

**Pennington Borough Council
Regular Meeting—December 1, 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, Stern and Valenza in attendance.

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

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.

MAYOR'S BUSINESS

Mayor Davy announced that there will be no December Work Session Meeting and reminded everyone that there will be a year end close out Meeting on December 29, 2025 at 3:00 pm.

Mayor Davy announced that there will be a Special Joint meeting of the Planning Board and Council on December 17th, 2025 to discuss the Borough Planner's Affordable Housing Plan. Mayor Davy stated that no action will be taken at the meeting. Mayor Davy asked Council Members if they are available to attend and everyone indicated that they could attend. Mayor Davy outlined several meetings in January to finalize the report and meet the March deadline.

Mayor Davy stated that we are about to receive the remedial investigation report from Excel Engineering on the landfill in order to meet the December 24th deadline. Mayor Davy stated that with all of the upcoming meetings he asked that Council allow him to sign the report and then we will schedule Excel Environmental to present at the January work session.

APPROVAL OF MINUTES

Council Member Chandler made a motion to approve the minutes of the October 27, 2025, Work Session Meeting, second by Council Member Marciante with all members present voting in favor.

Council Member Chandler made a motion to approve the minutes of the November 3, 2025, Regular Meeting, second by Council Member Stern with all members present voting in favor.

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

Council Member Chandler made a motion to approve the minutes of October 27, 2025, Closed Session for content but not for release, second by Council Member Stern with all members present voting in favor.

Council Member Chandler made a motion to approve the minutes of the November 3, 2025, Closed Session for content but not for release, second by Council Member Stern with all members present voting in favor.

ORDINANCES FOR INTRODUCTION

Mayor Davy read Ordinance 2025-21 by title and gave a brief explanation of the Ordinance.

**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**

WHEREAS, the Borough of Pennington ("Borough") is responsible for certain fire inspection services under the Uniform Fire Safety Act (N.J.S.A. 52:27D-192, et seq.), including respectively life-hazard uses and non-life hazard uses as defined in the Act and related regulations;

WHEREAS, Borough Council seeks to reorganize its enforcement activities to defer to the Division of Fire Safety in the Department of Community Affairs for inspection of life-hazard uses while bringing inspection services for non-life-hazard uses in house by employing a Borough fire official;

WHEREAS, pending the appointment of a properly qualified fire official under the Fire Safety Act, the Borough will defer to the Division of Fire Safety for inspection services for both life-hazard and non-life-hazard uses;

NOW, THEREFORE, BE IT ORDAINED, by Borough Council of the Borough of Pennington, that Chapter 104 of the Borough Code is hereby amended (with new language underlined and deleted language crossed out) as follows:

1. Section 104-1. Local Enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983, c. 1983; N.J.S.A. 52:27D-202; and N.J.A.C. 5:71-2.3), the New Jersey Uniform Fire Code shall be enforced with respect to life-hazard uses in the Borough of Pennington by the Division of Fire Safety in the New Jersey Department of Community Affairs locally within the established limits of the Borough of Pennington. Enforcement with respect to non-life-hazard uses within the jurisdiction of the Borough of Pennington shall be performed locally by a properly qualified fire official employed by the Borough for that purpose. When the Borough has not appointed such an official, or there is a vacancy in the position, the Borough shall defer to the Division of Fire Safety in the Department of Community Affairs for inspection services relating to non-life-hazard use as well.

2. Section 104-2. Agency Designation.

The local enforcing agency for the Borough of Pennington shall be the Hopewell Township Fire Commissioners Bureau of Fire Safety New Jersey Department of Community Affairs except the enforcing agency for non-life-hazard uses shall be the Borough of Pennington subject to its appointment of a properly qualified fire official under the Uniform Fire Safety Act.

3. Section 104-3. Duties.

The local enforcing agencies agency for the Borough of Pennington shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the jurisdiction of the Borough of Pennington, other than owner occupied one and two family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

4. Section 104-4. Life-hazard uses.

In accordance with Section 104-2 of this chapter, the Division of Fire Safety in the New Jersey Department of Community Affairs The local enforcing agency established by Section 104-2 of this article shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs of the State of New Jersey.

5. Section 104-5. Non-life-hazard uses.

The Fire Official appointed by the Borough of Pennington in accordance with Section 104-2 of this chapter The local enforcing agency established by Section 104-2 of this article shall carry out the inspections of inspection services for non-life-hazard uses as defined by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs of the State of New Jersey. When the Borough has not appointed a fire official or there is a vacancy in that position, these services shall be performed by the New Jersey Department of Community Affairs as above provided.

