

Flag Salute.

Roll Call: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

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.”

Mayor Kovach welcomed the public to the meeting and explained how the meeting will be run by reading the following statement :

NJSA 10:4-8(b) authorizes municipalities to conduct public meetings through use of streaming services and other online meeting platforms. Recently adopted P.L. 2020, c.11 amends OPMA to clarify that in times of emergency public bodies may vote, accept public comment and cause a meeting to be open to the public via electronic means.

The Town of Clinton is using ZOOM Video Meetings. Please be aware that this meeting is being recorded for the public record.

We will continue to address all questions and comments for any topic that is not on the current agenda during public comments as well as comments during public hearings for any ordinances.

Please use the chat feature in ZOOM to indicate that you wish to be recognized for a comment or a question. You must provide your name and address to be recognized. You can also type in your questions. Feel free going forward to email councilmeeting@clintonnj.gov with any questions or concerns between meetings.

We ask that you keep your device muted until called upon by council. The meeting’s moderator may also mute participants.

The mayor and council will respond to all votes via roll call with the exception of opening and closing of public hearings will be a voice vote.

The Mayor and Council will respond to all votes by raising hands or via roll call.

Please feel free to reach out with a note at jkovach@clintonnj.gov anytime!

APPROVAL OF MINUTES

A motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to approve the meeting minutes of May 12, 2021 as submitted.

Vote all ayes
Motion carried

APPROVAL OF MONTHLY REPORTS – APRIL

A motion was made by Mr. Humphrey, seconded by Ms. Dineen to approve the monthly reports for the Wastewater Treatment Plant month of April.

Vote all ayes
Motion carried

PUBLIC COMMENTS

Walter Wilson, asked if there were plans to return to live meetings and could posting the items on the agenda on the website as well, making it easier to follow along. Mayor Kovach said the Town is considering early fall to reopen the building and the question regarding posting resolutions and ordinances prior to the meetings can be considered.

MAYOR'S COMMENT

1. Summer hours will begin following Memorial Day through Labor Day. Employees will take shorter lunches to close the office at 3:00 pm on Fridays.
2. Thank you to Megan Traphagen, wife of Councilman Ross Traphagen, for introducing her 3rd graders to a lesson in municipal government! Mr. Traphagen interviewed Administrator Phelan, Municipal Clerk Covino and Mayor Kovach for a brief lesson which the children enjoyed immensely! The students thanked everyone with beautiful letters and each included a question for each to answer. Responses were made to the students which wrapped up an education they will certainly remember! Everyone enjoyed the interaction.
3. New Jersey Institute of Local Government Attorneys will be hosting a webinar along with the League of Municipalities on June 23, 2021 from 12 – 2:00 p.m. with many prestigious attorneys at the helm. Mayor Kovach encourages everyone to sign up for the webinar entitled “We are not in Kansas anymore. Understanding the Yellow Brick Road to Diversity and all who paved the way”.
4. The June 9, 2021 Council Meeting will be an in person meeting to be held at the Clinton Fire Department, New Street, at 7:30 p.m. It will be a Town Hall meeting to encourage questions from the public in regards to creating a fire district for the fire department. There will also be a zoom link available.
5. Mayor Kovach made an amendment to the agenda for this evening. Item #9, Introduction to Ordinance #21-16 Cannabis – Opting Out, will be tabled until the June 9, 2021 meeting.

PUBLIC HEARING OF ORDINANCE #21-12 – AMENDMENT OF SALARY ORDINANCE

A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to open the public hearing of Ordinance #21-12:

ORDINANCE # 21-12

AN ORDINANCE FIXING THE POSITION TITLES AND SALARY RANGES OF CERTAIN OFFICERS AND EMPLOYEES IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON AND FOR THE WATER UTILITY AND THE SEWER UTILITY IN THE TOWN OF CLINTON IN THE COUNTY OF HUNTERDON

Vote all ayes
Motion carried

There being no comments, a motion was made by Ms. Johnson, seconded by Ms. Intrabartola, to close the public portion of the meeting.

