

AN ORDINANCE AUTHORIZING THE COUNCIL OF THE TOWNSHIP OF WESTFALL TO BORROW \$20,000.00 FOR THE PURCHASE OF A TRUCK.

SPECIAL BORROWING ORDINANCE:

1. PURPOSES OF SPECIAL BORROWING:

The Supervisors have determined that it is feasible and necessary to borrow the sum of \$20,000.00 to pay for a new truck, and to repay such loan, together with interest thereon at the rate of Eight (8%) percent per annum over a term not to exceed three (3) years.

2. SOURCE AND TERMS OF LOAN:

The First National Bank of Pike County has submitted to the Township its proposal to purchase the Promissory Note of the Township in the face amount of \$20,000.00, payable, together with interest at the rate of Eight (8%) per cent per annum, over three (3) years, with full privilege to prepay at any time without penalty. The offer of the First National Bank of Pike County, representing the lowest offer and the best terms available from the local banks, was accepted by a Resolution duly adopted by Supervisors at its regular meeting on December 5, 1983.

3. AUTHORIZATION FOR LOAN AND DIRECTION TO SUPERVISORS:

By adoption of this Ordinance the Supervisors authorize the borrowing of the principal sum of \$20,000.00 on the terms set forth in Section One (1) and the Supervisors are hereby authorized, empowered and directed to take all such actions and execute all such documents as may be necessary or desirable to effect closing of the loan transaction.

4. SINKING FUND:

There is hereby created and established at the First National Bank of Pike County, as a sinking fund for the Promissory Note, the "Westfall Township Special Sinking Fund", and the Treasurer of the Township shall, on the dates and in the amounts set forth in said Promissory Note, make payments out of the funds budgeted for such purposes; and other current revenues of

the Township, if necessary and appropriate, into such Sinking Fund.

5. DEBT STATEMENT:

The Township Treasurer shall prepare and and verify and file with the Pennsylvania Department of Community Affairs a Debt Statement as required by law and as provided by Section 410 of Local Government Unit Act of 1972 as amended.

6. NOTE TO BE A GENERAL OBLIGATION:

The Promissory Note to be executed and delivered hereinunder shall be a non-electoral general obligation note.

7. COVENANT TO PAY:

The Township by the adoption hereof covenants with any holder of said Promissory Note from time to time that the Township shall include the amount of the debt service with respect thereto for each fiscal year in which such debt service is payable in its budget for that year, and further, shall appropriate such amounts to the payment of such debt service, and shall duly and punctually pay, or cause to be paid, the principal of said Promissory Note and the interest thereon at the dates and places and in the manner stated therein, according to the true intent and meaning thereof, and for such budgeting, appropriate and payment, the Township shall pledge its full faith, credit and taxing power. This covenant shall be specifically enforceable.

8. FORM OF NOTE:

The form of Promissory Note to be executed pursuant hereto shall be the standard form of Judgment Note used currently by the First National Bank of Pike County, containing provision for entry of judgment without default and privilege for prepayment without penalty.

9. SCHEDULE OF PAYMENTS:

It is anticipated that the proposed loan will close on or about December 27, 1983 with quarterly installments of interest and principal to

commence three (3) months thereafter and to continue quarterly until three (3) years from the date of said note.

10. NOTE TO BE SOLD BY PRIVATE SALE:

The Township has agreed to sell said Promissory Note, and The First National Bank of Pike County has agreed to purchase said Promissory Note, in accordance with a privately negotiated Agreement and not by public sale.

11. ADVERTISEMENT OF NOTICE OF ENACTMENT:

Not later than the fifteenth day after the final enactment of such Ordinance, a Notice of such enactment shall be advertised as required by Section 103 of the Local Government Unit Dept. Act of 1972, as amended.

Attest:

WESTFALL TOWNSHIP BOARD OF SUPERVISORS

Kenneth H. Barr

George O. Campbell

Carlton L. Shay

Kenneth H. Barr

Dated: December 20, 1983