



A Public-Private Partnership to Realize the  
Downtown Berwick Vision Report and  
Implementation Plan and the Redevelopment of  
the Former Prime Tanning Site

# Town of Berwick

Downtown Municipal Development and  
Omnibus Tax Increment Financing District  
and Development Program

# Contents

- 1. Cover Letter From Authorized Municipal Official..... 3
- 2. Application Cover Sheet ..... 4
- 3. Statutory Requirements and Thresholds ..... 5
- 4. Development Program ..... 7
  - a. Public facilities, improvements, or programs to be financed..... 9
  - b. Commercial facilities, arts districts, improvements or projects to be financed ..... 10
  - c. Duration of the Development Program..... 11
  - d. Certification of Original Assessed Value ..... 11
  - e. Physical description of the District ..... 11
  - f. Financial Plan ..... 11
    - i. Cost estimates ..... 12
    - ii. Public indebtedness..... 12
    - iii. Sources of revenues ..... 12
    - iv. Terms and conditions of agreements related to the Development Program..... 12
    - v. Estimates of Increased Assessed Values ..... 13
    - vi. Captured Assessed Values ..... 12
    - vii. Tax shift calculations ..... 13
  - g. Plans for Relocation of Persons Displaced..... 13
  - h. Proposed Regulations and Facilities to Improve Transportation ..... 13
  - i. Environmental Controls ..... 13
  - j. Proposed Operation of Development District ..... 13
- 5. Public Hearing ..... 14
  - a. 10 day notice ..... 14
  - b. Minutes of Public Hearing..... 14
  - c. Record of District designation..... 14

# Exhibits

- A. Assessor’s Certificate
- B. District Maps
- C. Increased Assessed Value, Captured Assessed Value, Tax Increment and Tax Shift Calculations
- D. 10 Day Notice of Public Hearing
- E. Minutes of Public Hearing
- F. Record of District Designation

November XX, 2016

George Gervais, Commissioner  
Department of Economic and Community Development  
59 State House Station  
Augusta, ME 04333-0059

Re: Town of Berwick Downtown Municipal Development and Omnibus Tax Increment  
Financing District

Dear Commissioner Gervais:

In accordance with Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, I am pleased to submit this application for the Town of Berwick Downtown Municipal Development and Omnibus Tax Increment Financing District and Development Program. Record of municipal approval is included within the appendix of the enclosed application.

Further, this letter is to certify that all information contained in this application is true and correct to the best of my knowledge.

The Town of Berwick appreciates DECD's attention to this application, and we look forward to the department's approval once your review has been completed. This application was prepared with the assistance of our consultant Scott Benson. Scott is prepared to answer any of your questions regarding this submittal. Scott can be reached at 242-7973. If I can be of further assistance, please don't hesitate to call my office at 698-1101.

Sincerely,

Stephen G. Eldridge  
Town Manager

## APPLICATION COVER SHEET

<b>MUNICIPAL TAX INCREMENT FINANCING</b>
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### A. General Information

1. Municipality Name: Town of Berwick		
2. Address: 11 Sullivan St., Berwick, ME 03901		
3. Telephone: 698-1101 ext. 111	4. Fax:	5. Email: townmanager@berwickmaine.org
6. Municipal Contact Person: Stephen G. Eldridge, MPA (Town Manager)		
7. Business Name: N/A		
8. Address:		
9. Telephone:	The Town proposes an Omnibus TIF District, which will allow the possibility for the Board of Selectmen or their designee to negotiate Credit Enhancement Agreements of up to 100% reimbursement with the persons or entities that own or develop property within the District. Since the proposed District and Development Program are speculative in nature, the specific business are not known at this time. The Disclosures below detail potential public purposes that could be met through the use of this incentive.	
12. Business:		
13. Principal:		
14. Company:		
15. Place:		
16. Name:		
17. Principal Owner(s) Name:		
18. Address:		

### B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
<input checked="" type="checkbox"/> job creation	<input checked="" type="checkbox"/> job retention	<input checked="" type="checkbox"/> capital investment
<input checked="" type="checkbox"/> training investment	<input checked="" type="checkbox"/> tax base improvement	public facilities improvement
other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
<input checked="" type="checkbox"/> real estate purchase	<input checked="" type="checkbox"/> machinery & equipment purchase	<input checked="" type="checkbox"/> training costs
<input checked="" type="checkbox"/> debt reduction	other (list):	

### C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project ( <i>please use next page</i> ).
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See above
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**STATUTORY REQUIREMENTS AND THRESHOLDS**  
**Town of Berwick Downtown & Omnibus Municipal TIF District**

