

Mayor Kovach called the meeting to order at 7:30 p.m.

Flag Salute.

Roll Call: Present – Carberry, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach
Absent - Dineen

STATEMENT OF ADEQUATE NOTICE:

Mayor Kovach read the following statement: “Adequate notice of this meeting has been provided, indicating the time and place of the meeting and the proposed agenda, which notice was posted, made available to newspapers, and filed with the Clerk of the Town of Clinton in accordance with Section 3(d) of Chapter 231 of the Public Laws of 1975.”

APPROVAL OF MINUTES

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to approve the minutes of the Regular Council Meeting held May 24, 2016.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF EXECUTIVE SESSION MINUTES

A motion was made by Mr. Smith seconded by Mr. Carberry to approve the Executive Session Meeting minutes of May 24, 2016.

Vote all ayes
1 Abstention (Sosidka)
Motion carried

APPROVAL OF MONTHLY REPORTS – MAY

A motion was made by Mr. Carberry seconded by Mr. Smith, to approve the monthly reports for the month of May as submitted:

Administrator’s Report, Clerk’s Account, Cat & Dog Licensing Accounts, Construction Control/ Inspection Report, Police Report, Road Foreman’s Report, Sewer Collector’s Report, Tax Collector’s Report, Treasurer’s Report, Water Collector’s Report, Wastewater Treatment Plant Superintendent’s Report, Zoning Officer Report.

Vote all ayes
Motion carried

PUBLIC COMMENT –None

MAYOR’S COMMENTS

1. Attended the Flag Day Parade and Flag Retirement ceremony on Friday, June 10, 2016. It was a great turnout and the weather was perfect! Also learned an important tidbit when reciting the Pledge of Allegiance, there is no pausing between “One nation (and) Under God”.
2. United Way 2015 Community Impact Report is available in the Clerk’s office for anyone interested in reviewing.
3. The Town of Clinton Good Kid Student Awards were presented to North Hunterdon Student, Erin Nolan and Voorhees High School student, Jessica Dorf. Congratulations to both students and wish them continued success in their futures.

FILMING REQUEST – FIREBALL RUN

Mayor Kovach was approached by the production company of Fireball Run, an Adventure Travel Series. This is their 10th season. The company is looking to film in Clinton, NJ on Wednesday, September 28, 2016 and requests that Main Street be closed to traffic from 11am to 1pm. Discussion took place among council and Chief Matheis who has been briefed as to the request. The teams of the production would be in town for lunch. Mr. Rylak questioned the amount of money that would be lost to the shops but other council members did not express a concern that that would happen. A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to move forward with the filming permit.

Vote all ayes
1 Nay (Rylak)
Motion carried

RESOLUTION #79-16 – LIQUOR LICENSE RENEWAL QUICK CHEK

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #79-16 as submitted:

RESOLUTION # 79-16

WHEREAS, the Town of Clinton Governing Body is in receipt of an Application for the renewal of **PLENARY RETAIL DISTRIBUTION LICENSE #1005-44-001-003** for;

**QUICK CHEK FOOD STORES/SHOPRITE LIQUORS
41, 41 ½ & 43 OLD HIGHWAY ROUTE 22
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2016, renewal of the above captioned license for the 2016-2017 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #80-16 – LIQUOR LICENSE – CLINTON HOUSE

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to adopt Resolution #80-16 as submitted:

RESOLUTION #80-16

WHEREAS, the Town of Clinton Governing Body is in receipt of an application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE, #1005-33-003-007** for:

**SIDIROUNDA, L.L.C.
t/a T CLINTON HOUSE
2 WEST MAIN STREET
CLINTON, NEW JERSEY 08809**

WHEREAS, the submitted application form is complete in all respects, fees have been paid and clearance has been received from the New Jersey Department of the Treasury;

NOW THEREFORE BE IT RESOLVED, that the Town of Clinton Governing Body does hereby approve, effective July 1, 2016 renewal of the above captioned license for the 2016-2017 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes
Motion carried

RESOLUTION #81-16 – AWARD OF CONTRACT

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #81-16 awarding a bid to DeMaio Electrical Company, Inc as follows:

