

**Pennington Borough Council Regular  
Meeting – May 5, 2025**

Mayor Davy called the Regular Meeting of the Borough Council to order at 7:00 pm. The meeting was held via Zoom. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Chandler, Marciante, Rubenstein, Stem and Valenza in attendance.

Also present were Borough Clerk Betty Sterling, Borough Attorney Walter Bliss, Borough Administrator GP Caminiti, Chief Financial Officer Sandra Webb, Public Works Superintendent Rick Smith, Sergeant Daryl Burroughs and Sergeant Novin Thomas.

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 web-site according to the regulations of the Open Public Meetings Act.

**Open to the Public**

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.

**MAYOR'S BUSINESS**

Mayor Davy read the following Proclamation.

**BOROUGH OF PENNINGTON  
MAYOR'S PROCLAMATION**

**WHEREAS**, community service and civic engagement are vital to the health and prosperity of the Borough of Pennington; and

**WHEREAS**, Younity (formerly Womanspace) is the leading non-profit agency serving victims of domestic violence and sexual assault in Mercer County, NJ, with a mission to prevent abuse, protect families, and change lives through empowerment and supportive services; and

**WHEREAS**, the Communities of Light Campaign organized by Younity brings our community together to celebrate unity, hope, and the spirit of giving while raising awareness about domestic violence prevention; and

**WHEREAS**, Kieran John, Chairperson of the Pennington Borough Environmental Commission, has demonstrated exceptional leadership and commitment to our community by organizing Pennington's participation in the Communities of Light Campaign; and

**WHEREAS**, through Kieran John's dedication and organizational efforts, the Borough of Pennington has been able to join neighboring communities in this meaningful campaign that illuminates our streets and hearts alike; and

**WHEREAS**, Kieran John's initiative has fostered community spirit, encouraged neighbor-to-neighbor connections, and promoted the values of kindness and generosity that define our borough; and

**WHEREAS**, Kieran John has been selected to receive the Edwin W. Schmierer Award for Outstanding Volunteer Service at Younity's 29th Annual Awards Dinner on May 15th, 2025, in recognition of his dedication to building safer communities through kindness, service, and connection;

**NOW, THEREFORE, I, JAMES M. DAVY, MAYOR OF THE BOROUGH OF PENNINGTON, do hereby recognize and commend**

**Kieran John**

for outstanding contributions to our community and for embodying the spirit of civic engagement that makes Pennington a special place to live. His leadership with Communities of Light in Pennington and his work to involve the next generation in community service reflect the values we cherish and aspire to uphold.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the Borough of Pennington to be affixed this 5<sup>th</sup> day of May, 2025.

Mayor Davy recognized Kieran John who thanked the Mayor and Council and spoke a few words.

**PRESENTATIONS**

Mayor Davy introduced Steve Papenberg, Chair of the Board of Health who gave a brief overview of what the Board of Health has been working on since their last report to Council.

**APPROVAL OF MINUTES**

Council Member Rubenstein made a motion to approve the minutes of the March 31, 2025 Work Session Meeting, second by Council Member Stern with all members present voting in favor.

Council Member Chandler made a motion to approve the minutes of the April 7, 2025 Regular Council Meeting, second by Council Member Angarone with all members present voting in favor.

**APPROVAL OF THE CLOSED SESSION MINUTES (For content but not for release)**

Council Member Chandler made a motion to approve the minutes of the April 16, 2025, Closed Session for content but not for release, second by Council Member Marciante with all members present voting in favor.

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

Mayor Davy read Ordinance 2025-8 by title.

**BOROUGH OF PENNINGTON  
ORDINANCE #2025 – 8**

**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF PENNINGTON, COUNTY OF MERCER, STATE OF NEW JERSEY FOR THE YEAR 2025**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON AS FOLLOWS:**

**SECTION I: EMPLOYMENT POSITIONS/ANNUAL COMPENSATION**

- a. The following officer and employee designations are hereby confirmed; and the rate of compensation of each such officer and employee, whose compensation shall be on an annual basis, is as follows:

Borough Administrator	\$150,000.00
Borough Clerk	\$49,621.98
Assistant CFO	\$119,063.59
Chief Financial Officer (part time)	\$95.81/hour
Tax Collector (part time)	\$95.81/hour
Technical Assistant to Construction (part time)	\$28.56/hour
<a href="#">Tax Assessor (part time)</a>	\$15,140.28
Zoning Officer (part time)	\$10,000.00
Land Use Admin/Admin Asst.	\$68,500.00
Deputy Registrar	\$175.00 / month
Supt. of Public Works	\$95,878.60
Licensed Water Operator	\$53,501.29
Assistant to Superintendent of Public Works	\$44,151.47

Foreman	\$84,715.63
Judge of Municipal Court	\$14,394.77
Court Administrator (part time)	\$19,998.13
Prosecutor - (Flat Rate per Court Session/per resolution)	\$ 300.00
Public Defender – (Flat Rate per Court Session/per resolution)	\$ 200.00
Court Officer – (Flat Rate per Court Session)	\$75.00
Chief of Police	\$149,383.00
Administrative Assistant – Police Department	\$49.68/hour
Construction Official / Fire Sub-Code	\$31,318.32
Plumbing Sub-Code	\$10,000.00
Electric Sub-Code	\$10,000.00

- a. One person may serve in more than one office or position of employment as listed in Section a hereof.
- b. The amounts shown in Section a. hereof are the maximum amounts to be paid. However, at the discretion of Borough Council, lesser amounts can be paid.
- c. The rate of compensation of each employee paid on an hourly basis is as follows:

	Minimum	Maximum
<b>Police Department:</b>		
Crossing Guards	\$ 15.13	\$ 29.29
Crossing Guard – Special Events	\$ 40.00 per hour	
Special Police	\$ 17.00 per hour	
<b>Part Time Employees – All Departments:</b>		
Part Time or Temporary	\$ 15.13	\$ 25.00
Part Time/Temporary/Licensed	up to a maximum of	\$ 100.00

**SECTION II: Employee/Personnel Manual.**

The terms and conditions of employment as set forth in the Borough Employee or Personnel Manual, as the same may exist and change from time to time, are hereby incorporated herein by reference. The Personnel Manual does not create a contract of employment and except for employees who are tenured; no contract of employment other than “at will” has been expressed or implied. The policies, rules and benefits described in the Manual are subject to change at the sole discretion of the Borough Council at any time.