<b>SECTION A.   Acreage Caps</b>		
1. Total <b>municipal</b> acreage;	24,230 ac	
2. Acreage of <b>proposed</b> Municipal TIF District;	33.32 ac	
3. <b>Downtown-designation</b> <sup>1</sup> acres in proposed Municipal TIF District;	33.32 ac	
4. <b>Transit-Oriented Development</b> <sup>2</sup> acres in proposed Municipal TIF District;	0 ac	
5. <b>Total acreage</b> [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;	0 ac	
6. <b>Percentage</b> [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	0.14%	
7. <b>Total acreage</b> of all <u>existing/proposed</u> Municipal TIF districts in municipality <b>including</b> Municipal Affordable Housing Development districts: <sup>3</sup>  No other existing/proposed districts	Existing	0 ac
	Proposed	33.32 ac
	Total:	33.32 ac
<b>30-A § 5223(3) EXEMPTIONS<sup>4</sup></b>		
8. Acreage of an <u>existing/proposed</u> <b>Downtown</b> Municipal TIF district;	33.32 ac	
9. Acreage of all <u>existing/proposed</u> <b>Transit-Oriented Development</b> Municipal TIF districts:  No existing/proposed Transit-Oriented districts	0 ac	
10. Acreage of all <u>existing/proposed</u> <b>Community Wind Power</b> Municipal TIF districts:  No existing/proposed Community Wind Power districts	0 ac	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts <b>common to</b> <sup>5</sup> Pine Tree Development Zones per 30-A § 5250-I (14)(A) <b>excluding</b> any such acreage also factored in Exemptions 8-10 above:  No existing/proposed districts common to PTDZ	0 ac	
12. <b>Total acreage</b> [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	0 ac	
13. <b>Percentage of total acreage</b> [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	0.14%	
14. <b>Real property</b> in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;		
b. In need of rehabilitation, redevelopment or conservation;	33.32 ac	100%
c. Suitable for commercial or arts district uses.		
<b>TOTAL (except for § 5223 (3) exemptions a., b. <u>OR</u> c. must be at least 25%)</b>		100%

<sup>1</sup> Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

<sup>2</sup> For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

<sup>3</sup> For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

<sup>4</sup> Downtown/TOD overlap nets single acreage/valuation caps exemption.

<sup>5</sup> PTDZ districts approved through December 31, 2008.

**STATUTORY REQUIREMENTS AND THRESHOLDS**  
**Town of Berwick Downtown & Omnibus Municipal TIF District**

SECTION B.   Valuation Cap		
1.	<b>Total TAXABLE</b> municipal valuation—use most recent April 1;	
2.	<b>Taxable Original Assessed Value (OAV)</b> of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$13,203,300
3.	<b>Taxable OAV of all existing/proposed</b> Municipal TIF districts in municipality <b>excluding</b> Municipal Affordable Housing Development districts:  No other existing/proposed districts	Existing: \$0
		Proposed: \$13,203,300
		Total: \$13,203,300
30-A § 5223(3) EXEMPTIONS		
4.	<b>Taxable OAV</b> of an <u>existing/proposed</u> <b>Downtown</b> Municipal TIF district;	\$13,203,300
5.	<b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Transit-Oriented Development</b> Municipal TIF districts: No existing/proposed Transit-Oriented districts	\$0
6.	<b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Community Wind Power</b> Municipal TIF districts: No existing/proposed Community Wind Power districts	\$0
7.	<b>Taxable OAV</b> of all <u>existing/proposed</u> <b>Single Taxpayer/High Valuation<sup>6</sup></b> Municipal TIF districts: No existing/proposed Single Taxpayer/High Valuation districts	\$0
8.	<b>Taxable OAV</b> in all <u>existing/proposed</u> Municipal TIF districts <b>common to</b> Pine Tree Development Zones per 30-A § 5250-I (14)(A) <b>excluding</b> any such OAV also factored in Exemptions 4-7 above: No existing/proposed districts common to PTDZ	\$0
9.	<b>Total taxable OAV [=B3-B4-B5-B6-B7-B8]</b> of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$0
10.	<b>Percentage of total taxable OAV [=B9÷B1]</b> of all <u>existing/proposed</u> Municipal TIF districts <b>(CANNOT EXCEED 5%)</b> .	

COMPLETED BY	
NAME:	
DATE:	

<sup>6</sup> For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.

## 4. Development Program

### Introduction – The Loss of Prime Tanning in Berwick

The Town of Berwick is a York County community that is situated along the Salmon Falls River on the Maine-New Hampshire border. It is a rural town of approximately 7,200 residents that serves largely as a ‘bedroom community’ to other employment centers in Maine and New Hampshire, and most goods and services are purchased elsewhere.

For much of the 20<sup>th</sup> Century, the most significant employment in town could be found at Prime Tanning, a 200,000 SF leather-finishing factory located in the heart of downtown Berwick. The factory conditioned and dyed leather for sale to manufacturers, predominantly in the shoe industry, and employed hundreds at its peak.

As the century turned, the fortunes of US manufacturers did as well. After 68 years of operation in Berwick, Prime Tanning closed its doors in August, 2001, displacing 250 employees. The 9/11 attacks and subsequent military action caused the company to quickly reconsider, opting to reopen the mill a few months later with a downsized workforce to serve the expanding market for military boots.

