

**Pennington Borough Council
Regular Meeting—December 29,
2025**

Mayor Davy called the Regular Meeting of the Borough Council to order at 1:00 pm. The meeting was held via Zoom. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Marciante, Rubenstein and Stern in attendance. Council Members Chandler and Valenza were absent.

Also present were Borough Clerk Betty Sterling, Borough Attorney Walter Bliss and Borough Administrator GP Caminiti.

Mayor Davy announced that notice of this meeting has been given to the Hopewell Valley News, Trenton Times, and Trentonian and was posted on the bulletin board at Borough Hall and on the Borough website according to the regulations of the Open Public Meetings Act.

PUBLIC COMMENT PERIOD

Mayor Davy read the following statement.

The meeting is now open to the public for comments. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. **Please raise your hand and when the Borough Administrator acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.**

There were no comments from the public.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinances 2025-17 and 2025-21 which were scheduled for Public Hearing and Adoption at this meeting will be re-introduced at the January meeting. Due to the change in the time of the meeting today, there was not enough notice to re-advertise the Ordinances.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-17**

**ORDINANCE GOVERNING USE OF THE
BOROUGH MESSAGE BOARD**

**BOROUGH OF PENNINGTON
ORDINANCE 2025-21**

**ORDINANCE CHANGING ENFORCEMENT AGENCIES UNDER THE BOROUGH FIRE PREVENTION
CODE, AMENDING
CHAPTER 104 OF THE CODE OF THE BOROUGH OF PENNINGTON**

NEW BUSINESS

Mayor Davy asked for a consent agenda vote for Resolutions 2025-12.9 through 12.15 with the exception of Resolution 2025-12.14 which will be considered separately. Mr. Stern made a motion to approve Resolutions 2025-12.9, 12.10, 12.11, 12.13 and 12.15, second by Council Member Rubenstein with all members present voting in favor.

Council briefly discussed Resolution 2025-12.14 concerning a special engineer related to PFAS compliance. Mayor Davy stated that Ms. Angarone has some questions that need to be discussed. Ms. Stern stated that she had no problem holding this for discussion at the January work session. Mayor Davy stated that funding for this will be in the 2026 budget if it is not acted on today. Ms. Stern stated that she did not see a problem with that.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.9**

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED that a refund be issued from the Developer's Escrow Account to Elise Thompson, 132 South Main Street, Pennington, NJ 08534 for a refund of the balance in escrow account 22-005 in the amount of \$70.98.

BE IT RESOLVED that a refund be issued from the Developer's Escrow Account to Jersey Meds, 2566 Pennington Road, Pennington, NJ 08534 for a refund of the balance in escrow account 22-011 in the amount of \$620.10.

BE IT RESOLVED that a refund be issued from the Developer's Escrow Account to Christopher Prendergast, 416 Burd Street, Pennington, NJ 08534 for a refund of the balance in escrow account 23-006 in the amount of \$121.82.

BE IT RESOLVED that a refund be issued from the Current Fund to Cotality (formerly Corelogic for an overpayment of the 1st Quarter 2025 taxes in the amount of \$2,239.94.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciante | X | | | | Valenza | | | | absent |

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.10**

AUTHORIZING PAYMENT OF BILLS

WHEREAS, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Pennington that the bills be paid on audit and approval of the Mayor, the Appropriate Council Member and the Treasurer in the amount of \$ 529,990.43 from the following accounts:

| | |
|--------------------|----------------------|
| Current | \$ 379,553.34 |
| W/S Operating | \$ 25,896.95 |
| Grant Fund | \$ 113,890.14 |
| Developer's Escrow | \$ 560.00 |
| COAH Trust Fund | \$ 1,145.50 |
| Other Trust Fund | \$ 4,341.04 |
| Unemployment Fund | \$ 4,603.46 |
| TOTAL | \$ 529,990.43 |

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciante | X | | | | Valenza | | | | absent |

