



**Town of North Yarmouth, Maine**  
**Special Town Meeting Warrant**  
**February 4, 2023**

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**To:** Clark M. Baston, a resident in the Town of North Yarmouth, County of Cumberland, and the State of Maine.

**GREETINGS:** In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of North Yarmouth, Maine qualified by law to vote in town affairs, to meet at the Wescustogo Hall & North Yarmouth Community Center located in North Yarmouth, Maine on Saturday the 4th day of February A.D. 2023, at ten (10) o'clock in the forenoon, then and there to act upon Articles 1 through 3 as set out below, to wit:

The Registrar of Voters gives notice that citizens will be able to register to vote on February 4, 2023, from 9:30 AM to the close of the meeting.

**ARTICLE 1:** To elect a Moderator by written ballot to preside over the said meeting.

**ARTICLE 2:** To see if the Town will vote to adopt the Maine Moderator's Manual as prepared by the Maine Municipal Association as the parliamentary procedure at Town Meeting for the ensuing year.

**ARTICLE 3:** To see if the Town will vote to adopt the First Amendment to the Village Omnibus Municipal Development and Tax Increment Financing (TIF) District as recommended by the Select Board following a public hearing held on January 17, 2023, and as presented to this Town Meeting; and to adopt the following findings:

WHEREAS, the Town is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to adopt a Tax Increment Financing District and Development Program; and

WHEREAS, the Town designated the Village Omnibus Municipal Development and Tax Increment Financing (TIF) District (the "District") and approved a municipal tax increment financing district development program for said District (the "Development Program") by Town Meeting on April 6, 2019; and

WHEREAS, the Commissioner of the Maine Department of Economic and Community Development ("DECD") approved the designation of the District and adoption of the Development Program by letter dated July 29, 2019 to be effective for a term of thirty (30) years following the effective date of the DECD approval through June 30, 2049; and

WHEREAS, the Town desires to amend the District and Development Program as presented to the Town Meeting this day and as has been on file in the Town Clerk's Office at Town Hall in order to expand the opportunities for commercial development and new employment within the Town for residents of the Town and surrounding communities, which are expected to improve

and broaden the tax base of the Town and improve the general economy of the Town, the region and the State of Maine; and

WHEREAS, the Town has held a public hearing on January 17, 2023 on the proposed First Amendment to the District in accordance with the requirements of 30-A MRSA §5226(1) upon at least ten (10) days prior notice published in a newspaper of general circulation within the Town; and

WHEREAS, the Town considered all evidence presented during the public hearing with regard to any adverse economic effect on or substantial detriment to any existing business in the Town; and

WHEREAS, it is anticipated that the Commissioner of the Maine Department of Economic and Community Development (“DECD”) will approve the First Amendment to the District and Development Program;

NOW THEREFORE, BE IT HEREBY VOTED BY THE TOWN:

Section 1. The Town hereby finds and determines that:

- (a) Adoption and implementation of the District and 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 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) Adoption and implementation of the District and the Development Program will not result in a substantial detriment to any existing business in the Town, and any adverse economic effect of the District and the Development Program on any existing business in the Town is outweighed by the contributions expected to be made by the projects and improvements described in the District and the Development Program to the economic growth or well-being of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town; and
- (c) The District and the Development Program satisfy the statutory conditions for approval set forth in 30-A M.R.S. § 5223(3), except as otherwise exempt, as follows:
  1. At least 25% of the real property within the District is in a blighted area, in need of rehabilitation, redevelopment or conservation work, or is suitable for commercial or arts district use;
  2. The total area of the District does not exceed 2% of the total acreage of the Town and the total area of all TIF Districts within the Town does not exceed 5% of the total acreage of the Town; and
  3. The original assessed value of the District plus the original assessed value of any other TIF Districts within the Town does not exceed 5% of the total value of taxable property within the Town as of April 1, 2022.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby designates the proposed First Amendment to the North Yarmouth Village Omnibus Municipal Tax Increment Financing District, as presented to this Town Meeting.

Section 3. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby adopts the Development Program for the District in the form presented to this Town Meeting.

Section 4. Said designation of the District and adoption of the Development Program shall automatically become final upon approval of the voters at this Town Meeting and shall take full force and effect upon approval of the District and Development Program by the Commissioner of the State of Maine Department of Economic and Community Development (DECD), without requirement of any further action by the Town, the Select Board, or any other party.

Section 5. 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 and the term of said District is confirmed as set forth in the Development Program.

Section 6. Following final designation of the District and adoption of the Development Program by the Town, the Chair of the Select Board, or his designee, be and hereby is authorized and directed, on behalf of the Town of North Yarmouth, Maine, to submit to the Commissioner of DECD for review and approval, pursuant to the requirements of 30-A M.R.S.A. §5226(2), the application and such other documentation as may be necessary or appropriate for the final approval of this District and the Development Program. The Chair of the Select Board, or his/her/their designee, is further authorized and empowered, at his/her/their discretion from time to time, to make such technical revisions to the District or the Development Program for the District, or to the scope, cost or description of the public improvements 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 Chair of the Select Board, or his/her/their designee, deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District and Development Program by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the District and the Development Program.

Section 7. The Chair of the Select Board be and hereby is authorized, empowered and directed to enter into any Credit Enhancement Agreement contemplated by the Development Program, in the name of and on behalf of the Town, subject to the requirements of notice and hearing as set forth in the Development Program.

Given unto our hands this 13th day of December 2022 at North Yarmouth, Maine.

**Select Board**



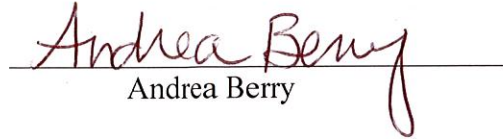
Brian Sites, Chairperson



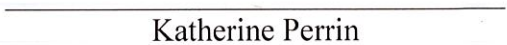
Amy Haile, Vice Chairperson



Paul Hodgetts



Andrea Berry



Katherine Perrin

A true copy of the warrant,

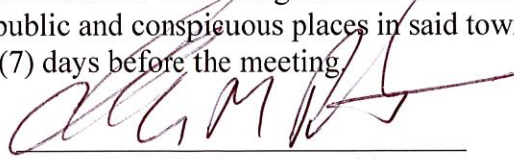
Attest:  Debbie Allen Grover, Town Clerk

**RETURN OF THE WARRANT**

North Yarmouth, Maine

January 3, 2023

Pursuant to the within warrant to me directed, I have notified and warned the inhabitants of said Town qualified as herein expressed, to meet at said time and place, and for purposes therein named, by posting an attested copy of said warrant at the Town Office, North Yarmouth Variety, Blue Seal Farm & Home, North Yarmouth Fire Rescue Station Wescustogo Hall & Community Center and Toddy Brook Café in said town, being public and conspicuous places in said town, on the 3 day of January 2023, being at least seven (7) days before the meeting.



Clark M. Baston, Resident