By 2008, however, Prime Tanning had closed its doors for good, choosing to consolidate operations at its Hartland, ME facility. Though there might have been hope locally that the mill would one day reopen, the company’s 2010 bankruptcy filing confirmed that Prime Tanning would not return to Berwick. Left behind were a displaced workforce and an 11 acre industrial site that had once represented the economic, cultural and civic identity of the community.

The site has sat vacant for a number of years. The town government has lost tax-revenue, its residents have lost employment opportunities, and the overall lack of activity in the town’s downtown core has resulted in quality of life concerns for all.

### The Town’s Response

In response, a citizen-led initiative began to re-imagine Berwick’s downtown. By 2013, selectmen had formalized the process by creating a Downtown Vision Committee and tasking it to work jointly with the Town staff to create a new vision for the downtown. In subsequent months, the group worked with a hired consultant to conduct a series of community forums, surveys and design charrettes and develop a Downtown Vision Report and implementation Plan, released in early 2014.

The downtown plan speaks to a community vision for a strong economy, a healthy environment, and a community-centered downtown. Naturally, there is particular focus on the future of the Prime Tanning site, as the plan calls for a quaint village center with quality eateries, indoor and outdoor markets for locally sourced products, small shops and even some light industrial uses.

At Berwick’s 2014 Town Meeting, voters acted to formally accept the Downtown Vision Report and implementation Plan as an appendix to the Town’s Comprehensive Plan, in order to bring focus to creating a vibrant downtown/village, particularly through the redevelopment of the Prime Tanning site. Shortly after, selectmen set economic development in Berwick as a first policy-level priority.

The Prime Tanning site is presently controlled by the Fund of Jupiter, a secured-creditor of the now-bankrupt company. Fund of Jupiter principals seek to redevelop the site, most probably in partnership with developers, but because of its previous use, the site is believed to or known to have environmental contamination to one degree or another. This of course creates redevelopment difficulties in an already challenging market where undeveloped sites without such complications exist nearby.

Berwick's Town Meeting in 2014 gave permission to the Town to enter into an agreement with the Fund of Jupiter to temporarily acquire the property by foreclosure, so that federal environmental clean-up funds could be secured by the Town as private interests are not eligible. Per the parameters of the agreement, the Town will secure federal clean-up funds, complete the work, and return the property to Fund of Jupiter in exchange for payment of the outstanding tax liens on the property. By October of 2016, the Town had successfully secured \$1,200,000 in federal EPA funds to begin the clean-up of the site.

### **The Next Step in Revitalizing Downtown Berwick**

As this is written, broad community support for redevelopment of the Prime Tanning site and surrounding area has been sought and secured. A community-developed plan has been adopted and set into motion. Environmental clean-up – a critical first step to making the site competitive for development proposals – has commenced, and the Town continues to vigorously pursue additional funding to complete the work. Now the Town wishes to aggressively move forward by acting on one of the key recommendations of the Downtown Vision report – deployment of tax incentives and other mechanisms to encourage desirable development in the downtown area.

To this end, the Town now desires to establish an Omnibus Tax Increment Financing (TIF) District and Development Program in its downtown area, which includes the former Prime Tanning site as well as the former Estabrook School site, a town-owned property just north of the Prime site that includes the town's police station and a low-income apartment complex, but also several underused buildings that could be redeveloped for commercial purposes.

The Town's designation of the District and adoption of this Development Program creates a single municipal Downtown Omnibus TIF District in order to capture the value of the anticipated taxable real property improvements to be made within the District and to permit tax increment financing for various municipal economic development projects. The Development Program will begin with the Town's 2016-2017 fiscal year and will continue for a total of 20 years.

### **Downtown Omnibus TIF District & Development Program**

Under this Development Program, the Town will capture 100% of the increased assessed value (taxable real property only) over the original assessed value of the District and retain the tax revenues generated by the captured assessed value for designated economic development purposes. In the Assessor's Certificate attached as Exhibit A hereto, the Town's Assessor has certified the original assessed value of the District. The town intends to vigorously market its streamlined ability to entertain applications for Credit Enhancement Agreements (CEAs) with persons or entities that own or develop property within the District. As mentioned previously, the Town authorizing the Board of Selectmen, with the assistance of the Town Manager as needed, to negotiate and enter into CEAS with such persons or entities of up to 100%

reimbursement of the TIF revenues relating to that person or entity’s property and of up to the full term of the District. Execution of such CEAS shall only be valid if preceded by a duly noticed public hearing. The calculation of TIF revenues is more specifically described below in Section IV — Financial Plan.

By adopting this Development Program, the Town is creating a TIF district that will: (1) contribute to the success of the current development within the District by supporting various public infrastructure improvements and increasing the development potential of Downtown Berwick as a desirable place in which to locate a business; (2) promote additional economic development in Berwick by extending the possibility of CEAs between the Town and future companies/developers; and (3) shelter the captured assessed value from impacting the overall State valuation for the Town of Berwick, thereby minimizing: (a) decreases in the Town’s State school subsidy and State revenue sharing, and (b) potential increases in the Town’s county tax assessments and local school district contributions.

