

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

Flag Salute.

Roll Call: Present – Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, 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.”

**APPROVAL OF MINUTES - tabled**

**PUBLIC COMMENT – none**

**MAYOR’S COMMENTS**

1. Mayor Kovach reported that the Town of Clinton bowling team had great fun at the Big Brothers, Big Sisters fund raiser on May 7, 2013. Mayor Kovach was joined by Councilwomen Jones-Holt and Sosidka and Finance Officer, Kathy Olsen.

**PUBLIC HEARING OR ORDINANCE #13-11 – LEBANON BOROUGH PROJECT**

A motion was made by Mr. Smith seconded by Mr. Pendergast, to open the public hearing on Bond Ordinance #13-11:

ORDINANCE #13-11  
BOND ORDINANCE PROVIDING FOR THE LEBANON BOROUGH WATER MAIN  
REHABILITATION PROJECT FOR THE WATER UTILITY OF THE TOWN OF CLINTON,  
APPROPRIATING \$6,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,700,000  
BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF

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 portion of the meeting.

Vote all ayes  
Motion carried

A motion was made by Mr. Pendergast, seconded by Mr. Shea, to adopt Ordinance #13-11 on second reading.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**INTRODUCTION OF ORDINANCE #13-12 – LEIGH STREET IMPROVEMENTS**

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to introduce Ordinance #13-12 as presented:

ORDINANCE #13-12

BOND ORDINANCE PROVIDING FOR THE LEIGH STREET IMPROVEMENT PROJECT IN AND BY THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$160,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$160,000 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. 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 \$160,000, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$135,000 (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) 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 referred to above, negotiable bonds are hereby authorized to be issued in the principal amount of \$160,000 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 Leigh Street Improvement Project, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or 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 note shall mature later than one year from its date. The 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 notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All 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 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 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 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 \$160,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$45,000 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 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

Ms. Jones-Holt asked for an overview of this ordinance and its purpose. Mr. Shea, Chairman of the Roads Committee, explained that Leigh Street was paved last year and this ordinance will provide for the replacements of the handicapped accessible ramps at the corners, new curbing and storm drains for Leigh Street, from Route 173 through Country Club Road.

A notice of this ordinance will be published in the June 5, 2013 edition of the Hunterdon Review and a public hearing will be held June 25, 2013.

**RESOLUTION #94-13 – CHAPTER 159**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #94-13 approving the insertion of \$5,187.07 from the Clean Communities Grant Program.

**RESOLUTION – 94-13**

**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 \$5,187.07 from the State of New Jersey and wishes to amend its 2013 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 2013 in the sum of \$5,187.07 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:  
Clean Communities Program, and

**BE IT FURTHER RESOLVED**, that a like sum of \$5,187.07 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from the 2.0% Cap  
Public and Private Programs Off-Set by Revenues:  
Clean Communities Program:  
Other Expenses

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #95-13 – 2013 SUMMER RECREATION FEES AND STAFFING**

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Resolution #95-13 as presented:

**RESOLUTION # 95-13**

**RESOLUTION ESTABLISHING 2013 RECREATION PROGRAM FEES**

**WHEREAS**, Ordinance #08-01 provides that fees for programs sponsored by the Board of Recreation Commission shall be set yearly by Resolution of the Mayor and Council; and

**WHEREAS**, the Board of Recreation Commissioners has submitted recommendations to the Mayor and Council as to the fees to be established for 2013; and

**WHEREAS**, the Mayor and Council have reviewed these recommendations and find the recommended fees to be appropriate

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Clinton, County of Hunterdon, New Jersey, that the following Program Fees are effective for 2013:

**Summer Recreation Program Registration Fees:**

One Hundred Thirty Five (\$135.00) Dollars per student, One Hundred Fifteen (\$115.00) Dollars for second child, Ninety (\$90.00) Dollars for third child & fourth child for Town of Clinton-Glen Gardner Students

One Hundred Fifty (\$155.00) Dollars per student for Out-of-District Students, One Hundred Thirty Five (\$135.00) Dollars per child for Multi-Children Families

Weekly Registration – Fifty (\$50.00) Dollars per student, Forty Five (\$45.00) per child for Multi-children Families for Town of Clinton-Glen Gardner Students.