Vote all ayes

Motion carried

A motion was made by Ms. Karsh, seconded by Ms. Dineen, to adopt Ordinance #21-12 on final reading.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

INTRODUCTION OF ORDINANCE # 21-13 – CAPITAL WATER IMPROVEMENTS

A motion was made Ms. Karsh, seconded by Ms. Johnson, to introduce Ordinance 321-13 on first reading as submitted:

ORDINANCE #21-13

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 \$283,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$283,500 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 \$283,500. 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 \$283,500 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 a meter truck and meter software, including all related costs and expenditures incidental thereto.	\$62,000	\$62,000	5 years

b) The Leak Detection Program,
including all related costs and
expenditures incidental thereto.

	<u>\$221,500</u>	<u>\$221,500</u>	15 years
TOTAL:	<u>\$283,500</u>	<u>\$283,500</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, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law.. 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 or other applicable 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 12.81 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 \$283,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$22,000 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 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 Courier News edition of May 29, 2021. A public hearing will be held June 9, 2021.

INTRODUCTION OF ORDINANCE #21-14 – VARIOUS CAPITAL IMPROVEMENTS

A motion was made by Ms. Karsh, seconded by Ms. Johnson, to introduce Ordinance #21-14 on first reading as submitted:

ORDINANCE #21-14

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$140,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$133,855 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 \$140,900, and further including the aggregate sum of \$7,045 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 \$133,855 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, including all related costs and expenditures incidental thereto.	\$89,000	\$84,550	5 years
b) Line striping of various roads and walkways, all as set forth on lists on file in the office of the Clerk, which lists are hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	\$25,500	\$24,225	10 years
c) Acquisition of equipment, including weapons for police officers and bodies for switch and go, including all related costs and expenditures incidental thereto.	\$16,150	\$15,342	15 years

d) Basketball court updates,
including all work and materials
necessary therefor and incidental
thereto.

\$10,250

\$9,738

15 years

TOTAL:

\$140,900

\$133,855

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, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. 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 or other applicable 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 7.77 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 \$133,855, 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 Courier News edition of May 29, 2021. A public hearing will be held June 9, 2021.

INTRODUCTION OF ORDINANCE #21-15 – CAPITAL SEWER IMPROVEMENTS

A motion was made by Mr. Humphrey, seconded by Mr. Traphagen, to introduce Ordinance #21-15 as submitted:

ORDINANCE #21-15

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF EQUIPMENT FOR THE SEWER UTILITY IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWN TO FINANCE 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"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$100,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes 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 improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$100,000 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 acquisition of equipment for the sewer utility, including a centrifugal blower and a mobile full trash pump, including all related costs and expenditures 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, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. 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 or other applicable 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 self-liquidating purpose 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 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 15 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 \$100,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 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.

(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 the gross debt of the Town 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 described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof 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 Courier News edition of May 29, 2021. A public hearing will be held June 9, 2021.

WAIVER OF FILMING FEES

Christine Groth, is the Head of Production for Mark Zhutinali, film producer, of “ The Haunting on the River”. Mark has already made several historical videos about Clinton and is making this film as the next step in promoting the town all at his own expense and everyone involved is helping him on a voluntary basis. Ms. Groth is requesting a waiver of all filming fees and the cash bond for Mark’s 2020 Cinema, LLC. and if any money is made he will donate proceeds to the Town of Clinton or to the Red Mill. He is not looking to make a profit. “This is the right thing to do” said Councilwoman Dineen, “it’s wonderful that Mark is partnering with the town” A motion was made by Mr. Humphrey, seconded by Ms. Dineen, to waive the initial fee of \$500 which includes a non-refundable filing fee of \$100 and everyday thereafter fee of \$300. The cash bond of \$2,000 is also waived. The insurance provided has met the required amount of \$2,000,000.