**SECTION III:**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

**SECTION IV:**

Terms and Conditions of employment for Police and Public Works employees are specified in the respective labor agreements.

**SECTION V:**

This ordinance shall take effect upon final adoption and publication according to law, but the salaries herein provided for shall be retroactive to January 1, 2025 if appropriate.

Council Member Chandler made a motion to open the Public Hearing on Ordinance 2025-8, second by Council Member Stern. There were no comments from the public. Council Member Chandler made a motion to close the Public Hearing on Ordinance 2025-8, second by Council Member Angarone with all members present voting in favor. Council Member Rubenstein made a motion to adopt Ordinance 2025-8, second by Council Member Chandler with all members present voting in favor.

Mayor Davy read Ordinance 2025-9 by title.

**BOROUGH OF PENNINGTON  
ORDINANCE NO. 2025-9**

**ORDINANCE AMENDING CHAPTER 98 OF THE CODE OF THE  
BOROUGH OF PENNINGTON TO CLARIFY MECHANICAL INSPECTION FEES**

**WHEREAS**, Borough Council seeks to amend Chapter 98 of the Borough Code to clarify Section 98-61 regarding Mechanical Subcode Fees, eliminating the implication that the fees are limited to inspections;

**NOW THEREFORE BE IT ORDAINED** by the Borough Council of the Borough of Pennington that Section 98-61 of Chapter 98 of the Code of the Borough of Pennington is hereby amended as follows (with new language underlined and deleted language crossed out):

98-61. Mechanical Subcode Fees.

“For the mechanical fixtures and equipment, the permit fees shall be as follows:

- A. The fee shall be \$75 for each ~~Mechanical Subcode inspection of each~~ of the following: fuel oil piping connection, gas piping connection, steam boiler, hot water boiler, hot air furnace, oil tank, LPG tank, generator, or other special device.
- B. The fee shall be \$20 for each ~~Mechanical Subcode inspection of a~~ water heater or other fixture.
- C. The fee shall be \$24 for each ~~Mechanical Subcode inspection of a~~ fireplace.
- D. The minimum fee ~~for a Mechanical Subcode inspection~~ shall be \$75.

**BE IT FURTHER ORDAINED** that this ordinance shall be effective upon passage and publication as provided by law.

Council Member Marciante made a motion to open the Public Hearing on Ordinance 2025-9, second by Council Member Angarone. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing on Ordinance 2025-9, second by Council Member Chandler with all members present voting in favor. Council Member Stern made a motion to adopt Ordinance 2025-9, second by Council Member Angarone with all members present voting in favor.

**COMMITTEE REPORTS**

**Personnel/ Economic Development-** Ms. Angarone stated that the April Personnel meeting was cancelled but they have several agenda items for their next meeting.

Ms. Angrone stated that Economic Development met, and the primary topic was the Community Yard Sale which she has heard was a great success. Ms. Angarone thanked the EDC for their work and the Department of Public Works for managing an extra bulk pick up after the yard sale and the administrative staff for getting the word out to residents. Ms. Angarone announced that Pennington Day will be held on May 17<sup>th</sup>. Ms. Angarone stated that the Committee Chairs will be meeting this week.

**Senior Advisory Board** – Ms. Angarone reported that Senior Advisory met and she was able to attend via Zoom. Ms. Angarone stated that they have many programs and classes available. Ms. Angarone thanked Mrs. Sterling for getting word out about tax relief programs. Mr. Marciante asked if we could get a zoom program together on the tax relief programs and Ms. Angarone stated that she will coordinate that with the Library.

**Public Works/ Planning Board/ Historic Preservation** – Ms. Stern stated that there are several major projects that they are working on and they are all interrelated. Ms. Stern stated that Mr. Caminiti will be updating Council on the Water System, PFAS, Leadline Replacement, Sidewalk repairs and other items that they are in the works.

Ms. Stern reported on the Planning Board meeting. Ms. Stern stated that one application was heard and approved for a porch. Ms. Stern stated that they discussed a sub-division for 12 North Main Street. Ms. Stern stated that they continue to work on the Master Plan elements, and she encouraged everyone to view the website page for the Master Plan and stay informed on the progress of the Master Plan.

Ms. Stern stated that Historic Preservation met and discussed the progress of the porch at the Pennington School. Ms. Stern stated that they discussed the Master Plan, Redevelopment Committee meetings and the information that was shared on the redevelopment projects. Ms. Stern stated that they continue to pursue certification that will provide opportunities for grants.

**Finance & Technology/ Public Safety / Open Space / Aboretum / Landfill** – Mrs. Chandler stated that Open Space did not meet and she had nothing to report for the landfill. Mrs. Chandler stated that she missed the Public Safety meeting, but the DCA did a presentation on Emergency Management Services and the struggles that communities are having. Ms. Angarone gave a brief update to Council on the presentation. Mr. Marciante asked about the Police Department update. Mr. Caminiti stated that they are still waiting for a report on police services. Mayor Davy stated that Mercer County has asked for more time to review the Delaware and Main Street intersection. Mrs. Chandler stated Public Safety continues to discuss traffic and speeding on not only Burd Street but through out the Borough.

