

SPECIAL TOWN COUNCIL MEETING
AGENDA
January 30, 2018
6:00 PM

Councilors: Council Chair; George Edwards _____, Councilors; Stephen Clay _____, Jeffery Gifford _____, Sheldon Hanington _____, Marscella Ireland _____, Sharon Sibley _____, and John Trask _____.

1. **Call to Order**
2. **Open Forum:** *This is the portion of the agenda where the public can speak to any items on the agenda that do not have a public hearing. Please stand and state your name before stating the nature of your business. The Council Chair may set a time limit per agenda topic depending on the number of residents in attendance who wish to speak.*
3. **Executive Session (0101)**

SUGGESTED MOTION: Move to retire into Executive Session Pursuant to Title 1 MRSA Section 405 (6) (E) for the Town Attorney to advise the Town Council as to its legal rights and duties and to provide a Council update.

MOTION: _____ SECOND: _____ VOTE: _____

TIME STARTED: _____ TIME CLOSED: _____

- 3a. **SUGGESTED MOTION:** Move that the Council adopt the “First Amendment to the Limited Liability Company Agreement of Park Avenue Redevelopment, LLC” as set forth in Attachment A.

MOTION: _____ SECOND: _____ VOTE: _____

- 3b. **SUGGESTED MOTION:** Move that the Council authorize Park Avenue Redevelopment, LLC, of which the Town is the sole member, to take title to property consisting of approximately 76.6 acres of the Lincoln Paper and Tissue mill site as described in a Purchase and Sale and Settlement Agreement dated January 30, 2018, and that the Town accomplish this purchase with funds from the Lincoln Paper & Tissue TIF account.

Explanatory Note: The Town’s legal counsel recommends that Park Avenue Redevelopment, LLC, a special purpose entity created by the Town, take title to the mill “carve out” parcel for the purpose of protecting the Town from any potential environmental liability. The Town has undertaken environmental due diligence by conducting Phase I and Phase II Environmental Site Assessments, which indicate the “carve out” parcel does not have environmental issues.

MOTION: _____ SECOND: _____ VOTE: _____

3c. SUGGESTED MOTION: Move that Town Manager Richard Bronson is hereby authorized to execute and deliver the Purchase and Sale Agreement dated January 30, 2018 on behalf of Park Avenue Redevelopment, LLC, and to take any and all necessary and appropriate actions in the name and on behalf of Park Avenue Redevelopment, LLC that are necessary or desirable to effectuate and carry out fully the purpose and intent of the mill property transaction contemplated in that agreement.

MOTION: _____ SECOND: _____ VOTE: _____

3d. SUGGESTED MOTION: Move that the Council authorize the purchase of the Mattanawcook Dam and associated property as described in a Purchase and Sale and Settlement Agreement dated January 30, 2018, and that the Town accomplish this purchase with funds from the Lincoln Paper & Tissue TIF account.

Explanatory Note: The Town’s legal counsel recommends that the Town take title of the Mattanawcook Dam and associated property to ensure the Town has liability protections under the Maine Tort Claims Act (14 M.R.S. § 8104-A(2)).

MOTION: _____ SECOND: _____ VOTE: _____

3e. SUGGESTED MOTION: Move that the Council authorize settlement of a tax abatement appeal regarding property owned by Lincoln Paper & Tissue as described in a Purchase and Sale and Settlement Agreement dated January 30, 2018, that the Town accomplish this settlement with funds from the General Fund, and that Town Manager Richard Bronson and the Town’s legal counsel are authorized to take all necessary or desirable actions to effectuate and carry out fully the purpose and intent of this settlement.

Explanatory Note: Under the settlement agreement, the Town will provide \$30,000 in funds to Lincoln Paper & Tissue, while preserving the assessed value and other Town claims regarding personal property taxes on equipment formerly owned by Lincoln Paper & Tissue.

MOTION: _____ SECOND: _____ VOTE: _____

3f. SUGGESTED MOTION: Move that Town Manager Richard Bronson, on behalf of the Town, is hereby authorized to execute the Purchase and Sale and Settlement Agreement dated January 30, 2018, and to take any and all necessary and appropriate actions in the name and on behalf of the Town that are necessary or desirable to effectuate and carry out fully the purpose and intent of that agreement, including the dam property transaction and tax settlement.

MOTION: _____ SECOND: _____ VOTE: _____

4. Adjourn

SUGGESTED MOTION: Move to adjourn meeting at _____pm

MOTION:_____ SECOND:_____ VOTE:_____