ROLL CALL: AYES: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #94-21 – WATER RESERVATION

A motion was made by Ms. Intrabartola, seconded by Ms. Johnson, to adopt Resolution #94-21 as submitted:

RESOLUTION # 94-21

RESOLUTION APPROVING WATER CAPACITY RESERVATION

APPLICATION # L20-07

WHEREAS, on March 24, 2015, the Mayor and Council of the Town of Clinton adopted Ordinance 15-1, which amended Chapter 142 of the General Ordinances of the Town of Clinton by creating procedures for applying for and receiving approval for water reservations; and

WHEREAS, on August 12, 2020 the Mayor and Council of the Town of Clinton adopted Resolution 121-20 which approved Water Reservation Application # L20-07 submitted in the name of the Township of Clinton, Annandale Village LLC (Township of Clinton, Block 53, Lot 3, Tax Map Page 8.01, located at 6 West Street); and

WHEREAS, the above-reference approval was valid for twelve (12) months, to which it was scheduled to expire on August 12, 2021; and

WHEREAS, the Town has received a request from the applicant, Annandale Village LLC, to extend the permit approval for another twelve (12) months; and

WHEREAS, on May 6, 2021, the Town’s Water Consulting Engineer, Suburban Consulting Engineers, informed the Town of Clinton Water Committee of their recommendation of approval of the aforementioned application which proposes development of twelve (12) apartments and one (1) store with food service with 42 seats; and

WHEREAS, on May 19, 2021, the Town’s Water Committee held their monthly meeting in which they have reviewed and approved said application and deemed it complete, to which they have granted final approval; and

WHEREAS, it is important to note that the original approved water reservation allocated 5,020 GPD day to this applicant, but based on the information listed in the extension request the scope of the project has changed which resulted in the applicant only needing 2,920 GPD, resulting in a return of allocation of 2,100 GPD back to the Town.

NOW, THEREFORE BE IT RESOLVED, that in accordance with Chapter 142, Section 1, Sub-section J(3) of the Town's Ordinances, the Mayor and Council hereby approves Water Reservation Application Extension # L20-07 in the amount of 2,920 GPD.

BE IT FURTHER RESOLVED, that certified copies of this resolution be provided to the Applicant, Suburban Consulting Engineers, and the Town of Clinton Superintendent of Water.

Vote all ayes
Motion carried

RESOLUTION #95-21 – CHAPTER 159 – TONNAGE GRANT

A motion was made by Ms. Karsh, seconded by Mr. Traphagen, to adopt Resolution #95-21 as submitted:

RESOLUTION – #95-21

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and,

WHEREAS, the Town of Clinton has received \$8,002.36 for the Recycling Tonnage Grant from the State of New Jersey and wishes to amend its 2021 budget to include this amount as a revenue.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Clinton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for they year 2021 in the sum of \$8,002.36 which is now available as a revenue from:

Miscellaneous Revenues

Special Item of General Revenue Anticipated with Prior Written

Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Recycling Tonnage Grant, and

BE IT FURTHER RESOLVED, that a like sum of \$8,002.36 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the .5% Cap

Public and Private Programs Off-Set by Revenues:

Recycling Tonnage Grant:

Other Expenses

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #96-21 – EXTENDED FAMILY LEAVE

A motion was made by Mr. Humphrey, seconded by Ms. Intrabartola, to adopt Resolution #96-21 as submitted:

RESOLUTION # 96-21

EXTENDING UNPAID LEAVE OF ABSENCE FOR LOUISE HARTZOG

WHEREAS, Louise Hartzog, Assistant to the Tax Assessor, has requested an unpaid leave of absence to care for a family member, and;

WHEREAS, the Town's policies provide that "Employees may be granted a personal leave of absence for up to six months at the sole discretion of the Mayor and Council or governing body, if appropriate, if the leave does not cause undue operational disruption.", and;

WHEREAS, on April 14, 2021 the Mayor and Council adopted Resolution # 73-21 approving an unpaid leave of absence for sixty (60) days from April 1, 2021 through May 30, 2021 for Louise Hartzog, and;

WHEREAS, on May 17, 2021 Ms. Hartzog has requested an additional sixty (60) days of unpaid leave of absence; and

WHEREAS, Richard Phelan, PW/Business Administrator recommends granting Ms. Hartzog the additional sixty (60) days unpaid leave of absence from March 31, 2021 through July 29, 2021 as her leave does not cause undue operational disruption.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Clinton grant Ms. Hartzog sixty (60) days unpaid leave of absence retroactive to July 29, 2021.

