Order identified **Machias Savings Bank** as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has _____, and is not structurally sound.
5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
 - a. Rehabilitate the aforescribed building on the Property to completely abate the dangerous conditions, as follows:
 - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
 - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
 - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.
 - OR**
 - b. Remove or demolish or cause to be removed or demolished, the aforescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Dated this __ day of _____, 2024

HERMON TOWN COUNCIL

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Ronald Murphy

John Snyder III, Council Chair

Derek Wood

A true copy, attest

Kristen Cushman, Town Clerk
Hermon, Maine

**RE Account 1511 Detail
as of 01/16/2025**

Name: HERMON MHP LLC
Location: 2041 PARK DRIVE
Acreage: 0.00 Map/Lot: 035-026-019T
Book Page: B13363P1

Land: 0
Building: 14,000
Exempt: 0

Total: 14,000

Ref1: B13363P1 (Lots 35-

2024-1 Period Due:
1) 152.60

Mailing Address: C/O MICHAEL & JONATHAN BEHLING
12630 HUSTON ST
VALLEY VILLAGE, CA 91607

| Year | Date | Reference | P | C | Principal | Interest | Costs | Total |
|---------------------------------|------|-----------|---|---|-----------|----------|-------|--------|
| 2024-1 | R | | | | 152.60 | 0.00 | 0.00 | 152.60 |
| 2023-1 | L * | | | | 149.23 | 9.48 | 78.02 | 236.73 |
| 2022-1 | L * | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2021-1 | R | | | | 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 | R | | | | 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 | L * | | | | 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 |
| 2008-2 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2008-1 | R | | | | 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 |
| 2004-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2003-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| 2002-1 | R | | | | 0.00 | 0.00 | 0.00 | 0.00 |
| Account Totals as of 01/16/2025 | | | | | 301.83 | 9.48 | 78.02 | 389.33 |

| Per Diem | |
|----------|--------|
| 2023-1 | 0.0327 |
| Total | 0.0327 |

Exempt Codes:

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

| Property Data | | Assessment Record | |
|------------------------------------|------|-------------------|-------|
| Year | Land | Buildings | Total |
| Neighborhood 28 Fuller Rd Bldg/Bgr | | | |
| Tree Growth Year 0 | | | |
| TIF ACCOUNT 0 | | | |
| Y Coordinate 0 | | | |
| Zone/Land Use 12 Residential B | | | |
| Secondary Zone | | | |
| Topography 9 | | | |
| 1.Level 4.Below St 7. | | | |
| 2.Rolling 5.Low 8. | | | |
| 3.Above St 6.Swampy 9. | | | |
| Utilities 9 None 9 None | | | |
| 1.Public 4.Dr Well 7.Cesspool | | | |
| 2.Water 5.Dug Well 8.Lagoon | | | |
| 3.Sewer 6.Septic 9.None | | | |
| Street 9 None | | | |
| 1.Paved 4.Proposed 7. | | | |
| 2.Semi Imp 5.Private 8. | | | |
| 3.Gravel 6.Rear 9.None | | | |
| Tree Growth Renew 0 | | | |
| Old Permit/Other 0 | | | |

Sale Data

| | |
|--------------|----------------------|
| Sale Date | 10/11/2013 |
| Price | 348,250 |
| Sale Type | 2 Land & Buildings - |
| 1.Land Re | 7.Land & Bld |
| 2.L & B Re | 8.Bldg Comm |
| 3.Building R | 9.Land Comm |
| Financing | 1 Conventional |
| 1.Convent | 4.Seller 7. |
| 2.FHA/VA | 5.Private 8. |
| 3.Assumed | 6.Cash 9.Unknown |
| Validity | 4 Split/Assemblage |
| 1.Valid | 7.Changes |
| 2.Related | 8.Other |
| 3.Distress | 9.Exempt |
| Verified | 1 Buyer |
| 1.Buyer | 4.Agent 7.Family |
| 2.Seller | 5.Pub Rec 8.Other |
| 3.Lender | 6.MLS 9. |

Hermon ME 04401
 Sale Date: 9/18/2005
 Inspection Witnessed By:

| No./Date | Description | Date Insp. |
|----------|-------------|------------|
| X | | |

Notes:

Land Data

| Type | Effective | | Influence | Code | Influence Codes |
|-------------------|-----------|-------|-----------|------|--------------------|
| | Frontage | Depth | | | |
| 11.Regular Lot | | | % | | 1.Unimproved |
| 12.Delta Triangle | | | % | | 2.Excess Frtg |
| 13.Nabia Triangle | | | % | | 3.Topography |
| 14.Rear Land | | | % | | 4.Size/Shape |
| 15.Miscellaneous | | | % | | 5.Access |
| | | | % | | 6.Restriction |
| | | | % | | 7.Corner Infl |
| | | | % | | 8.View/Environ |
| | | | % | | 9.Fract Share |
| | | | % | | 30.Rear Land 3 |
| | | | % | | 31.Industrial Par |
| | | | % | | 32.Industrial Par |
| | | | % | | 33.Pasture/Hay fi |
| | | | % | | 34.Gravel Pit |
| | | | % | | 35.Tillable |
| | | | % | | 36.Pasture |
| | | | % | | 37.Softwood |
| | | | % | | 38.Mixed Wood |
| | | | % | | 39.Hardwood |
| | | | % | | 40.Waste 1 |
| | | | % | | 41.Lagoon per acr |
| | | | % | | 42.Mobile Home SI |
| | | | % | | 43.Condo Site |
| | | | % | | 44.Lot Improvement |
| | | | % | | 45.Shorefrontage |
| | | | % | | 46.Crop Land |

Square Foot

| | |
|-------------------|--|
| 16.Regular Lot | |
| 17.Secondary Lot | |
| 18.Excess Land | |
| 19.Condominium | |
| 20.GOLF COURSE HO | |

Fract. Acre

| | |
|-------------------|--|
| 21.Homesite (Frac | |
| 22.BaseLot (Frac | |
| 23.Com1 Lot1(Frac | |
| 24.Homesite | |
| 25.BaseLot | |
| 26.Second Acre 1 | |
| 27.Commercial 3 | |
| 28.Rear Land 1 | |
| 29.Rear Land 2 | |

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO:
Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the **TOWN OF HERMON, MAINE** will hold a public hearing on 1/14/25, at 6:30 P.M., at the Hermon Town Office at **333 BILLINGS ROAD, HERMON, MAINE 04401** for the purpose of determining whether one or more buildings or other structures located on the property identified as **2041 PARK DRIVE, HERMON, MAINE 04401**, and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP, LLC**, dated October 9, 2013, and recorded in **BOOK 13363, PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine

Absent
Joshua Berry

[Signature]
Christopher Gray

[Signature]
Ronald Murphy

[Signature]
Derek Wood

[Signature]
Richard Cyr

[Signature]
Terry Hamm-Morris


[Signature]
John Snyder III, Council Chair

STATE OF MAINE
PENOBSCOT COUNTY, ss.

Date: 12/5 . 2024


Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


Notary Public / ~~Attorney at Law~~

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

A true copy, attest


Kristen Cushman, Town Clerk
Hermon, Maine

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: Machias Savings Bank
P.O. Box 318
Machias, Maine 04654

Building at 2041 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/25 AT 10:30 P.M, to determine whether the residential building located on land owned by **HERMON MHP, LLC**, as shown on **MAP 35, LOT 26-019T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363, Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363, Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943, Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996, Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

AloSent
Joshua Berry

Cli D
Christopher Gray

Ron Murphy
Ronald Murphy

Derek Wood
Derek Wood

Richard Cyr
Richard Cyr

Terry Hamm-Morris
Terry Hamm-Morris

John Snyder III
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Keely Hope Ware Gonyea
Notary Public/ ~~Maine Attorney at Law~~

Printed Name:

Commission Expires: **KEELY HOPE WARE GONYEA**
Notary Public, State of Maine
My Commission Expires September 5, 2030

NOTICE OF HEARING
Pursuant to 17 M.R.S.A. §§ 2851-2859
(Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

Building at 2041 Park Drive, Hermon, Maine

You are hereby notified that the **HERMON TOWN COUNCIL** will hold a hearing at **THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401** on 1/16/25 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on **MAP 35, LOT 26-019T** of the current Tax Maps of Hermon, Maine, described in **BOOK 13363, PAGE 1** at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a “dangerous building,” they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney’s fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent

Joshua Berry

[Signature]

Christopher Gray

[Signature]

Ronald Murphy

[Signature]

Derek Wood

[Signature]