Weekly Registration – Fifty Five (\$55.00) Dollars per student, Forty Five (\$45.00) per child for Multi-children Families for Non-Glen Gardner and Town of Clinton Residents

**TRIP FEES**

Twelve (\$12.00) Dollars per child for Penders Canoe trips and Frenchtown Boro Park trip  
Sixteen (\$16.00) Dollars per child for West Hunterdon Lanes trips  
Thirty Five (\$35.00) Dollars for Crystal Springs Family Aquatic Center and Claws’N’Paws Zoo  
Extended Day Trips (Refundable if it rains and paperwork completed)

Twenty Five (\$25.00) Dollars late Registration fee after the cut-off date for accepting Registrations

**Tennis Program Registration Fees:**

Sixty (\$60.00) Dollars for Clinton Public School Students and Town Residents  
Eighty Five (\$85.00) Dollars for out of town residents

**Basketball Program Registration Fees:**

Eighty-Five (\$85.00) Dollars per student in grades 3 through 8  
Seventy-Five (\$75.00) Dollars per student in grades K through 2

**2013 Summer Recreation & Tennis Program Staffing**

It is the recommendation of the Board of Recreation Commissioners that the following staff be hired for the 2013 Summer Recreation Program to be held July 1<sup>st</sup> through July 26<sup>th</sup> at Clinton Public School from 9:00 am to 12 noon. The Recreation Program will be extended until 4:00 pm for special trips on July 10<sup>th</sup> to Claws-N-Paws Zoo in the Poconos and on July 17<sup>th</sup> to the Crystal Springs Family Aquatic Center in East Brunswick, NJ, and there will not be any recreation at the school on these days unless it rains.

|                   |                    |             |         |
|-------------------|--------------------|-------------|---------|
| Director          | Tiffany Cinquemani | \$4,900.00  |         |
| Arts & Crafts     | Barbara Plundeke   | \$2,484.00  |         |
| Adult Counselors  | Debbie Herold      | \$2,033.00  |         |
|                   | Elizabeth Seiffert | \$1,798.00  |         |
|                   | Heidi Singer       | \$1,737.00  |         |
|                   | Jack Kelliher      | \$1,626.00  |         |
| Adult Substitutes | Patti Weiss        | \$76.50/day |         |
| Teen Counselors   | Katie Duffy        | \$7.40/hr   | 4 weeks |
|                   | Katie Flegg        | \$6.50/hr   | 4 weeks |

The Tennis Clinic will run from July 29<sup>th</sup> through August 22<sup>nd</sup> at the Clinton Community Center.

|                     |                   |            |         |
|---------------------|-------------------|------------|---------|
| Tennis Instructors: | Ellery Spencer    | \$19.00/hr | 2 weeks |
|                     | Katherine Spencer | \$16.00/hr | 4 weeks |

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #96-13 – WATER UTILITY BONDS**

A motion was made by Mr. Carberry, seconded by Mr. Smith, to adopt Resolution #96-13 as submitted:

**RESOLUTION #96-13  
RESOLUTION DETERMINING THE FORM AND OTHER  
DETAILS OF \$11,871,000 GENERAL OBLIGATION BONDS,  
CONSISTING OF \$2,328,000 GENERAL IMPROVEMENT  
BONDS, \$8,043,000 WATER UTILITY BONDS AND \$1,500,000  
SEWER UTILITY BONDS OF THE TOWN OF CLINTON, IN**

**THE COUNTY OF HUNTERDON, NEW JERSEY AND  
PROVIDING FOR THEIR SALE.**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. The \$2,328,000 General Improvement Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey (the “Town”) referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on May 28, 2013, and entitled, “Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$2,328,000 in Principal Amount,” shall be issued as “General Improvement Bonds” (the “General Improvement Bonds”). The General Improvement Bonds shall mature in the principal amounts on August 1 as follows:

| <u>Year</u> | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|-------------|-------------------------|
| 2014        | \$125,000               | 2021        | \$200,000               |
| 2015        | \$125,000               | 2022        | \$200,000               |
| 2016        | \$150,000               | 2023        | \$200,000               |
| 2017        | \$150,000               | 2024        | \$200,000               |
| 2018        | \$150,000               | 2025        | \$250,000               |
| 2019        | \$150,000               | 2026        | \$228,000               |
| 2020        | \$200,000               |             |                         |

The General Improvement Bonds shall be subject to redemption prior to maturity. The General Improvement Bonds shall be 13 in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-13, inclusive.

