

Brownsville Township  
Fayette County, Pennsylvania

ORDINANCE NO. 91-01

AN ORDINANCE INCREASING THE INDEBTEDNESS OF BROWNSVILLE TOWNSHIP, COUNTY OF FAYETTE, PENNSYLVANIA, BY THE ISSUE OF A GENERAL OBLIGATION NOTE IN THE AMOUNT OF \$25,000.00 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 Brownsville Township, Fayette County, Pennsylvania, be increased for the following purpose; in order to meet the debt obligation of Brownsville Township for a road resurfacing project of miscellaneous roadways in the township south of Route 40; and

WHEREAS, the local government unit has already performed said work and received a bill for said work indicating the sum of \$25,000 is needed to meet that obligation; and

NOW THEREFORE, BE IT ORDAINED AND ENACTED by Brownsville Township, Fayette 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 Brownsville Township, County of Fayette, Pennsylvania, proposed to be issued is \$25,000.00, same to be issued for the foregoing purposes and same to be incurred as nonelectoral debt.

SECTION 2. The period of useful life of the improvements for which this obligation is to be issued is estimated to be in excess of 10 years.

SECTION 3. Said indebtedness shall be evidenced by one general obligation Note, in fully registered form, in the sum of \$25,000.00 dated and bearing interest from the earliest date of possible issue of said Note under the statutory time requirement 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 8.0% pre annum, payable on the unpaid balance 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, which Note shall mature in installments on the annual anniversary date of the said Note as follows:

June 1, 1991	\$6,250.00
June 1, 1992	\$6,250.00
June 1, 1993	\$6,250.00
June 1, 1994	\$6,250.00

Interest on the unpaid balance of said Note shall be paid by Brownsville Township to Gallatin Bank monthly.

The local government unit 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 4. The said Note is hereby declared to be a general obligation of Brownsville Township. The municipality hereby covenant 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 Brownsville Township is hereby irrevocably pledged.

The amounts which the local government unit hereby covenants to pay in each of the following fiscal years on the basis of an interest rate of 8.0% are as follows:

June 1, 1991	\$6,250.00
June 1, 1992	\$6,250.00
June 1, 1993	\$6,250.00
June 1, 1994	\$6,250.00

SECTION 5. A copy of said Note is attached hereto, made a part hereof, and marked Exhibit "A".

SECTION 6. The said Note shall be executed in the name and under the corporate seal of the local government unit by the

Township Supervisors, Timothy L. Scott, Chairman, Jack McCune, and Homer Yeardie and attested to by the Secretary. The Supervisors are hereby authorized and directed to deliver said Note to the purchaser and receive payment therefor on behalf of the local government unit. The Supervisors are authorized and directed to prepare, verify and file the debt statement required by Section 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 7. Gallatin Bank is hereby designated as the Sinking Fund Depository for the obligation herein authorized, and there is hereby created and established a Sinking Fund 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 Supervisors 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 local government unit, withdraw available monies in the Sinking Fund and apply said monies to payment of the principal of and interest on the obligation.

SECTION 8. Timothy L. Scott, Chairman, Jack McCune, and Homer Yeardie, Supervisors of the local government unit, are

hereby authorized to contract with Gallatin Bank for its services as Sinking Fund Depository for the Note and paying agent for the same.

SECTION 9. In compliance with Section 701 of Act 52 of 1978, the members of the governing body have determined that a private sale by negotiation rather than public sale is in the best interest of the local government unit. Therefore, the general obligation Note in the amount of \$25,000.00, herein authorized to be issued and sold is hereby awarded and sold to Gallatin Bank in accordance with its proposal to purchase the said Note at par; provided the said Note is dated the date of delivery thereof to Gallatin Bank and is in the form set forth in Section 5 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 10. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in the Herald-Standard, 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 11. All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

ORDAINED AND ENACTED THIS \_\_\_\_\_ day of January, 1991.

BROWNSVILLE TOWNSHIP  
BY:

*Timothy L. Scott*  
Timothy L. Scott, Chairman

*Jack McCune*  
Jack McCune

*Homer Yeardie*  
Homer Yeardie

ATTEST:

  

---

Certification to Department of  
Community Affairs required by  
Section 801

TO: Department of Community Affairs  
Harrisburg, Pennsylvania 17120

Brownsville Township, Fayette County, Pennsylvania, by  
its duly authorized officers, hereby applies for approval to issue  
and deliver its general obligation Note in the principal amount of  
\$25,000.00 and, in support thereof, the undersigned hereby  
certifies that attached hereto are the following:

1. A true and correct copy of an ordinance duly enacted  
by the affirmative vote of the members of Brownsville Township.
2. The proposal of Gallatin Bank, for the purchase of  
the Note which has been accepted by the said Brownsville Township.
3. The Debt Statement prepared pursuant to Section 410  
of the Local Government Unit Debt Act, together with the Borrowing  
Base Certificate prepared pursuant to Section 102(c)(3) of the  
Act.

WITNESS my hand and the seal of Brownsville Township,  
Fayette County, Pennsylvania, this \_\_\_\_\_ day of \_\_\_\_\_, 1991.

(SEAL)

*Timothy L. Scott*  
President

*Joseph H. McLean*  
Secretary

*James L. Feathers*  
Treasurer

Brownsville Township

CERTIFICATE

WE HEREBY CERTIFY that the attached is a true copy of an ordinance passed finally at a meeting of Brownsville Township on January 14, 1991; that said meeting above referred to was held with proper notice having been given to members and to the public and was at all times open to the public; that said ordinance was duly signed by the President, attested to by the Secretary, and has been duly recorded in the Ordinance Book of the said local government unit.

WE FURTHER CERTIFY that a copy of the ordinance was available for inspection by any citizen in the office of the Secretary.

WITNESS our hands and the seal of the Brownsville Township, Fayette County, Pennsylvania, on this 14 day of January, 1991.

Timothy L. Scott  
Timothy L. Scott, Chairman

Jack McCune  
Jack McCune

(SEAL)

Homer Yeardie  
Homer Yeardie  
Brownsville Township



CERTIFICATE

WE, the undersigned, Road Supervisors of Brownsville Township, Fayette County, Pennsylvania, do hereby certify that the foregoing and attached is a true and correct copy of an Ordinance of said local government unit, which was duly enacted by the affirmative vote of the members of the governing body at a meeting thereof duly called and held on the 14th day of January, 1991, after due notice to the members and to the public and which was at all times open to the public, that the same was examined and approved by the members of the governing body and was duly recorded in the Ordinance Book of said local government unit and was published as required by law in the Herald-Standard, a newspaper of general circulation in said local government unit.

I further certify that the total number of members of the governing body of the local government unit is three (3); that the vote upon said Ordinance was called and duly recorded on the minutes of said meeting and that the members voted in the manner following:

Timothy L. Scott, Chairman	Aye
Jack McCune	<del>Aye</del> <i>Waf</i>
Homer Yeardie	Aye

WITNESS my hand and the seal of Brownsville Township  
this \_\_\_\_ day of January, 1991.

Timothy L. Scott  
Timothy L. Scott, Chairman

Jack McCune  
Jack McCune

(SEAL)

Homer Yeardie  
Homer Yeardie  
Brownsville Township