

WARRANT FOR SPECIAL TOWN MEETING

September 24, 1998

GREETINGS: You are hereby required in the name of the State of Maine to notify and warn the Inhabitants of the Town of Topsham, qualified to Vote on Town Affairs, to assemble at Mt. Ararat School on the twenty-fourth day of September, A.D. at 7:00 o'clock p.m. Daylight Savings Time and then and there to act on Article 1 thru 8 to wit:

ARTICLE 1 -- To elect a *Moderator* to preside at said meeting. John Loyd

ARTICLE 2 -- Shall the Town of Topsham, Maine ("Town") designate the Bowdoin Mill Property (the "Mill") including 8.39 acres of land (the "Land") as the Bowdoin Mill Project Municipal Development and Tax Increment Financing District and adopt the Development Program for the District presented to the Board of Selectmen, such designation and adoption to be pursuant to the following terms and provisions?

WHEREAS, the Town is authorized pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, to designate a specified area within the Town as a Municipal Development and Tax Increment Financing District (the "District") and to adopt a Development Program for such District; and

WHEREAS, there is a need for commercial development in the Town; and

WHEREAS, the Fore River Company or an entity controlled by it (collectively, the "Developer") intend to acquire, and renovate for the purpose of office, retail, restaurant space, lodging and other permitted uses to be located within the proposed District; and

WHEREAS, there is a need to provide new employment opportunities for the citizens of the Town and the surrounding region; to improve and broaden the tax base of the Town and to improve the general economy of the Town, the surrounding region and the State of Maine; and

WHEREAS, the expansion will help provide new employment for the citizens of the Town of Topsham and the surrounding region; improve and broaden the tax base in the Town and improve the economy of the Town and the State of Maine; and

WHEREAS, there is a need to encourage the expansion, improvement and continuation of manufacturing facilities through the establishment of Municipal Development and Tax Increment Financing Districts in accordance with the provisions of Chapter 207 of Title 30-A; and

WHEREAS, the Town has held a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. ss 5253, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town desires to designate the Bowdoin Mill Project Municipal Development and Tax Increment Financing District and adopt a Development Program for such District; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the designation of the District and the adoption of the Development Program for the District;

NOW THEREFORE, BE IT HEREBY VOTED BY THE TOWN:

Section 1 The Town hereby finds and determines that:

At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is suitable for industrial sites as defined in 30-A M.R.S.A. ss 5253; and

The total area of the District does not exceed two percent (2%) if the total acreage of the Town, and the total area of all development districts within the Town (including the District) does not exceed five percent (5%) of the total acreage of the Town; and

The aggregate value of equalized taxable property of the District as of April 1, 1998 does not exceed five percent (5%) of the total value of equalized taxable property within the Town as of April 1, 1998; and

The aggregate value of indebtedness financed by the proceeds from tax increment financing districts within Sagadahoc County, including the proposed District, does not exceed \$6,675,000; and

The Town expects that the Developer's project as described in the Development Program will be completed within five (5) years of the designation of the District by the Department of Economic and Community Development; and

The designation of the District and pursuit of the Development Program will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitute a good and valid public purpose.

Section 2. Pursuant to Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the Bowdoin Mill Project Municipal Development and Tax Increment Financing District, designated and described as more particularly set forth in the "Bowdoin Mill Project Municipal Development and Tax Increment Financing District Development Program" presented to the Board of Selectmen in the form attached hereto and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. The Town Manager be, and hereby, is authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State or Maine Department of Economic and Community Development ("DECD") for review and approval pursuant to the requirements of 30-A M.R.S.A. ss 5253 (1)(F).

Section 4. The foregoing designation of the District and the adoption of the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the Town of approval of the designation of the District and adoption of the Development Program by the DECD, without requirements of further action by the Town, the Board of Selectmen, or any other party.

Section 5. The Town Manager be and hereby is authorized and empowered, at her discretion, from time to time, to make such technical revisions to the Development Program for the District as DECD deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department of Economic and Community Development, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

Section 6. The Town Manager, with the approval of the Board of Selectmen, be and hereby is authorized and directed to enter into the Credit Enhancement Agreement contemplated by the Development Program, and in the name of and on behalf of the Town, such agreement to be in such form and to contain such terms and provisions, not inconsistent with the Development Program, as the said Town Manager and Board of Selectmen may approve.