Section 2. The \$8,043,000 Water Utility Bonds of the Town referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on May 28, 2013, and entitled, “Resolution Providing for the Combination of Certain Issues of Water Utility Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$8,043,000 in Principal Amount,” shall be issued as “Water Utility Bonds” (the “Water Utility Bonds”). The Water Utility Bonds shall mature in the principal amounts on August 1 as follows:

| <u>Year</u> | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|-------------|-------------------------|
| 2014        | \$250,000               | 2024        | \$450,000               |
| 2015        | \$250,000               | 2025        | \$450,000               |
| 2016        | \$250,000               | 2026        | \$450,000               |
| 2017        | \$250,000               | 2027        | \$450,000               |
| 2018        | \$350,000               | 2028        | \$500,000               |
| 2019        | \$350,000               | 2029        | \$500,000               |
| 2020        | \$350,000               | 2030        | \$500,000               |
| 2021        | \$350,000               | 2031        | \$500,000               |
| 2022        | \$400,000               | 2032        | \$500,000               |
| 2023        | \$450,000               | 2033        | \$493,000               |

The Water Utility Bonds shall be subject to redemption prior to maturity. The Water Utility Bonds shall be 20 in number, with one certificate being issued for each year of maturity, and shall be numbered WU-101 to WU-120, inclusive.

Section 3. The \$1,500,000 Sewer Utility Bonds of the Town referred to and described in the resolution adopted by the Town Council pursuant to the Local Bond Law of the State of New Jersey on

May 28, 2013, and entitled, “Resolution Providing for the Combination of Certain Issues of Sewer Utility Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$1,500,000 in Principal Amount,” shall be issued as “Sewer Utility Bonds” (the “Sewer Utility Bonds” and, together with the General Improvement Bonds and the Water Utility Bonds, the “Bonds”). The Sewer Utility Bonds shall mature in the principal amounts on August 1 as follows:

| <u>Year</u> | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|-------------|-------------------------|
| 2014        | \$50,000                | 2024        | \$100,000               |
| 2015        | \$50,000                | 2025        | \$100,000               |
| 2016        | \$50,000                | 2026        | \$100,000               |
| 2017        | \$50,000                | 2027        | \$100,000               |
| 2018        | \$50,000                | 2028        | \$100,000               |
| 2019        | \$50,000                | 2029        | \$100,000               |
| 2020        | \$50,000                | 2030        | \$100,000               |
| 2021        | \$50,000                | 2031        | \$100,000               |
| 2022        | \$50,000                | 2032        | \$100,000               |
| 2023        | \$50,000                | 2033        | \$100,000               |

The Sewer Utility Bonds shall be subject to redemption prior to maturity. The Sewer Utility Bonds shall be 20 in number, with one certificate being issued for each year of maturity, and shall be numbered SU-1001 to SU-1020, inclusive.

Section 4. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of CEDE & CO., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the “Securities Depository”). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000, or any integral multiple thereof except, where necessary, also in the amount of \$1,000, through book-entries made on the books and the records of the Securities Depository and its participants

The Bonds will be dated the date of delivery and will bear interest payable semiannually on the first day of February and August in each year until maturity, commencing on February 1, 2014, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein. The principal of and the interest on the Bonds will be paid to the Securities Depository by the Town on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as listed on the records of the Securities Depository as of each next preceding January 15 and July 15 (the “Record Dates” for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Town Clerk. The following matters are hereby determined with respect to the Bonds:

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to market the Bonds or to comply with the requirements of the Securities Depository:

REGISTERED  
NUMBER A. \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF HUNTERDON

TOWN OF CLINTON

B. \_\_\_\_\_

| DATED DATE: | MATURITY DATE: | RATE OF INTEREST<br>PER ANNUM: | CUSIP: |
|-------------|----------------|--------------------------------|--------|
| 8/1/13      | 8/1/___        | _____%                         | _____  |

TOWN OF CLINTON, in the County of Hunterdon, New Jersey (the "Town") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_), and to pay interest on such sum from the Dated Date of this bond until it matures at the Rate of Interest Per Annum specified above semiannually on the first days of February and August in each year until maturity, commencing on February 1, 2014. Interest on this bond will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the January 15 and July 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The Bonds maturing prior to August 1, 2024 are not subject to optional redemption prior to maturity. The Bonds maturing on or after August 1, 2024 are subject to redemption on or after August 1, 2023 at 100% of the principal amount thereof (the "Redemption Price"), plus in each case accrued interest to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Township or a duly appointed Bond Registrar. Any failure of the depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the Township determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Township; the

bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

So long as CEDE & Co., as nominee of DTC, is the registered owner of the Bonds, the Town shall send redemption notices only to CEDE & Co.

If Notice of Redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.

As long as The Depository Trust Company is the depository for the Bonds as provided herein, the procedures of The Depository Trust Company will determine the method of selection for redemption within a maturity. Otherwise, it will be by lot or by a similar method.

C. \_\_\_\_\_

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the TOWN OF CLINTON has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Town Clerk, and this bond to be dated the Dated Date as specified above.

TOWN OF CLINTON

By \_\_\_\_\_ Mayor

ATTEST:

By \_\_\_\_\_  
Financial Officer

By \_\_\_\_\_ Chief  
Clerk

Section 6. In each of the \$2,328,000 General Improvement Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the General Improvement Bonds.

