

**BOROUGH OF CALIFON
REGULAR MEETING
JUNE 15, 2015**

Mayor Charles Daniel called the regular meeting to order at 8:00 p.m. with the reading of the following Sunshine law announcement: *“I would like to announce and have placed in the minutes that adequate notice of this regular meeting of the Califon Borough Council has been provided in accordance with the Open Public Meetings Act by publication of the annual notice in the Hunterdon Review and the Hunterdon County Democrat.”*

FLAG SALUTE

**ROLL CALL: PRESENT: T. FORRESTER, M. RICCIO, G. SMITH
ABSENT: K. DEBLASIO, P. FARMER, M. MEDEA**

APPROVAL OF MINUTES

Minutes for meeting held on June 8, 2015 could not be approved due to lack of sufficient quorum.

Minutes from the June 8th meeting will be presented for approval at the next regular meeting to be held on July 20, 2015 with the following correction:

Councilman Medea is listed as approving the meeting minutes a meeting held on May 18th, which is incorrect. Councilman Medea was absent on the 18th of May and should have abstained during roll call.

LIST OF BILLS

Motion was made by G. Smith seconded by M. Riccio to approve the list of bills in the amount of \$29,246.69

For: T. Forrester, M. Riccio, G. Smith

Opposed: None

Absent: K. DeBlasio, P. Farmer, M. Medea

MOTION CARRIED

CORRESPONDENCE

__ DPW Interlocal Report for 1st and 2nd quarter

__ Califon Municipal Court Report for month of May

OLD BUSINESS – NONE

NEW BUSINESS**A. RESOLUTION – NJEIT INTERIM LOAN**

The following Resolution was introduced for adoption:

RESOLUTION 2015-67

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$1,410,460 GENERAL OBLIGATION BONDS, SERIES 2016, OF THE BOROUGH OF CALIFON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2015-16 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Borough of Califon (the "Local Unit"), in the County of Hunterdon, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install the replacement of certain portions of its storm water collection and distribution system, including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2015-16 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's General Obligation Bond, Series 2016A, to the Trust in an aggregate principal amount not to exceed \$_____ (the "Trust Loan Bond") and General Obligation Bond, Series 2016B, to the State in an aggregate principal amount not to exceed \$_____ (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") 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"), other applicable law and the Loan Agreements; and

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by a 2/3rds vote of the full membership of the governing body of the Local Unit as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$705,230 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$705,230 to the State in accordance with the provisions hereof. The Local Unit Bonds have been referred to and are described in a bond ordinance of the Local Unit, which bond ordinance is entitled "BOND ORDINANCE AMENDING AND RESTATING BOND ORDINANCE NUMBER 2012-04 (PROVIDING FOR IMPROVEMENTS TO MAIN STREET STORM WATER MANAGEMENT SYSTEM) HERETOFORE FINALLY ADOPTED BY THE BOROUGH OF CALIFON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (THE "BOROUGH") ON NOVEMBER 19, 2012, AS PREVIOUSLY AMENDED AND RESTATED BY BOND ORDINANCE NUMBER 2014-03 HERETOFORE FINALLY ADOPTED BY THE BOROUGH ON JULY 7, 2014, TO INCREASE THE TOTAL APPROPRIATION THEREIN FROM \$1,554,500 TO \$2,061,460, TO INCLUDE A \$130,000 GRANT FROM THE COUNTY OF HUNTERDON, NEW JERSEY AS A PORTION OF SUCH APPROPRIATION, AND TO INCREASE THE AUTHORIZATION OF BONDS AND NOTES THEREIN FROM \$1,033,500 TO \$1,410,460". Such bond ordinance was (a) finally adopted at a meeting of the Town Council duly called and held on April 6, 2015, and at which meeting a quorum was present and acting throughout, (b) approved by the Mayor, (c) published as required by law, and (d) approved in accordance with 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 established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued;
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds;
- (d) The interest rates of the Local Unit Bonds;

- (e) The purchase price for the Local Unit Bonds; and
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities.

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 Local Unit Bonds by the parties authorized under Section 4(c) hereof.

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

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered "GOB R-1". The Fund Loan Bond shall be issued in a single denomination and shall be numbered "GOB R-2";
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and 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 Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, Administrator, Chief Financial Officer and Clerk of the Local Unit are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

Section 7. The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3rds of the full membership of the governing body of the Local Unit or via a certificate executed by the Administrator or the Chief Financial Officer.

Section 8. The Mayor, Administrator, Chief Financial Officer and Clerk of the Local Unit are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Anthony J. Pannella, Esq., Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Motion was made by M. Riccio seconded by T. Forrester to adopt Resolution 2015-67 as read.

For: T. Forrester, M. Riccio, G. Smith

Opposed: None

Absent: K. DeBlasio, P. Farmer, M. Medea

MOTION CARRIED

COMMITTEE REPORTS

Councilwoman Riccio reported that she could not make the last Recreation Committee meeting, however, did report to the Chair, Jason Beard, on her organization of the Memorial Day Parade this year. The Memorial Day Parade was a great success; however, she would like another Chair named to this event next year.

Councilwoman Riccio reported that the Recreation Committee is busy forming sub-committees to run the Street Fair this October 4th.

Califon Fun Days are scheduled to begin on July 6th and run for the entire week.

Councilman Forrester reported that the Board of Health did not meet; however, the BOH did receive a letter from a resident reporting on a potentially failing septic system at 101 Philhower Ave. The BOH Secretary, Karen Mastro, is investigating and she will speak to the attorney acting as the POA for the property owner.

Councilman Forrester will attend the next Board of Education meeting. He will speak to the Mayor prior to attending this meeting to be brought up to date on the transparency issues that have been before the Board.

Councilman Smith reported that the DPW did an amazing job getting the Park ready for the Memorial Day parade and celebration and he thanked the DPW for their efforts.

MAYOR'S REPORT

Mayor Daniel reported that there will be a pre-construction meeting for the stormwater project on June 18th to be attended by the Engineers and the Contractor, Rock Solid.

There being no further business to come before Council at this time, motion was made by T. Forrester seconded by G. Smith and unanimously accepted to adjourn the meeting at 8:31 pm.

Respectfully submitted:

Laura G. Eidsvaag, Municipal Clerk/Administrator