Mrs. Chandler stated that the Finance Committee met and discussed the Capital Plan for all departments. Mrs. Chandler stated that Phoenix Advisors made a presentation on general capital needs. Mrs. Chandler stated at the next Finance Meeting they will be doing the same analysis for Water/Sewer Capital projects.

Mrs. Chandler reminded Council and residents in attendance that the Arboretum dedication will be held on June 7<sup>th</sup> at 12:00 noon. Mrs. Chandler stated that there will be a tree planting, unveiling of the sign and a walk through the Arboretum.

**Environmental Commission / Shade Tree/ Library Board** – Mr. Rubenstein stated that the Environmental Commission met on the 21<sup>st</sup> and discussed several topics, related to stormwater in collaboration with students at the Pennington School. Mr. Rubenstein stated that they discussed the Community talks and the next topic of Greenscaping, and they discussed registering with the National Wildlife Federation, Bald Eagle preservation, green house gas emissions. Mr. Rubenstein stated that the group is very engaged and working very hard on various projects.

Mr. Rubenstein stated that the Library Board met and discussed a few items, promoting inclusivity in collaboration with the School District, Pennington Day, library programs and renovations to the Library space.

Mr. Rubenstein stated that he was unable to attend the Shade Tree meeting but he reported that the Arbor Day Celebration was a big success. Mr. Rubenstein stated that they continue to work on the Community Forestry Management Plan.

**Parks & Recreation** – Mr. Marciante stated that Parks & Recreation had a very successful Easter Egg Hunt and they are busy coordinating the Memorial Day Parade and concert.

**Board of Health/ Net Zero Committee** – Mr. Valenza stated that the Board of Health did not meet. Mr. Valenza stated that he did meet with he Carbon Neutral group and they are trying to identify a consultant to assist them going forward.

**NEW BUSINESS**

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.1**

**RESOLUTION AUTHORIZING REFUNDS**

**BE IT RESOLVED** that a refund be issued from the Current Fund to ECS Holding LLC, C/O Pretium Property Management, 30 Washington Avenue, Suite B-5, Haddonfield, NJ 08033 for an overpayment of 2<sup>nd</sup> Quarter Taxes for 65 South Main Street, Block 601, Lot 12.01 in the amount of \$24,384.45.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Rubenstein	X			
Chandler	M				Stern	X			
Marciante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.1, second by Council Member Angarone with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.2**

**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 \$ 1,229,099.21 from the following accounts:

Current	\$ 1,083,979.36
W/S Operating	\$ 83,077.04
General Capital	\$ 48,805.60
Grant Fund	\$ 1,072.14
Developer’s Escrow	\$ 1,585.63
COAH Trust Fund	\$ 3,318.00
Other Trust Fund	\$ 6,987.84
Animal Control Trust	\$ 15.60
Unemployment Trust	\$ 258.00
TOTAL	\$ 1,229,099.21

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-5.2, second by Council Member Marciante with all members present voting in favor.

BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.3

RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON HAVE REVIEWED THE SECTIONS OF THE 2024 ANNUAL AUDIT ENTITLED GENERAL COMMENTS AND RECOMMENDATIONS

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe regulations pertaining to local fiscal affairs as per R.S. 52:27BB-34, and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled General Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed at a minimum the sections of the Annual Audit entitled General Comments and Recommendations, as evidenced by the group affidavit form of the governing body, and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit as per the regulations of the Local Finance Board, and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the promulgations of the Local Finance board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.”

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Pennington, hereby

states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey and does hereby certify to the Local Finance Board that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled General Comments and Recommendations, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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	M				Stern	X			
Maricante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.3, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON**  
**RESOLUTION 2025 – 5.4**

**RESOLUTION AMENDING REMOTE PUBLIC MEETING PROCEDURES**

**WHEREAS**, by Resolution 2020-11.8, as set forth in Exhibit A to that Resolution titled “Procedures and Requirements for the Conduct of Remote Public Meetings During a Declared Public Health Emergency and/or State of Emergency,” Borough Council adopted standard procedures and requirements governing remote public meetings in compliance with regulations of the State Department of Community Affairs;

**WHEREAS**, Borough Council now seeks to amend the standard procedures and requirements so adopted to provide that Borough Council will conduct all remote meetings and all hybrid meetings **using a remote meeting platform and such other procedures as** set forth in the attached “Amended Procedures and Requirements for the Conduct of Remote Public Meetings During a Declared Public Health Emergency and/or State of Emergency,” (hereafter “Amended Remote Meeting Procedures Document”);

**NOW, THEREFORE, BE IT RESOLVED** by Borough Council of the Borough of Pennington, that:

- 1. the attached Amended Remote Meeting Procedures Document is hereby adopted effective immediately;
- 2. the Amended Remote Meeting Procedures Document shall be attached to the Pennington Borough Council Handbook and Bylaws and incorporated therein.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Rubenstein	X			
Chandler	M				Stern	X			
Marciante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.4, second by Council Member Angarone. Discussion took place regarding some language in the policy regarding muting and unmuting. A minor revision was made to the Policy and upon a roll call vote with all members present voting in favor.

