TOWN OF CAMDEN
WARRANT FOR SPECIAL TOWN MEETING
Tuesday, February 25, 2014

County of Knox

To: Randy Gagne, Constable of the Town of Camden, Maine

GREETINGS:
In the name of the State of Maine, you are hereby required to notify and warn the Inhabitants of the Town of Camden, required by law to vote in town affairs, to meet at the Camden Town Office in the Washington Street Conference Room at 8 Washington Street in said Town on Tuesday, February 25, 2014 at 6:30 p.m. in the evening to vote on Articles 1 through 3 at which time the meeting will adjourn.

ARTICLE 1
To elect a moderator to preside at said meeting.

ARTICLE 2

Shall the voters of the Town of Camden amend the "Town of Camden Downtown Tax Increment Financing (TIF) District and Development Program" in accordance with the resolution approved by the Select Board on February 11, 2014 attached hereto, as presented to the Town Meeting?

Description: The proposed amendment to the Town of Camden Downtown Tax Increment Financing District ("the District") and Development Program proposes to:

- Change the name to Town of Camden Omnibus Downtown Tax Increment Financing District and Development Program
- Include certain parcels in Knox Mill area as shown on the District map;
- Extend the TIF from 20 years to 30 years as allowed in state law (Title 30-A, Chapter 206);
- Add projects identified in the Downtown Master Plan and Public Landing plans not already included in the Development Program as allowed uses of TIF funds; and
- Add Credit Enhancement Agreements as an allowed use of TIF funds provided a project meets the criteria contained in the approved Development Program.

Note: The full text of the Downtown Tax Increment Financing District and Development Program proposed amendment to be enacted by this article has been certified by the Chairperson of the Select Board. The Downtown Tax Increment Financing District and Development Program is available in the Town Clerk's office during regular business hours.

ARTICLE 3

Shall the Town vote to accept a sewer easement deed from Wayfarer Partners, LLC over and under certain property adjacent to the Sea Street right of way, substantially as described in a certain proposed draft deed dated August 15, 2013 so as to accomplish an upgrade of the Sea Street pump station Sea Street.

Description: Note: The Sea Street Pump Station is in need of an upgrade. The pump station is located at the northern end of the Wayfarer Marine property. The right of way that was granted to the Town when this pump station was first constructed in 1969 did not encompass the entire facility. The acquisition of this additional easement would rectify that.

Note: The proposed sewer easement as depicted on a Survey Sketch prepared by Wright-Pierce dated August, 2013 and the proposed deed are available for review in the Town Office during regular business hours.

The Select Board gives notice that the Registrar of Voters will be in session at the Camden Town Office during regular business hours, 8:00 a.m. – 3:30 p.m., Monday through Friday, to correct any error or change a name or address on the voting list; to accept the registration of any person eligible to vote and accept new enrollments.

You must be registered to vote in Camden to vote in any election.

Given under our hands this 11th day of February 2014.

CAMDEN SELECT BOARD

Martin Cates, Chairperson

Donald White, Vice-Chairperson

John R. French, Jr.

James Heard

Leonard Lookner

A true attest: _____
Katrina Oakes, Town Clerk

RETURN

I certify that I have notified the Voters of Camden of the time and place of the Town of Camden Special Town Meeting to be held Tuesday, February 25, 2014 by posting an attested copy of the Warrant at the Camden Public Safety Building, Camden Town Office, Camden Public Library, and the Camden Post Office on _____, 2014.

_____
Randy Gagne, Constable

Article 2

February 25, 2014 Special Town Meeting

I, Martin Cates, Chairperson of the Camden Select Board, do hereby certify this copy of the Downtown Tax Increment Financing District and proposed amendment to the Development Program for enactment at the February 25, 2014 Special Town Meeting..

2-13-14

Martin Cates, Chairperson
Camden Select Board

Date

A true copy, attest: Katrina Oakes

Katrina Oakes, Camden Town Clerk

Downtown Tax Increment Financing (TIF) Amendment – Summary

What is a TIF?