6. Section 104-6. Fees.

The fees authorized by the Uniform Fire Safety Code (P.L. 1983, c.383, N.J.S.A. 52:27D-192, et seq.) and N.J.A.C. 5:70-2.9(c) are set forth in Chapter 98 of this Code. The payment of required fees for life-hazard uses and other industrial and commercial uses shall be the responsibility of the occupant of the premises. The payment of fees required for multifamily dwellings shall be the responsibility of the owner of the premises. The above-described fees shall be paid by the responsible party on or before the date specified in the notice served upon said party by the Fire Official, which date shall be at least 30 days from the date of the notice.

104-7 Appointment of Fire Official, inspectors and employees.

A. Appointment of Fire Official. The local enforcing agency, when charged with inspection of non-

life-hazard uses, shall be under the supervision of a the Fire Official who shall be appointed by the Pennington Borough Council subject to applicable legal requirements Hopewell Township Board of Fire Commissioners, Fire District No. 1, under the authority of an interlocal services agreement.

- B. Term of office. The Fire Official shall serve for a term of one year.
- C. Inspectors and employees. Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the Pennington Borough Council Hopewell Township Board of Fire Commissioners, Fire District No. 1, under the authority of an interlocal services agreement upon the recommendation of the Fire Official.
- D. ~~Removal from office. Inspectors and other employees of the enforcing agency shall be subject to removal by the Hopewell Township Board of Fire Commissioners, Fire District No. 1, for inefficiency or misconduct. Each inspector or employee to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer.~~

7. Section 104-8. Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act (N.J.S.A. 52:27D-206 and 27D-208), any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of Mercer County.

AND BE IT FURTHER ORDAINED, that this Ordinance shall be effective upon its passage and publication as provided by law.

Council Member Chandler made a motion to introduce Ordinance 2025-21, second by Council Member Stern with all members present voting in favor.

ORDINANCE FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinance 2025-14 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-14**

**ORDINANCE PROVIDING STANDARDS AND PROCEDURES FOR
APPROVAL OF BLOCK PARTIES**

WHEREAS, it is the policy of Borough Council to facilitate applications by residents to hold block parties, consistent with public health and safety and the requirements set forth herein;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that the Code of the Borough of Pennington is hereby amended by the addition of a new Chapter 74, Block Parties, which shall read as follows:

1. Borough policy favors the conduct of neighborhood block parties consistent with public health and safety. Residents may conduct gatherings of this kind on the streets of the Borough subject to satisfaction of the conditions set forth in this ordinance.
2. The person or persons hosting the party must submit a timely application to the Borough Clerk on a form supplied by the Borough providing the following information: (a) their name(s) and address(es) and necessary contact information; (b) identification of the proposed location of the party and the street or part thereof asked to be closed; (c) the date of the party and any proposed rain date; (d) the times the party will begin and end; and (e) an estimate of the number of people expected to attend the party. The hosts may also be required to supplement this application with relevant additional information as may be required by the Pennington Borough Administrator or Police Department.
3. The host or hosts of the party must own a residence bordering on the part of the street to be closed for the party. They must be reachable by telephone on the day of the party and be reachable and present on location during the party.
4. The beginning and ending times for the party must be reasonable in keeping with the rights of neighborhood and area residents not participating in the party.
5. 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.
6. Each property owner affected by the closure shall be notified in writing substantially in advance of the closure.
7. There must be access for emergency vehicles at all times.

8. All local noise ordinances must be observed.
9. The application for the block party must receive final approval by the Pennington Borough Administrator.

AND BE IT FURTHER ORDAINED that this Ordinance shall be effective upon passage and publication as required by law.

Council Member Marciante made a motion to open the Public Hearing on Ordinance 2025-14, second by Council Member Stern with all members present voting in favor. There were no comments from the public. Council Member Rubenstein made a motion to close the Public Hearing, second by Council Member Angarone with all members present voting in favor. Council Member Marciante made a motion to adopt Ordinance 2025-14, second by Council Member Rubenstein with all members present voting in favor.

