

BOROUGH OF PITCAIRN

ORDINANCE NO. 994

AN ORDINANCE AMENDING THE ORDINANCE OF THE BOROUGH OF PITCAIRN AUTHORIZING THE INDEBTEDNESS OF \$100,000.00 FOR THE DIRTY CAMP RUN FLOOD CONTROL PROJECT TO PERMIT INTEREST ONLY PAYMENTS UNTIL THE PROJECT IS COMPLETED OR THE REMAINDER OF THE LOAN IS DRAWN DOWN TO A ZERO BALANCE

WHEREAS, on or around the 5th day of July, 2005, the Borough of Pitcairn passed Resolution 770 of 2005 authorizing indebtedness in the amount of \$100,000.00 for The Dirty Camp Run Flood Control Project (hereinafter called the "Project");

WHEREAS, on or around the 23rd day of August, 2005, the Borough of Pitcairn passed Ordinance 940 of 2005 increasing the indebtedness in the Borough of Pitcairn pursuant to the Resolution previously passed on July 5, 2005; and

WHEREAS, the Borough of Pitcairn has met with the AIM Board of Directors and discussed being permitted to make interest only payments on the indebtedness until the entire project is completed or the entire amount of the loan is drawn down to a zero balance; and

WHEREAS, the AIM Board of Directors has approved the Borough's request subject to amending the Borough's amendment of its original ordinance and resolution authorizing the indebtedness; and

WHEREAS, the Borough of Pitcairn desires to make the proper amendments to its ordinance in order to make interest only payments on its indebtedness to

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Pitcairn of Allegheny County, and it is hereby ordained and enacted by the Authority of same in lawful session assembled, a full quorum being present and acting throughout, as follows:

SECTION 1. That the Borough shall make interest only payments on its obligation to the Authority for Municipal Improvements in Municipalities until the first of the following occurs: The Dirty Camp Run Flood Control Project is completed in its entirety OR when the loan balance on the borrowed funds reaches a zero balance said date of which shall be no later than December 31, 2014.

SECTION 2. Upon either the completion of the project OR when the loan balance of the borrowed funds reaches a zero balance, then the Borough shall begin a standard repayment schedule

as set forth in its ordinance of 940 of 2005.

SECTION 3. Said indebtedness shall continue to be evidenced by the general obligation Note previously executed by the Borough in proper form, in the principal sum of \$100,000.00, 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 3.23% per annum and incorporated into the AIM loan agreement.

SECTION 4. All other terms between the parties as set forth in the loan agreement entered pursuant to ordinance 940 are hereby reaffirmed and adopted and incorporated herein by reference.

SECTION 5. The action of the proper officers and the advertising of a summary of the Ordinance as required by law in 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.

It is further acknowledged that for the consideration given by AIM, the Loan Agreement contains as indemnification clause for AIM, its officers, directors, administrators, employees and their successors and assigns.

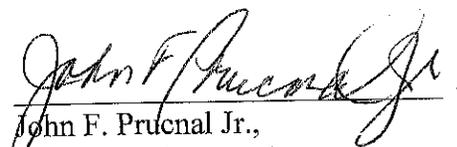
SECTION 6. All Ordinances or parts of Ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict with.

ORDAINED AND ENACTED into law this 26th day of February 2013.

ATTEST:

BOROUGH OF PITCAIRN

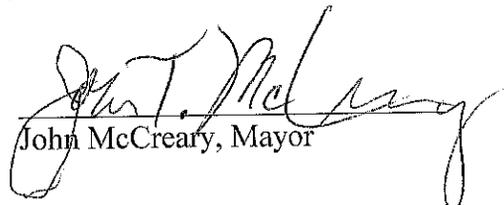

Malisa M. Migliori
Borough Manager


John F. Prucnal Jr.,
President of Council

Examined and approved by me this 26th day of February 2013..

APPROVED AS TO FORM

Craig H. Alexander, Esquire


John McCreary, Mayor