TIF stands for Tax Increment Financing. It is one of few local tools municipalities have to support economic development. TIF is administered by the Maine Dept of Economic & Community Development (DECD) from a statutory perspective. This agency ensures statute is followed but allows municipalities to design their own TIFs to meet their local needs.

TIFs are funded by local property taxes (real and personal) and are composed of 2 elements: a District and a Development Program.

- *District* – this is the "where" element. Municipalities draw boundaries around parcels to form a TIF District. A snapshot of the original assessed value of these parcels is determined. This determines the baseline for increased activity. If there is positive economic growth within the District, the incremental property taxes referred to as TIF revenues can be used towards economic development activities. In addition, these TIF revenues become "sheltered" from offsets by county taxes, State aid for education, and municipal revenue sharing.

- *Development Program* – this is the "what" element. Municipalities create a list of projects they would like to use TIF revenues towards. These projects must conform to State statute, as administered by DECD. In addition, the municipality determines what percentage of incremental taxes are used as TIF revenues. This can be any amount up to 100%.

History

In February 2010, Camden created and submitted 2 TIFs approved by the voters. One was the Business Highway TIF and other was the Downtown TIF. The Downtown TIF uses 100% of incremental taxes as TIF revenues. DECD approved both TIFs.

This amendment process only modifies the Downtown TIF. The changes are listed below. In the end, we hope to obtain voter approval of these additional items and submit the required materials on or before February 28th. CEDAC has provided considerable guidance and input on these proposed amendments.

Proposed Amendment to the Downtown Tax Increment Finance (TIF) District

District modifications

A. Add Knox Mill parcels (see attached map); 6.84 acres

B. Extend to 30 year duration; current duration is 20 years

Development Program modifications

(important: the projects/expenses listed below do not mandate the town to complete them. By including these as options in Camden's Downtown TIF, it gives us the greatest flexibility to determine what gets implemented.)

C. Add recommendations from Public Landing redesign plan (only those items not already included in the Downtown TIF)

- Redesign parking areas at the Public Landing to align with recommendations contained in the Camden Public Landing final report.
- Construct an overlook located at the end of the boardwalk nearest the waterfalls; add fishermen's hoist
- Additional lighting at the Public Landing
- Sidewalk construction/improvements to Commercial St; flush pavers connecting sidewalks to other pathways and boardwalk
- Demolition of existing restrooms; make improvements to current Chamber of Office building and visitor center
- Undergrounding of utilities in and around the Public Landing

D. Add recommendations from Downtown Master Plan (not already included in the Downtown TIF)

- Facilitate creation of entrepreneurial, incubator space through redevelopment of buildings that meet such needs, including installation of elevators to facilitate upper floor access for commercial activities
- Design, create, and install signage in and around the downtown area for improved wayfinding by pedestrians and navigation to parking by vehicular traffic. Make related capital improvements as needed.
- Develop a parking overflow strategy for high traffic volumes and events/conferences. Consider incorporating smart technology to guide drivers to actual vacant spaces. Establish parking management systems along Main St as well as the large, public parking areas in and around the downtown.
- Add pedestrian amenities (trees, benches, etc) and curb extensions to shorten crossing distances and provide safe havens for pedestrian in the downtown, as recommended in the Downtown Master Plan
- Add allowable transit capital costs
  - Transit vehicles such as buses, ferries, vans, rail conveyances and related equipment; bus shelters and other transit-related structures; and benches, signs and other transit-related infrastructure
- Add Wi-Fi downtown

E. **Add Credit Enhancement Agreements (CEAs)** – CEAs are funded through property taxes generated in the TIF district. They become one of the many project costs listed in a Development Program. CEAs use TIF funds to reimburse property taxes to a developer and are designed to help municipalities attract new jobs and investment. They also encourage existing businesses and developers to make improvements.