RESOLUTION # 81-16

RESOLUTION TO AWARD A CONTRACT FOR WELL 7 IMPROVEMENTS AND WELL 14 DECOMMISSIONING

WHEREAS, the Town of Clinton advertised, and subsequently received bids for Well 7 Improvements and Well 14 Decommissioning, to which bids were received on Wednesday, May 11, 2016 at 10AM; and

WHEREAS, one (1) bid was received as follows:

- DeMaio Electrical Company, Inc.
 - \$583,300.00

WHEREAS, the Town Attorney has reviewed and approved the bid bond submitted by the bidder; and

WHEREAS, the Town Business Administrator has reviewed the submitted bid and recommends awarding a contract to DeMaio Electrical Company, Inc. in the amount listed above; and

WHEREAS, the Chief Financial Officer has certified that availability of funds for this project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey, hereby award a contract to DeMaio Electrical Company, Inc. in accordance with the terms and conditions of the bid package,

BE IT FURTHER RESOLVED, that the Mayor and Clerk of the Town of Clinton are hereby authorized, respectively, to execute and attest to an agreement with DeMaio Electrical Company, Inc., subject to approval by the Town Attorney.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #82-16 – CERTIFICATION OF ANNUAL AUDIT

A motion was made by Mr. Carberry seconded by Mr. Pendergast, to adopt Resolution #82-16 stating that Council has reviewed the 2015 Annual Audit and followed by the Council members signing the Group Affidavit confirming that their review was made.

**RESOLUTION # 82-16
CERTIFICATION OF ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.S.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations" and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27 BB-54 to wit:

R.S.52:27 BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the (Director of Local Government Services), under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Town of Clinton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Vote all ayes
Motion carried

RESOLUTION #83-16 – REALLOCATE WATER CAPITAL RESERVE FUNDS

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #83-16 as submitted:

**RESOLUTION #83-16
REALLOCATE WATER CAPITAL RESERVE FUNDS**

WHEREAS, the Town of Clinton Water Utility has certain Capital Reserve Funds; and

WHEREAS, from time to time those funds are no longer required for the specific projects they were intended; and

WHEREAS, the Town of Clinton Water Utility wishes to use Capital Reserve Funds for Improvement of Water Storage Facility for other Water Utility Improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton requests that the Chief Financial Officer reallocate \$150,000.00 from the Capital Reserve Fund for Improvement of Water Storage Facility to the Capital Reserve Fund for Water Utility Improvements.

Vote all ayes
Motion carried

RESOLUTION #84-16 – REALLOCATE SEWER CAPITAL RESERVE FUNDS

A motion was made by Mr. Pendergast, seconded by Mr. Rylak, to adopt Resolution #84-16 as submitted:

**RESOLUTION #84-16
REALLOCATE SEWER CAPITAL RESERVE FUNDS**

WHEREAS, the Town of Clinton Sewer Utility has certain Capital Reserve Funds; and

WHEREAS, from time to time those funds are no longer required for the specific projects they were intended; and

WHEREAS, the Town of Clinton Sewer Utility wishes to use Capital Reserve Funds for Plant Expansion for other Sewer Utility Improvements;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton requests that the Chief Financial Officer reallocate \$200,000.00 from the Capital Reserve Fund for Plant Expansion to the Capital Reserve Fund for Sewer Utility Improvements.

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE #16-06 – IMPROVEMENTS TO SEWER UTILITY

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to introduce Ordinance #16-06 on first reading as submitted:

**SEWER UTILITY
CAPITAL ORDINANCE # 16-06**

CAPITAL ORDINANCE OF THE TOWN OF CLINTON SEWER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON SEWER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$200,000.00 FROM THE SEWER CAPITAL RESERVES FOR

SEWER UTILITY IMPROVEMENTS

BE IT ORDAINED, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey as follows:

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Sewer Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

ESTIMATED

<u>PURPOSE</u>	<u>COST</u>
Influent Pumps & Valves Replacement	\$ 30,000.00
Screenings Conveyor Replacement	\$ 25,000.00
4-Inch Portable Trash Pump & Hose	\$ 4,000.00
Moyno (Sludge) Pump Replacement	\$ 8,000.00
Laboratory Bench Replacement	\$ 10,000.00
Other Sewer Utility Improvements	<u>\$123,000.00</u>
TOTAL	\$200,000.00

Section 2. The aggregate sum of \$200,000.00 is hereby appropriated from the Reserve for Sewer Utility Improvements within the Capital Improvement Fund of the Town of Clinton Sewer Utility to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements of the Sewer Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton Sewer Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 22, 2016 edition of the Hunterdon Review. A public hearing will be held July 12, 2016.