**BOROUGH OF PENNINGTON**  
**RESOLUTION 2025 – 5.5**

**RESOLUTION GRANTING CONDITIONAL AUTHORIZATION  
FOR LAS PATATAS DE RAFA LLC, DOING BUSINESS AS LA UNICA TO MAINTAIN A TEMPORARY  
OUTDOOR DINING AREA IN THE PUBLIC  
RIGHT- OF- WAY IN 2025**

**WHEREAS**, Rafa Ponce de Leon is the principal owner of Las Patatas de Rafa, LLC, d/b/a La Unica (“La Unica”) a restaurant located at 14 N. Main Street in the Borough of Pennington;

**WHEREAS**, Mr. Ponce de Leon and La Unica have applied to Borough Council for permission to place movable tables and chairs on the sidewalk immediately adjacent to the restaurant, in particular, 3 tables and up to 6 chairs on the Main Street side and driveway sides of the restaurant as shown in the attached sketch;

**WHEREAS**, Borough Council finds that the availability of outdoor dining contributes to the vitality of the Town Center and is consistent with the pedestrian-friendly environment envisioned for this area;

**WHEREAS**, Borough Council determines that approval of the proposed outdoor dining area for La Unica, on a temporary and conditional basis as set forth further below, is in the public interest;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that use of the sidewalk as proposed is hereby ratified and approved and Council further resolves as follows:

1. Rafa Ponce de Leon and La Unica are granted permission to locate 4 tables and up to 8 chairs on the sidewalk immediately adjacent to their restaurant along N. Main Street and the driveway side of the restaurant, provided the following conditions are met and continue to be met:

- A. The tables and chairs shall be arranged as shown on the attached sketch.
- B. The outdoor dining area and affected sidewalk shall at all times be kept clean and free of litter and in compliance with all applicable health regulations.
- C. The outdoor dining area shall not obstruct pedestrian circulation on the sidewalk.
- D. Operation of the outdoor dining area shall comply with the Borough Noise Ordinance, as set forth in Chapter 133 of the Borough Code.
- E. The outdoor dining area may be used only during the operating hours of the restaurant. When the restaurant is not open, all tables and chairs shall be removed from the sidewalk.
- F. Owners must provide receptacles for collection of all garbage generated by outdoor diners and insure that these receptacles are emptied as frequently as needed to avoid overflow.
- G. The outdoor dining area shall not obstruct access to upstairs apartments or other businesses in the building.
- H. Rafa Ponce de Leon and Las Patatas de Rafa LLC, dba La Unica, shall indemnify and hold harmless the Borough of Pennington and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorney fees, arising out of the operation of the outdoor dining area approved by this resolution.
- I. Rafa Ponce de Leon and Las Patatas de Rafa LLC, shall at all times have on file with the Borough Clerk a current Certificate of Insurance which certifies that:

- (1) the obligation to indemnify and hold harmless the Borough as provided above is insured by an insurance carrier authorized to do business in the State of New Jersey;
- (2) the Borough of Pennington and its agents and employees are named as additional insureds under this insurance with respect to claims, damages, losses and expenses arising out of operation of the outdoor dining area; and
- (3) the insurance in effect provides (a) at least \$1,000,000. of incurred liability coverage under each of the following types of coverage: general liability; premises liability; products and completed operations liability; personal and advertising injury liability; (b) property liability coverage in the amount of \$50,000.; (c) medical expense coverage in the amount of \$5,000.; (d) workers compensation coverage with the limits required by statute; and (e) employer’s liability coverage in the amount of \$500,000. per person/per occurrence.
- (4) the Borough will be given 10 days’ written notice of any cancellation of this insurance.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, as follows:

- 1. The outdoor dining area complies with all applicable requirements of Section 215-94 of the Borough Code which regulates out door dining areas otherwise permitted by the Code.
- 2. The conditional authorization for outdoor dining granted by this resolution may be revoked by the Borough at any time, with or without notice to Rafa Ponce de Leon or Las Patatas de Rafa LLC, dba La Unica.. This conditional authorization also shall be subject to such additional or amended conditions as Borough Council may deem appropriate at any time.
- 3. This conditional authorization shall in any event expire on December 31, 2025.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	M				Rubenstein	X			
Chandler	X				Stern	X			
Marciante	S				Valenza	X			

Council Member Angarone made a motion to approve Resolution 2025-5.5, second by Council Member Marciante with all members present voting in favor.



**BOROUGH OF PENNINGTON  
RESOLUTION 2025 -5.6**

**RESOLUTION AUTHORIZING THE AUCTION OF CERTAIN SURPLUS PROPERTY NO LONGER NEEDED FOR THE PUBLIC USE BY PENNINGTON BOROUGH UTILIZING THE SERVICES OF GOVDEALS, INC.**

**WHEREAS**, Pennington Borough is the owner of certain surplus personal property that is no longer needed for public use as specifically identified and described on the attached Exhibit A (“Surplus Property”); and

**WHEREAS**, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-36 and Local Finance Notice 2019-15, Pennington Borough is authorized to sell said Surplus Property through an approved online auction; and

**WHEREAS**, the required on line services are available from [www.GovDeals.com](http://www.GovDeals.com) through Sourcewell (formerly the National Joint Powers Alliance); and

**WHEREAS**, Pennington Borough joined the National Joint Powers Alliance (now Sourcewell) by Resolution 2017-6.5 in June of 2017; and

**WHEREAS**, the National Joint Powers Alliance (now Sourcewell) accepted Pennington Borough’s request to join and assigned Member # 132214 to the Borough; and

**WHEREAS**, the Borough of Pennington intends to utilize the online auction services of GovDeals, Inc. located at [www.govdeals.com](http://www.govdeals.com) ; and

**WHEREAS**, in consideration of auctioning the Surplus Property on Pennington Borough’s behalf, GovDeals, Inc. will be paid 12.5% of the winning bid for each asset sold, paid directly by the successful bidder to Govdeals, Inc.; and

**WHEREAS**, all other terms and conditions of the auction of the Surplus Property and agreement with GovDeals, Inc. are available on the GovDeals, Inc’s website, [www.govdeals.com](http://www.govdeals.com) and in the office of the Borough Clerk;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that:

1. Pennington Borough, is authorized to sell the surplus personal property that is identified and described on the attached Exhibit A (“Surplus Property”).
2. The Surplus Property shall be sold by public auction without cost to the Borough, through the online auction site of [www.govdeals.com](http://www.govdeals.com), as more fully described in the “Whereas Clauses,” which are incorporated herein as if fully restated.
3. In consideration for auctioning the Surplus Property on Pennington Borough’s behalf, GovDeals, Inc. will be paid 12.5% of the winning bid for each asset sold, paid directly by the successful bidder to GovDeals, Inc.
4. Pennington Borough shall publish in its official newspaper notice of this approved online auction together with a description of the Surplus Property to be sold. The auction shall be held not less than 7 or more than 14 days after the latest publication of the notice.
5. A certified copy of this Resolution shall be sent to the Division of Local Government Services in the Department of Community Affairs in accordance with Local Finance Notice 2019-15.

