



Town of Windham

Town Offices
8 School Road
Windham, Maine

Cover Sheet

File Number: 22-163

Agenda Date: 9/13/2022

Version: 1

Status: Agenda Ready

In Control: Town Council

File Type: Order

I. Council Action Requested.

To enter into executive session pursuant to Title 1 M.R.S.A. §405(6)(E), for “consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, [or] pending or contemplated litigation and under Title 1 MRSA §405 (6) (C) for the discussion or consideration of the condition, acquisition, or the use or real or personal property permanently attached to real property or interests therein since premature disclosures of the information would prejudice the competitive or bargaining position of the Town.

II. Basis for Council Action.

Council approval of this item is required because;

- a. The proposed order involves “consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, [or] pending or contemplated litigation” and
- b. The order contemplates “consultations between a body or agency and its attorney concerning the legal rights and duties of the body or agency, pending or contemplated litigation, settlement offers and matters where the duties of the public body's or agency's counsel to the attorney's client pursuant to the code of professional responsibility clearly conflict with this subchapter or where premature general public knowledge would clearly place the State, municipality or other public agency or person at a substantial disadvantage,”
- c. The proposed article contemplates “the discussion or consideration of the condition, acquisition or the use or real or personal property permanently attached to real property or interests therein since premature disclosures of the information would prejudice the competitive or bargaining position of the Town”, and
- d. The Town Council is the legislative body of the Town pursuant to Article II, Section 3(1) of the Charter.

III. Issue Summary.

Pursuant to statute, this order requires a 3/5 majority vote.