

Special Meeting
Upland Borough Council Meeting
June 29, 2009

A special meeting of the Borough Council was called to order at 7:00 pm by President Edward M. Mitchell. The meeting was held in the Upland Municipal Building.

Present were President Edward M. Mitchell and Vice President Christine Peterson. Also present were Council members Mr. Leland Hunter, Mrs. Sandy Miazza, Mr. Dennis Walls, Mrs. Georgiana Hicks, Ms. Moira Crawford, Mayor Michael Ciach and Mrs. Shirley Purcival, Borough Manager/Treasurer Secretary were present.

The Pledge of Allegiance to the Flag was led by President Mitchell and was followed by a moment of silence.

Mrs. Purcival took the roll and Mr. Charles Catania and Mr. Robert O'Connor were excused.

Ms. Moira Crawford made a motion to rescind Ordinance No. 2 of 2009 and Mrs. Sandy Miazza seconded the motion. Council unanimously approved the motion.

President Mitchell gave the floor to John Jay Wills, Esquire.

Mr. Wills reminded council, 20 days ago at the regularly scheduled council meeting, Ordinance No. 2 of 2009 – General Obligation Note was adopted to fund the construction of the new Police Station. Subsequently, Mr. Wills submitted the necessary legal documents to the Pennsylvania Department of Community and Economic Development, which must approve the Ordinance and approve the loan funding before we can have TD Bank obtain the funding.

Shortly after the necessary documents were submitted, Mr. Wills heard from the General Council of the Pennsylvania Department of Community and Economic Development who indicated there was some language in the proposal from TD Bank which could have permitted TD Bank to call in the loan after five years as opposed to simply resetting the interest rate after five years. The General Council of the Pennsylvania Department of Community and Economic Development advised him that a recall provision, where the bank could recall the loan after five years is contrary to the Pennsylvania Local Unit Debt Act. Therefore, the language in the proposal and ordinance needed to be changed.

The Ordinance we are adopting is almost identical to the ordinance we adopted 20 days ago. This will allow us to fund the loan from TD Bank for \$850,000.00, with a 20 year amortization. We are locked in at the rate of 4.83% for the next 60 months. After 60 months TD Bank could potentially reset the interest on the loan and thereafter every 5 years, depending on market conditions. The first six months will be interest only. It is anticipated that in 30 days we will be able to go to settlement on this loan. Beginning

February 1, 2010 we will begin paying principal and interest on the loan. The payments will be approximately \$5,500.00 a month.

Mr. Wills asked if there were any questions and there were none.

Ms. Moira Crawford made a motion to adopt Ordinance No. 3 of 2009 and Mrs. Sandy Miazza seconded the motion. Council unanimously approved the motion.

Ms. Crawford made a motion to adjourn and Mr. Hunter seconded the motion.

Meeting adjourned at 7:10 pm.

Respectfully submitted,

Shirley Purcival
Borough Manager/Treasurer

Linda Saylor
Recording Secretary