INTRODUCTION OF ORDINANCE #16-07 – IMPROVEMENTS TO WATER UTILITY

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to introduce Ordinance #16-07 on first reading as submitted:

**TOWN OF CLINTON
WATER UTILITY**

CAPITAL ORDINANCE #16-07

CAPITAL ORDINANCE OF THE TOWN OF CLINTON WATER UTILITY, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF IMPROVEMENTS IN, BY AND FOR THE TOWN OF CLINTON WATER UTILITY AND APPROPRIATING THEREFOR THE SUM OF \$150,000.00 FROM THE CAPITAL WATER RESERVES FOR WATER UTILITY IMPROVEMENTS

BE IT ORDAINED, by the Mayor and Council of the Town of Clinton, in the County of Hunterdon, State of New Jersey as follows:

Section 1. The Town of Clinton in the County of Hunterdon, State of New Jersey, is hereby authorized to make the following improvements to the Water Utility in, by and for the Town, including all work, materials and appurtenances necessary and suitable therefore:

<u>PURPOSE</u>	<u>ESTIMATED COST</u>
Water Utility Improvements	<u>\$150,000.00</u>
TOTAL	\$150,000.00

Section 2. The aggregate sum of \$150,000.00 is hereby appropriated from the Reserve for Water Utility Improvements within the Capital Improvement Fund of the Town of Clinton Water Utility to the payment of the cost of the improvements as described in Section 1 hereof.

Section 3. Said improvements are lawful capital improvements of the Water Utility having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget of the Town of Clinton Water Utility is hereby amended to conform with provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. This capital ordinance shall take effect after final passage and publication as required by law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 22, 2016 edition of the Hunterdon Review. A public hearing will be held July 12, 2016.

INTRODUCTION OF ORDINANCE #16-08 – BOND ORDINANCE FOR VARIOUS IMPROVEMENTS TO WATER UTILITY

A motion was made by Carberry, seconded by Mr. Rylak, to adopt Ordinance #16-08 on first reading as submitted:

**ORDINANCE #16-08
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey

(the "Town"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$200,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$200,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of various vehicles, including pickup trucks and/or vans, including all related costs and expenditures incidental thereto.	\$90,000	\$90,000	5 years
b) The SKADA System Project, which entails the installation of supervisory control and data acquisition systems at various well houses/pump stations, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$50,000	\$50,000	10 years
c) The Meter Replacement Project, which entails the replacement of meters in various customer homes, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	\$50,000	\$50,000	15 years
d) Revise coliform testing/sampling, including all related costs and expenditures			

incidental thereto and further including all work and materials necessary therefor and incidental thereto.

	<u>\$10,000</u>	<u>\$10,000</u>	15 years
TOTAL:	<u>\$200,000</u>	<u>\$200,000</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.25 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$200,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 22, 2016 edition of the Hunterdon Review. A public hearing will be held July 12, 2016.

INTRODUCTION OF ORDINANCE #16-09 – BOND ORDINANCE FOR VARIOUS IMPROVEMENTS

A motion was made by Mr. Carberry, seconded by Mr. Pendergast to adopt Ordinance #16-09 on first reading as submitted:

ORDINANCE # 16-09 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$578,765 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$523,765 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3,

there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$578,765, and further including the aggregate sum of \$55,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$523,765 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of various vehicles, including a sport utility vehicle for the Police Department and a pickup truck for the Department of Public Works, including all related costs and expenditures incidental thereto.	\$90,000	\$81,450	5 years
b) Acquisition of computer equipment, including computers and a server, including all related costs and expenditures incidental thereto.	\$10,000	\$9,050	5 years
c) Municipal parking lot improvements, including all work and materials necessary therefor and incidental thereto.	\$450,000	\$407,233	10 years
d) Acquisition and installation of various equipment, including heating, ventilating and air conditioning system Phase II for the Municipal Building and the replacement of an electrical panel, including all related costs and expenditures incidental thereto and further including all			

work and materials necessary
therefor and incidental thereto.

