

PYMATUNING TOWNSHIP
MERCER COUNTY, PENNSYLVANIA

ORDINANCE NO. 123

AN ORDINANCE INCREASING THE INDEBTEDNESS OF PYMATUNING TOWNSHIP, COUNTY OF MERCER, PENNSYLVANIA, BY THE ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$17,500.00 FOR SUNDRY PURPOSES: FIXING THE FORM, NUMBER, DATE, INTEREST, AND MATURITY THEREOF: MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE: PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENT: PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITORY FOR THE NOTE: AND AUTHORIZING EXECUTION, SALE AND DELIVERY THEREOF.

WHEREAS, it is necessary that the indebtedness of the Township of Pymatuning, Mercer County, Pennsylvania, be increased for current operating expenses; and

WHEREAS, the Township of Pymatuning has received a proposal from First National Bank of Mercer County, to purchase a general obligation note at par in the amount of \$17,500.00, for a term of three (3) years at the rate of interest of 5.9%, per annum; and

WHEREAS, the proposed increase of debt, together with its nonelectoral indebtedness and its lease rental indebtedness presently outstanding, will not cause the limitations of the Township of Pymatuning debt incurring power, pursuant to constitutional and statutory authority to be exceeded;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township of Pymatuning, Mercer County, Pennsylvania, and it is hereby ordained and enacted by the authority of same as follows:

SECTION 1. That the aggregate principal amount of the note of the Township of Pymatuning, County of Mercer, Pennsylvania, proposed to be

issued is \$17,500.00, same to be issued for the foregoing purposes and same to be incurred as nonelectoral debt.

SECTION 2. Said indebtedness shall be evidenced by one general obligation note, in registered form, in the principal sum of \$17,500.00 dated and bearing interest from the earliest date of possible issue of said note under the statutory time requirements as set forth in the Act of the General Assembly of the Commonwealth of Pennsylvania approved the 28th day of April, 1978, being Act 52 of 1978 Session, at the rate of interest of 5.9% per annum, payable annually on the unpaid balance of said note on the anniversary date of said note during the term of said note, together with interest on overdue principal, and to the extent permitted by law, on overdue interest, at the rate of 6% per annum (computed on the basis of 365 days to the year) until paid, which note shall mature in installments on the annual anniversary date of the said note as follows:

Fiscal Year 1984\$ 6,865.83
Fiscal Year 1985\$ 6,521.66
Fiscal Year 1986\$ 6,177.51

The Township of Pymatuning reserves the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty.

The principal and interest of said note shall be payable at the office of the sinking fund depository selected for the note as hereinafter provided.

SECTION 3. The said note is hereby declared to be a general obligation of the Township of Pymatuning. The municipality hereby covenants that the

municipality shall include the amount of debt service on the note for each fiscal year in which such sums are payable in its budget for that year; 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 the note and the interest thereon at the dates and places and in the manner stated in the note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the Township of Pymatuning is hereby irrevocably pledged.

The amounts which the municipality hereby covenants to pay in each of the following fiscal years on the basis of an interest rate of 5.9% are as follows:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>
1984	\$ 5,833.33	\$ 1,032.50
1985	\$ 5,833.33	\$ 688.33
1986	\$ 5,833.33	\$ 344.17

SECTION 4. The form said note shall be substantially as follows:

UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF MERCER
PYMATUNING TOWNSHIP

GENERAL OBLIGATION NOTE

\$ 17,500.00

KNOW ALL MEN BY THESE PRESENTS, that the Township of Pymatuning, County of Mercer, Commonwealth of Pennsylvania, a municipal corporation existing by and under the laws of said Commonwealth, for value received, hereby acknowledges

itself indebted and promises to pay to the purchaser the sum of Seventeen Thousand Five Hundred and No/100ths Dollars (\$17,500.00) in installments as follows:

Fiscal Year 1984, the sum of \$6,865.83

Fiscal Year 1985, the sum of \$6,521.66

Fiscal Year 1986, the sum of \$6,177.51

with interest on the unpaid principal balance at the rate of Five and Nine tenths percent (5.9%) per annum, payable annually on the anniversary date of said note, together with interest on overdue principal, and to the extent permitted by law, on overdue interest, at the rate of six percent (6%) per annum (computed on the basis of 365 days to the year), with the option in the Municipality to anticipate any installment of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty.

