

TOWNSHIP OF SHAMOKIN  
NORTHUMBERLAND COUNTY, PENNSYLVANIA

RESOLUTION NO. 1993-8

A R E S O L U T I O N

AUTHORIZING A SMALL BORROWING FOR CAPITAL PURPOSES AS DEFINED AND AUTHORIZED PURSUANT TO SECTION 409 OF THE LOCAL GOVERNMENT UNIT DEBT ACT, 53 P.S. §6780-159; AUTHORIZING THE PREPARATION AND ISSUANCE OF A NOTE; ESTABLISHING THE FORM OF SUCH NOTE; APPROVING AND ACCEPTING A DESIGN ADVANCE FUNDING LOAN FROM PENNVEST; AUTHORIZING AND DIRECTING CERTAIN OFFICIALS TO DELIVER A CERTIFICATE AS THE BORROWING BASE OF THE TOWNSHIP, TO EXECUTE AND DELIVER THE NOTE, AND TO TAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY OR DESIRABLE.

WHEREAS, the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 P.S. §6780-1 et. seq. (the "ACT") empowers and authorizes a local government unit to undertake small borrowings for capital purposes without complying with the requirements of Article VIII, subject to the conditions set forth in Section 409 thereof; and

WHEREAS, the Act further provides that a local municipal government may incur non-electoral debt provided the same does not exceed certain statutory limitations set forth therein; and

WHEREAS, the Township of Shamokin is undertaking a capital improvement project, the total cost of which is within the limitations set forth in Section 409 of the Act, 53 P.S. §6780-159(a); and

WHEREAS, as of the date of the execution of this Resolution, the Township of Shamokin has no outstanding non-electoral debts, and accordingly, is within the limitations set forth in Section 202 of the Act, 53 P.S. §6780-52; and

WHEREAS, at its regular meeting held on May 12, 1993, the Township of Shamokin gave preliminary authorization as to the financing of this project by an acceptance of an Advance Funding Loan from the Pennsylvania Infrastructure Investment Authority, having found the same to be in the best financial interest of the Township of Shamokin; and

WHEREAS, at said meeting, the Commitment Letter from PennVest was reviewed as to its conditions, and it was determined that the Advanced Funding Loan was in the best interest of the Township; and

WHEREAS, the Township of Shamokin desires, by adoption of this Resolution by affirmative vote of a majority of the members of the governing body of the Township now holding office, to accept such Advance Funding Loan and authorize the issuance of its Note, representing a small borrowing for capital purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Shamokin, and it hereby is resolved by and with the authority of the same as follows:

**Section 1. - Intention To Utilize Non-Electoral Debt.**

The Township of Shamokin, having no outstanding non-electoral debt, and a non-electoral debt limitation in excess of the amount to be borrowed hereunder pursuant to Section 202 of the Act, hereby expresses its intent to evidence the debt created for the capital improvement project as non-electoral debt.

**Section 2. - Project Description.**

The Township of Shamokin determines the indebtedness is necessary in order to proceed with a design of the sanitary sewage system required by the Commonwealth of Pennsylvania, Department of Environmental Resources, said system

to service a portion of the Township.

Section 3. - Aggregate Amount Of Debt.

The Township of Shamokin hereby authorizes the issuance of a General Obligation Note evidencing the receipt of revenues in the aggregate principal sum of Thirty Thousand Eight Hundred (\$30,800.00) Dollars, the same to be issued for the foregoing purposes and to be incurred as non-electoral debt.

Section 4. - Preparation Of Debt Statement.

The Treasurer of the Township of Shamokin is hereby authorized and directed to prepare and certify a Debt Statement, and the Chairman and Secretary of the Township of Shamokin are hereby directed to execute and deliver the Note evidencing said debt to the Pennsylvania Infrastructure Investment Authority.

Section 5.

The Chairman and Secretary are further authorized, if desired and deemed proper, to prepare and file any statements required by Article II of the Act which are necessary to qualify all or any portion of the debt for exclusion from the appropriate debt limit as self-liquidating or a subsidize debt, or to execute any further documents required hereunder.

Section 6. - General Obligation Note.

The Township of Shamokin hereby authorizes the borrowing of the principal sum of Thirty Thousand Eight Hundred (\$30,800.00) Dollars by means of a General Obligation Note, said borrowing to be evidenced by a General Obligation Note of the Township of Shamokin (the "Note") in the aforesaid principal sum, which shall be dated the date of the issuance thereof, which shall mature in a period

not to exceed five (5) years from the date of issuance thereof, which shall bear interest at the fixed rate of One (1%) Percent per annum (based on a year of 360 days), which shall be repaid as set forth on said Note. Said note being annexed to this Resolution as Exhibit "A" and hereby made a part of this Resolution as though fully set forth herein.


Section 7.

The Township covenants with the holder of its General Obligation Note that the Township of Shamokin shall include the amount of the debt service for each fiscal year in which such sums are payable in its budget for that year, that it shall appropriate such sums from its general revenues for the payment of such debt service, and that it shall duly and punctually pay or cause to be paid from its general revenues the principal of and interest on such Note at the dates and places and in the manner stated in the Note, according to the true intent and meaning thereof, for such proper budgeting, appropriation and payment, its full faith, credit and taxing power is hereby irrevocably pledged.

Section 8. - Severability.

Any Resolution or part of a Resolution conflicting with the provisions hereof is hereby repealed so far as the same effects this Resolution.

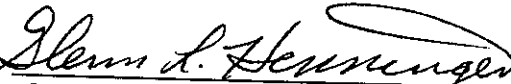
IN WITNESS WHEREOF, the undersigned has hereunto set his hand and affix the seal of the Township to this Resolution, passed on the 9th day of June, 1993.

  
Glenn Henninger, Secretary  
Township of Shamokin

C E R T I F I C A T E

I, Glenn Henninger, Secretary of the Board of Supervisors of the Township of Shamokin, hereby certify that the foregoing is a true and correct copy of a Resolution, duly adopted by the unanimous vote of all of the members of the Board of Supervisors of the Township of Shamokin, Northumberland County, Pennsylvania, at a meeting of said Board of Supervisors duly held on the 9th day of June, 1993, and that the minutes of said meeting showing how each member of the Board of Supervisors voted, have been duly recorded in the official minutes of said Board of Supervisors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Township of Shamokin, this 9th day of June, 1993.



Glenn Henninger, Secretary  
Township of Shamokin