A. GI-\_\_.

B. GENERAL IMPROVEMENT BOND

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town of Clinton adopted May 28, 2013 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$2,328,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 7. In each of the \$8,043,000 Water Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Water Utility Bonds.

A. WU-\_\_.

B. WATER UTILITY BOND

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town of Clinton adopted May 28, 2013 and entitled, "Resolution Providing for the Combination of Certain Issues of Water Utility Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$8,043,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 8. In each of the \$1,500,000 Sewer Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Sewer Utility Bonds.

C. SU-\_\_.

D. SEWER UTILITY BOND

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town of Clinton adopted May 28, 2013 and entitled, "Resolution Providing for the Combination of Certain Issues of Sewer Utility Bonds of the Town of Clinton, in the County of Hunterdon, New Jersey into a Single Issue of Bonds Aggregating \$1,500,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 9. (a) The Bonds shall be sold on July 10, 2013, or such other date as determined by the Chief Financial Officer, by electronic auction in accordance with the Full Notice of Sale authorized in Exhibit A attached hereto. The Town Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized in Exhibit B attached hereto and McManimon, Scotland & Baumann, LLC, is hereby directed to arrange for the publication of the Summary Notice of Sale authorized in Exhibit C in the form provided herein, such publications to be not less than seven days prior to the date of sale. The Short Notice of Sale shall be published in the Hunterdon Review (or another local newspaper) and the Summary Notice of Sale shall be published in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York.

(b) Pursuant to N.J.S.A. 40A:2-34, the Town hereby designates the Chief Financial Officer to sell and to award the Bonds in accordance with the Notice of Sale authorized herein, and such financial officer shall report in writing the results of the sale to this Council as required by law. The Chief Financial Officer is hereby authorized and directed, consistent with the terms of the Notice of Sale, to retain the good faith deposit of the successful bidder and to immediately return such good faith deposits, whether by wire or check to the unsuccessful bidders.

Section 10. The Full Notice of Sale shall be substantially in the form attached hereto as Exhibit A with additions, deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions,

deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C with such additions, deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction.

Section 11. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 12. The law firm of McManimon, Scotland & Baumann, LLC is authorized to arrange for the printing of the Bonds and is authorized to arrange for the printing of the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC and Town officials. The Mayor and the Chief Financial Officer are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 13. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 14. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 15. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof except, if necessary, also in the amount of \$1,000. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 16. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, in each year in which the Bonds mature to the Municipal Securities Rulemaking Board through the Electronic Municipal Market Access Dataport (the "MSRB") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Town consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Town and certain financial information and operating data consisting of (i) Town and overlapping indebtedness including a schedule of outstanding debt issued by the Town, (ii) the Town's most current adopted budget, (iii) property valuation information, and (iv) tax rate, levy and collection data. The audited financial information will be prepared in accordance with modified cash accounting as mandated by State of New Jersey statutory principles in effect from time to time or with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law and shall be filed electronically and accompanied by identifying information with the National Repository;

(b) in a timely manner not in excess of ten business days after the occurrence of the event, to the MSRB and to the State Repository, if any, notice of any of the following events with respect to the Bonds (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability. Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

(c) in a timely manner to the MSRB and to the State Repository, if any, notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

(e) The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

(f) In the event that the Town fails to comply with the Rule or the written contracts or undertakings specified in this resolution, the Town shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 17. This resolution shall take effect immediately.

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #97-13 – SEWER UTILITY BONDS**

A motion was made by Mr. Pendergast, seconded by Mr. Smith to adopt Resolution #97-13 as submitted:

RESOLUTION #97-13

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF SEWER UTILITY BONDS OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$1,500,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 2. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds (as defined herein) of the Town of Clinton, in the County of Hunterdon, New Jersey (the “Town”) authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Sewer Utility Bonds in the principal amount of \$1,500,000 (the “Bonds”).

Section 3. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

| <b>Principal Amount of Bonds</b> | <b>Number of Bond Ordinance</b> | <b>Description of Improvement and Date of Adoption of Bond Ordinance</b>  | <b>Useful Life</b> |
|----------------------------------|---------------------------------|---|--------------------|
| \$1,100,000                      | 89-10                           | The renovation and upgrading of the Clint Sewer Treatment Plant, finally adopted September 26, 1989.  | 40 years           |
| \$400,000                        | 06-15                           | The refurbishment of the offices located at 47 Leigh Street for use by the water utility and the sewer utility, finally adopted August 8, 2006. | 10 years           |

Section 4. The following matters are hereby determined with respect to the combined issue of Bonds:

