

**BOROUGH OF SUSQUEHANNA DEPOT
SUSQUEHANNA COUNTY, PENNSYLVANIA**

ORDINANCE NO. 454

**AN ORDINANCE INCREASING THE INDEBTEDNESS OF
BOROUGH OF SUSQUEHANNA DEPOT, SUSQUEHANNA COUNTY
PENNSYLVANIA, BY THE ISSUE OF A GENERAL OBLIGATION NOTE
IN THE AMOUNT OF \$29,554 FOR SUNDRY PURPOSES;
FIXING THE FORM, NUMBER, DATE, INTEREST, AND MATURITY
THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT
SERVICE ON 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 Borough of
Susquehanna Depot, Susquehanna County, Pennsylvania be increased for the
following purpose: financing police vehicle for the Municipality; and

WHEREAS, the local government unit has received preliminary realistic
cost estimates from professional consultants indicating the sum of \$29,554 will
be needed to complete the project; and

WHEREAS, the proposed increase of debt, together with its non-electoral
indebtedness and its lease rental indebtedness presently outstanding, will not
cause the limitation of the local government unit debt incurring power, pursuant
to constitutional and statutory authority to be exceeded;

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Borough
of Susquehanna Depot, Susquehanna County, Pennsylvania, and is hereby
ordained and enacted by the authority of same as follows:

SECTION 1. That the aggregate principal amount of the Note of the
Borough of Susquehanna Depot, Susquehanna County, Pennsylvania, proposed

to be issued is \$29,554, same to be issued for the foregoing purposes and same to be incurred as non-electoral 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 five years.

SECTION 3. Said indebtedness shall be evidenced by one General Obligation Note, in fully registered form, in the sum of \$29,554, 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 and known as the Local Government Unit Debt Act at the rate of interest of 4.05% per annum, payable on the unpaid balance of said Note on _____, 20____ 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 6.23% per annum (computed on the basis of 360 days to the year) until paid, which Note shall mature in installments on the annual anniversary date of said Note as follows:

(Insert payment schedule here or attach as an exhibit)

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 payments dates thereof, without notice or penalty.

The principal and interest of 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 the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania. The local government unit hereby covenants that it 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 Borough of Susquehanna Depot 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 4.05% are as follows:

(Insert Debt Service Schedule Here or Attach as an Exhibit)

SECTION 5. The form of said Note shall be substantially as set forth in the attached Exhibit N.

SECTION 6. The said Note shall be executed in the name and under the corporate seal of the local government unit by the COUNCIL PRESIDENT and attested to by the Secretary. The Treasurer is hereby authorized and directed to deliver said Note to the purchaser, and receive payment therefore on behalf of the local government unit. The _____ and Secretary of the local government unit are authorized and directed to prepare, verify and file the debt statement required in Section 8110 of the Act 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. PENNSTAR GOVERNMENT FINANCIAL SERVICES, A DIVISION OF NBT BANK NATIONAL ASSOCIATION 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 2008" 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 the 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 principal and interest on the obligation.

SECTION 8. The COUNCIL PRESIDENT and SECRETARY of the local government unit are hereby authorized to contract with PENNSTAR GOVERNMENT FINANCIAL SERVICES, A DIVISION OF NBT BANK NATIONAL ASSOCIATION (Lender) for its services as Sinking Fund Depository for the Note and paying agent for the same.

SECTION 9. In compliance with Section 8161 of the Act, the members of the governing body have determined that a private sale by negotiating rather than public sale is in the best financial interest of the local government unit. Therefore, the General Obligation Note in the amount of \$29,554, herein authorized to be issued and sold is hereby awarded and sold to PENNSTAR GOVERNMENT FINANCIAL SERVICES, A DIVISION OF NBT BANK NATIONAL ASSOCIATION (Lender) in accordance with its proposal to purchase the said Note at par; provided the said Note is dated the delivery thereof to the PENNSTAR GOVERNMENT FINANCIAL SERVICES, A DIVISION OF NBT BANK NATIONAL ASSOCIATION (Lender) and is in form set forth in this Ordinance as Exhibit N; and further provided that the proceedings have been approved by the Department of Community and Economic Development 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 COUNTY TRANSCRIPT,¹

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 26TH day of AUGUST, 2008.

ATTEST:

Borough of Susquehanna Depot

BY:



Secretary

BY



(If applicable)

Approved this 26th day of August, 2008.

Mayor of