Further, approval of this Development Program and the designation of the District will have a neutral impact on the existing tax base; only the increased assessed value over the original assessed value within the District will be captured. In addition, at the end of the 20 year term of this District and Development Program, the Town expects to emerge with a substantial amount of new taxable real property value to add to its municipal tax base.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the “TIF Statute”). Subsequent to a town meeting vote designating the District and adopting this Development Program, evidenced by Exhibit F hereto, the designation of the District and adoption of this Development Program are effective upon approval by the DECD.

**a. Public facilities, improvements, or programs to be financed**

The Town intends to use its share of the TIF Revenues from the District to finance some or all of the costs of the Public Improvements, such costs being authorized as project costs as defined under §5225 of Chapter 206. The specific Public Improvements to be financed will be approved by action of the Town of Berwick Board of Selectmen. The Town finds that the public improvements either will directly or indirectly provide, induce, or encourage new employment opportunities within the Town, will encourage and promote economic development that will broaden the Town’s tax base, and will provide economic development to the benefit of the residents of the Town and will improve the general economy of the Town. These projects either are related to this Development Program or are otherwise qualifying projects under Chapter 206.

**Table 1**

Municipal Investment Program	Statutory Citation	Estimated Cost
<b>Costs of Improvements Made Within District</b>		
Costs associated with potential Credit Enhancement Agreements (CEAs) with persons or entities that own or develop commercial property within the District. The Town authorizes the Board of Selectmen, with the	\$5225 (1) (A) (2)	\$1,900,000 (approx. avg. of \$63,000)

assistance of the Town Manager as needed, to negotiate and enter into CEAS with such persons or entities of up to 100% reimbursement of the TIF revenues relating to that person or entity's property and of up to the full term of the District.		annually for 20 years)
Costs associated with street and roadway improvements within the District to accommodate increased commercial activity and improved vehicular and pedestrian access and movement within the District. Project specifics have not been finalized but are anticipated to include vehicular and pedestrian improvements to Sullivan, Jordan, Wilson and School streets.	\$5225 (1) (A) (1) (a-d)	\$4,500,000 (one-time project cost)
Costs associated with repair, replacement and expansion of critical public infrastructure to accommodate increased commercial activity within the District. Project specifics have not been finalized but are anticipated to include improvements to water, sewer and storm water infrastructure and construction of underground power and natural gas infrastructure.	\$5225 (1) (A) (1) (a-d)	\$2,500,000 (one time project cost)
Costs associated with the construction of certain streetscape and greenway amenities to support increased commercial activity within the District and encourage increased public use of the downtown. Project specifics have not been finalized but are anticipated to include plantings, lighting, benches, gazebos, directional signage, and other similar public amenities that enhance the commercial and social appeal of the downtown.	\$5225 (1) (A) (1) (a-d)	\$500,000 (one time project cost)
Costs associated with Professional Services expenses, including licensing, engineering, planning and legal expenses, related to economic development projects within the District.	\$5225 (1) (A) (4)	\$25,000 (one time project costs as needed)
Costs associated with prorated municipal Administrative expenses relating to implementation of the District and Development Program, including but not limited to staff time spent by the Town Manager, Finance Director, and Director of Community Development and Planning.	\$5225 (1) (A) (5)	\$50,000 (\$2,500 per year for 20 years)
<b>Costs of Improvements Made Outside, but related to, District</b>		
None.		
<b>Community-Wide Municipal Investments</b>		
Costs associated with economic development programs, events and marketing developed by the municipality as a means of promoting the community as a business location.	\$5225 (1) (C) (1)	\$100,000 (\$10,000 per year for 20 years)
Costs associated with providing local match to federal, state, regional and foundation grants that support any of the purposes of Title 30-A, Chapter 206, Subchapter 1	30-A \$5230	\$50,000

(Development Districts for Municipalities and Plantations). TIF revenues may be applied as local match to grants deemed by the town to have significant potential for economic development.		(one time project costs as needed)
<b>Total Municipal TIF Investment Plan Costs</b>		<b>\$9,625,000</b>

**b. Commercial facilities, arts districts, improvements or projects to be financed**

A company/developer, including any future owners of properties located within the District, will pay for and/or finance all private improvements located in the District through private sources, unless otherwise agreed to in credit enhancement agreements.

**c. Duration of the Development Program**

The District shall become effective upon the DECD Commissioner’s approval, for a period of twenty (20) years, beginning in Fiscal Year 2016-2017 and running through Fiscal Year 2035-2036, ending on June 30, 2036.

**d. Certification of Original Assessed Value**

The original assessed value of taxable real property (land and buildings) within the District boundaries is \$13,203,300 as of March 31, 2016 (April 1, 2015). TIF revenues associated with this proposed District and Development Program will be generated by real property improvements made within the district boundaries. A certification by the municipal assessor of the Town of Berwick that the original assessed value established represents the taxable real property within the District’s physical description, as delineated on the attached map, is attached as Exhibit A

**e. Physical description of the District**

The District will encompass approximately 33.32 acres of real property located in downtown Berwick. Municipal maps showing the District property and the District relative to Town boundaries are attached as Exhibits B-1 and B-2.