**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	X				Stern	X			
Marciante	M				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2025-5.6, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-5.7****RESOLUTION ACCEPTING PLANNING BOARD RECOMMENDATION TO DESIGNATE THE AREA IN THE BOROUGH KNOWN AS BLOCK 201, LOTS 6 AND 7 ON THE BOROUGH TAX MAP AN AREA IN NEED OF REDEVELOPMENT, IN ACCORDANCE WITH THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.**

**WHEREAS**, by Resolution 2024-8.6, pursuant to the provisions of the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, Borough Council of the Borough of Pennington directed the Planning Board to conduct a preliminary investigation to determine whether the area of the Borough known as Block 201, Lots 6 and 7 on the Borough Tax Map (hereafter “Study Area”) constituted a non-condemnation area in need of redevelopment, in accordance with the criteria set forth in *N.J.S.A. 40A:12A-5* and further in compliance with the procedural requirements contained in *N.J.S.A. 40A:12A-6*;

**WHEREAS**, the Planning Board has conducted such investigation in compliance with *N.J.S.A. 40A:12A-6*, in that:

1. It commissioned a study and report by the Borough’s Planning Consultants Kyle McManus Associates entitled “Preliminary Investigation Block 201, Lots 6 and 7,” dated September 20, 2024 (hereafter “Kyle McManus Report”) to assist the Board in assessing whether the Study Area or any part of it meets one or more of the criteria for designation as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*.
2. The Kyle McManus Report presented a map showing the boundaries of the potential area in need of redevelopment and locations of the various parcels of property included therein, with a statement appended to the map setting forth the basis for the investigation.
3. The Board conducted a public hearing on October 9, 2024 for the purpose of hearing persons who are interested in or would be affected by the determination that the delineated Study Area or part thereof is an area in need of redevelopment, gave notice of the hearing in accordance with *N.J.S.A. 40A:12A-6(b)(3)*, and conducted a hearing on the specified date at which James T. Kyle, PP, AICP (Licensed NJ Professional Planner Number 05667) presented the Kyle McManus Report in detail. There were no objections from the public to designation of the Study Area as a non-condemnation area in need of redevelopment and the Board approved a recommendation of that designation to Borough Council
4. On November 13, 2024, the Board adopted a resolution of memorialization recommending designation of the Property as a redevelopment area (“Resolution of Memorialization – Borough of Pennington Planning Board – Resolution Following a Preliminary Investigation Recommending that Block 201, Lots 6 and 7 on the Pennington Borough Tax Map be Declared an Area in Need of Redevelopment”).

**WHEREAS**, copies of the Kyle McManus Report and the Planning Board’s Resolution of Memorialization are attached to this Resolution and incorporated herein by reference;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that in accordance with the analysis contained in the Kyle McManus Report and its approval by the Planning Board as set forth in its Resolution of Memorialization, Borough Council makes the following findings drawn from the Report (with references to relevant pages):

F1. The Property, designated Block 201, Lots 6 and 7 on the Borough Tax map, consists of approximately 2.8 acres located on the northwest corner of the intersection of Route 31 and West Delaware Avenue, as depicted in the aerial photograph at Figure 1 (p6) of the Kyle McManus Report. The photograph details the location of the parcels studied, with the block and lot designations of those parcels and the lots surrounding them labeled for reference. (p5)

F.2 Lot 6 presently contains a two-story brick office building with bank drive through, parking areas and a detention basin while Lot 7 is vacant and wooded and contains drainage features. (p7)

F.3. Data available from the NJDEP shows there are no wetlands on the property, however a tributary to the Lewis Brook flows roughly east to west through Lot 6. Since FEMA has not studied the Lewis Brook and established a floodway and 100 year flood elevation, more detailed engineering study will be required to establish the regulated areas. There are no known contaminated sites documented by NJDEP in the study area. (p7)

F.4. The area surrounding the Study Area contains Hopewell Valley Central High School and the library to the west, the Global Neurosciences Institute and medical office to the north, a gas station and other commercial uses to the east and commercial uses to the south across West Delaware Avenue. (p7)

F.5. The Property under study is located in the O-B Office Business District. Permitted primary uses include executive or administrative, general business and professional offices, technical training centers, childcare centers and educational uses. (p7)

F-6. The Borough will not seek to condemn any privately-owned properties in connection with any development of the Study Area. (p8)

F-7. A delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in *N.J.S.A. 40A:12A-6*, conditions specified in *N.J.S.A. 40A:12A-5.b* are found:  
“The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.”

