

**BOROUGH OF CLAYTON, NEW JERSEY**

**RESOLUTION NO. 141-14**

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**RESOLUTION OF THE BOROUGH COUNCIL OF THE  
BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER,  
NEW JERSEY CONFIRMING THE DETAILS OF THE SALE  
OF THE BOROUGH'S GENERAL OBLIGATION BONDS,  
SERIES 2014C, AND GENERAL OBLIGATION BONDS,  
SERIES 2014D, TO THE NEW JERSEY ENVIRONMENTAL  
INFRASTRUCTURE TRUST AND THE STATE OF NEW  
JERSEY, ACTING BY AND THROUGH THE NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PURSUANT TO THE 2014 NEW JERSEY  
ENVIRONMENTAL INFRASTRUCTURE TRUST  
FINANCING PROGRAM**

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**BACKGROUND**

**WHEREAS**, the Borough of Clayton, County of Gloucester, New Jersey ("Borough") has determined there exists a need within the Borough for the construction of an elevated water storage tank ("2014 Project") as described in that certain Loan Agreement ("Trust Loan Agreement") to be entered into between the Borough and the New Jersey Environmental Infrastructure Trust ("Trust") and that certain Loan Agreement ("Fund Loan Agreement"; together with the Trust Loan Agreement, the "Loan Agreements") to be entered into between the Borough and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2014 New Jersey Environmental Infrastructure Trust Financing Program; and

**WHEREAS**, the Borough has determined to finance the acquisition, construction, renovation and installation of the 2014 Project with the proceeds of a loan to be made by each of the Trust ("Trust Loan") and the State ("Fund Loan"; together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively; and

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Borough to authorize, execute and deliver its General Obligation Bonds, Series 2014C, to the Trust ("2014C Bonds"), and its General Obligation Bonds, Series 2014D, to the State ("2014D Bonds"; together with the 2014C Bonds, the "2014 Bonds"), pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

**WHEREAS**, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of the State of New Jersey the Borough Council of the Borough has, pursuant to Bond Ordinance Nos. 2010-15 and 2013-11, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the Borough to finance the costs of the 2014 Project; and

**WHEREAS**, pursuant to a resolution adopted by the Borough Council on February 20, 2014 ("Authorizing Resolution"), the Borough authorized and approved the issuance and sale of up to \$3,390,000 of the 2014 Bonds of the Borough, consisting of the Borough's 2014C Bonds, and the Borough's 2014D Bonds, to finance the costs of the 2014 Project; and

**WHEREAS**, *N.J.S.A.* 40A:2-27(a)(2), allows for the sale of the 2014C Bonds and the 2014D Bonds 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 2014D Bonds to the Trust, without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF CLAYTON, COUNTY OF GLOUCESTER, NEW JERSEY,**

**PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:**

**Section 1.** The sale of the 2014C Bonds to the Trust and the 2014D Bonds to the State is hereby authorized, approved, ratified and confirmed. The 2014C Bonds shall be issued in accordance with the principal amount, interest rates and maturity schedule set forth on Schedule "A" attached hereto and made a part hereof. The 2014D Bonds shall be issued in accordance with the principal amount and maturity schedule set forth on Schedule "B" attached hereto and made a part hereof.

**Section 2.** All actions heretofore taken and documents prepared or executed by or on behalf of the Borough by the Mayor, Chief Financial Officer, Borough Clerk, other Borough officials or by the Borough's professional advisors, in connection with the issuance and sale of the 2014 Bonds or the 2014 Project are hereby ratified, confirmed, approved and adopted.

**Section 3.** The Mayor, Chief Financial Officer or Borough Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2014 Bonds or the 2014 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinance, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Borough Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 4.** All resolutions, or parts thereof, inconsistent herewith or with the Authorizing Resolution, are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 5.** This resolution shall take effect immediately upon adoption this 10<sup>th</sup> day of *July*, 2014.