**The period of usefulness, is not less than 32 years.**

**The Bonds of the combined issue shall be designated “Sewer Utility Bonds” and shall mature within the average period of usefulness herein determined.**

**The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.**

Section 5. The following additional matters are hereby determined, declared, recited and stated:

**None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.**

**The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.**

Section 6. This resolution shall take effect immediately.  
The foregoing resolution was adopted by the following vote:

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #98-13 – WATER UTILITY BONDS**

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #98-13 as submitted:

RESOLUTION #98-13

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER UTILITY BONDS OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$8,043,000 IN PRINCIPAL AMOUNT.**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 7. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds (as defined herein) of the Town of Clinton, in the County of Hunterdon, New Jersey (the “Town”) authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of Water Utility Bonds in the principal amount of \$8,043,000 (the “Bonds”).

Section 8. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

| <b>Principal Amount of Bonds</b> | <b>Number of Bond Ordinance</b> | <b>Description of Improvement and Date of Adoption of Bond Ordinance</b> | <b>Useful Life</b> |
|----------------------------------|---------------------------------|--|--------------------|
| \$76,200                         | 95-08                           | Improvements to the water system, finally adopted June 27, 1995.         | 40 years           |
| \$1,249,350                      | 02-12                           | Improvements to the water system, finally adopted September 10, 2002.    | 40 years           |

|             |                                 |   |             |
|-------------|---------------------------------|---|-------------|
| \$231,575   | 06-15                           | The refurbishment of the offices located at 47 Leigh Street for use by the water utility and the sewer utility, finally adopted August 8, 2006. | 10 years    |
| \$1,724,200 | 07-14                           | Various improvements to the water utility, finally adopted August 28, 2007.   | 40 years    |
| \$85,150    | 08-09                           | Various improvements to the water utility, finally adopted July 22, 2008.   | 39.83 years |
| \$3,176,525 | 09-11, as supplemented by 10-09 | Various improvements to the water utility, finally adopted August 25, 2009, as supplemented June 22, 2010.                                      | 38.29 years |
| \$1,500,000 | 13-04                           | Improvements to the water utility, finally adopted March 12, 2013.  | 15 years    |

Section 9. The following matters are hereby determined with respect to the combined issue of Bonds:

**The period of usefulness, is not less than 33.79 years.**

**The Bonds of the combined issue shall be designated “Water Utility Bonds” and shall mature within the average period of usefulness herein determined.**

**The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.**

Section 10. The following additional matters are hereby determined, declared, recited and stated:

**None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.**

**The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.**

Section 5: This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #99-13 –GENERAL IMPROVEMENT BONDS**

A motion was made by Mr. Carberry, seconded by Mr. Pendergast, to adopt Resolution #99-13 as submitted:

RESOLUTION #99-13

**RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$2,328,000 IN PRINCIPAL AMOUNT.**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CLINTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 11. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds (as defined herein) of the Town of Clinton, in the County of Hunterdon, New Jersey (the “Town”) authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Improvement Bonds in the principal amount of \$2,328,000 (the “Bonds”).

Section 12. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

| <b>Principal Amount of Bonds</b> | <b>Number of Bond Ordinance</b> | <b>Description of Improvement and Date of Adoption of Bond Ordinance</b>                            | <b>Useful Life</b> |
|----------------------------------|---------------------------------|---|--------------------|
| \$302,300                        | 99-02                           | Reconstruction of Lakeview Avenue, Lingert Avenue and Kinter Street, finally adopted March 9, 1999. | 20 years           |
| \$35,000                         | 99-07                           | Acquisition of a fire truck and related equipment and apparatus, finally adopted August 24, 1999.   | 10 years           |
| \$119,700                        | 03-20                           | Acquisition of an emergency rescue vehicle, finally adopted November 25, 2003.                      | 5 years            |
| \$649,600                        | 05-17                           | The acquisition of a ladder truck for the Fire Department, finally adopted November 22, 2005.       | 10 years           |
| \$324,800                        | 08-11                           | Clinton Knolls Replacement Project Phase II, finally adopted August 26, 2008.                       | 40 years           |
| \$412,000                        | 11-12                           | Improvements to various roads, finally adopted September 13, 2011.                                  | 10 years           |
| \$104,600                        | 12-08                           | Various capital improvements, finally adopted June 26, 2012.  | 13.22 years        |
| \$380,000                        | 13-05                           | Various capital improvements, finally adopted March 12, 2013.                                       | 12.50 years        |

Section 13. The following matters are hereby determined with respect to the combined issue of Bonds:

**The period of usefulness, is not less than 15.77 years.**

**The Bonds of the combined issue shall be designated “General Improvement Bonds” and shall mature within the average period of usefulness herein determined.**

