



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Legislation Text

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**File #:** 23-226, **Version:** 1

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### I. Council Action Requested.

WHEREAS, on October 24, 2023, the Town Council adopted Order 23-198, authorizing the Town Treasurer to negotiate the terms of the purchase of the following equipment: 1) Fire Dept. Car 4 - 2023 Ford Interceptor and related equipment; 2) Fire Dept. Ambulance #2 - 2023 Ford E450 Braun Chief XL Chassis; 3) Fire Dept. Ambulance #2 - 2023 Ford E-450 Chief XL Remount; 4) Fire Dept. Unit 9 - Utility Pickup Truck and related equipment; and 5) Public Works International Single Axle Dump Truck with cab, chassis, and related plowing and sanding gear (collectively the "Equipment"); and

WHEREAS, the Town expects to enter into one or more lease purchase agreements in an aggregate principal amount of \$580,685 for the purpose of financing the Equipment authorized to be purchased by Order 23-198; and

WHEREAS, the Town Treasurer made an original expenditure in the amount of \$43,376.80 on November 2, 2023 for the purpose of acquiring the Fire Department Car 4 - 2023 Ford Interceptor and related equipment authorized by Order 23-198; and

WHEREAS, the Town expects to make additional original expenditures to acquire said Equipment prior to closing on the lease purchase financing;

NOW, THEREFORE, be it voted, resolved, and ordered by the Town Council of Windham, Maine:

That the Town Council hereby declares its official intent within the meaning of Treasury Regulation 1.150-2 to pay, on an interim basis, up to \$580,685 of costs of the Equipment, which costs the Town reasonably expects to reimburse with proceeds of the lease purchase financing to be issued in the maximum principal amount of \$580,685, or as otherwise increased by the Town Council.

### II. Basis for Council Action.

Council approval of this item is required because;

- a. The Council has the authority to enter into contracts as the legislative body of the Town pursuant to Article II, Section 3(1) of the Charter, and
- b. The purchase involves lease-purchase financing, requiring Council approval in accordance with Section 5.4 of the Town of Windham Purchasing Policies (2020), as amended.

### III. Issue Summary.

The article language authorizing negotiation of the lease purchase was provided by the town's bond counsel, Alyssa Tibbetts, with Jensen Baird to ensure compliance with IRS tax-exempt lease purchase rules.