**f. Financial Plan**

The District will encompass approximately 33.32 acres of property. The original assessed value of the property in the District was \$13,203,300 as of March 31, 2016 (April 1, 2015). Redevelopment of Downtown Berwick, including the former Prime Tanning site and the former Estabrook School, is estimated to add approximately \$16.8 million dollars of new assessed real property value to the Town. Additionally, it is hoped and presumed that additional businesses will locate in Downtown Berwick, thus providing additional TIF revenues for the Town.

Upon each payment of property taxes by property owners inside the District, the Town will deposit into a Development Program Fund the entirety of the property tax payments constituting TIF revenues (the “Development Program Fund”). TIF revenues will consist of property taxes paid on 100% of the increased assessed value in the District.

The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30—A M.R.S.A. § 5227(3). The Development Program Fund consists of two segregated accounts, a sinking fund account (“Sinking Fund Account”) and a project cost account (the “Project Cost Account”).

The Town will deposit the TIF revenues necessary to pay debt service on any bonds that may be issued to pay for the Town’s TIF projects into the Sinking Fund Account. The money in this account is pledged to and charged with the payment of interest and principal on municipal indebtedness related to improvements in the District.

Thereafter, the Town will deposit any additional TIF revenues into subaccounts of the Project Cost Account to be used for credit enhancement payments to individual companies/developers within the District pursuant to any CEAs then in effect, and to a subaccount of the Project Cost Account for other approved municipal projects outlined in this Development Program and not financed with Town indebtedness.

*i. Cost estimates*

As illustrated by Table 1 above, the Town estimates the costs of the public improvements to be financed in whole or in part by this Development Program to be \$9,625,000.

*ii. Public indebtedness*

The Town reserves the right to issue municipal bonds in order to pay for infrastructure improvements described in Table 1. Any municipal bond issued for such project would require town meeting approval.

*iii. Sources of revenues*

Approximately \$4.75 million in TIF revenues is expected to be generated over the proposed 20-year term by \$16.8 million (projected assessed value) in private investment associated with the redevelopment of properties located within the proposed District.

*iv. Terms and conditions of agreements related to the Development Program*

Rather than navigating the lengthy process and significant expense to designate a new TIF District with each new company/developer, the Town can immediately focus on finalizing a Credit Enhancement Agreement (“CEA”) that meets the needs of the potential company/developer and the Town. Such future CEAS shall be negotiated and entered into by the Board of Selectmen, which may involve a reimbursement of up to 100% of the TIF revenues produced on the particular company/developer or business owner’s property (which is 100% of the property taxes paid on the increased assessed value), and up to the full term of the District; however, such CEAs shall only be finally approved and executed by the Town after a duly noticed public hearing is held by the Board of Selectmen.

v. *Estimates of Increased Assessed Values*

Estimates of the increased assessed value of the District and the anticipated TIF revenues generated by the District are shown in Exhibit C-1.

vi. *Captured Assessed Values*

The Town intends to capture 100% of the increased assessed value as captured assessed value.

vii. *Tax shift calculations*

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in Exhibit C-2 identifies the tax shifts that are expected to result during the term of the District from the establishment of the District.

g. **Plans for Relocation of Persons Displaced**

Not applicable. No persons will be displaced as a result of the development activities.

h. **Proposed Regulations and Facilities to Improve Transportation**

The changes and improvements made under the proposed Development Program will meet or exceed all federal and state transportation regulations and will comply with all applicable use requirements for the Town of Berwick.

i. **Environmental Controls**

The improvements made under the proposed Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the Town of Berwick.

j. **Proposed Operation of Development District**

Individual companies will own and manage the enterprises and subsidiary entities located within the District.

During the 20 year term of the District, the Berwick Town Manager and Town administrative staff will be responsible for administrative matters within the purview of the Town concerning the implementation and operation of the District and carrying out of the approved projects.

## 5. Public Hearing

### a. 10 day notice

Attached as Exhibit D, is a certified copy of the Notice of Public Hearing held on Tuesday, October 18, 2016 in accordance with the requirements of 30-A M.R.S.A. § 5226(1). The notice was published in the Foster's Daily Democrat, a newspaper of general circulation in Berwick, on or before October 4, 2016, a date at least ten (10) days prior to the public hearing.

### b. Minutes of Public Hearing

Attached as Exhibit E, is a certified copy of the minutes of the public hearing and Select Board Meeting held on Tuesday, October 18, 2016, at which time the proposed District was discussed by the public.

### c. Record of District designation

Attached as Exhibit F, is copy of the Town Referendum Warrant with associated documents as well as the voting results of the Town Meeting duly called and held on Tuesday, November 8, 2016. Such vote designated the District, adopting the Development Program and authorizing the Board of Selectmen to negotiate appropriate CEAs with individual companies/developers within the District. Such CEAs may involve reimbursement of up to 100% of the TIF revenues relating to the particular company/developer's property and up to the full term of the District. Such CEAs shall only be finally approved and executed by the Board of Selectmen on behalf of the Town after a duly noticed public hearing is held.