**The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.**

Section 14. The following additional matters are hereby determined, declared, recited and stated:

**None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.**

**The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.**

Section 15. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #100-13 – LIQUOR LICENSE – A HUNTS MILL LLC**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #100-13 as submitted:

**RESOLUTION #100-13**

**WHEREAS**, the Town of Clinton Governing Body is in receipt of an application for the renewal of **PLENARY RETAIL CONSUMPTION LICENSE, (HOTEL/MOTEL EXCEPTION), #1005-36-004-009** for:

**A HUNTS MILL ASSOCIATES LLC  
111 ROUTE 173  
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, 2013 renewal of the above captioned license for the 2013-2014 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes  
Motion carried

**RESOLUTION #101-13 – LIQUOR LICENSE – QUICK CHEK**

A motion was made by Mr. Pendergast, seconded by Mr. Smith, to adopt Resolution #101-13 as submitted:

**RESOLUTION # 101-13**

**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, 2013, renewal of the above captioned license for the 2013-2014 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes  
Motion carried

**RESOLUTION #102-13 – LIQUOR LICENSE – CLINTON HOUSE**

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt Resolution #102-13 as submitted:

**RESOLUTION #102-13**

**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 the 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, 2013 renewal of the above captioned license for the 2013-2014 year and that a copy of this Resolution be forwarded to the Division of Alcoholic Beverage Control.

Vote all ayes  
Motion carried

**RESOLUTION #103-13 – ENTRY AND TESTING AGREEMENT WITH T-MOBILE  
NORTHEAST, LLC**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #103-13 as submitted:

**RESOLUTION #103-13**

**RESOLUTION AUTHORIZING ENTRY AND TESTING AGREEMENT  
WITH T-MOBILE NORTHEAST, LLC**

**WHEREAS**, the Town of Clinton Water Company owns a water tank located at the intersection of Petticoat Lane and I-78, Clinton Township, New Jersey, also known as Block 46, Lot 32 on the Township of Clinton Tax Maps; and

**WHEREAS**, T-Mobile Northeast, LLC (“T-Mobile”) has expressed an interest in leasing the property for use as tower or site for the receipt and transmission of wireless communication signal; and

**WHEREAS**, before T-Mobile can determine whether to locate facilities at this particular site, it must determine the viability and feasibility of the property for its intended uses; and

**WHEREAS**, the Town of Clinton (“Town”), in connection with seeking site plan approval for another well in Clinton Township, agreed to cooperate with cellular carriers who might wish to locate a cell tower on water tanks owned by the Town of Clinton; and

**WHEREAS**, the Town may receive a revenue from the location of the T-Mobile facilities; and

**WHEREAS**, it is in the public interest to permit T-Mobile access to the site in order to do feasibility studies; and

**WHEREAS**, T-Mobile has agreed to have the Town’s Water Engineer oversee its activities and has agreed to indemnify the Town from any liability resulting from its actions.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the Town of Clinton, Hunterdon County, hereby authorize the Mayor and Clerk to execute the Entry and Testing Agreement attached hereto with T-Mobile.

Vote all ayes  
Motion carried

Mr. Phelan explained that the site plan approval was dependant upon as agreement with T-Mobile and insuring that insurance issues are carried out.

**RESOLUTION #104-13 – 2013 SALARY RESOLUTION**

A motion was made by Mr. Smith, seconded by Mr. Carberry, to adopt the Salary Resolution #104-13 as submitted:

**2013 SALARY RESOLUTION**

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

That the following position titles within the Town of Clinton in the County of Hunterdon, the respective salaries or compensation set forth below are hereby fixed as the maximum amounts to be paid for the year 2013:

| <b><u>POSITION</u></b>                        | <b><u>SALARY</u></b> |
|---|----------------------|
| Mayor   | 5,200.00             |
| Council Members                               | 4,700.00             |
| Town Clerk                                    | 40,942.62            |
| Assessment Search Officer                     | 1,179.96             |
| Collector of Taxes                            | 2,759.14             |
| Deputy Tax Collector                          | 14,196.51            |
| Tax Search Officer                            | 1,168.60             |
| Tax Assessor                                  | 22,900.00            |
| Collector of Water Rents                      | 50,222.95            |
| Collector of Sewer Rents                      | 26,350.84            |
| Chief Financial Officer                       | 29,464.70            |
| Deputy Treasurer                              | 11,440.75            |
| Treasurer of Water Utility                    | 19,871.63            |
| Treasurer of Sewer Utility                    | 19,186.40            |
| Finance Assistant #1                          | 29,120.62            |
| Finance Assistant #2                          | 21,365.43            |
| Secretary to Planning Board                   | 7,561.99             |
| Secretary to Board of Adjustment              | 7,561.99             |
| Secretary to Board of Health                  | 2,125.02             |
| Registrar of Vital Statistics                 | 2125.02              |
| Public Works/Business Administrator           | 107,100.00           |
| Superintendent of Water Department            | 70,763.68            |
| Superintendent of Wastewater Treatment Plant  | 93,268.45            |
| Laboratory Supervisor/Manager                 | 75,216.96            |
| Public Works Foreman                          | 37.10                |
| Wastewater Treatment Plant Foreman            | 33.75                |
| Water Department Foreman                      | 28.43                |
| Buildings & Grounds Foreman                   | 27.55                |
| Chief of Police                               | 113,676.60           |
| School Crossing Guard                         | 19.90                |
| Clerical                                      | 15.60                |
| Emergency Management Coordinator              | 2,500.00             |
| Emergency Management Administrative Assistant | 500.00               |
| Building Sub-Code Official                    | 4,161.60             |
| Fire Sub-Code Official                        | 1,560.60             |
| Fire Inspector                                | 1,040.40             |
| Plumbing Sub-Code Official                    | 7,666.64             |
| Construction Control Official                 | 23,841.82            |
| Zoning Officer                                | 1,311.64             |
| Fire Prevention Officer                       | 15,741.42            |
| Code Enforcement/Housing Officer              | 13,106.10            |
| Electric Sub-Code Official                    | 5,413.91             |
| Construction Official                         | 7,104.79             |
| Building Inspector                            | 2,186.08             |
| Janitor Community Center                      | 17.27                |

|                                     |                     |
|-------------------------------------|---------------------|
| Stand-by Rate                       | 5.00                |
| Mileage                             | Per IRS Regulations |
| Longevity Pay – After Five Years    | 2% of Base Pay      |
| Longevity Pay – After Ten Years     | 3% of Base Pay      |
| Longevity Pay – After Fifteen Years | 4% of Base Pay      |

ROLL CALL: AYES: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION #105-13 – APPOINTING ASSISTANT WATER SUPERINTENDENT**

A motion was made by Mr. Smith, seconded by Mr. Pendergast, to adopt Resolution #105-13 as submitted:

**RESOLUTION #105-13**

**RESOLUTION APPOINTING ASSISTANT WATER SUPERINTENDENT**

**WHEREAS**, The Town of Clinton wishes to appoint an Assistant Water Superintendent;  
and

**WHEREAS**, the Town of Clinton has chosen Arthur Dysart to fill this position;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Town of Clinton hereby appoints Arthur Dysart as the Assistant Water Superintendent at a salary of \$63,500.00 for the year 2013, effective June 1, 2013.

**RESOLUTION #106-13 – BYOB TOWN PICNIC**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry, to adopt Resolution #106-13 as submitted:

**RESOLUTION # 106-13**

**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 Town Picnic held at Hunts Mill Park to be held on Saturday, June 8, 2013 (rain date June 15, 2013) between the hours of 3:00 PM and Dusk.

Vote all ayes  
Motion carried

**CORRESPONDENCE**

1. State of New Jersey has notified the Town that under the New Jersey Department of Transportations Fiscal Year 2013 Municipal Aid Program, funding will not be provided to the Town of Clinton.
2. The Office of the Hunterdon County Engineer is hosting a public meeting in the Council Room on Wednesday, June 5, 2013 for the Preliminary and Final Design of Improvements to County Route 513 / Interstate 78 Interchange. The meeting will be held 6:30 p.m. to 8 p.m. Councilman Shea, Chair of the Road Committee, explained the plan to come off I-78 westbound and ramp will go towards Walmart where a new light would be installed. Then turning right to come onto Route 513.
3. A letter from a North Hunterdon Junior and Clinton Town resident, Jamie Kwasnik, addressing the crosswalk on Old 22 between Weichert and the Clinton House. She is asking that measures be taken to make it safer, a crossing light was suggested.
4. Clinton Zone Captains for Super Bowl 2014 were named, Sharon Franz and Laurie Peppernolla.

### **REPORTS FROM COUNCIL & TOWN OFFICIALS**

#### **Kathy Olsen, CFO**

1. Reported on her Tax Collector and Treasurer's Conference and the interesting sessions she attended.

#### **Councilman Smith**

1. Water Committee – the Highlands Council gave their approval for Well 16 and the plans are moving ahead. A public notice will be advertised for June 24, 2013.
2. Lebanon Borough water main replacement project schedule has been redone to be completed prior to the repaving of Old Highway 22 so that pipes can be laid under the Highway.

SHPO, the State Historic Preservation Office has reviewed the plans for the Halstead Street project and has approved the project and given the ok to proceed.

#### **Clerk Covino**

1. Reported on the International Institute of Municipal Clerk's Conference that was held in Atlantic City. Attendance was over 900 and clerks from all over the world and the United States attended. It was a great experience and the speakers were excellent!

#### **Councilwoman Sosidka**

1. Board of Recreation – Town Picnic June 8<sup>th</sup> beginning at 3:00 pm. Fun for everyone!
2. Newsletter Committee – met and discussed paper versus web site. The June issue is going out and is the last paper copy for the year. A poll inserted with the newsletter to ask for feedback from residents as to their preference in receiving it. Possibly a more robust website will bring people to view the newsletter on the site and save the cost of printing and mailing. Advertising was discussed to deter some of the costs. Ms. Sosidka thanked Pat Hatalla for designing the poll.

**Councilman Pendergast**

1. Sewer Committee – Committee discussed the UV upgrade at the Treatment Plant.

**APPROVAL OF STANDBY AND OVERTIME**

A motion was made by Mr. Pendergast seconded by Ms. Sosidka, to approve the standby and overtime pay for the period May 10 through May 23, 2013 attached to these minutes.

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**PAYMENT OF BILLS**

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

ROLL CALL: Ayes: Carberry, Jones-Holt, Pendergast, Shea, Smith, Sosidka, Mayor Kovach

Vote all ayes  
Motion carried

**RESOLUTION # 107 - 13 – EXECUTIVE SESSION**

A motion was made by Mr. Pendergast, seconded by Mr. Carberry to enter into Executive Session to discuss a matter of Contract Negotiations and Potential Litigation at 8:03 p.m.

**RESOLUTION # 107-13**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Town of Clinton, County of Hunterdon, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public (Provision relied upon:

\_\_\_\_\_);

\_\_\_\_\_ A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_ A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_ A collective bargaining agreement, or the terms and conditions thereof  
(Specify contract:

\_\_\_\_\_ A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

\_\_\_\_\_ Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_ Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (the general nature of the litigation or contract negotiations is:

\_\_\_\_\_ OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

\_\_\_\_\_ Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is: \_\_\_\_\_

OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists);

\_\_\_\_\_ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is \_\_\_\_\_

OR \_\_\_\_\_ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_ Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Town Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Town or any other entity with respect to said discussion. That time is currently estimated to be: \_\_\_\_\_ (estimated length of time) OR upon the occurrence of \_\_\_\_\_

BE IT FURTHER RESOLVED that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Vote all ayes  
Motion carried

**RESOLUTION #108-13 – ACCEPTANCE OF EASEMENTS FROM THE HUNTERDON ART MUSEUM**

A motion was made by Mr. Carberry, seconded by Ms. Sosidka, to adopt Resolution #108-13 as submitted:

**RESOLUTION #108-13**

**RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENTS FROM THE HUNTERDON ART MUSEUM**

**WHEREAS**, the Hunterdon Art Museum ("Museum") received site plan approval from the Planning Board of the Town of Clinton for certain improvements to property owned by the Museum on Lower Center Street memorialized in a resolution adopted by the Planning Board on November 6, 2012; and

**WHEREAS**, included among the conditions imposed by the Planning Board in its resolution of approval were that the Museum (1) dedicate an easement to the Town of Clinton for the right-of-way along Lower Center Street; (2) confirm the rights of the public to discharge water runoff through an existing storm drainage line crossing the Museum's property; and (3) memorialize public access to the river; and

**WHEREAS**, the Town Attorney has prepared three easements addressing each of the issues required by the Planning Board; and

**WHEREAS**, the attorney for the Museum has approved the form of all three easements; and

**WHEREAS**, the Mayor and Council find it to be in the best interests of the Town to accept these easements.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLINTON, HUNTERDON COUNTY as follows:

1. The Town hereby accepts the easements in the form attached hereto.

2. The Mayor and the Clerk are authorized to execute the easements upon receipt of executed easements from the Museum.

ROLL CALL: Ayes: Jones-Holt, Shea, Smith, Sosidka, Mayor Kovach

Nays: Pendergast "As the sole remaining councilperson who negotiated with the Hunterdon Art Museum for far too long, I wholeheartedly vote against this resolution"

Carberry, "As do I"

Ayes: 5

Nays: 2

Motion carried

**ADJOURNMENT:** There being no further business, a motion was made by Mr. Shea seconded by Mr. Carberry to adjourn the meeting at 8:20 p.m.

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Cecilia Covino, RMC/CMC  
Town Clerk

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Mayor Janice Kovach