Vote all ayes
Motion carried

RESOLUTION #97-21 – MUNICIPAL ALLIANCE

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to adopt Resolution #97-21 as submitted:

RESOLUTION #97-21

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Town Council of the Town of Clinton, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Town Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Town of Clinton, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Town Council does hereby authorize submission of a strategic plan for the North Hunterdon Municipal Alliance grant for fiscal year 2022 in the amount of:

DEDR	\$ <u>10,070.00</u>
Cash Match	\$ <u>2,517.50</u>
In-Kind	\$ <u>7,552.50</u>

2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
3. The Town Council further acknowledges that the Hunterdon County Educational Services Commission shall act as Fiscal Agent to all Hunterdon County Municipal Alliance Consortiums to provide a streamlined process for the reimbursement of expenditures.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Karsh, Traphagen, Mayor Kovach
Abstain: Johnson (County Employee)

Vote all ayes
1 Abstention (Johnson)
Motion carried

RESOLUTION # 98-21 – PBA CONTRACT

A motion was made by Ms. Dineen, seconded by Mr. Humphrey, to adopt Resolution #98-21 as submitted:

RESOLUTION #98-21

**RESOLUTION AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE TOWN OF CLINTON AND THE P.B.A. LOCAL 188**

WHEREAS, on April 28, 2021, the Town of Clinton adopted Ordinance No. 21-10, titled "Ordinance Requiring Employee Contributions Toward Health Benefits Provided by the Town," setting forth reduced schedules of mandatory employee contributions to the premium costs of health insurance for single, family, and member/spouse/partner or parent/child coverage; and

WHEREAS, it is the intention of the Town of Clinton to make these reduced schedules of mandatory employee contributions applicable to all employees of the Town; and

WHEREAS, because employee contributions to the premium costs of health insurance are mandatorily negotiable subjects of collective negotiations, these reduced schedules of mandatory employee contributions must be negotiated with and agreed to by the PBA in order for the reduced schedules to be applicable to members of the PBA bargaining unit; and

WHEREAS, on May 28, 2019, the Mayor and Council of the Town of Clinton ratified the Collective Bargaining Agreement between the Town and the P.B.A. Local 188 via Resolution #87-19; and

WHEREAS, the PBA and the Town of Clinton have agreed that effective May 1, 2021, these reduced schedules of mandatory employee contributions will be incorporated as an amendment to the parties' January 1, 2018 to December 31, 2021 collective negotiations agreement; and

WHEREAS, the PBA and the Town of Clinton have further agreed that the acceptance of these reduced schedules of mandatory employee contributions by the PBA will carry over into the parties' successor agreement, and that no further adjustments or changes in medical or health insurance coverage of any sort shall be sought by the PBA in the negotiations between the parties for a successor agreement.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council hereby authorize the following changes to the Collective Bargaining Agreement between the Town of Clinton and the P.B.A. Local 188 in accordance with the attached Memorandum of Agreement.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Town of Clinton Chief Financial Officer and the P.B.A. Local 188.

Vote all ayes
Motion carried

RESOLUTION #99-21 – FIREWORKS – TOWN PICNIC

A motion was made by Ms. Intrabartola, seconded by Ms. Johnson, to adopt Resolution #99-21 as submitted:

RESOLUTION # 99-21

WHEREAS, the Town of Clinton Recreation Committee has requested permission from the Mayor and Council of the Town of Clinton, to have a Fireworks Display at the Town Picnic to be held on July 10, 2021, rain date July 17, 2021 at Hunts Mill Park, and

WHEREAS, Garden State Fireworks, Inc. has provided a Certificate of Insurance in the amount of \$5,000,000 naming the Town of Clinton as an additional insured, and

WHEREAS the Town of Clinton Recreation Committee will request the Clinton Fire Department and the South Branch Emergency Services to standby at the scene;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Clinton that the Recreation Committee's request for a fireworks display at the Town Picnic on July 10, 2021, rain date July 17, 2021 at dark, be approved.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #100-21 – OVERPAYMENTS

A motion was made by Mr. Traphagen, seconded by Ms. Intrabartola, to adopt Resolution #100-21 as submitted:

RESOLUTION # 100-21

WHEREAS, the Tax Collector of the Town of Clinton has received overpayments for the following block and lots,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Clinton that the Chief Financial Officer be authorized to refund the overpayment to Corelogic Real Estate Tax Service c/o Centralized Refunds, P.O. Box 9202, Coppell, Texas, 75019-9978, for the following accounts:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
5	25	Latargia	\$2,902.42
14	10	Rocca	\$2,761.79
31	7 C0107	Bolig	\$ 538.57
31	7 C0115	Hidalgo-Naranjo	\$ 569.93

BE IT FURTHER RESOLVED that the Tax Collector remove the overpayments on the above block and lots for the 2nd quarter 2021.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

RESOLUTION #101-21 – I-BANK FINANCING PROGRAM

A motion was made by Ms. Johnson, seconded by Mr. Humphrey, to adopt Resolution #101-21 as submitted:

RESOLUTION # 101-21

RESOLUTION OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$3,200,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWN OF CLINTON IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK.

WHEREAS, the Town of Clinton (the “Local Unit”), in the County of Hunterdon, New Jersey, has determined that there exists a need within the Local Unit to renovate a project consisting of valve and meter replacement in compliance with the Water Quality Accountability Act, including all work and materials necessary therefor and incidental thereto (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the renovation of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$3,200,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #18-07 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE VALVE AND METER REPLACEMENT PROJECT IN COMPLIANCE WITH THE WATER QUALITY ACCOUNTABILITY ACT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$3,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,200,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on July 10, 2018, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$3,200,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "NJWB-CFP-2021-01";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC, is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

RESOLUTION #102-21 – I-BANK FINANCING PROGRAM

A motion was made by Ms. Karsh seconded by Ms. Intrabartola, to adopt Resolution #102-21 as submitted:

RESOLUTION #102-21

RESOLUTION OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS “NOTE RELATING TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK”, TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$1,200,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY INFRASTRUCTURE BANK, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWN OF CLINTON IN FAVOR OF THE NEW JERSEY INFRASTRUCTURE BANK, ALL PURSUANT TO THE WATER BANK CONSTRUCTION FINANCING PROGRAM OF THE NEW JERSEY INFRASTRUCTURE BANK.

WHEREAS, the Town of Clinton (the “Local Unit”), in the County of Hunterdon New Jersey, has determined that there exists a need within the Local Unit to construct a project consisting of demolition of the existing hydro-pneumatic tanks, removal and replacement of the Foster Wheeler Booster Pump Station, including all work and materials necessary therefor and incidental thereto (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the construction of the Project prior to the closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$1,200,000 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by bond ordinance #17-11 of the Local Unit, which bond ordinance is entitled “BOND ORDINANCE PROVIDING FOR THE FOSTER WHEELER BOOSTER PUMP STATION IMPROVEMENTS PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,200,000 BONDS OR NOTES

OF THE TOWN TO FINANCE THE COST THEREOF” and was finally adopted by the Local Unit at a meeting duly called and held on December 12, 2017, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$1,200,000;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB-CFP-2021-02”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC, is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

RESOLUTION #103-21 - BYOB TOWN PICNIC

A motion was made by Ms. Johnson, seconded by Mr. Traphagen, to adopt Resolution #103-21 as submitted:

RESOLUTION # 103-21

WHEREAS, the Code of the Town of Clinton, Chapter 32, Section 7, prohibits consumption of alcoholic beverages in, on, or upon any public street, or land owned or occupied by any federal, state, county or municipal government, or as further explained in the Section 32-7 A through D; and

WHEREAS, alcoholic beverages may be consumed at occasions or events held by bona fide nonprofit organizations or other groups if specifically permitted by resolution of the Mayor and Council; and

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Clinton, that BYO (Bring Your Own) consumption of alcoholic beverages shall be permitted at the Hunts Mill Park during the Town of Clinton Town Picnic to be held on July 10, 2021, rain date July 17, 2021, beginning at 3:00 PM