Both principal and interest are payable in such coin or currency as at the respective dates of payment thereof shall be legal tender for the payment of public and private debts, at the office of the First National Bank of Mercer County, Greenville, Pennsylvania.

It is hereby recited that this note is authorized to be issued in accordance with the Act of the General Assembly of the Commonwealth of Pennsylvania approved the 28th day of April, 1978, being Act 52 of the 1978 Session.

It is hereby certified that all acts, conditions, and things required to be or be done, happen, and be performed precedent to and in the issuance of this note or in the creation of the debt of which it is evidence, have been done, happened, and been performed in regular and due form and manner

as required by law; and that this note, together with all other indebtedness of the said Township of Pymatuning is not in excess of any constitutional or statutory limitation and for the proper budgeting, appropriation, and the prompt and full payment of all the obligations of this note the entire faith, credit, and taxing power of said Pymatuning Township are hereby irrevocably pledged.

It is hereby further certified that the said Municipality has effectively covenanted to include the amount of the debt service on this note in each fiscal year for which such sums are due, in its budget for that year, to appropriate such amounts to the payment of such debt service, and to periodically pay or cause to be paid the principal and interest thereon at the dates and places and in the manner stated herein, according to the true intent and meaning hereof.

IN WITNESS WHEREOF, the Township of Pymatuning has caused this note to be properly executed by the proper officers of the Township of Pymatuning and its corporate seal to be hereto affixed, attested to by the Secretary of the Township of Pymatuning as of the 10TH day of MARCH, 1983.

PYMATUNING TOWNSHIP

By William E. Blake
Supervisor

By Harry H. Ursprung
Supervisor

By _____
Supervisor

ATTEST:

Freida Pakman
Township Secretary
(SEAL)

SECTION 5. The said note shall be executed in the name and under the corporate seal of the Township of Pymatuning by the Board of Supervisors of

said Township and attested to by the Secretary of the Township of Pymatuning. The Chairman of the Board of Supervisors, and Secretary of the Township of Pymatuning are authorized and directed to prepare, verify and file the debt statement required by §410 of Act 52 of 1978, and to take other necessary action, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

SECTION 6. First National Bank of Mercer County is hereby designated as the Sinking Fund Depository for the obligation herein authorized, and there is hereby created and established a Sinking Fund, to be known as "Sinking Fund 1983 General Obligation Note", for the payment of the principal and interest thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The Treasurer shall deposit into the Sinking Fund, which shall be maintained until such obligation is paid in full, sufficient amounts for payment of principal and interest on the obligation no later than the date upon which such payments shall become due. The Sinking Fund Depository shall, as and when said payments are due, without further action by the Township of Pymatuning, withdraw available monies in the Sinking Fund and apply said monies to payment of the principal of and interest on the obligation.

SECTION 7. The Board of Supervisors of the Township of Pymatuning is hereby authorized to contract with First National Bank of Mercer County for its services as Sinking Fund Depository for the note and paying agent for the same.

SECTION 8. In compliance with §701 of Act 52 of 1978, the Board of Supervisors of Pymatuning Township has determined that a private sale by

negotiation rather than public sale is in the best interest of the municipality. Therefore, the general obligation note in the amount of \$17,500.00, herein authorized to be issued and sold is hereby awarded and sold to the First National Bank of Mercer County in accordance with its proposal to purchase the said note at par; provided the said note is dated the date of delivery thereof to the First National Bank of Mercer County and is in the form set forth in Section 4 of this Ordinance; and further provided that the proceedings have been approved by the Department of Community Affairs if such approval is required under the provisions of the Act.

SECTION 9. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in the Sharon Herald, a newspaper of general circulation, is ratified and confirmed. The advertisement in said paper of the enactment of the Ordinance is hereby directed within fifteen (15) days following the day of final enactment.

SECTION 10. All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

ORDAINED AND ENACTED this 10TH day of MARCH, 1983.

PYMATUNING TOWNSHIP

By William C. Blabe
Supervisor

ATTEST:

By Harry H. Crandall
Supervisor

Leida Jakman
Township Secretary

By _____
Supervisor

Approved this 10TH day of MARCH, 1983.