\$28,765

\$26,032

15 years

TOTAL:

\$578,765

\$523,765

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$523,765, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$2,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this

bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 22, 2016 edition of the Hunterdon Review. A public hearing will be held July 12, 2016.

INTRODUCTION OF ORDINANCE #16-10 BOND ORDINANCE FOR WEST MAIN STREET PEDESTRIAN SAFETY PROJECT

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Ordinance #16-10 on first reading as submitted:

**ORDINANCE #16-10
BOND ORDINANCE PROVIDING FOR THE WEST MAIN STREET PEDESTRIAN SAFETY PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$350,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Clinton, in the County of Hunterdon, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby

appropriated the sum of \$350,000, including a \$350,000 grant expected to be received from the State of New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the costs of the improvements since the project described in Section 3(a) hereof is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$350,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the West Main Street Pedestrian Safety Project, as more fully described on a list on file in the Office of the Clerk which is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by

\$350,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$35,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof, including the State Grant, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Vote all ayes
Motion carried

A copy of this ordinance will be published in the June 22, 2016 edition of the Hunterdon Review. A public hearing will be held July 12, 2016.

PUBLIC HEARING OF ORDINANCE #16-05 – MUNICIPAL PARKING LOT 7

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to open the public hearing of Ordinance #16-05:

**ORDINANCE #16-05
ORDINANCE REGARDING MUNICIPAL PARKING LOT NO. 7**

Vote all ayes
Motion carried

There being no public comment, a motion was made by Mr. Pendergast, seconded by Mr. Carberry, to close the public hearing of the ordinance.

Vote all ayes
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Ordinance #16-05 on second reading.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #85-16 – DISCHARGE OF MORTGAGE

A motion was made by Mr. Carberry seconded by Ms. Sosidka, to adopt Resolution #85-16 as submitted:

RESOLUTION # 85-16

**A RESOLUTION CONCERNING DISCHARGE OF
AFFORDABLE HOUSING MORTGAGE**

WHEREAS former Town of Clinton resident, Constance A. Wilson, purchased a home at 2 Woodcrest Lane, Clinton, New Jersey, on February 12, 1999; and

WHEREAS this home was designated as an Affordable Housing unit in the Town of Clinton;
and

WHEREAS pursuant to the State of New Jersey Department of Community Affairs, Division of Housing regulations, the said Constance A. Wilson executed a mortgage to the Town of Clinton Affordable Housing Authority which was recorded in Hunterdon County, New Jersey, on February 17, 1999, in Mortgage Book 1320 on page 633; and

WHEREAS on April 29, 2016, Constance A. Wilson sold the said real property to Catherine Halloran, who has executed a mortgage to the Affordable Housing Authority;

NOW THEREFORE BE IT RESOLVED that the Mayor has the authority to execute a Discharge of the Mortgage given by Constance A. Wilson to the Town of Clinton Affordable Housing Authority.

Vote all ayes
Motion carried

CORRESPONDENCE

A letter of resignation was received from Beth von der Linde, clerical assistant in the clerk's office. Beth will be resigning as of August 26, 2016. A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to accept Ms. von der Linde's resignation with regrets.

Vote all ayes
Motion carried

REPORTS FROM COUNCIL

Police Chief Matheis

Chief recognized Patrolman Tim McGuire saved a life today using Narcan. Narcan is used in drug overdoses. The patient was then transported to the hospital by the Clinton Rescue Squad.

Councilman Smith

1. Water Committee – the annual Water Quality report has been sent to all water customers and the State of New Jersey.
2. Buildings & Grounds Committee is going to schedule to re-locate the electrical panel to the first floor of the Municipal Building. It is currently in the basement and during heavy rains the basement floods, therefore, it must be re-located.

