

February 12, 2008

Dear Honorable Senators: Peter B. Bowman and Richard A. Nass  
Dear Honorable Representatives: Sarah O. Lewin, Bonnie S. Gould, Richard Burns,  
Dawn Hill, Walter A. Wheeler, Sr., Windol C. Weaver, and Kathleen D. Chase

RE: LD2003

As the honorable Senators and Representatives of the towns in southern York County joined in the initiative known as LD2003, I respectfully request your attention to this matter as follows.

Substantive reasons abound to vote against LD2003 based on its content. I'll let others weigh in from that perspective. My intent is to revisit the directive set to the Regional Efficiency Grant (REG) Committee, which follows for your review. Please note the REG Committee's mandate DID NOT include drafting and submitting legislation such as LD2003.

*"We are requesting \$15,000.00 from SPO's Fund for Regional Efficiency to fund the proposed regional industrial park feasibility study. The funding request was based on the estimated cost to implement the following scope of work. We would propose the following as an outline of services for the grant received:*

- 1. Educate municipal officials and the general public about the concept of a regional industrial park; tax base sharing; and examples of other regional industrial parks*
- 2. Form a Regional Industrial Park Steering Committee*
- 3. Outline how an inter-local agreement would work in the case of a 4-8 town regional industrial park*
- 4. Develop criteria for the possible location of a park (picking a location would not be part of this grant)*
- 5. Provide for a rough cost-benefit analysis of a model regional industrial park*
- 6. Provide the basis for a more in-depth regional market analysis (e.g. look at recent commercial/industrial growth in the region)"*

The operative phrase here is *to fund the proposed regional industrial park **feasibility study***. Does the "Interim and Final Report for 2007 Regional Efficiency Grant", dated January 15, 2008 and submitted by the Town of South Berwick to the State Planning Office (SPO) accurately assess the scope of work completed as proposed by this grant?

Did the REG Committee fully complete the six (6) criteria listed above? Please take the time to review the 'Grant' and the subsequent 'Report' in relation to each other. Presently, I would like to address each of the 'Grant' criteria from the perspective of a South Berwick resident.

It is best to make full disclosure here. I write this letter as a concerned citizen of South Berwick, and not as the past Chairman of the Land Use Sub-Committee of the 2006 Comprehensive Plan Update, nor as a standing member of the South Berwick Planning Board and Building Committee.

1. Town Council and Economic Development Committee (EDC) members were the only municipal officials invited to the joint workshops of June 20, 2007 and December 12, 2007. Although these meetings were open to the public, here in S. Berwick only one citizen attended the December meeting; I could not locate the attendee list for June. The informational meeting of February 9, 2008 was the first meeting truly attended by the public. How does an attempt to educate the public at this juncture, especially on a directive from the Joint Standing Committee on Business, Research and Economic Development (BRED), AFTER their initial review of LD2003 on January 17, 2008 constitute fulfilling this first scope of work?
2. This seems to have been accomplished.
3. LD2003 seems to be the only document provided by the REG Committee attempting to outline how an inter-local agreement would work in a regional industrial park. Questions still linger on its content as evident by the February 9, 2008 meeting. Is the REG Committee's acknowledging at this meeting its need to incorporate an unspecified number of amendments into LD2003 indicative of an incomplete inter-local agreement? How can this scope of work be justified as complete?
4. Southern Maine Regional Planning Commission (SMRPC) maps provided the REG Committee with physical locations for situating a regional industrial park. What other criteria exists for locating a regional industrial park beyond physical mapping? Why is Chuck Lawton's detailed list of recommendations for evaluating the workforce/business relationship in Southern York County to the REG Committee on January 10, 2008 not cited within this item? How were his recommendations implemented in the context of the *feasibility study*? How can SMRPC's work stand alone for completing this scope of work?
5. No cost benefit analysis was conducted. The REG Committee used the "Industrial Park Market Analysis, and Preliminary Feasibility" study prepared by RKG associates in 2006. This was a market analysis commissioned by South Berwick to explore the Town developing its industrial zone on Rt. 236. Its analysis compared South Berwick's current and potential market for developing an industrial park to those within Rockingham and Strafford Counties in New Hampshire. This analysis was used as a basis for bonding the creation of a South Berwick Industrial Park. South Berwick voters in a special Town Meeting defeated this initiative nearly 3:1. How does this market analysis supersede the

need for a cost benefit analysis in Southern York County? Was any part of this scope of work addressed?

6. We understand RKG's market analysis is recycled. Would Mr. Lawton's recommendations in conjunction with RKG's analysis form a "*basis for a more in-depth regional market analysis?*" Possibly, but is speculation the directive of this *feasibility study*?

