

**IN TOWN COUNCIL
ORDER #2020-01**

WHEREAS, on August 10, 2010 the Town first designated the Punkin Town Road and CMP Corridor Municipal Development and Tax Increment Financing District (the "District"), which designation was approved by the Maine Department of Economic and Community Development ("the Department") by letter dated August 27, 2010; and

WHEREAS, the South Berwick Town Council adopted the Punkin Town Road and CMP Corridor Municipal Development and Tax Increment Financing District Development Program (the "Development Program") on February 22, 2011 and was approved by the Department on March 7, 2011; and

WHEREAS, the Town now desires to and remains authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes to amend the Development and adopt the First Amended and Restated Development Program for the District (as amended herein, the "First Amended and Restated Development Program"); and

WHEREAS, there remains a continuing need for economic development initiatives in the Town of South Berwick near the CMP Corridor and Punkin Town Rd; and

WHEREAS, implementation of the First Amended and Restated Development Program will help improve and broaden the tax base in the Town of South Berwick and improve the economy of the Town and the region by attracting business development to the District; and

WHEREAS, the Town has held a public hearing on February 11, 2020 on the question of adopting the First Amended and Restated Development Program for the District in accordance with the requirements of 30-A MRSA §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the amendment to the District and the adoption of the First Amended and Restated Development Program for the District;

ORDERED AS FOLLOWS:

Section 1. The Town of South Berwick hereby adopts the First Amended and Restated Development Program for the District; such designation and adoption to be pursuant to the following findings, terms, and provisions:

Section 2. The Town Council hereby finds and determines that:

a. The First Amended and Restated Development Program will not result in the District becoming out of compliance with any of the conditions in Title 30-A MRSA §5223(3) (the statutory acreage and valuation caps).

2/19/2020

Attest to be a true copy of Council Order 2020-01 adopted 2/11/2020

Barbara Bennett
Town Clerk

b. The adoption of the First Amended and Restated Development Program will make a contribution to the economic growth and well-being of the Town of South Berwick and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the Town of South Berwick, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid purpose. The Town Council has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the First Amended and Restated Development Program; and

Section 3. The Town Manager, or the Manager's duly appointed representative, is hereby authorized, empowered and directed to submit the adoption of the First Amended and Restated Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A MRSA §5226.

Section 4. The foregoing adoption of the First Amended and Restated 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 First Amended and Restated Development Program by the Department, without requirement of further action by the Town, the Town Council, or any other party.

Section 5. The Town Manager, or the Manager's duly appointed representative, is hereby authorized and empowered, at the Manager's discretion, from time to time, to make such revisions to the Development Program as the Town Manager, or the Manager's duly appointed representative, **with concurrence of the Town Council**, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the First Amended and Restated Development Program by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the First Amended and Restated Development Program.

Adopted by Town Council on 02/11/2020