The Kyle McManus Report has determined, through conversations with the owner, that the majority of the building currently on Lot 6 has been vacant for two years, despite extensive efforts by the owner to market the property. The Report further details that at the time of the report, Mercer County had an office vacancy rate of 24.7% in the second quarter of 2024, up from 19.6% for the third quarter of 2023, a trend that does not bode well for successfully leasing the building for office use. As extended vacancy of the building for a period of two years has been demonstrated, Criterion B is met. (p9)

F-8. *N.J.S.A. 40A:12A-3*, defines a “redevelopment area” or “area in need of redevelopment” as follows: “A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part.” While Lot 7 on its own has little utility for development of any use, its inclusion can facilitate the most effective redevelopment of Lot 6, as it can contribute valuable land area for parking or stormwater management facilities and should therefore be included in the designated redevelopment area. (p10)

F-9. The recommended boundaries for this proposed “Route 31 and Delaware Redevelopment Area” are shown in Figure 2 at page 11 of the Kyle McManus Report.

F-10. Based on the above findings, and the site inspection, data review, analysis and conclusions described in the Kyle McManus Report, Borough Council accepts the recommendation of the Planning Board to designate Block 201, Lots 6 and 7, in their entirety, a Non-Condemnation Area in Need of Redevelopment under the New Jersey Local Redevelopment and Housing Law.

**BE IT FURTHER RESOLVED** that the Borough Administrator and Borough Clerk are hereby directed as follows:

- 1. the Borough Clerk shall forward for review and approval, no later than 10 days after adoption, a certified copy of this Resolution to the Commissioner of Community Affairs, which must be approved or disapproved by the Commissioner within 30 days or same shall be deemed approved;
- 2. the Borough Clerk shall issue within 10 days, on behalf of Borough Council, a notice of determination to any property owners within the delineated area and any person who filed a written objection and specified an address to which a notice of determination must be sent,
- 3. the Borough Administrator, in consultation with the Borough Planning Consultant, shall prepare and advertise a request for proposals seeking responses from qualified developers that shall include conceptual plans for redevelopment of the redevelopment area.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	X			
Chandler	S				Stern	X			
Marciante	M				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2025-5.7, second by Council Member Chandler. Mr. Jim Kyle, Borough Planner briefly updated Council on some comments and recommendations that were brought up during the Redevelopment Meeting. Upon a roll call vote all members present voted in favor.

Mr. Bliss asked that Resolution 2025-5.8 be pulled from the agenda this evening as the agreement is still under review with Mr. Neary’s attorney.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-5.8**

**RESOLUTION AUTHORIZING AGREEMENT WITH JAY C. S. NEARY CONCERNING SEWER  
CONNECTION FOR 115 LEWIS BROOK ROAD  
IN HOPEWELL TOWNSHIP**

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.9**

**RESOLUTION AUTHORIZING A PROFESSIONAL  
SERVICES AGREEMENT WITH MONTROSE ENVIRONMENTAL FOR THE COMPLETION OF THE  
2024 RIGHT TO KNOW SURVEY**

**WHEREAS**, the Borough Council of the Borough of Pennington seeks to retain the services of Montrose Environmental, licensed engineers, to assist the Borough in completion of the 2023 Right To Know Survey;

**WHEREAS**, a copy of the Montrose proposal, dated April 4, 2025, is annexed to this resolution;

**WHEREAS**, the contemplated services include inventory of areas that contain hazardous chemicals, completion of the 2024 Right to Know Survey for each area, together with update of the Written Hazard Communications Plan (Tasks 1 and 2 in attached proposal);

**WHEREAS**, the areas inventoried for hazardous chemicals will include:

- 1. Borough Hall/Library/Police Dept.
- 2. Senior Citizen Center
- 3. Public Works Garage
- 4. Well House 4 & 5
- 5. Well House 6
- 6. Well House 7
- 7. Well House 8 & 9

**WHEREAS**, Montrose Environmental will prepare the appropriate number of surveys and distribute them to all required state and local agencies as well as provide a copy for the Borough files; and

**WHEREAS**, Montrose Environmental has agreed to perform Tasks 1 and 2 for the lump sum amount of \$3,415.00;

**WHEREAS**, the attached Montrose proposal includes additional tasks (“Additional Tasks”) which may be optional, namely tasks 3 and 3a, as described on page 2 and priced on page 3 of the proposal;

**WHEREAS**, Borough Council wishes to authorize the Mayor and the Borough Clerk, as appropriate, to obtain the performance of either or both of the Additional Tasks as may be legally required;

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor and Borough Clerk of the Borough are hereby authorized to issue one or more purchase orders or enter into one or more agreements with Montrose Environmental to ensure performance of Tasks 1 and 2 at the cost of \$3,415.00 and to issue or enter into such additional purchase orders or agreements as needed to obtain performance of such of the Additional Tasks as may be legally required, at the price or prices indicated in the proposal, not to exceed \$1,850.00 for said Additional Tasks.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	X			
Chandler	S				Stern	X			
Marciante	M				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2025-5.9, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.10**

**RESOLUTION AUTHORIZING SUBMISSION OF APPLICATION TO GOVERNOR’S COUNCIL ON  
ALCOHOLISM AND DRUG ABUSE FOR FISCAL  
GRANT JULY 1, 2025 TO JUNE 30, 2026**

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

**WHEREAS**, The Council of the Borough of Pennington, County of Mercer, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore along with Hopewell Township and Hopewell Borough has an established Municipal Alliance Committee, known as the Hopewell Valley Municipal Alliance; and

**WHEREAS**, through the Municipal Alliance the three municipalities are acting as a consortium seeking a grant for their work from the County of Mercer for fiscal year July 1, 2025 through June 30, 2026;

**WHEREAS**, Mercer County has issued a letter of intent allocating \$17,058.00 to the Municipal Alliance for this grant year;

**WHEREAS**, this grant money requires of the Alliance municipalities a 25% cash match equal to \$4,264.50 and a 75% in-kind match valued at \$12,793.50;

**WHEREAS**, Pennington’s share of the cash match is \$1,500.00;

**WHEREAS**, the Borough CFO has certified that funds for Pennington’s share of the cash match is available in line #5-01-42-104-000-267;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that:

- 1. Application for and acceptance of the aforesaid grant funds by and on behalf of the Borough of Pennington is hereby authorized and approved, with the understanding that the grant in the total amount of \$17,058, including \$4,264.50 cash match and \$12,793.50 in-kind, will entail a Borough cash share of \$1,500; and
- 2. The terms and conditions for administering the grant, including administrative compliance and audit requirements are hereby acknowledged; and
- 3. The Mayor is hereby authorized to sign this Resolution on behalf of Pennington in compliance with grant requirements.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	X			
Chandler	M				Stern	S			
Marciante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.10, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.11**

**RESOLUTION AUTHORIZING TAKE DOWN OF LARGE TREE NEAR ENCLOSURE WITHIN THE ARBORETUM AND AUTHORIZING THE USE OF OPEN SPACE FUNDS FOR THIS PURPOSE**

**WHEREAS**, the Borough of Pennington acquired a parcel of land behind the Tollgate Elementary School as Open Space; and

**WHEREAS**, the Borough is developing this parcel as an Arboretum; and

**WHEREAS**, the Arboretum Committee has determined that there is a large tree near the enclosure within the Arboretum that is diseased and needs removal; and

**WHEREAS**, the Superintendent of Public Works solicited a quote from HTS Tree Care Professionals to perform the services required to remove the large tree and now recommends the use of this vendor; and

**WHEREAS**, a copy of quote #6905 from HTS Tree Care Professionals, LLC in the amount of \$3,200.00, is attached to this Resolution; and

**WHEREAS**, Pennington citizens have authorized the creation of an Open Space Trust Fund in accordance with N.J.S.A. 40:12-15.7, which authorizes use of such funds for, among other things, development and maintenance of lands acquired for recreation and conservation purposes, as determined by the governing body of the municipality;

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Open Space Fund for this purchase;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the aforesaid services by HTS Tree Care Professionals, LLC, pursuant to the attached quote #6905, are hereby authorized for an amount not to exceed \$3,200, and the Chief Financial Officer and Borough Clerk are further authorized to execute such purchase orders and other documents as are needed to effectuate the work.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	M				Rubinstein	S			
Chandler	X				Stern	X			
Marciante	X				Valenza	X			

Council Member Angarone made a motion to approve Resolution 2025-5.11, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.12**

**RESOLUTION AUTHORIZING REPAIR OF TRASH VEHICLE  
UNDER STATE CONTRACT T-2108-A89300**

**WHEREAS**, the Superintendent of Public Works has identified the need for substantial repairs to the 2010 Peterbilt garbage truck as a result of a preventative maintenance inspection performed by Hainesport Enterprises, Inc. (“Hainesport”); and

**WHEREAS**, Hainesport holds a State Contract for Maintenance and repair for Heavy Duty Vehicles (Class 5 or higher, over 15,000 lb GWR) identified as State Contract T-2108-A89300 (“State Contract”); and

**WHEREAS**, the attached April 21, 2025 quote for these repairs by Hainesport in the net amount of \$20,194.47 is covered under the State Contract; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this expenditure under line # 5-01-26-305-000-277 (Trash);

**NOW, THEREFORE, BE IT RESOLVED**, that Borough Council of the Borough of Pennington hereby authorizes repair of the aforesaid Peterbilt garbage truck by Hainesport Enterprises, Inc., d/b/a Hainesport Auto & Truck, at a cost not to exceed \$20,194.47.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	M			
Chandler	S				Stern	X			
Marciante	X				Valenza	X			

Council Member Rubenstein made a motion to approve Resolution 2025-5.12, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.13**

**RESOLUTION AUTHORIZING MUNICIPAL CLERK TO ENDORSE ABC APPLICATION BY NEEDLE CREEK BREWERY, LLC FOR EVENT ON THE PROPERTY OF HOWE COMMONS ON PENNINGTON DAY**

**WHEREAS**, Needle Creek Brewery, LLC, located in Hopewell Township (Titusville), NJ (“Applicant”) is applying to the State Division of Alcoholic Beverage Control (ABC) for a Limited Brewery Off-Premises Event Permit (File #768682) authorizing an event on Pennington Day, May 17, 2025;

**WHEREAS**, “Pennington Day” is an annual event solely sponsored and hosted by Pennington Day NJ Inc., a 501(c)(3) nonprofit corporation with no connection to the Borough of Pennington;

**WHEREAS**, the proposed location of the Applicant’s one-day event is Howe Commons, 65 S. Main Street in Pennington;

**WHEREAS**, the proposed hours of the Applicant’s event are from 10:00 am to 5:00 pm;

**WHEREAS**, the Applicant’s event will feature a cash bar selling malt alcoholic beverage in 16-ounce containers within a fenced-in area depicted in the Applicant’s attached sketch;

**WHEREAS**, ABC requires the Applicant to address age verification to prevent underage consumption; “pass-off” controls; prevention of intoxication; identification of security personnel, duties, numbers and experience; and confirmation that all servers shall be employees of the Applicant and shall be certified by a nationally- recognized server training program;

**WHEREAS**, Applicant represents that for security there will be a fenced-in area with only one entrance/exit; a staff member will be at the door checking ID’s to make sure no one under 21 is allowed inside the beer garden; Pennington Police will be on the grounds, in numbers approved by the Officer in Charge, and they will patrol and be available to help should any incident arise; beer will not be allowed to leave the fenced-in area; related signs will be posted at the one entrance/exit and the ID checks will ensure nothing leaves the beer garden; pass-off controls will not be necessary because no one underage will be permitted in the premises;

**WHEREAS**, all of Applicant’s staff are TIPS certified bartenders and will follow the intoxication safeguards that are practiced at the brewery, all staff to be wearing a Needle Creek Brewery T-shirt to identify them;