Vote all ayes
Motion carried

FIRE DISTRICT DISCUSSION

Councilwoman Dineen spoke on behalf of the fire district task force consisting of herself, Councilwoman Johnson and Councilman Humphrey as well as Fire Chief Hedden, Matt Brown and consulting attorney Rich Braslow. Reporting on the meetings recently held to trouble shoot the idea as well as to present recommendations to council, the task force found moving towards a fire district is in the best interests of the town. Chief Jeff Hedden of the fire department stated that the district budget would be about \$476,300 and the current town expense for the fire department in the town budget is \$240,000. The current tax burden for the fire department is \$0.06 per \$100 of assessed property value and the creation of a fire district would be approximately \$0.12 per \$100. As of now the department has a "gap" in their budget of \$150,000. Fund raising efforts are erratic and cannot cover expenses. Creating a fire district would be separate from the fire company and would be governed by a Board of Fire Commissioners, elected annually by voters within the district. The board submits an annual budget to the voters for approval at this same election and a fire tax is struck and collected by the municipality. The funds are remitted to the district four times during the year.

The next step will be a presentation to the taxpayers in a Town Hall setting to be held at the fire house on New Street June 9, 2021, the night of the next regular council meeting. This will be an in person meeting as well as a link to ZOOM in. A petition will be available for taxpayers to sign as 5% of all registered voters is required to move forward. If goal is met, the municipality will have to pass a resolution and apply to the Local Finance Board and then to pass an ordinance.

CORRESPONDENCE - NONE

REPORTS OF COUNCIL

Councilwoman Intrabartola

Recreation Committee – Ms. Intrabartola and Ms. Johnson wrote and submitted a state grant application for the park renovations in the amount of \$500,000. The Committee hopes to receive good news by the end of June. The process was completed through SAGE process, (System for Administering Grants Electronically)

Councilman Traphagen

Historic Commission met last week as well as Shade Tree. Shade tree commission is looking at various tree maintenance programs and plantings.

Councilwoman Johnson

Recreation Commission - Ms. Johnson once again thanked Ms. Intrabartola for an amazing job in writing the grant application. The Committee is working on several fun events for this summer! The Town Picnic is July 10 and a big shout out to Laura Burr and Kristina Tuxhorn for taking hold of the reigns and running to organize and make for an awesome day! Two kid movie nights are being planned as well as a drive in movie night in the fall. Ms. Intrabartola is organizing a food truck event and the canoe races are June 19, 2021! Stay tuned for a fun summer!!

Councilwoman Karsh

Water Committee had three water storage tanks cleaned! Council introduced the ordinance this evening for water leak detection project and maintenance.

Clinton Guild is planning monthly themes which will be exciting! June 11 will be the Flag Day ceremony on the patio of the Art Museum and the flag retirement ceremony at the Red Mill; and Saturday evening music events at the Red Mill; July 23 and 24 will the Sidewalk Sales from 10:00 a.m. to 6:00 p.m.; August will be celebrating Women in Business! Music on Main begins this Friday, May 28, 2021.

Councilman Humphrey

No report, however, Mr. Humphrey asked for a link with the schedule of events that can be listed on the town website.

Clinton Fire Department – Chief Hedden reports 19 calls for the month of April, 100 for the year to date. Department is staffed for Memorial Day weekend. An assistance to firefighters COVID relief grant was awarded to Clinton Fire Department and South Branch Rescue Squad a little over \$50,000.

Attorney St. Angelo

Ethics Training Session will be held Saturday, June 12, 2021 from 8:30 am to noon.

Mayor Kovach

Sunday is the half way to Halloween at the Red Mill. A & E Ghost Hunters will be in attendance!

STANDBY AND OVERTIME

A motion was made by Mr. Humphrey seconded by Ms. Dineen, to approve the standby and overtime attached to these minutes for the period of April 30 through May 13, 2021.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

PAYMENT OF BILLS

A motion was made by Mr. Traphagen, seconded by Ms. Dineen, to approve the voucher list as attached to these minutes.

ROLL CALL: Ayes: Dineen, Humphrey, Intrabartola, Johnson, Karsh, Traphagen, Mayor Kovach

Vote all ayes
Motion carried

ADJOURNMENT

There being no further business, a motion was made by Ms. Karsh seconded by Ms. Johnson to adjourn the meeting at 8:52 p.m.

Cecilia Covino, RMC/CMC
Municipal Clerk

Janice Kovach, Mayor