Recorded Vote


AYE

NO

ABSTAIN

ABSENT

The foregoing is a true copy of a resolution adopted by the Borough Council on 7-10,  
2014.

  
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**CHRISTINE NEWCOMB,**  
**Borough Clerk**

[SEAL]

## **Schedule "A"**

### **Description of 2014C Bonds**

**Schedule "B"**

Description of 2014D Bonds

**TRUST LOAN AGREEMENT SCHEDULE A-2**

**New Jersey Environmental Infrastructure Trust - Series 2014 Direct Loan Program  
Clayton, Borough of (DW)**

Borrower Payment Date	Principal	Coupon	Interest	Total Debt Service	DEP Fee	NJEIT Fee	Annual Debt Service and Fees
6/5/2014							
8/1/2014			978.26	978.26		276.75	1,255.01
2/1/2015			2,047.52	2,047.52		276.75	
8/1/2015	8,419.00	0.200%	2,047.52	10,466.52		276.75	13,067.54
2/1/2016			2,039.10	2,039.10		276.75	
8/1/2016	8,436.00	0.430%	2,039.10	10,475.10		276.75	13,067.70
2/1/2017			2,020.96	2,020.96		276.75	
8/1/2017	8,473.00	0.650%	2,020.96	10,493.96		276.75	13,068.42
2/1/2018			1,993.42	1,993.42		276.75	
8/1/2018	8,528.00	1.000%	1,993.42	10,521.42		276.75	13,068.34
2/1/2019			1,950.78	1,950.78		276.75	
8/1/2019	8,613.00	1.250%	1,950.78	10,563.78		276.75	13,068.06
2/1/2020			1,896.94	1,896.94		276.75	
8/1/2020	8,721.00	1.550%	1,896.94	10,617.94		276.75	13,068.38
2/1/2021			1,829.35	1,829.35		276.75	
8/1/2021	8,856.00	1.800%	1,829.35	10,685.35		276.75	13,068.20
2/1/2022			1,749.64	1,749.64		276.75	
8/1/2022	9,015.00	2.000%	1,749.64	10,764.64		276.75	13,067.78
2/1/2023			1,659.49	1,659.49		276.75	
8/1/2023	9,195.00	2.160%	1,659.49	10,854.49		276.75	13,067.48
2/1/2024			1,560.18	1,560.18		276.75	
8/1/2024	9,394.00	2.300%	1,560.18	10,954.18		276.75	13,067.86
2/1/2025			1,452.14	1,452.14		276.75	
8/1/2025	9,610.00	2.450%	1,452.14	11,062.14		276.75	13,067.78
2/1/2026			1,334.41	1,334.41		276.75	
8/1/2026	9,846.00	2.650%	1,334.41	11,180.41		276.75	13,068.32
2/1/2027			1,203.95	1,203.95		276.75	
8/1/2027	10,107.00	2.800%	1,203.95	11,310.95		276.75	13,068.40
2/1/2028			1,062.45	1,062.45		276.75	
8/1/2028	10,390.00	2.900%	1,062.45	11,452.45		276.75	13,068.40
2/1/2029			911.79	911.79		276.75	
8/1/2029	10,691.00	3.050%	911.79	11,602.79		276.75	13,068.08
2/1/2030			748.75	748.75		276.75	
8/1/2030	11,017.00	3.100%	748.75	11,765.75		276.75	13,068.00
2/1/2031			577.98	577.98		276.75	
8/1/2031	11,358.00	3.200%	577.98	11,935.98		276.75	13,067.46
2/1/2032			396.25	396.25		276.75	
8/1/2032	11,722.00	3.300%	396.25	12,118.25		276.75	13,068.00
2/1/2033			202.83	202.83		276.75	
8/1/2033	12,109.00	3.350%	202.83	12,311.83		276.75	13,068.16
	184,500.00		54,254.12	238,754.12		10,793.25	249,547.37