Richard Cyr

[Signature]

Terry Hamm-Morris

[Signature]

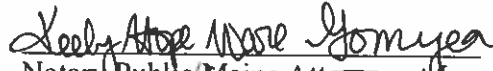
John Snyder III, Council Chair

STATE OF MAINE
COUNTY OF PENOBSCOT

12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John Snyder III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,


~~Notary Public/Maine Attorney-at-Law~~

Printed Name:

Commission Expires:

KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030



FR24-25-12

Be it resolved by the Hermon Town Council in Town Council assembled to authorize the Treasurer or his/her designee, to abate the following Personal Property Taxes because they have been deemed uncollectible.

| Account # | Name | Amount |
|------------|-----------------------|-------------|
| 242 (2015) | Adam's Automotive LLC | \$ 184.80 |
| 242 (2016) | Adam's Automotive LLC | \$ 184.80 |
| 242 (2017) | Adam's Automotive LLC | \$ 187.88 |
| 242 (2018) | Adam's Automotive LLC | \$ 178.64 |
| 319 (2018) | Advanced Development | \$ 464.00 |
| 281 (2018) | AT & T Mobility LLC | \$ 258.68 |
| 45 (2013) | AVG Acquisition Inc | \$ 128.63 |
| 45 (2014) | AVG Acquisition Inc | \$ 130.80 |
| 45 (2015) | AVG Acquisition Inc | \$ 130.80 |
| 45 (2016) | AVG Acquisition Inc | \$ 130.80 |
| 45 (2017) | AVG Acquisition Inc | \$ 164.70 |
| 45 (2018) | AVG Acquisition Inc | \$ 155.44 |
| 308 (2015) | Clear Wireless LLC | \$ 30.00 |
| 308 (2016) | Clear Wireless LLC | \$ 30.00 |
| 308 (2017) | Clear Wireless LLC | \$ 30.50 |
| 308 (2018) | Clear Wireless LLC | \$ 29.00 |
| 43 (2014) | Coastal Med Tech | \$ 1,320.00 |
| 43 (2015) | Coastal Med Tech | \$ 1,200.00 |
| 43 (2016) | Coastal Med Tech | \$ 1,200.00 |
| 43 (2017) | Coastal Med Tech | \$ 1,434.72 |
| 43 (2018) | Coastal Med Tech | \$ 1,350.24 |
| 344 (2017) | Dorr, Alan Inc | \$ 2,357.04 |
| 344 (2018) | Dorr, Alan Inc | \$ 2,352.48 |
| 445 (2016) | Douglass Photography | \$ 56.40 |
| 445 (2017) | Douglass Photography | \$ 78.08 |
| 445 (2018) | Douglass Photography | \$ 91.64 |
| 430 (2015) | John Deer Financial | \$ 732.00 |



| | | | |
|-----|--------|---------------------------|-------------|
| 127 | (2017) | Johnson, Heather | \$ 69.54 |
| 127 | (2018) | Johnson, Heather | \$ 64.96 |
| 438 | (2018) | Leaf Capital Funding, LLC | \$ 924.52 |
| 143 | (2015) | Sitewerx Inc | \$ 1,346.40 |
| 143 | (2016) | Sitewerx Inc | \$ 979.20 |
| 682 | (2013) | Thayers Automotive | \$ 414.47 |
| 682 | (2014) | Thayers Automotive | \$ 417.60 |
| 682 | (2015) | Thayers Automotive | \$ 417.60 |
| 682 | (2016) | Thayers Automotive | \$ 417.60 |
| 682 | (2017) | Thayers Automotive | \$ 455.06 |
| 682 | (2018) | Thayers Automotive | \$ 540.56 |
| | | | \$20,639.58 |

SIGNED this January 16, 2024 by the Hermon Town Council:

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

| | | |
|--------------|------------|------------|
| Motion _____ | Yeas _____ | Date _____ |
| Second _____ | Nays _____ | |



FR24-25-13

Hermon Elderly Project

Be it resolved by the Hermon Town Council in town council assembled that the request from the owner of the Hermon Elderly Project so-called Boulter Apartments for an agreement for payment by a non-profit corporation in lieu of taxes (PILOT) on exempt property be authorized for a period of five years effective 4-1-2023 through March 31, 2027 and the amount of the annual payment be \$11,000.