EXHIBIT A

TOWN OF BERWICK  
DOWNTOWN MUNICIPAL DEVELOPMENT AND OMNIBUS TAX INCREMENT  
FINANCING DISTRICT  
ASSESSOR'S CERTIFICATE

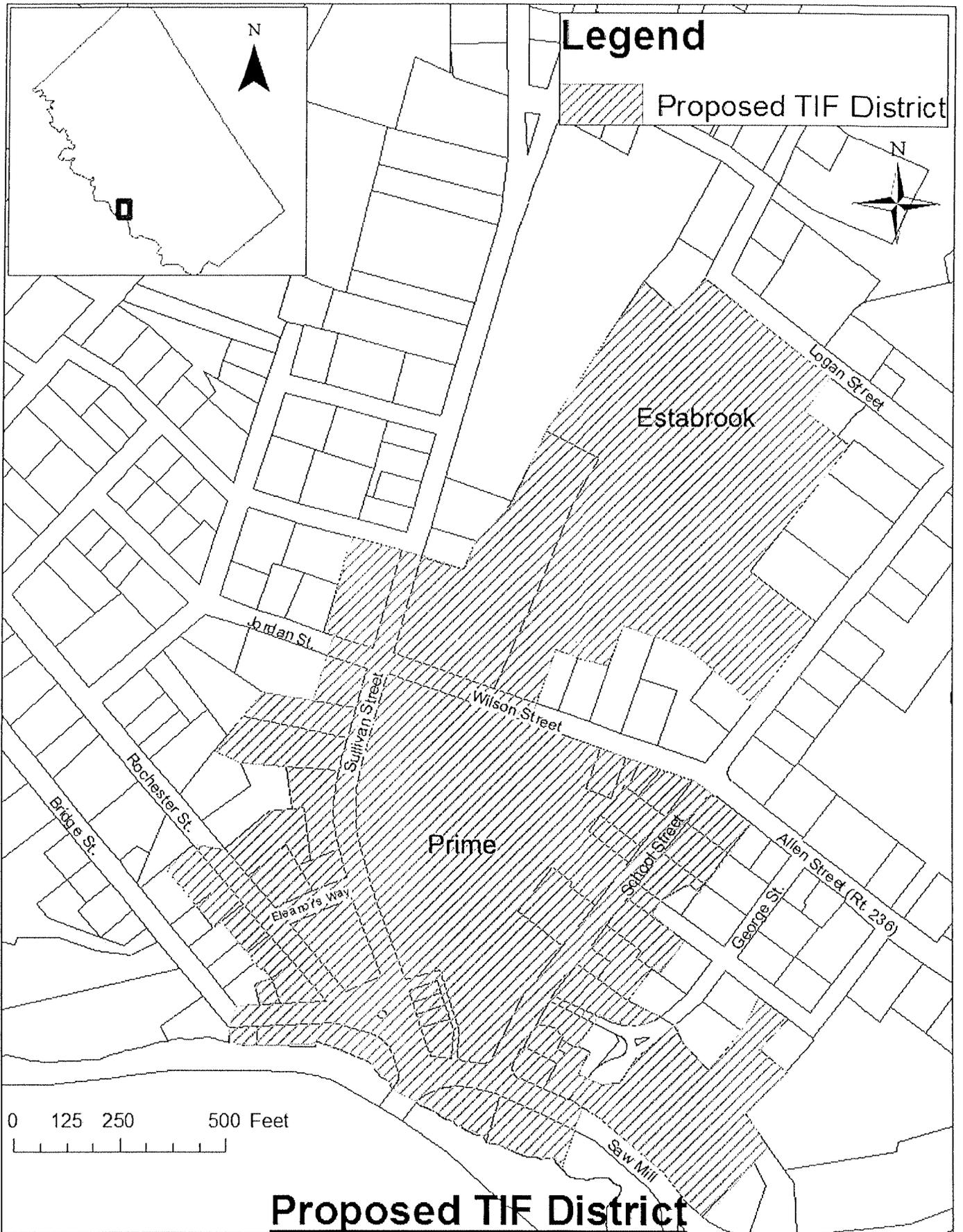
I, the undersigned Assessor for the Town of Berwick, Maine, do hereby certify pursuant to the provisions of 30-A M.R.S.A. 5254 that the assessed value for all real property within the Downtown Municipal Development and Omnibus Tax Increment Financing District, as delineated on a map included on the Development Program to which this Certificate is included, was \$13,203,300 as of March 31, 2016 (April 1, 2015). In witness thereof, this Certificate has been executed as of the XX day of XXXX, 2016.