Do the authors of the "Interim and Final Report for 2007 Regional Efficiency Grant", dated January 15, 2008, from the Town of South Berwick, understand the extent of the possible deficiencies in their 'Report'?

Do you believe it is justifiable, by an independent means, to ascertain the accuracy of this 'Report'?

Do you think further inquiry is necessary to validate that terms of the 'Grant' were completed fully and in a professional manner?

Considering these questions, how could we not want to know the answers?

**Please consider the following:**

Town Manager's Report of July 23<sup>rd</sup>, 2007 the Town of South Berwick

2. The workgroup for the Regional Industrial & Business Park met last week. The committee decided to form the Southern York County Regional Development Authority. The formation of the Development Authority will not commit anyone to any bonding or funding of any projects. The committee would ask each community that joins to commit to a small amount of funds, somewhere between \$5,000 & \$10,000. Using a two step process, any projects undertaken by the Authority would also need to be approved by each town involved.

The formation of the Development Authority would provide another avenue for seeking grant funds for further studies. Two areas to be studied would be the feasibility of the types of businesses for the park and the type of workforce that's available for those businesses.

Mrs. Demetracopoulos asked if the Authority would sunset under specific situations. Mr. Grossman stated that there would be language in the legislation that would allow the Authority to dissolve and provisions would be made for communities that wish to opt in or out.

Mrs. Kareckas asked who would manage the Authority. Mr. Grossman responded that there would be a board of directors or trustees that would elect their own officers. Mrs. Kareckas also asked if a new paid position would be created. Mr. Grossman stated there would not at this time. The committee would like to continue as is with administrative assistance being provided by the member towns.

**Mrs. Demetracopoulos stated that she would like to move forward and added that it would be prudent to hold a public information session, possibly in September.**

**Unanimous consensus of the Council was to move forward.**

On page eight (8) of the 'Report', which was filed with both the SPO and The Office of Administrative and Financial Services it states: "***Each Town has voted to support the SYCRDA legislation and join the RDA.***" The elected legislative body of South Berwick,

The Town Council, HAS NOT voted on this matter. The people of South Berwick HAVE NOT voted either. Have your communities voted either through your elected legislative bodies or with mechanisms for the public to act on the SYRDA legislation and join the RDA?

This is the closest documentation of what might be considered voting in South Berwick. As noted, this is within the Manager's Report and not an Agenda Item. A motion and a vote as stated above in the 'Report' did not occur within the discussion of the Manager's Report. A consensus was made to move forward and develop new information. No public information session occurred.

Now we have LD2003. In PART SIX: AGREEMENT TO GRANT TERMS, on the signatory page, under item #2 it states: *"No part of the grant will be used for a political campaign, or to support attempts to influence legislation of any governmental body other than through making available the results of non-partisan analysis, study, and research."*

Is there any portion of the directive within the 'Grant' for drafting and submitting legislation for LD2003?

Is it possible financial resources allocated for the terms of the 'Grant' were utilized for the drafting and submittal of LD2003?

In creating LD2003, is the REG Committee, by lobbying an attempt to influence the BRED Committee's action on this legislation, in violation of the AGREEMENT TO GRANT TERMS noted under item #2?

Again, considering these questions and many other questions raised in letters by concerned individuals, how could we not want to know the answers?

One more disclosure is needed here. As Chairman of the Land Use Sub-Committee of the 2006 Comprehensive Plan Up-Date for South Berwick I authored Goal 13, which was new to the Comprehensive Plan. It states: "Encourage and promote policies that maximize developing the Industrial Zone in a comprehensive and cohesive manner for commercial/service related and/or industrial businesses". Seven new strategies were devised to help realize this goal. Item seven (7) under this goal is "Consider forming an industrial development authority or commission to study industry trends to best determine how the Town can be a potential investor partner in a development project within the Industrial Zone." Item ten (10) under this goal is "Study Tax Base sharing concepts as a regional development strategy with other towns." These were written in the spring of 2003.

I believe in the concept. LD2003 as indicated by the litany of questions, which beg for process and accountability, is not the legislation. This legislation needs termination. This is truly unfortunate; not only for the time and public expense incurred on this project, but for the missed opportunity, at present, for doing it right.

Until public officials create the forums and truly listen to the public, do their work diligently and with integrity, and communicate findings clearly; they will fail to serve the public fully. I do believe inherently our intentions are good, but our deeds and actions must subscribe to the best in public service by doing our best. When we fall short, we must investigate and understand these shortcomings, learn from them, and move on as necessary.

Thank you for your consideration.

Respectively,

Bradford D. Christo