Be it further resolved that the request be granted only if the Assessor, Rylee Cushman, determines that the owner and property qualify for such exemption pursuant to Title 36, M.R.S.A. Section 652.

SIGNED this January 16, 2025 by the Hermon Town Council:

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Date _____

Second _____

Nays _____



FR24-25-14

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 \$15,000.00 from Danforth family for the High School Athletic Complex. Funds are to be deposited in the new Track Donation Revenue account, R37-134.

SIGNED this January 16, 2025 by the Hermon Town Council:

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

| | | |
|--------------|------------|------------|
| Motion _____ | Yeas _____ | |
| Second _____ | Nays _____ | Date _____ |



R24-25-19

WHEREAS, the Town of Hermon is committed to adhering to all applicable state laws governing municipal operations, including property taxation, revenue collection, and fiscal management; and

WHEREAS, Title 36 of the Maine Revised Statutes establishes the legal framework for the administration of property tax laws, including assessment, collection, abatements, and related procedures; and

WHEREAS, compliance with Title 36 ensures equitable treatment of taxpayers, promotes proper fiscal management, and upholds the Town’s legal obligations under Maine state law;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Hermon, that:

1. The Town of Hermon reaffirms its commitment to full compliance with Title 36 of the Maine Revised Statutes.
2. Municipal officers, employees, and agents involved in property tax administration and related activities shall ensure their actions align with the requirements of Title 36.
3. The Town Manager or their designee is directed to review municipal practices periodically to maintain compliance and recommend any necessary updates to the Town Council.

BE IT FURTHER RESOLVED, that this resolve shall take effect immediately upon adoption by the Town Council.

SIGNED this January 16, 2025 by the Hermon Town Council:

John Snyder III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

| | | | | |
|--------------|------------|--------------|------------|------------|
| Motion _____ | Yeas _____ | Second _____ | Nays _____ | Date _____ |
|--------------|------------|--------------|------------|------------|



R24-25-20

WHEREAS, beginning in 2009, Neighbors Supporting Neighbors Community Food Pantry (“Pantry”) approached the Hermon Town Council regarding locating the Pantry on a Town-owned lot located off Billings Road identified on Hermon Map 42 Lot 73 (“Billings Road Lot”); and

WHEREAS, on March 13, 2014, the Town Council signed Resolve R13-14-93 authorizing the preparation of, for future Town Council approval, a lease agreement between the Town and the Pantry for the Billings Road Lot subject to certain conditions specified in Resolve R13-14-93; and

WHEREAS, after the entry of Resolve R13-14-93, the Town Council did not enter into a lease agreement with the Pantry for the Billings Road Lot; and

WHEREASE, after conducting due diligence regarding the history of discussions between the Town Council and the Pantry and having concluded there is no definitive agreement obligating the Town to allow the Pantry to use the Billings Road Lot; and

WHEREAS, the Pantry has recently approached the Town Council requesting the Town Council consider entering into a lease agreement or otherwise allowing the Pantry to use the Billings Road Lot; and

WHEREAS, after careful consideration of the Pantry’s most recent request to allow it to use the Billings Road Lot through a lease agreement or other mechanism;

Be it resolved by the Hermon Town Council in Town Council assembled that the request from the Neighbors Supporting Neighbors Community Food Pantry

to build a food pantry on property owned by the Town and located off Billings Road identified on Hermon Map 42 Lot 73 is denied.

SIGNED this January 16, 2024 by the Hermon Town Council:

John Snyder III

Ronald Murphy

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____



R24-25-21

RESERVE POLICY

The Reserve Policy defines and explains usage of the Hermon Reserve Funds. All Funds are to be created and funded in accordance with the Charter of the Town of Hermon.

1. DEFINITIONS OF RESERVES

HERM01 **LAW ENFORCEMENT CONTRACT RESERVE**

Used for anticipated cost increase for contracting law enforcement services.

HERM02 **ADMINISTRATION RESERVE**

The reserve account is designated to fund municipal obligations, including unemployment claims, legal liabilities, public land acquisition, planning and ordinance development, and the accrual of sick leave reserves.

HERM05 **PUBLIC SAFETY & FIRE DEPARTMENT RESERVE**

Designated to fund repairs and equipment for the Fire Department, as well as repairs and maintenance of rural fire ponds.