Dated Date: 6/5/2014



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## FUND LOAN AGREEMENT

Before Trust Loan Closing and Principal Forgiveness  
New Jersey Environmental Infrastructure Trust - 2014 Direct Loans  
Clayton, Borough of (DW)

Borrower Payment Date	Semiannual Principal	Annual Principal
6/5/2014		
8/1/2014	18,762.71	18,762.71
2/1/2015	9,381.35	
8/1/2015	18,762.71	28,144.06
2/1/2016	9,381.35	
8/1/2016	18,762.71	28,144.06
2/1/2017	9,381.35	
8/1/2017	18,762.71	28,144.06
2/1/2018	9,381.35	
8/1/2018	18,762.71	28,144.06
2/1/2019	9,381.35	
8/1/2019	18,762.71	28,144.06
2/1/2020	9,381.35	
8/1/2020	18,762.71	28,144.06
2/1/2021	9,381.35	
8/1/2021	18,762.71	28,144.06
2/1/2022	9,381.35	
8/1/2022	18,762.71	28,144.06
2/1/2023	9,381.35	
8/1/2023	18,762.71	28,144.06
2/1/2024	9,381.35	
8/1/2024	18,762.71	28,144.06
2/1/2025	9,381.35	
8/1/2025	18,762.71	28,144.06
2/1/2026	9,381.35	
8/1/2026	18,762.71	28,144.06
2/1/2027	9,381.35	
8/1/2027	18,762.71	28,144.06
2/1/2028	9,381.35	
8/1/2028	18,762.71	28,144.06
2/1/2029	9,381.35	
8/1/2029	18,762.71	28,144.06
2/1/2030	9,381.35	
8/1/2030	18,762.71	28,144.06
2/1/2031	9,381.35	
8/1/2031	18,762.71	28,144.06
2/1/2032	9,381.35	
8/1/2032	18,762.71	28,144.06
2/1/2033	9,381.35	
8/1/2033	18,762.86	28,144.21
	553,500.00	553,500.00

\*Assumes no Principal Forgiveness

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FUND LOAN AGREEMENT

After Trust Loan Closing and Principal Forgiveness  
New Jersey Environmental Infrastructure Trust - 2014 Direct Loans  
Clayton, Borough of (DW)

Borrower Payment Date	Semiannual Principal	Annual Principal
6/5/2014		
8/1/2014	6,254.23	6,254.23
2/1/2015	3,127.11	
8/1/2015	6,254.23	9,381.34
2/1/2016	3,127.11	
8/1/2016	6,254.23	9,381.34
2/1/2017	3,127.11	
8/1/2017	6,254.23	9,381.34
2/1/2018	3,127.11	
8/1/2018	6,254.23	9,381.34
2/1/2019	3,127.11	
8/1/2019	6,254.23	9,381.34
2/1/2020	3,127.11	
8/1/2020	6,254.23	9,381.34
2/1/2021	3,127.11	
8/1/2021	6,254.23	9,381.34
2/1/2022	3,127.11	
8/1/2022	6,254.23	9,381.34
2/1/2023	3,127.11	
8/1/2023	6,254.23	9,381.34
2/1/2024	3,127.11	
8/1/2024	6,254.23	9,381.34
2/1/2025	3,127.11	
8/1/2025	6,254.23	9,381.34
2/1/2026	3,127.11	
8/1/2026	6,254.23	9,381.34
2/1/2027	3,127.11	
8/1/2027	6,254.23	9,381.34
2/1/2028	3,127.11	
8/1/2028	6,254.23	9,381.34
2/1/2029	3,127.11	
8/1/2029	6,254.23	9,381.34
2/1/2030	3,127.11	
8/1/2030	6,254.23	9,381.34
2/1/2031	3,127.11	
8/1/2031	6,254.23	9,381.34
2/1/2032	3,127.11	
8/1/2032	6,254.23	9,381.34
2/1/2033	3,127.11	
8/1/2033	6,254.54	9,381.65
	184,500.00	184,500.00

\*Assumes Principal Forgiveness of \$369,000

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