

RESOLUTION R-15- 12

A RESOLUTION OF THE TOWNSHIP OF NORTHAMPTON, BUCKS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE INCURRING OF LEASE/PURCHASE OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$560,000 TO BE EVIDENCED BY A LEASE PURCHASE AGREEMENT WITH BANK OF AMERICA PUBLIC CAPITAL CORPORATION ("LESSOR") TO WHICH NORTHAMPTON TOWNSHIP WILL PAY TO LESSOR THE LEASE/PURCHASE PAYMENTS FOR THE PURPOSES OF PROVIDING CERTAIN EQUIPMENT FOR NORTHAMPTON TOWNSHIP; AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH LEASE/PURCHASE AGREEMENTS; SETTING THE AMOUNTS OF THE LEASE/PURCHASE PAYMENTS TO BE MADE THEREUNDER AND COVENANTING TO PAY SUCH AMOUNTS FROM CURRENT REVENUES, SUBJECT TO ANNUAL APPROPRIATION; AUTHORIZING AND DIRECTING THE TAKING OF NECESSARY OR APPROPRIATE ACTIONS, INCLUDING EXECUTION AND DELIVERY OF REQUISITE DOCUMENTS IN CONNECTION WITH THE LEASE/ PURCHASE AGREEMENT; AND TAKING RELATED ACTION.

WHEREAS, Northampton Township has determined that it is in the best interests of Northampton Township to finance certain capital equipment ("Equipment") as more particularly described in Exhibit "A" annexed hereto and made part hereof and;

WHEREAS, Northampton Township desires by this resolution to authorize the execution and delivery on behalf of Northampton Township of a Lease Purchase Agreement, and to authorize the taking of necessary or appropriate actions in connection with the Lease Purchase Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Northampton Township as follows:

Section 1. The Board of Supervisors of Northampton Township hereby authorizes and approves the financing of capital equipment pursuant to a Lease Purchase Agreement with Bank of America Capital Corporation, and to incur lease purchase obligations in an aggregate principal amount not to exceed \$560,000 by the execution and delivery of a Lease Purchase Agreement. Northampton Township has determined that the realistic estimated useful life of the equipment is at least five (5) years or (7) years.

Section 2. Form of Lease Purchase Agreement. The Lease Purchase Agreement will be in form and substance satisfactory to Northampton Township, with the advice of counsel, and shall provide for Northampton Township's repayment obligations thereunder.

Section 3. Execution and Delivery of Lease Purchase Agreement. Northampton Township designates and authorizes the Township Manager Finance Director to execute, attest, seal and deliver the Lease Purchase Agreement in the form provided in Section 2 hereof. Such execution, attestation, and delivery of the Lease Purchase Agreement shall constitute conclusive evidence of such approval.

Section 4. Lease Purchase Payments from Current Revenues. Northampton Township covenants to pay Lessor the lease payments from current revenues or capital reserve funds subject to annual appropriation.

Section 5. Qualified Tax Exempt Obligations. Northampton Township designates its obligations under the Lease Purchase Agreement as "qualified tax exempt obligations" as defined in and for purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 6. Headings & Preambles. The preambles and headings of this Resolution are inserted for ease of reference only and shall not constitute a part of this Resolution.

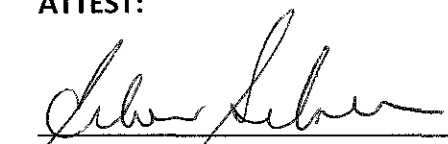
Section 7. Inconsistent Ordinances are Repealed. All ordinances and resolutions to the extent inconsistent herewith shall be and the same are hereby rescinded, cancelled, and annulled.

Section 8. Reimbursement from Proceeds. The Township declares its intent to be reimbursed from proceeds of the lease purchase obligation for any temporary advances from its capital reserve funds used to pay for any equipment acquired prior to the execution of this document.

RESOLVED this 25th day of February 2015.

**BOARD OF SUPERVISORS
NORTHAMPTON TOWNSHIP**

ATTEST:



Eileen Silver, Secretary



Barry Moore, Chairman