By: \_\_\_\_\_

XXXXXX XXXXX

Town of Berwick Municipal Assessor

EXHIBIT B



**TOWN OF BERWICK DOWNTOWN MUNICIPAL DEVELOPMENT AND OMNIBUS TAX INCREMENT FINANCING DISTRICT**  
**20 YEAR PROJECTION**  
**(100% CAPTURE)**

EXHIBIT C

TIF YR.	FISCAL YEAR	Projected Annual Assessed Value	Projected Mil Rate	Gross New Taxes	TIF		COMMUNITY				COMPANY	
					%	Total Revenues	General Fund	TIF %	TIF Revenues	Total Revenues	TIF %	TIF Revenues
<i>base</i>	<i>2015-2016</i>											
1	2016-2017	\$ -	\$16.30	\$0	100%	\$0	\$0	60.0%	\$ -	\$ -	40.0%	\$0
2	2017-2018	\$ 3,200,000	\$16.30	\$55,289	100%	\$55,289	\$0	60.0%	\$ 33,173	\$ 33,173	40.0%	\$22,116
3	2018-2019	\$ 6,000,000	\$16.30	\$103,668	100%	\$103,668	\$0	60.0%	\$ 62,201	\$ 62,201	40.0%	\$41,467
4	2019-2020	\$ 8,933,334	\$16.30	\$154,350	100%	\$154,350	\$0	60.0%	\$ 92,610	\$ 92,610	40.0%	\$61,740
5	2020-2021	\$ 10,266,667	\$16.30	\$177,387	100%	\$177,387	\$0	60.0%	\$ 106,432	\$ 106,432	40.0%	\$70,955
6	2021-2022	\$ 13,200,000	\$16.30	\$228,069	100%	\$228,069	\$0	60.0%	\$ 136,841	\$ 136,841	40.0%	\$91,228
7	2022-2023	\$ 14,960,000	\$16.30	\$258,478	100%	\$258,478	\$0	60.0%	\$ 155,087	\$ 155,087	40.0%	\$103,391
8	2023-2024	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
9	2024-2025	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
10	2025-2026	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
11	2026-2027	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
12	2027-2028	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
13	2028-2029	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
14	2029-2030	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
15	2030-2031	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
16	2031-2032	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
17	2032-2033	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
18	2033-2034	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
19	2034-2035	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
20	2035-2036	\$ 16,800,000	\$16.30	\$290,270	100%	\$290,270	\$0	60.0%	\$ 174,162	\$ 174,162	40.0%	\$116,108
	<b>Cumulative</b>			<b>\$4,750,751</b>		<b>\$4,750,751</b>	<b>\$0</b>		<b>\$2,850,451</b>	<b>\$2,850,451</b>		<b>\$1,900,300</b>
	<b>Avg. Annual</b>	\$9,165,333	\$16.30	\$158,358		\$158,358	\$0		\$95,015	\$95,015		\$63,343
<b>Notes:</b>												
	Mil Rate \$16.30/\$1000 @ 106% ratio											

**TOWN OF BERWICK DOWNTOWN MUNICIPAL DEVELOPMENT AND OMNIBUS TAX INCREMENT FINANCING DISTRICT**  
**20 YEAR PROJECTION - TAX SHIFT**  
**(100% CAPTURE)**

EXHIBIT C

TIF YR.	FISCAL YEAR	Estimated Shelter Benefit of Captured Value (100%) on State Subsidies and County Taxes				Estimated Impact of Uncaptured Value (0%) on State Subsidies and County Taxes			
		State Education Shift	Revenue Sharing Shift	County Tax Shift	Total Tax Shift Benefit	Lost State Education	Lost Revenue Sharing	Increased County Tax	Net Loss
1	2016-2017								
2	2017-2018								
3	2018-2019	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
4	2019-2020	\$26,336	\$2,904	\$1,729	\$30,969	\$0	\$0	\$0	\$0
5	2020-2021	\$49,380	\$5,419	\$3,242	\$58,041	\$0	\$0	\$0	\$0
6	2021-2022	\$73,521	\$8,028	\$4,827	\$86,376	\$0	\$0	\$0	\$0
7	2022-2023	\$84,495	\$9,205	\$5,547	\$99,247	\$0	\$0	\$0	\$0
8	2023-2024	\$108,636	\$11,777	\$7,131	\$127,545	\$0	\$0	\$0	\$0
9	2024-2025	\$123,121	\$13,308	\$8,082	\$144,511	\$0	\$0	\$0	\$0
10	2025-2026	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
11	2026-2027	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
12	2027-2028	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
13	2028-2029	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
14	2029-2030	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
15	2030-2031	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
16	2031-2032	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
17	2032-2033	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
18	2033-2034	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
19	2034-2035	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
20	2035-2036	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
21	2035-2036	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
22	2036-2037	\$138,264	\$14,899	\$9,075	\$162,238	\$0	\$0	\$0	\$0
	<b>Cumulative</b>	<b>\$2,262,921</b>	<b>\$ 244,332</b>	<b>\$148,537</b>	<b>\$2,655,790</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>Avg. Annual</b>	<b>\$75,431</b>	<b>\$ 8,144</b>	<b>\$ 4,951</b>	<b>\$88,526</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

EXHIBIT D

**Municipal Officers' Notice of Public Hearing on Secret Ballot Referendum Issues**

Notice is hereby given that the Municipal Officers of the Town of Berwick will hold a public hearing on October 18, 2016 at 6:30pm at Town Meeting Room in said Town of Berwick to hear public comment on the following:

**2016 Town Referendum Warrant**

Which includes receiving public comments on the proposed designation of the "Town of Berwick Downtown Municipal Development and Omnibus Tax Increment Financing District" and the adoption of a development program for this District, pursuant to the provisions of Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended.

