



Town of Windham

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Memorandum of Understanding for the Former South Windham Fire Station

To: Jon and Cindy Smith, Great Falls Construction, Inc.

From: Barry A. Tibbetts, Town Manager, Town of Windham

Re: Sale of South Windham Fire Station

December 8th, 2020

This Memorandum of Understanding is intended to outline the steps the Town of Windham agrees to pursue in good faith and diligence in conjunction with the purchase and development of the South Windham Fire Station located at 8 Main Street, Windham (the Property) by Great Falls Construction, Inc. These items are not to be considered as contingencies to the sale of the Property by the Town to Great Falls Construction, Inc.; all contingencies to the sale will be as specified in a Purchase and Sale Agreement to be executed by the Town and Great Falls Construction. The Town will not be liable to Great Falls Construction, Inc. or its employees, agents or officers for any failure to complete any of the items addressed in this MOU.

A. Town initiatives & commitments

1. The Town of Windham will develop a capital improvement plan for the village area and work with the Town of Gorham on this process. The Town of Windham will continue funding public improvements with a TIF and general fund allocations over the course of the next 10 years.
2. The Town will endeavor to create a downtown revitalization TIF district and zoning district to include the Property. This special designation would enable greater water access (no setbacks for restaurants) / views. The Council will consider these designations within 4-6 months of execution of the Purchase and Sale Agreement.
3. The Town will allow unlimited employee parking for 10 years behind the current South Windham Fire Station, as designated by the Fire Chief. This could also include an automatic renewal option. A license for this parking will be given at closing.
4. The Town will pursue public parking on additional sites in South Windham. The Town will work with property owners to provide public parking. The Town will work with Great Falls Construction on parking solutions.

5. The Town will pursue various opportunities for CDBG awards.
 - a. The Town will apply for a CDBG grant to improve the sidewalk, parking, curb cut and signage in front of the old South Windham Fire Station.
 - b. CDBG Job Creation Program: The Town will support a grant application for new job creation (\$15,000 per position-meeting the CDBG requirements) for the proposed restaurant. Total number of positions depends on fund availability and meeting criteria. Any match is by the applicant (Great Falls Construction).
 - c. The Town will pursue CDBG program funds to develop the potential public parking options with Soil and Water Conservation.
 - d. The Town will Great Falls Construction in assisting in developing pre application documents for the Mid-December deadline.
6. The Town will take the necessary initiatives/steps to work with any abutters (i.e., Sappi, Portland Water District) for the development and any public improvements. Great Falls Construction will be included in these discussions as appropriate.
7. The Town, based on the land survey and in conjunction with your team, will identify two future public uses to be determined. Upon determination the Town would draft out the appropriate easement documents.
 - a. A location for a river portage for kayak or canoe, non-motorized craft, no permanent parking spaces to be reserved on site with potentially a drop off location coordinated with the PWD pump station area. Dock maintenance & repair to be the responsibility of the Town.
 - b. A location for a potential footbridge to the island would be identified in conjunction with Great Falls Construction. The Town would undertake all arrangements with Sappi as necessary, cover cost of the footbridge, abutments, etc. and pursue any grant opportunities.
8. The Town will explore the opportunity for any other grants that may become available for this project.

UNDERSTOOD AND AGREED TO:

TOWN OF WINDHAM

GREAT FALLS CONSTRUCTION, INC.

BY: Barry Tibbetts, Town Manager
Duly authorized

By: _____
Duly authorized