

MINUTES
SCARBOROUGH TOWN COUNCIL
THURSDAY – NOVEMBER 30, 2006
SPECIAL MEETING – 7:00 P.M.

Item 1. Call to Order. Chairman Babine called the special meeting of the Scarborough Town Council to order at 7:00 p.m.

Item 2. Pledge of Allegiance.

Item 3. Swearing in of newly elected officials. Yolande P. Justice, Town Clerk sworn in the following individuals:

Sanitary District Trustee

Benedetto Viola

Board of Education

Jodie C. Lenardson
Annalee Z. Rosenblatt
Jane M. Wiseman

Town Council

Ronald D. Ahlquist
Carol S. Rancourt
Richard J. Sullivan, Jr.

Nicola Rico (Sanitary District Trustee) was sworn in earlier.

Order No. 06-141. Act on the nomination and election of a new Council Chair. Motion by Councillor Babine, seconded by Councillor Ahlquist, to move approval on the nomination of Councillor Messer as the new Council Chair.

Motion by Councillor O'Reilly, seconded by Councillor Rancourt, to move approval on the nomination of Councillor Babine as the new Council Chair.

At the request of Councillor Babine, Councillor O'Reilly and Councillor Rancourt withdrew their nomination.

Vote: 4 yeas. 3 nays (Councillors O'Reilly, Most and Rancourt).

Order No. 06-142. Act on the nomination and election of a new Council Vice-Chair. Motion by Councillor Ahlquist, seconded by Councillor Sullivan, to move approval on the nomination of Councillor Babine as the new Council Vice Chair

Vote: 6 yeas. 1 nay (Councillor Most).

Item 4. Roll Call. Roll was called by Yolande P. Justice, Town Clerk. Ronald W. Owens, Town Manager, was also present.

Shawn A. Babine, Vice Chair	Patrick J. O'Reilly
Carol S. Rancourt	Sylvia J. Most
Ronald D. Ahlquist	Richard J. Sullivan, Jr.
Jeffrey A. Messer, Chair	

Order No. 06-130. 7:00 p.m. Public hearing and second reading on the proposed designation of the Bessey School Affordable Housing Tax Increment Financing District, pursuant to the provisions of Chapter 207 of Title 30-A of the Maine Revised Statutes, as

amended. Chairman Messer opened the public hearing. As there were no comments either for or against the hearing was closed at 7: 13 p.m.

Motion by Chairman Messer, seconded by Councillor Rancourt, to move approval of the second reading on the proposed designation of the Bessey School Affordable Housing Tax Increment Financing District, pursuant to the provisions of Chapter 207 of Title 30-A of the Maine Revised Statutes, as amended.

**ORDER AUTHORIZING ESTABLISHMENT OF THE BESSEY SCHOOL
AFFORDABLE HOUSING TAX INCREMENT FINANCING DISTRICT**

WHEREAS, 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 Affordable Housing Development Districts (the District) and to adopt a Development Program for the District (the Development Program); and,

WHEREAS, there is a need for affordable housing development in the Town; and,

WHEREAS, there is a need to provide affordable housing for the citizens of the Town, particularly the senior citizens; to maintain a diverse population including an array of social and economic backgrounds; and to improve the general economy of the Town and the State of Maine; and,

WHEREAS, implementation of the Development Program will help to provide additional affordable housing in the former Bessey School for the citizens of the Town; help to maintain a diverse population including an array of social and economic backgrounds; contribute to the betterment of the health, welfare and safety of the inhabitants of the Town; and improve the general economy of the Town and the State of Maine; and,

WHEREAS, there is a need to encourage the expansion, improvement and continuation of affordable housing through the establishment of the District in accordance with the provision of Chapter 206 of Title 30-A; and,

WHEREAS, the Town desires to designate the Bessey School Affordable Housing Tax Increment Financing District consisting of the property known as the Bessey School and surrounding land located on U.S. Route 1 and to adopt a Development Program for the District; and,

WHEREAS, the Bessey School Affordable Housing Tax Increment Financing District shall be 7.82 acres consisting of a portion of Tax Map U41, Lot 2 as more fully described in the Development Program, together with the buildings thereon; and,

WHEREAS, (a) At least twenty-five percent (25%), by area, of the real property within the District is suitable for residential use, blighted; or in need of rehabilitation and redevelopment; (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 does not exceed five percent (5%) of the total acreage of the Town; (c) The original assessed value of the District plus the original assessed value of all existing affordable housing development districts within the Town as of the date of this designation will not

exceed five percent (5%) of the total taxable value of property within the Town as of April 1, 2006; (d) The aggregate value of municipal general obligation indebtedness financed by the proceeds from affordable housing development districts within Cumberland County does not exceed \$50,000,000 as adjusted by a factor equal to the percentage change in the United States Bureau of Labor Statistics Consumer Price Index, United States Town Average from January 1, 2002 to date of calculation; (e) Designation of the District and pursuit of the Development Program for the District will meet the need for additional affordable housing in the Town; and provides a mechanism to ensure the ongoing affordability of the rental units constructed for at least 30 years; and therefore constitutes a valid public purpose of the Town; (f) Acquisition, construction and installment of all property improvements, buildings, structures, fixtures and equipment included within the affordable housing development program will not be financed through municipal bonded indebtedness; and (g) 100% of the rental units in the affordable housing development district are affordable housing; and,

WHEREAS, it is expected that approval will be obtained from the Maine State Housing Authority (MaineHousing), approving the designation of the District and the adoption of the Development Program for the District.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Scarborough, Maine, in Town Council assembled, as follows:

That the Bessey School Affordable Housing Tax Increment Financing District as described above is hereby approved and designated as such; and,

That the Bessey School Affordable Housing Tax Increment Financing District Development Program dated October 6, 2006, inclusive of all Exhibits attached thereto, as presented to the Town Council is hereby approved and adopted; and,

That the Town Manager be and hereby is authorized, empowered and directed to submit an application to MaineHousing for designation of the Affordable Housing Development District as presented; and,

That pursuant to 30-A MRSA §5227(1) and the Development Program, the percentage of increased assessed value within the District to be retained as captured assessed value for Development Program purposes is one hundred percent (100%); and,

That the Town Manager be and hereby is authorized and directed to enter such agreements, in the name of and on behalf of the Town, as may be required to implement the Development Program including, among others, the Credit Enhancement Agreement contemplated by the Development Program, such agreements to be in such form and to contain such terms and provisions, not inconsistent with the Development program, as the said Town Manager may approve, his approval to be conclusively evidenced by his execution thereof.

Vote: 7 yeas.

Item 4. Adjournment. Motion by Chairman Messer, seconded by Councillor Babine, to move approval to adjourn the special meeting of the Scarborough Town Council.

Vote: 7 yeas.

Meeting adjourned at 7:14p.m.

Respectfully submitted,

Yolande P. Justice

Town Clerk