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.11**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Borough Tax Sale held on December 4, 2025, a lien was sold on Block 701, Lot 30, also known as 214 Hale Street, Pennington, NJ, for 2024 delinquent water and sewer utility payments; and

WHEREAS, this lien, known as Tax Sale Certificate #24-00002, was sold to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021; and

WHEREAS, Peter M. Tierney, 214 Hale Street, Pennington, NJ 08534 has effected redemption of Certificate #24-00002 in the amount of \$4,775.99;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to issue a check in the amount of \$4,775.99 from the Current Fund, payable to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 1911-5073 for the redemption of Tax Sale Certificate #24-00002; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to issue a check in the amount of \$1,300.00 from the Trust Fund payable to Christiana T C/F CE1/ First Trust at the address indicated above.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciante | X | | | | Valenza | | | | absent |

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.12**

RESOLUTION AUTHORIZING BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the fiscal year or the first three months of the following year, should it become necessary to expend funds for any purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations transfers may be made; and

WHEREAS, transfers may not be permitted to appropriations for contingent expenses or deferred charges; and

WHEREAS, transfers may not be permitted from appropriations for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvement fund or interest and redemption charges;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pennington that transfers be made between the following year 2025 budget appropriations:

| Current Fund Appropriations: | To: | From: |
|-------------------------------------|-----------------------|--------------------|
| Shared Service – First Aid | | \$15,000.00 |
| Municipal Court – Salaries | | \$ 1,000.00 |
| Group Insurance | | \$16,000.00 |
| Total Current Fund | \$ \$16,000.00 | \$16,000.00 |

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciante | X | | | | Valenza | | | | absent |

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.13**

RESOLUTION AUTHORIZING CANCELLING CAPITAL ORDINANCES

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended debt authorizations may be cancelled against Deferred Charges to Future Taxation – Unfunded \$1,390,863.54, Reserve for Debt Service \$215,000.00 and Fund Balance \$256,098.48

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Pennington that the below list of unexpended and dedicated balances of General Capital Appropriations be cancelled:

| | | |
|-------------------|----------------------|---------------------------|
| Ordinance 2020-03 | Burd Phase 3 | \$ 75,007.25 (Fund Bal) |
| Ordinance 2020-09 | Borough Hall | \$215,000.00 (Res for DS) |
| Ordinance 2022-05 | W Franklin / Knowles | \$114,889.43 (Unfunded) |
| Ordinance 2022-06 | Vehicles / Equipment | \$ 17,047.49 (Unfunded) |

Ordinance 2023-01 W Franklin / Knowles \$119,400.00 (Unfunded)
\$541,344.17

Ordinance 2007-09 Water / Sewer \$487,417.58 (Unfunded)
 Ordinance 2016-04 King George / Park \$554,780.23 (Fund Bal \$181,091.23 & Unfunded
 \$373,689)
 Ordinance 2016-05 E Curlis / Weidel \$278,420.04 (Unfunded)
\$1,320,617.85

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciano | X | | | | Valenza | | | | absent |

NO ACTION TAKEN

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.14**

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH MARTUCCI
ENGINEERING, LLC FOR PFAS TREATMENT SYSTEM EVALUATION AND IDENTIFICATION OF
RELATED WATER SYSTEM IMPROVEMENT OPTIONS**

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.15**

**RESOLUTION AMENDING THE BOROUGH POLICY AND PROCEDURES MANUAL TO
PROVIDE FOR CONDITIONAL BOROUGH FUNDING OF APPROVED TRAINING PROGRAMS
LEADING TO CERTIFICATION OF
EMPLOYEES FOR NEEDED SPECIALIZED FUNCTIONS**

WHEREAS, the Borough of Pennington needs to ensure the ongoing availability of personnel able to perform functions of municipal government for which State law requires specialized training and certification;

WHEREAS, for this purpose Borough Council now seeks to amend the Borough's Policy and Procedures Manual to authorize the funding of such training for qualified candidates in areas of need;

WHEREAS, a material condition of this funding shall be the requirement that any employee selected to receive it shall thereafter be obligated to perform two years of service;

WHEREAS, the new policy is not inconsistent with applicable collective bargaining agreements;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Policy and Procedures Manual be hereby amended to include the following new provision:

"It is the policy of the Borough to authorize funding for the training and certification of personnel intending to serve the Borough in positions requiring certification.