All relevant application items are available at the Town Office during normal business hours.

HOLD FOR EXHIBIT E. MINUTES OF PUBLIC HEARING

EXHIBIT F

**TOWN OF BERWICK  
DOWNTOWN MUNICIPAL DEVELOPMENT AND OMNIBUS TAX INCREMENT  
FINANCING DISTRICT AND DEVELOPMENT PROGRAM**

WHEREAS, The Town of Berwick (the “Town”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specific areas within the Town as municipal development districts and tax increment financing districts and to approve a development program for such districts;

WHEREAS, there is a need to provide new long-term sustainable employment opportunities for residents of the Town and the surrounding area;

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

WHEREAS, there is a need to improve and broaden the tax base of the Town of Berwick; and to improve the general economy of the Town of Berwick, the surrounding region and the State of Maine;

WHEREAS, implementation of the Development Program will help to provide opportunities for economic development in the Town of Berwick and the surrounding region; improve and broaden the tax base in the Town of Berwick and improve the economy of the Town of Berwick and the State of Maine;

WHEREAS, Implementation of the Development Program is consistent with the goals and objectives of the Berwick Downtown Vision Report and Implementation Plan, approved by residents as an Addendum to the town’s Comprehensive Plan on March 13, 2014;

WHEREAS, The Town will hold a public hearing on the question of establishing the District in accordance with the requirements of 30-A M.R.S.A. § 5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town;

WHEREAS, The Town desires to designate a municipal development district and tax increment financing district to be known as the “Town of Berwick Downtown Municipal Development and Omnibus Tax Increment Financing District” (the “District”) and to adopt a development program for the District (the “Development Program”);

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, and

WHEREAS, the designation of the District will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and will contribute to the economic growth and well-being of the municipality, all of which Town Meeting finds and declares to be valid public purposes of the Town.

NOW, THEREFORE, BE IT HEREBY VOTED BY THE TOWN:

**Section 1.** The Town hereby finds and determines that:

- a. At least twenty-five percent (25%) by area, of the real property within the District, as hereinafter designated, is suitable for commercial uses as defined in 30-A § 5223, and;
- b. The total area of the District does not exceed two percent (2%) of 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 area of the Town, and;
- c. The original assessed value of the proposed District plus the original assessed value of all existing tax increment financing districts within the town as of March 31, 2016 (April 1, 2015) does not exceed five percent (5%) of the total value of taxable property within in the Town as of March 31, 2016 (April 1, 2015), and;
- d. The designation of the District and the 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 the District will contribute to the economic and well-being of the municipality.

**Section 2.** Designation of the District.

Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates a municipal development district and tax increment financing district to be known as “Town of Berwick Downtown Municipal Development and Omnibus Tax Increment Financing District” as more particularly described and set forth in the “Development Program” for such District presented to Town Meeting 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.** Captured Assessed Value.

Pursuant to the provisions of 30-A M.R.S.A. §5227 (1), the percentage of increased assessed value to be retained in the District as captured assessed value is as set forth in the Development Program.

**Section 4.** DECD Approval.

The Board of Selectmen or their duly-appointed representative(s), be and hereby are authorized, empowered and directed to submit the proposed designation of the District and the proposed Development Program for the District to the State of Maine Department of Economic and Community Development (DECD) for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226.

**Section 5.** Minor Amendments.

The Board of Selectmen or their duly-appointed representative(s), be and hereby are authorized and empowered, at their/his/her discretion, from time to time, to make such revisions to the Development Program for the District as the Board of Selectmen, or their duly-appointed representative(s), deem reasonably necessary or convenient in order to facilitate the process of review and approval of the District by DECD, or for any other reason, so long as such revisions are not inconsistent with these findings and the basic structure and intent of the Development Program.

**Section 6.** Effective Date.

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

**Section 7.** Duration of the District.

The District shall remain in effect for a period of twenty (20) years following the effective date, through and including Town's municipal fiscal year 2035-2036.

Approved for submission to the voters of the Town of Berwick, **this XX day of XXXX, A.D., 2016.**

BERWICK BOARD OF SELECTMEN:

\_\_\_\_\_  
Thomas Wright - Chairman

\_\_\_\_\_  
Edward Ganiere – Vice Chair

\_\_\_\_\_  
Rebecca England

\_\_\_\_\_  
Mark Pendergast

\_\_\_\_\_  
Joshua Plante