Selectmen's Recommendation: _____
Finance Committee Recommendation: _____

See Handout
Passed

ARTICLE 3 – Shall the Town of Topsham rescind and revoke the March 30, 1989 designation and approval of the Great Bowdoin Mill Tax Increment Financing District.

Explanation and Recommendation: This former TIF district was approved by voters in 1989. However, the Developer failed to complete the development program within the 5 years required by Maine Law. The purpose of this article is to confirm the defunct status of this matter. The Board of Selectmen recommend approval of this article.

ARTICLE 4 – To see if the Town of Topsham will vote to authorize the Selectmen to make application for a grant for the following program: Downtown Revitalization in the amount not to exceed \$387,000.00 and to submit the application to the Department of Economic and Community Development and, if the application is approved, to authorize the Selectmen to accept grant funds, to make such assurances, assume such responsibilities and exercise such authority as is necessary to implement the programs and to spend from the grant funds for the purpose set forth in the program.

Selectmen's Recommendation: _____ Passed
Finance Committee Recommendation: _____

ARTICLE 5 – To see if the Town of Topsham will vote to approve the Slum and Blight as set fourth.

DECLARATION OF SLUM AND BLIGHT

It is hereby found and declared:

That there exists in the Town of Topsham a deteriorating, dilapidated, slum and blighted area, dangerous buildings, deficient public improvements and incompatible uses of property, which constitutes a serious growing menace, injurious and inimical to the public health, safety, morals and welfare of the residents of the Town of Topsham.

That the existence of such an area, as shown on the attached map and identified as Topsham, is found to be consistent with Maine State Statute 30-A, Chapter 205, Section 5202 and regulations set forth by the United States Department of Housing and Urban Development in 24 CFR, Part 570.

That the blighted area will be addressed with Community Development Block Grant (CDBG) and other funds through eligible activities, in accordance with all CDBG regulations and Maine State Statute 30-A, Chapter 205, Sections 5201 through 5205.

That the activities to be conducted are designed to eliminate the causes of slum and blight.

The Declaration with attendant documentation is hereby enacted on the 24th day of September 1998 and is effective from this day forth until such conditions have been remedied through completion of the CDBG project.

Selectmen's Recommendation: ----- Passed

ARTICLE 6 - To see what sum the Town will vote to spend for CDBG purposes under the following accounts and to see what sum the Town will vote to receive and appropriate for same.

	1996-97	1997-98	1998-99	1998-99
	Approp.	Approp.	Selectmen's Budget	Finance Comm. Recomm.
CDBG Phase II	\$ 0	0	2,500	2,500
Planning Grant Funds				

EXPLANATION: Funds will be used from this grant to complete the necessary documentation of Phase II of the Community Development Block Grant.

Selectmen's Recommendation: ----- Passed
Finance Committee Recommendation: -----

ARTICLE 7 - To see what sum the Town will vote to spend for Grant purposes under the following accounts and to see what sum the Town will vote to receive and appropriate for same.

	1996-97	1997-98	1998-99	1998-99
	Approp.	Approp.	Selectmen's Budget	Finance Comm. Recomm.
Gardiner Savings				
Economic Develop.				
Credit Program Grant	\$ 0	0	4,300	4,300

EXPLANATION: Funds will be used to establish a low interest revolving loan fund to be used for facade and other improvements on buildings in the lower Main Street revitalization area. To be used in connection with CDBG funds.

Selectmen's Recommendation: ----- Passed
Finance Committee Recommendation: -----

ARTICLE 8 - To see if the Town will vote to accept the gift of an Owen 12K Generator being donated to the Town of Topsham with a value of \$25,000.

Selectmen's Recommendation: ----- Passed

GIVEN UNDER OUR HANDS THIS 10th DAY OF SEPTEMBER, 1998:

Peter Lepari, Chair, James Bongiorno, Vice Chair, Roger Caouette,
William Larrabee, Ronald McKinnon
BOARD OF SELECTMEN
ATTEST: Paul J. Lessard, Police Chief, Town of Topsham