



RESOLUTION

Number 2021-077

To Amend Resolution 2016-025, as previously amended and
supplemented by Resolutions 2017-079, 2018-064, 2018-064A and
2019-061, 2020-049

and Authorize an additional Schedule to the Master Equipment
Lease/Purchase Agreement to Finance the Acquisition of Certain Capital
Equipment

WHEREAS, Section 7.1 of the Town Charter designates the Town Council ("Council") as the
Legislative Body of the Town, which is then empowered by New Hampshire law to incur debt
on behalf of the Town; and

WHEREAS, the Council incorporated a lease-to-purchase method of financing the acquisition
of certain capital equipment into the Fiscal Year 2022 Town Budget; and

WHEREAS, the Council previously approved a Master Equipment Lease/Purchase Agreement
(the "Agreement") with Banc of America Public Capital Corp (or one of its affiliates) under
Resolution 2016-025;

WHEREAS, the Council amended Resolution 2016-025 under Resolution 2017-079 which was
further amended and supplemented by Resolutions 2018-064, 2018-064A, 2019-061 and
2020-049, all of which authorized the financing of additional items of capital equipment
under the Agreement; and

WHEREAS, the Agreement allows for additional schedules to be entered thereunder to
finance the Fiscal Year 2022 capital acquisitions;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town is hereby authorized to enter
into subsequent Schedules to the Agreement to include the following capital items (together
with related attachments and equipment):

Buildings & Grounds Truck w/ Plow	\$50,000
Highway Truck w/ Plow	\$50,000
Highway Tractor w/Mower	\$120,000
Highway 6-Wheel Dump	\$200,000
Fire Ambulance	\$308,000

Fire Shift Commander Vehicle	\$70,000
Transfer Station Trash Trailer	\$100,000
Water/Wastewater 10-Wheel Dump	\$184,753
Total	\$1,082,753

Further, that this authorization shall not increase appropriations beyond what has been previously authorized under separate Council action; this lease includes a fiscal funding clause; and the Town Administrator is hereby authorized to execute and deliver the Schedule and any exhibits thereto or documents and certificates contemplated thereby, including but not limited to, an escrow and account control agreement for the creation of an escrow account as contemplated by the Agreement; and to take such other actions as may be necessary to fulfill the intent and purposes of this Resolution and to consummate the acquisition of the capital equipment described herein and the financing of such capital equipment.

The prior actions of the Town Administrator and the designees of the Town Administrator relating to the transactions contemplated hereunder, as well as all related subject matters and processes, are hereby ratified and affirmed.

All resolutions or parts thereof in conflict or inconsistent herewith, if any, are hereby repealed to the extent of such conflict and inconsistency with respect to this Resolution.

This Resolution shall take effect immediately upon its passage.

Adopted: November 16, 2021

Attest:

x 

James Morgan, Council Chair

Date: 11/16/2021

x 

Daniel Healey, Town Clerk

Date: 11/16/2021