HERM06 **PUBLIC WORKS AND ROAD RESERVE**

The reserve account is designated to fund public works road and building repairs, equipment purchases, maintenance and operation of the transfer station, and upkeep of the Veteran's Park.

HERM07 **SCHOOL REPAIRS RESERVE**

Repairs to schools not covered by regular budget.

HERM09 **PARKS AND RECREATION RESERVE**

The reserve account is designated to fund the construction of recreation facilities and other related projects, repair and expansion of cemeteries, and maintenance of Jackson Beach.

HERM10 SPECIAL EDUCATION OUT OF DISTRICT PLACEMENT RESERVE

The reserve account is designated to fund the tuition, transportation and legal compliance costs associated with providing specialized education services to students who require placement outside of the district's standard programs.

HERM11 PUBLIC FACILITY RESERVE

The reserve account is designated to fund municipal building repairs, expansion, replacement, and the purchase of software and technology equipment for the Town Office.

HERM12 SEWER MAINTENANCE RESERVE

The reserve account is designated to fund the expansion, repair, and maintenance of sewer lines and pump stations, as well as funding solid waste trash services.

HERM21 SCHOOL CAPITAL RESERVE

Major purchases by the school (Information Technology, telephone system), building of schools.

HERM24 HHS SCIENCE LAB RESERVE

The reserve account is designated to fund the construction, expansion, repair, replacement, and maintenance of Hermon High School facilities designated for the science curriculum.

HERM27 SCHOOL FUEL RESERVE

HERM30 ELEMENTARY REC RESERVE

HERM33 SCHOOL BUS RESERVE

HERM36 FOOD SERVICE RESERVE

HERM37 ENROLLMENT RESERVE

2. CREDIT RESERVE ACCOUNT

2.1 Funding: The Reserve may be funded through two sources:

1. Direct appropriation from the annual municipal budget, not to exceed 5% of the current tax commitment.
2. Appropriation of unrestricted net assets pursuant to the Unrestricted Net Asset Policy.

2.2 Expenditures: The following are the only allowed uses of the account, all uses require authorization from a Special or Annual Town Meeting vote:

1. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, or for emergencies that are not covered or sufficiently covered by the operating budget or another reserve account.
2. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, appropriations to prevent the necessity of a Tax Anticipation Note (TAN).
3. As recommended by the Council with authority through a Special or Town Meeting Vote, appropriations or transfers to other reserves.
4. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, appropriations to stabilize the tax rate, not to exceed 10% of the previous year's commitment. The purpose of limiting tax rate stabilization to 10% is to prevent subsidizing one year's tax commitment at the expense of the Credit Reserve balance.

3. SCHOOL RESERVES

- 3.1 Shall be funded from the annual operating budget of the school.
- 3.2 The Town through Special or Town Meeting can increase the appropriation to reserves, but this will not be included as part of the school annual operating budget.
- 3.3 The Credit Reserve Account, with recommendation from the Hermon School Committee, can be used for expenses associated with schools with authorization by a Special or Annual Town Meeting Vote.
- 3.4 Carry Forward as defined in Law shall never be included as a portion of the School Reserves or Unrestricted Net Assets.

4. GENERAL PROVISIONS

- 4.1 The Town Council has the authority to recommend the creation any reserve account, in accordance with the Town Charter.
- 4.2 Only Special or Annual Town Meetings may appropriate funds to a reserve.
- 4.3 Per Town Charter the Council must adopt a Capital Improvement Plan annually.
- 4.4 Transfers of funds from one reserve to another reserve must be authorized by a Special or Annual Town Meeting Vote. Elimination of a reserve account, with a zero balance, is at the discretion of the Town Council.
- 4.5 Investment of funds shall be in accordance with an adopted investment policy. Without an adopted policy the Town Council will oversee the investments as conducted by the Town Treasurer and Finance Director.

4.6 Annually the Town Council must set guidelines for anticipated expenditures from reserves expected in the next fiscal year, 1 to 3 fiscal years, 3 to 5 fiscal years, and greater than 5 years. This shall be completed as part of the Capital Improvement Plan.

4.7 All interest accrued from reserves shall be distributed on a prorated basis amongst the reserves and shall not be used as operating revenues.

SIGNED this January 16, 2024 by the Hermon Town Council:

John Snyder III

Ronald Murphy

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original: _____

Motion _____

Yeas _____

Second _____

Nays _____

Date _____

DRAFT

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