The certification programs eligible for such funding, and the employee or employees qualifying to receive that support, shall be identified as needed by the Borough Administrator subject to the availability of funds and approval by Borough Council. Necessary qualifications shall include demonstrated capacity to perform effectively in the role for which certification is sought and a commitment to serve the Borough.

As a material condition for receiving funded training, the employee shall be obligated to continue employment with Pennington for two years from the date of successful completion. An employee failing to satisfy this condition shall be responsible for reimbursement of the full amount the Borough paid for the program on the employee's behalf.

Before starting a training program covered by this policy, the Borough and the employee shall sign a document stating this condition and making full disclosure of the monies involved.

Employees obtaining certification through this process shall not be guaranteed a promotion or placement in a particular position, which shall require approvals by the Administrator and Borough Council."

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |

| | | | | | | | | | |
|----------|---|--|--|--|---------|--|--|--|--------|
| Marciano | X | | | | Valenza | | | | absent |
|----------|---|--|--|--|---------|--|--|--|--------|

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.16**

**RESOLUTION INCREASING AUTHORIZED EXPENDITURES FOR
SPECIAL LABOR COUNSEL AND AUTHORIZING FINAL PAYMENT**

WHEREAS, by Resolution 2023-6.9 Borough Council authorized retention of Special Labor Counsel in a pending employee disciplinary matter at the rate of \$200 per hour for attorneys and \$125 per hour for paralegals and a projected total cost of \$30,000; and

WHEREAS, by Resolution 2024-2.15, Borough Council authorized an additional \$35,000 for the services and expenses of Special Labor Counsel, increasing projected total cost to \$65,000;

WHEREAS, by Resolution 2024-5.11, Borough Council authorized an additional \$7,300 for attorney and other professional services relating to this matter; and

WHEREAS, by Resolution 2024-12.11, Borough Council authorized an additional \$6,000 for attorney and other professional services relating to this matter;

WHEREAS, by Resolution 2025-5.14, Borough Council authorized still an additional \$6,000 for attorney and other professional services relating to this matter;

WHEREAS, in September, October and November 2025, Special Labor Counsel submitted invoices for conclusion of the matter totaling \$7,573.80, which exceed by \$4,348.80 the funds previously authorized;

WHEREAS, Borough Council now seeks to authorize by this Resolution that \$4,348.80 in additional funding as well as the total final payment of \$7,573.80;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for this purpose in the Legal Consultants line #5-01-20-155-000-250;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the following actions are hereby authorized: (1) an increase of \$4,348.80 in authorized funding for Special Labor Counsel in 2025: (2) final payment to Special Labor Counsel in the amount of \$7,573.80.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Angarone | X | | | | Rubenstein | S | | | |
| Chandler | | | | absent | Stern | M | | | |
| Marciano | X | | | | Valenza | | | | absent |

Public Comment

Mayor Davy asked that anyone wishing to speak, please raise your hand so the Borough Clerk can acknowledge you, please state your name and address for the record and limit comments to the Governing Body to a maximum of 3 minutes.

Mr. Dan Pace of 9 Railroad Place, thanked Mr. Marciano for his years of service and thanked Borough Council for all of their hard work.

CLOSED SESSION

AT 1:06 PM, BE IT RESOLVED, that Mayor and Council shall hereby convene in closed session for the purposes of discussing a subject or subjects permitted to be discussed in closed session by the Open Public Meetings Act, to wit:

Contract Negotiations – EMS

Contract Renewal – Borough Attorney

Council Member Stern made a motion to convene in Closed Session and adjourn the Open Session, second by Council Member Angarone with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk