

RESOLUTION NO. R-1-2024

A RESOLUTION OF THE TOWNSHIP OF UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE ENTRY ONTO A LOAN AND SECURITY AGREEMENT WITH COMMERCIAL BANK & TRUST OF PA FOR THE ISSUANCE OF THE TOWNSHIP'S 2024 TAX AND REVENUE ANTICIPATION NOTE

WHEREAS, the Township of Unity of Westmoreland County, Pennsylvania, hereinafter the "Township" approved and adopted Resolution No. R-44-2023 accepting the proposal of Commercial Bank & Trust of PA, (hereafter the "Lender") to purchase a Tax Anticipation Note to be issued by the Township in 2024, subject to the terms of such Note; and

WHEREAS, the Township has filed the appropriate proceedings for the execution of such Note with the Commonwealth of Pennsylvania Department of Community and Economic Development and has received a receipt for such filing; and

WHEREAS, Lender has requested the Township enter a Loan and Security Agreement with Lender to detail the terms under which it will purchase such Note in the form attached hereto as Exhibit "A".

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HERETO AS IF SET FORTH HEREAFTER, THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA HEREBY RESOLVE AS FOLLOWS:

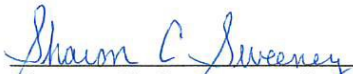
1. THAT, the Loan and Security Agreement attached hereto as Exhibit "A" be and is hereby approved.

2. THAT, the Chairman of the Board of Supervisors of Unity Township, the Secretary and/or Deputy Secretary of the Township be and are hereby authorized to execute the Agreement on behalf of the Township, together with any and all other legal documents necessary to carry out the purpose and intent of this Resolution and the terms of such Agreement.

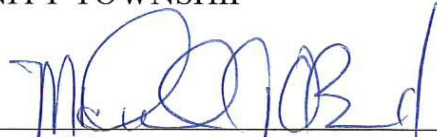
THIS RESOLUTION IS APPROVED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA AT A DULY ADVERTISED PUBLIC MEETING HELD THE 2nd DAY OF JANUARY, 2024, AND SHALL BE EFFECTIVE IMMEDIATELY.

ATTEST:

THE BOARD OF SUPERVISORS OF
UNITY TOWNSHIP



Sharon C. Sweeney, Secretary

BY: 

Michael J. O'Barto, Chairman

SEAL

EXHIBIT - A

FORM OF NOTE

The Township of Unity

Name of Local Government Unit

Westmoreland

County
Pennsylvania

Tax and Revenue Anticipation

Note Series of 2024

LOAN NUMBER: _____

NON-REVOLVING DRAW DOWN DEMAND NOTE: \$600,000.00

The TOWNSHIP OF UNITY, Westmoreland County, Pennsylvania (hereinafter called the "Local Government Unit"), intending to be legally bound hereby, promises to pay to the order of Commercial Bank & Trust of PA (hereafter called the "Lender") at its office at 900 Ligonier Street, Latrobe, Pennsylvania, 15650 on or before December 31, 2024, a sum equal to the then outstanding principal amount drawn on the above Loan, in such coin or currency as at the place and time of payment is legal tender for the payment of public and private debts, together with any outstanding interest accumulated thereon from the date hereof.

Payment of the indebtedness evidenced hereby may be anticipated by the Local Government Unit, in whole or in part, at any time and from time to time, without penalty or additional premium.

The indebtedness evidenced hereby is a borrowing in anticipation of taxes and other revenues to be received during the fiscal year ending December 31, 2024 and is to be repaid from revenues received by it during said fiscal year.

The Local Government Unit hereby pledges to the Lender and grants to the Lender a first lien and charge on its taxes and revenues to be received during the period when the note is outstanding to secure the payment of the indebtedness evidenced hereby and the interest thereon.

The Local Government Unit may make draws upon the Loan Amount from time

to time, and with such frequency and in such amounts as it requires, up to the total amount of SIX HUNDRED THOUSAND AND 00/100 (\$600,000.00) DOLLARS. Interest shall be charged on only those amounts drawn at a "Tax Exempt Rate" of FOUR PERCENT (4%) per annum. All interest shall be calculated on a 30/360 basis, with all amounts drawn, together with any outstanding interest accumulated on same, to be paid, in full, on or before December 31, 2024.

This tax and revenue anticipation note is executed and delivered pursuant to a Resolution adopted by the Local Government Unit upon the affirmative vote of at least a majority of its members at a meeting held on the 14th day of December, 2023, and after filing the documents required by Section 8128 of the Local Government Unit Debt Act with the Department of Community and Economic Development of the Commonwealth of 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 local government unit 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 full faith, credit and taxing power of said local government unit are hereby irrevocably pledged.

It is hereby further certified that the said local government unit covenants to include the amount of the debt service on this Note in the 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.

It is hereby further certified that the local government unit covenants and agrees to undertake, perform and pursue all acts, applications, appeals, procedures and petitions, including the filing and pursuit of legal actions and remedies within appropriate administrative and judicial forums, necessary to permit and enable the Local Government Unit to budget and collect revenues adequate to fulfill the foregoing covenant.

IN WITNESS WHEREOF, the Local Government Unit has caused this tax and revenue anticipation note to be executed by the Chairman of the Unity Township Board of

Supervisors, its seal to be hereunto affixed, and the same to be attested by its Secretary, and this note to be delivered to the Lender this 2nd day of January, 2024.

ATTEST:

THE TOWNSHIP OF UNITY



Sharon C. Sweeney, Secretary

By: 

Michael J. O'Barto, Chairman
Unity Township Board of Supervisors

SEAL