**WHEREAS**, five (5) of Applicant’s staff will be at the event, one (1) checking ID’s, one (1) pouring beer, one (1) taking orders, one (1) working the register and one (1) manager;

**WHEREAS**, the Applicant represents that consent for the event at this location has been provided by Hayle Knepple Property Manager, Premium Property Management, LLC;

**WHEREAS**, ABC requires that the application for this permit be endorsed by the Officer in Charge (Pennington’s highest ranking Police official) and the Borough Clerk;

**WHEREAS**, the purpose of this Resolution is to authorize the endorsement by the Borough Clerk subject to conditions;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Borough Clerk is hereby authorized to endorse the above-described application of Needle Creek Brewery, LLC, on the following conditions:

1. that the application be amended to provide that operations shall end at 3:00 PM;
2. that the application as amended be endorsed by the Officer in Charge of the Pennington Police Department (Pennington’s highest ranking Police Officer), subject to assignment of such paid detail police personnel as may be designated by him;
3. that the Applicant provide a certificate of liability insurance confirming adequate general liability, liquor law liability and automobile liability insurance with minimum limits of \$1 million per occurrence, employer’s liability insurance with minimum \$500,000 per occurrence, and workers compensation coverage as required by law;
4. that Applicant’s application be approved by ABC ; and
5. that Applicant complies with all representations made in support of its application and such additional requirements as may be imposed by the ABC.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Rubenstein	X			
Chandler	M				Stern	S			
Marciante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.13, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.14**

**RESOLUTION FURTHER INCREASING AUTHORIZED EXPENDITURES FOR  
SPECIAL LABOR COUNSEL**

**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; and

**WHEREAS**, Council is advised by the Special Counsel that its budget should now be increased an additional \$6,000.00 for attorney and other professional services relating to this matter; and

**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 authorized expenditures for Special Labor Counsel in 2025 shall be increased by \$6,000, with all other provisions of the Borough’s professional services agreement with Special Labor Counsel remaining unchanged.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	M				Rubenstein	X			
Chandler	X				Stern	S			
Marciante	X				Valenza	X			

Council Member Angarone made a motion to approve Resolution 2025-5.14, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 5.15**

**RESOLUTION AUTHORIZING BLOCK PARTY ON MAY 25, 2025 FROM 4 PM TO 8 PM ON  
VOORHEES AVENUE**

**WHEREAS**, Alan Hockenjos has applied to the Borough of Pennington for permission to close the street known as Voorhees Avenue in the Borough on May 25, 2025 beginning at 4 PM and ending at 8 PM for a block party on Voorhees Avenue for an estimated 60 people;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that this application by Alan Hockenjos is approved subject to the following conditions:

1. The road closure on the dates and at the times indicated must be approved by the Pennington Borough Police Department and comply with its directives.
2. Each property owner affected by the closure shall be notified in writing substantially in advance of the closure.
3. There must be access for emergency vehicles at all times.
4. All local noise ordinances must be observed.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B
Angarone	S				Rubenstein	X			
Chandler	M				Stern	X			
Marciante	X				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-5.15, second by Council Member Angarone with all members present voting in favor.

**PROFESSIONAL REPORTS**

**Borough Administrator -** Mr. Caminiti reported that Busy Town was held last week and it was a great success and he acknowledged everyone who had a hand in the event. Mr. Caminiti stated that he is working on getting the Health Insurance Fund questions answered. Mr. Caminiti stated that they are interviewing for the vacant public works position. Mr. Caminiti stated that he should have the PFAS report finalized for the end of this month as well as capital recommendations for the garbage truck. Mr. Caminiti stated that he is working on the sidewalk update and that should be available by the end of this month. Mr. Caminiti stated that he has reached out to the County on the bridge replacement project.

**Borough Attorney- Walter Bliss -** Mr. Bliss had nothing further to report.

**Borough Clerk - Betty Sterling –** Mrs. Sterling reminded Council Members to stop in to the office and sign the group affidavit for the audit. Mrs. Sterling thanked Council Members for getting their Financial Disclosure Forms filed and stated that we are close to having 100% compliance with only 6 more that need to be filed. Mrs. Sterling reported that she is in contact with the Project Manager for the website upgrade and we are on track to have the update completed by mid June.

**Chief Financial Officer - Sandy Webb -** Mrs. Webb thanked Council for approving the Audit. Mrs. Webb stated out of the last 16 years, there were only 3 years with a minor recommendation. Mrs. Webb stated that this



is the ninth year in a row with no recommendations. Mrs. Webb stated that she would like to thank Betty Sterling and she stated that she and Betty work very well together and it is very rewarding to have the auditors issue a clean audit. Mayor Davy agreed and stated that a clean audit is a major accomplishment.

**Superintendent of Public Works - Rick Smith** – Mr. Smith had nothing to report.

**Sergeant Burroughs** – Sergeant Burroughs stated that he will be meeting with Pennington Day to finalize details. Sergeant Burroughs stated that they will begin interviewing this week.

Mr. Marciante asked about the tree work that is being done in town. Mr. Marciante stated that he has heard from a couple of residents of damage to garden beds and vehicles. Sergeant Burroughs stated that he will check on these concerns tomorrow.

#### **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.

There were no comments from the public.

#### **CLOSED SESSION**

**AT, 8:14 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:

COAH – Extension of Controls

Litigation – Hopewell Township PILOT

Council Member Valenza made a motion to convene in Closed Session, second by Council Member Chandler with all members present voting in favor.

#### **ADJOURNMENT**

AT 8:14 PM, Council Member Stern made a motion to adjourn the meeting, second by Council Member Chandler with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling  
Borough Clerk