The electrical panel on the pole at the Hunterdon Art Museum needs to be repaired and the lock needs to be replaced.

The committee discussed the new ordinance adopted earlier this evening. The reason for the limited hours is because commuters having been parking in the lot at the Fire Department taking spaces that were being used by merchants and shoppers. The commuters using the buses head into the city and their cars are there for up to 10 hours.

Problems have been continuing with people dumping yard debris at the treatment plant. Measures may have to be taken to deter people from dumping.

Mayor Kovach has asked the committee to discuss “adopt a trash can”. Mr. Smith said the committee discussed it but is not sure on how to proceed on how people will personalize the trash cans.

3. Roads Committee – Town applied for a safe pedestrian grant and was rejected, Town is now working on modifying the application and re-applying. A separate Local Aid grant was received in the amount of \$174,000. The Bond Ordinance introduced this evening is for \$350,000 although the Town does not anticipate spending that much. The Engineer is working on details as to who owns what property in front of the Clinton House where the project will be. Clarification is needed to property owners, whether it be the Clinton House, the State of New Jersey, the DEP or Town of Clinton.

The committee also discussed the 18 pages of survey comments gathered by HART for the Street Smart campaign. The committee suggested HART display this on their website. 130 comments and 175 responses were submitted.

Councilwoman Sosidka

1. Historic Commission – The commission is gathering information to supplement what has been written about the destroyed Music Hall at 23 West Main Street. Mayor Kovach said she has been contacted by the owner of the music hall and said demolition is being scheduled. Mr. Phelan said they are currently applying for permits. Utilities must be disconnected prior to demo, water and sewer is being done by the Town this week. Mr. Rylak said after demolition he would like to see the two properties merged and see residential for senior housing and retail space. It is such an eyesore for the people living on West Main Street.
The commission would also like to offer plaques for people who do historic preservation renovations to their homes.
The Historic Commission further discussed ways to commemorate the 125th anniversary of the Great Clinton Fire of October 30, 1891.
2. Board of Recreation is currently filling vacancies and has recommended Sean Rogan to be a new member. Mr. Carberry made a motion to appoint Mr. Rogan to the Recreation Commission seconded by Mr. Rylak. One more vacancy still exists.

Vote all ayes
Motion carried

Councilman Pendergast

1. Clinton Fire Department will be holding their Grill Night on Friday, June 17, 2016 beginning at 5:30 pm.

Councilman Carberry

1. Buildings and Grounds – over Memorial Day weekend, extra garbage cans on Main Street worked out well and will continue during weekends in the summer.

Councilman Rylak

1. Mr. Rylak congratulated Chief Matheis on the hiring of the two new police officers, Anthony Robbins and Alberto Bonilla an excellent choice and they are a great addition to the force.
2. Thank you to the Road Department for removing a stick that was between the curb and the sidewalk on West Main Street. It was a clear and present danger to anyone walking there.
3. Smart Growth Committee/ Conservancy – thank you to Kathy Madden who is the President in charge and Norma Kania as Secretary. The Conservancy has received their sales tax form and will not have to pay taxes on purchases. Thank you to Gebhardt & Keifer for their assistance. Thank you to David den Hollander for his continues efforts in sprucing up Clinton and welcome to a new member, Deena Roberts, currently a member of the Environmental Commission, Green Team and Shade Tree Commission. Continue to look for the “blue shirts”!

STANDBY AND OVERTIME

A motion was made by Mr. Carberry seconded by Mr. Pendergast to approve the standby and overtime submitted for the period of May 20 through June 2, 2016 attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Smith seconded by Ms. Sosidka to approve the voucher list attached to these minutes.

ROLL CALL: Ayes: Carberry, Pendergast, Rylak, Smith, Sosidka, Mayor Kovach

Vote all ayes
Motion carried

ADJOURNMENT: There being no further business, a motion was made by Mr. Pendergast, seconded by Ms. Sosidka to adjourn the meeting at 8:07 p.m.

Cecilia Covino, RMC/CMC
Town Clerk

Mayor Janice Kovach