- A CEA will refund a portion of the property taxes paid on *increased assessed value*. For example, if a commercial property owner builds new or expands/improves an existing building, the *increased value* from when the parcel first became part of the TIF is reviewed. If proper thresholds are met per the Camden CEA policy, a portion of the increased property tax is returned to the property owner.
- Negotiation and execution of multiple/future CEAs will be within the Camden Select Board's discretion and may include up to 80% company or developer reimbursement provided job creation and/or investment thresholds are met, and duration not to exceed 10 years.
- The following structure tiers the level of reimbursement based on jobs created and/or investment made
  - In summary, for every 5 jobs created or additional investment made ($500,000 new business, $250,000 existing business), a 10% reimbursement of incremental property taxes related to the District.
  - 50% max reimbursement of incremental property taxes
  - 80% max reimbursement if jobs <u>and</u> investment threshold met
  - 10 yr max duration, or remaining life of TIF, whichever is less
  - See next page for examples

RESOLUTION

TOWN OF CAMDEN
OMNIBUS DOWNTOWN TAX INCREMENT FINANCING DISTRICT AND DEVELOPMENT PROGRAM

WHEREAS, The Town of Camden (the "Town") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend and designate specified areas within the Town as municipal development districts and tax increment financing district and to approve an amended development program for such districts;

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

WHEREAS, There is a need for commercial development in the Town of Camden;

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

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

WHEREAS, Implementation of the amended Development Program is consistent with the goals and objectives of the Town's Comprehensive Plan, approved in November, 2004,~~;~~ the Town's Downtown Master Plan, and Public Landing Design Plan;

WHEREAS, Implementation of the amended Development Program will help advance the Town's existing community development goals, including:

- To maintain and enhance the downtown so that it remains the core location of community life and augments the year-round economic and cultural health of the village, and;
- To encourage traditional forms of livelihood, including the full range of economic opportunity: from manufacturing and resource production to professional occupations, from self-employment in the home to corporate offices, and;
- To maintain a quality of environment that is the keystone of an economy dependent on visitors and on persons who choose to move to Camden for their retirement.

WHEREAS, The Town will ~~has~~ hold~~eld~~ a public hearing on ~~the~~ 2/25/14 on the question of amending ~~establishing~~ the Downtown 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 amend ~~designate~~ a municipal development district and tax increment financing district to be known as "Town of Camden Omnibus Downtown

Tax Increment Financing District" ("the District"), and to adopt an amended 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 amendment ~~designation~~ of the Downtown District, and the adoption of the amended Development Program for the Downtown District; and

WHEREAS, The designation of the amended 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 the 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:

The designation of the amended District and the pursuit of the amended 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 Downtown District will contribute to the economic growth and well-being of the municipality.

Section 2. Designation of District.

Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates an amended municipal development district and tax increment financing district to be known as the "Town of Camden Omnibus Downtown 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 amended Development Program is hereby incorporated by reference into this vote as the amended Development Program for the District. The District herein established is expressly designated as a "downtown tax increment financing district" as defined in 30-A MRSA § 5221(9).

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 amended District as captured assessed value is as set forth in the amended Development Program.

Section 4. DECD Approval.

The Select Board or their duly-appointed representative(s), be and hereby are authorized, empowered and directed to submit the proposed designation of the amended Downtown District and the proposed amended Development Program for the Downtown 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 Select Board or their duly-appointed representative, be and hereby are authorized and empowered, at their/his/her discretion, from time to time, to make such revisions to the amended Development Program for the Downtown District as the Select Board, or their duly-appointed representative(s), deem reasonably necessary or convenient in order to facilitate the process of review and approval of the Downtown 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 amended Development Program.

Section 6. Effective Date.

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

Section 7. Duration of District.

The amended District shall remain in effect for a period of thirty ~~wenty~~ (3~~2~~0) years following the effective date, through and including the Town's municipal fiscal year ~~2029~~2039-204~~0~~30.

Approved for submission to the voters of the Town of Camden, this 11th ~~2nd~~ day of February, A.D. 201~~4~~0.

CAMDEN SELECT BOARD:

_____
Martin Cates, Chairperson

_____
Donald White, Vice Chairperson

_____
John R. French, Jr.

_____
James Heard

_____
Leonard Lookner

A true copy, attest:

_____

Katrina Oakes
Town Clerk
Town of Camden

Article 3

February 25, 2014 Special Town Meeting

I, Martin Cates, Chairperson of the Camden Select Board, do hereby certify this copy of the proposed sewer easement as depicted on a Survey Sketch prepared by Wright-Pierce dated August 21, 2013 and the proposed deed for enactment at the February 25, 2014 Special Town Meeting..

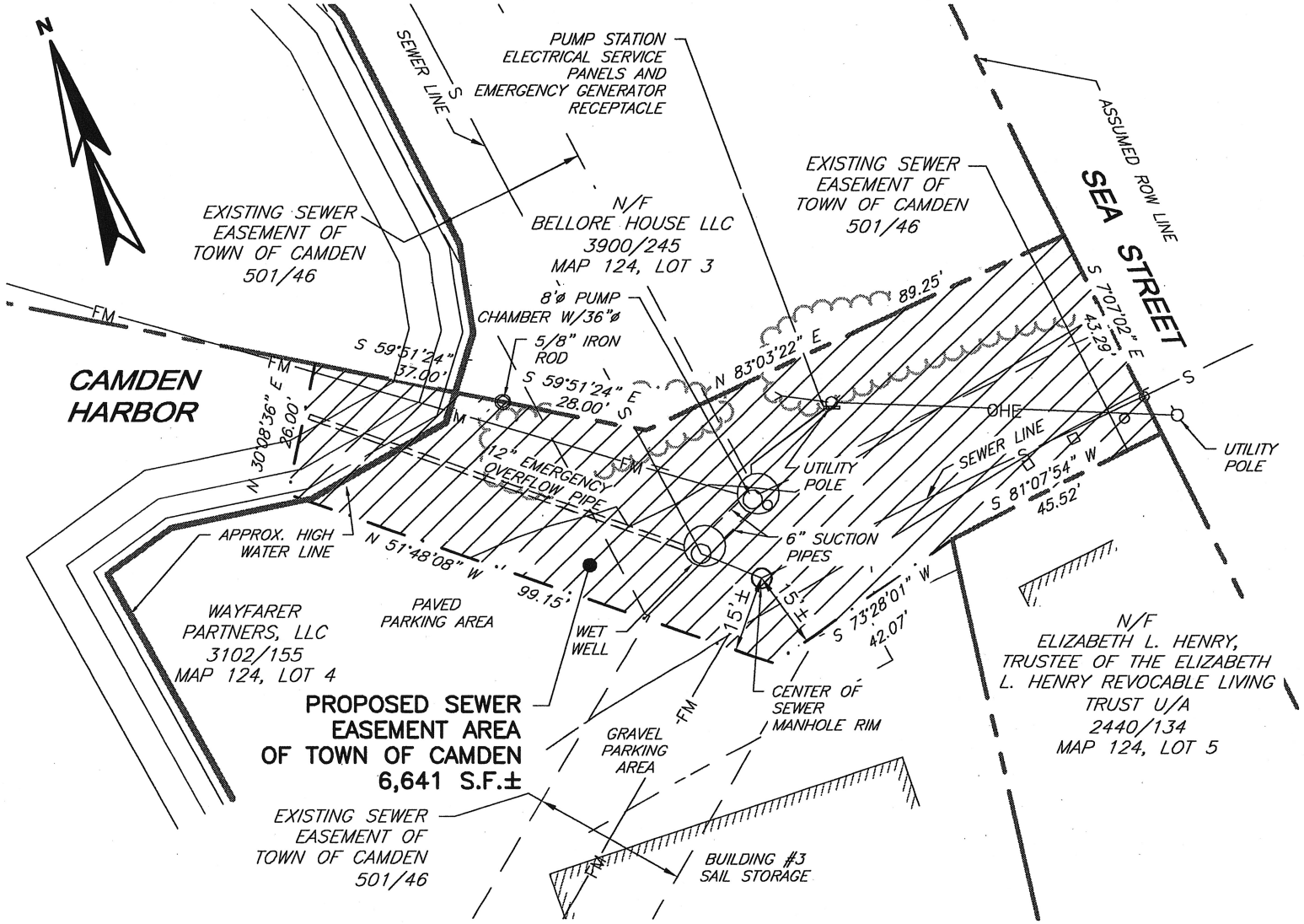
2-13-14

Martin Cates, Chairperson
Camden Select Board

Date

A true copy, attest: Katrina Oakes

Katrina Oakes, Camden Town Clerk



GRAPHIC SCALE

30 0 15 30

(IN FEET)
1 inch = 30 ft.

NOTES:

1. BOUNDARIES OF WAYFARER PARTNERS, LLC SHOWN ALONG LAND OF BELLORE HOUSE LLC, SEA STREET AND THE NORTHERLY LINE OF LAND OF HENRY ARE BASED ON A PLAN ENTITLED "WAYFARER PARTNERS, LLC, MAGRO AGREEMENT, 27 SEA STREET, CAMDEN, KNOX COUNTY, MAINE", DATED FEB. 6, 2006, RECORDED IN KNOX COUNTY REGISTRY OF DEEDS IN BOOK 3576, PAGE 70, AND HAVE NOT BEEN VERIFIED BY WRIGHT-PIERCE.
2. EXISTING CONDITIONS SHOWN ARE BASED ON A TOPOGRAPHIC SURVEY PERFORMED BY WRIGHT-PIERCE IN JULY OF 2012.

NO.	REVISIONS	APP'D
1		
2		
3		

FIGURE: E-1

EASEMENT EXHIBIT

TOWN OF CAMDEN & WAYFARER PARTNERS, LLC

TOWN OF CAMDEN
SEA STREET - CAMDEN HARBOR
CAMDEN, MAINE

PROJ NO: 12539A DATE: AUGUST 2013

WRIGHT-PIERCE
Engineering a Better Environment

EASEMENT

KNOW ALL BY THESE PRESENTS:

that WAYFARER PARTNERS, LLC, a limited liability company organized under the laws of the State of Maine, having a mailing address of: 59 Sea St, Camden, ME 04843, hereinafter referred to as "GRANTOR", in consideration of One Dollar, ($1.00) and other valuable consideration, paid by the INHABITANTS OF THE TOWN OF CAMDEN, with a mailing address of P.O. Box 1207, Camden, Maine, a body politic and municipal corporation organized and existing under the Laws of the State of Maine, hereinafter referred to as "GRANTEE", the receipt of which is hereby acknowledged, does hereby GIVE, GRANT, BARGAIN, SELL AND CONVEY, unto the GRANTEE, its successors and assigns forever, a permanent and perpetual EASEMENT for the purposes of constructing, installing, laying, re-laying, repairing, and maintaining, a sanitary sewer system consisting of sewer pipes, a sewer pump station, and sewer manholes together with all necessary fixtures and appurtenances necessary for the proper operation of said sanitary sewer system, which said sanitary sewer system and fixtures and appurtenances shall be and remain the property of GRANTEE, under, over and across the following described parcel of land of the GRANTOR situated on the westerly side of Sea Street and on the southeasterly side of Camden Harbor, in the Town of Camden, Knox County, State of Maine, hereinafter referred to as "SEWER EASEMENT AREA", said SEWER EASEMENT AREA being more particularly described as follows:

BEGINNING in the waters of Camden Harbor at a point on the southwesterly line of land now or formerly of Bellmore House LLC, reference deeds recorded in Knox County Registry of Deeds (KCRD) in Book 3900, Page 245 and in Book 3576, Page 70, ("3576/70") ("Bellmore House land"), said point being located between the high water line and low water line of Camden Harbor, said point also being N 59°51'24" W and 37.00 feet as measured along the southwesterly line of said Belmore House land from a 5/8-inch iron rod, all as shown on the plan attached hereto entitled "Figure: E-1, Easement Exhibit, Town of Camden & Wayfarer Partners, LLC, Sea Street – Camden Harbor, Camden, Maine", dated August 2013, by Wright-Pierce ("Town of Camden plan");

Thence S 59°51'24" E feet along the southwesterly line of said Bellmore House land, a distance of 37.00 feet to said 5/8-inch iron rod;

Thence continuing S 59°51'24" E feet along the southwesterly line of said Bellmore House land, a distance of 28.00 feet;

Thence N 83°03'22" E feet along the southerly line of said Bellmore House land, a distance of 89.25 feet to the westerly right-of-way line of Sea Street;

Thence S 7°07'02" E feet along the westerly right-of-way line of Sea Street a distance of 43.29 feet to the northeasterly corner of land now or formerly of Elizabeth L. Henry, Trustee of the Elizabeth L. Henry Revocable Living Trust U/A, reference deed recorded in KCRD in 2440/134 ("Henry Trust land");

Thence S 81° 07' 54" W along the northerly line of said Henry Trust land, a distance of 45.52 feet to the northwesterly corner of said Henry Trust land;

Thence S 73° 28' 01" W, crossing land of the GRANTOR herein, reference deeds recorded in KCRD in 3576/70, 3102/155 and 1220/291 ("Wayfarer Partners land"), and passing 15 feet, more or less, southerly

of the center of the rim of a sewer manhole located in the paved driveway of said GRANTOR, a distance of 42.07 feet;
Thence N 51° 48' 08" W, crossing said Wayfarer Partners land, and extending into the waters of Camden Harbor, a distance of 99.15 feet;

Thence N 30°08'36" E, crossing said Wayfarer Partners land, a distance of 26.00 feet, to the POINT OF BEGINNING, containing 6,641 square feet, more or less.

The parcel hereinabove described is shown as "PROPOSED SEWER EASEMENT AREA OF TOWN OF CAMDEN, 6,641 S.F.±" on said Town of Camden plan.

The hereinabove description of the SEWER EASEMENT AREA and the Town of Camden plan are based in part on a plan entitled "Wayfarer Partners, LLC, Magro Agreement, 27 Sea Street, Town of Camden, Knox County, State of Maine", dated February 6, 2006, recorded in Knox County Registry of Deeds in Book 3576, Page 70, and are not based on a current boundary survey.

Meaning and intending to convey a SEWER EASEMENT over a portion of land of the GRANTOR as described in a deed of Branta Foundation, dated October 17, 2003, recorded in Knox County Registry of Deeds (KCRD) in Book 3102, Page 155. Reference is also made to a Deed and Agreement by and between Wayfarer Marine Corporation and J. Tracy Kropp, dated October 9, 1987, recorded in KCRD in Book 1220, Page 291, and to Amendment One to Deed & Agreement by and between Wayfarer Marine Corporation and Benjamin Magro, dated February 9, 2006, recorded in KCRD in Book 3576, Page 70.

WITNESS my hand and seal this _____day of _____, 2014, in my said capacity.

WAYFARER PARTNERS, LLC

_____
BY:
TITLE:

STATE OF MAINE
COUNTY OF KNOX

DATED: _____

Personally appeared the above _____ in his/her capacity of _____, and acknowledged the foregoing instrument to be signed as his/her free act and deed.

BEFORE ME:_____
NOTARY PUBLIC
PRINT NAME HERE _____