



## **TOWN OF FALMOUTH**

### **ORDER NO 84-2015**

**WHEREAS**, the Town of Falmouth (the “Town”) is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the Town as the Town of Falmouth Ocean View - Natural Gas Municipal Development and Tax Increment Financing District (the “District”) and to adopt a development program for the District (the “Development Program”); and

**WHEREAS**, there is and continues to be a need to encourage the expansion, retention, improvement, and attraction of manufacturing, industrial and commercial businesses in the Town and the surrounding region, and to provide continuing 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 and general business development climate of the Town, the surrounding region and the State of Maine; and

**WHEREAS**, designating the proposed District and adopting and implementing the proposed Development Program will help to create new construction jobs for the citizens of the Town and the surrounding region and will help the Town to continue the pursuit of business development in the Town; and

**WHEREAS**, the Town Council has held a public hearing on the proposed District and Development Program 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; and

**WHEREAS**, the Town desires to designate the District and to adopt the Development Program for the District; and

**WHEREAS**, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development (“DECD”), approving the designation of the District and the adoption of the Development Program;

**NOW, THEREFORE, BE IT HEREBY ORDERED THIS 9th DAY OF MARCH, 2015 BY THE FALMOUTH TOWN COUNCIL, FALMOUTH MAINE, IN TOWN COUNCIL ASSEMBLED, as follows:**

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

(a) Designation of the District and pursuit of the Development Program will generate substantial economic benefits for the Town and its residents, including construction employment opportunities, broadened and improved tax base and economic stimulus, and therefore the District, the Development Program and the Municipal TIF Projects described therein constitute a good and valid public purpose and will contribute to the economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and

(b) The Town Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that designation of the District and implementation of the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the proposed Development Program on any existing business in the Town is outweighed by the contribution expected to be made through the Development Program and the Municipal TIF Projects described therein to the economic growth or well-being of the Town and the surrounding region and will contribute to the betterment of the health, welfare and safety of its inhabitants.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, and to promote completion of the projects and improvements described therein, the Town Council hereby designates the Town of Falmouth Ocean View - Natural Gas Municipal Development and Tax Increment Financing District and adopts the related Development Program all as more particularly described in the Development Program presented to the Town Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. §5227, the percentage of the increased assessed value to be retained as captured assessed value in the District is hereby established as set forth in the Development Program.

Section 4. Pursuant to the requirements of 30-A M.R.S.A. §5226(2), the Town Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to the Commissioner of DECD for review and approval , pursuant to the requirements of 30-A M.R.S.A. §5226(2).

Section 5. The foregoing designation of the District and adoption of the Development Program 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 DECD, without requirement of any further action by the Town, the Town Council, or any other party.

Section 6. The Town Manager is further authorized and empowered, at his discretion, from time to time, to make such revisions to the scope, cost or description of the Municipal TIF Projects to be financed with the portion of tax increment revenues generated by the District and retained by the Town as described in the Development Program, as the Town Manager deems reasonably necessary or convenient, solely in order to facilitate the process for review and approval of the District or the Development Program by DECD.

Section 7. This Order shall take effect immediately upon adoption.

**Attest:** \_\_\_\_\_  
**Ellen Planer**  
**Town Clerk**