Mayor Davy read Ordinance 2025-15 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-15**

**BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION
OF \$60,000 FOR PRELIMINARY PLANNING, ENVIRONMENTAL AND
INVESTIGATIVE ANALYSIS AND ANY NECESSARY WORK OR
IMPROVEMENTS IN CONNECTION WITH THE BOROUGH-OWNED
LANDFILL AND ANY OTHER RELATED PROPERTIES FOR
POTENTIAL REDEVELOPMENT IN AND BY THE BOROUGH OF
PENNINGTON, IN THE COUNTY OF MERCER, NEW JERSEY, AND
AUTHORIZING THE ISSUANCE OF \$2,508 BONDS OR NOTES OF THE
BOROUGH TO FINANCE PART OF THE COST THEREOF.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON, IN THE
COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively
concurring) AS FOLLOWS:**

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Pennington, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$60,000, such sum being in addition to the \$125,000 appropriated therefor by Bond Ordinance #2017-4, finally adopted March 6, 2017 ("Bond Ordinance #2017-4"), the \$225,000 appropriated by supplemental Bond Ordinance #2018-9, finally adopted July 2, 2018 ("Bond Ordinance #2018-9"), and the \$403,000 appropriated by supplemental Bond Ordinance #2023-13, finally adopted September 5, 2023 ("Bond Ordinance #2023-13"), and including a grant from the State of New Jersey Department of Environmental Protection in the amount of \$57,492 (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as the improvement or purpose referred to in Section 3(a) is being partially funded by the State Grant.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,508 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is preliminary planning, environmental and investigative analysis and any necessary work or improvements in connection with the Borough-owned landfill and any other related properties for potential redevelopment purposes, including all work and materials necessary therefor and incidental thereto, as originally described in Bond Ordinance #2017-4, as supplemented by Bond Ordinance #2018-9 and Bond Ordinance #2023-13.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$755,508, including the \$125,000 authorized by Bond Ordinance #2017-4, the \$225,000 authorized by Bond Ordinance #2018-9, the \$403,000 authorized by Bond Ordinance #2023-13 and the \$2,508 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$813,000, including the \$125,000 appropriated by Bond Ordinance #2017-4, the \$225,000 appropriated by Bond Ordinance #2018-9, the \$403,000 appropriated by Bond Ordinance #2023-13 and the \$60,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or

all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,508, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$357,506 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$125,000 was estimated for these items of expense in Bond Ordinance #2017-4, \$225,000 was estimated for these items of expense in Bond Ordinance #2018-9, \$4,998 was estimated for these items of expense in Bond Ordinance #2023-13 and an additional \$2,508 is estimated therefor herein.

Section 7. The Borough hereby declares the intent of the Borough to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council Member Chandler made a motion to open the Public Hearing on Ordinance 2025-15, second by Council Member Stern with all members present voting in favor. There were no comments from the public. Council Member Chandler made a motion to close the Public Hearing, second by Council Member Stern with all members present voting

in favor. Council Member Chandler made a motion to adopt Ordinance 2025-15, second by Council Member Angarone with all members present voting in favor.

Mayor Davy read Ordinance 2025-16 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-16**

ORDINANCE APPROVING EMPLOYMENT AGREEMENT BETWEEN THE BOROUGH OF PENNINGTON AND DARYL BURROUGHS, JR. IN HIS CAPACITY AS LIEUTENANT IN THE PENNINGTON BOROUGH POLICE DEPARTMENT

WHEREAS, Daryl Burroughs, Jr. is about to be appointed Lieutenant in the Pennington Borough Police Department effective upon his execution of the attached Employment Agreement;

WHEREAS, the Agreement provides for an annual salary of \$134,997, representing a 2.5% increase over current salary;

WHEREAS, the position of Lieutenant is not part of the bargaining unit represented by the Pennington Borough Police Association;

NOW, THEREFORE, BE IT ORDAINED, by Borough Council of the Borough of Pennington, that the attached Employment Agreement be and the same is hereby approved and the Mayor, with the attestation of the Borough Clerk, is hereby authorized to sign and enter into the Agreement on behalf of the Borough; and

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 2025-16, second by Council Member Chandler with all members present voting in favor. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing, second by Council Member Stern with all members present voting in favor. Council Member Valenza made a motion to adopt Ordinance 2025-16, second by Council Member Chandler with all members present voting in favor.

Mayor Davy read Ordinance 2025-17 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-17**

ORDINANCE GOVERNING USE OF THE BOROUGH MESSAGE BOARD

WHEREAS, Borough Council seeks to establish rules governing access to the Borough's mobile electronic message board to ensure its effectiveness in facilitating direct communication of governmental information to the public as well as in promoting events and activities sponsored by governmental and 501c3 non-profit organizations;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that the Code of the Borough of Pennington is hereby amended by the addition of a new Chapter 129, Message Board, which shall read as follows:

1. The Borough has acquired a mobile electronic message board to permit direct communication of governmental information and messaging to the public while serving as well to promote events and activities of governmental and 501c3 non-profit organizations. Use of the message board shall be limited to these purposes.
2. Access to the Message Board will be granted upon application to the Superintendent of Public Works, on a first-come first-served basis, with the exception that governmental messages and Borough-sponsored events and activities will be given priority.
3. All posts on the message board shall require approval by the Borough Administrator. An application for approval must be delivered to Borough Hall, 30 North Main Street, at least five (5) business days in advance of the requested posting.
4. An acceptable post shall consist of three (3) displays of up to three (3) lines each with a maximum of nine to ten (9-10) characters per line. The post will be displayed up to seven (7) consecutive days. All proposed postings are subject to editing to accommodate space limitations.
5. The location of the Message Board shall vary to suit conditions and maximize its effectiveness in the discretion of the Superintendent. Typically, the Board will be illuminated from 7 am to 10 pm.

6. Non-governmental organizations shall be charged an application fee in accordance with Chapter 98 of the Borough Code to cover the cost of processing the application and messaging for the post. Each post will require a separate application.

AND BE IT FURTHER ORDAINED that Chapter 98, Article VI of the Borough Code, concerning Miscellaneous Non-Land Use Fees, at Section 98-30, is hereby amended by adding a new subsection 98-30H requiring a \$100 fee for each application for use of the Borough message board by a 501c3 non-profit organization, in accordance with Chapter 129 of the Code, the amended Section 98-30 to read as follows (with new language underlined):

98-30. Miscellaneous Fees.

The following miscellaneous fees shall be collected as required by the applicable sections of this Code:

- A. Annual license fee for body art establishments, as required by Section 76-1 of this Code: \$500.
- B. Peddler's permit as required by Section 147-6 of this Code: \$100.
- C. Registration of vacant building, as required by Chapter 136, Art. II, initially and annually: \$250.
- D. Annual fee for electronic smoking device establishment license: \$600.
- E. Fee for Memorial Tree: \$500.
- F. Fee for Adopt A Flag: \$50.
- G. Fees for registration as a participant in the annual yard sale including use of yard sign advertising participation: \$25.
- H. Fee for each application for use of Borough Message Board pursuant to Chapter 129 of the Code: \$100.

AND BE IT FURTHER ORDAINED that this Ordinance shall be effective upon its passage and publication as provided by law

Council Member Chandler made a motion to open the Public Hearing on Ordinance 2025-17, second by Council Member Rubenstein with all members present voting in favor. There were no comments from the public. Council Member Chandler made a motion to close the Public Hearing, second by Council Member Marciante with all members present voting in favor. Ms. Stern stated that the Ordinance was supposed to remove Council from the approval process and allow the Borough Administrator to approve requests. Mr. Bliss amended the language in paragraph 3 and stated that the public hearing should be carried to the December 29th meeting. Council Member Rubenstein made a motion to approve Ordinance 2025-17 as amended, second by Council Member Stern with all members present voting in favor. The public hearing was carried to December 29th, 2025.

Mayor Davy read Ordinance 2025-19 by title.

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2025-18**

**AN ORDINANCE AMENDING FEE REQUIREMENTS FOR
TEMPORARY FOOD LICENSES**

WHEREAS, Borough Council seeks to relieve temporary food vendors of multiple license fees for appearing at more than one event per year in the Borough.

WHEREAS, this ordinance amends Chapter 98 of the Borough Code concerning fees, to make the fee for a temporary food license payable only one time per year provided the vendor continues to submit a license application for each event;

NOW, THEREFORE, BE IT ORDAINED, by Borough Council of the Borough of Pennington, that Chapter 98, Section 98-31 of the Borough Code, in particular Subsection E thereof, is hereby amended [with deleted language crossed out and new language underlined] as follows:

98-31. Retail food establishments.

License fees and related charges for retail food establishments as provided in § 112-1 of this Code shall be:

A. Retail food establishments at a permanent location that prepare food: \$200 per year or any part thereof for establishments with fewer than 25 seats; \$250 per year or any part thereof for establishments with 25 or more seats.

B. Retail food establishments at a permanent location that sell only prepackaged food items: \$75 per year or any part thereof.

C. Mobile food vendors: \$75 per year or any part thereof.

D. Retail food establishments owned by charitable and/or nonprofit organizations: \$30 per year or any part thereof.

E. Establishments for temporary events and not licensed as permanent establishment: \$50 per event year or any part thereof provided a license application is submitted for each event.

F. Plan review fee required for all retail food establishments except those owned by charitable and/or nonprofit organizations: \$150.

AND 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 2025-18, second by Council Member Stern with all members present voting in favor. There were no comments from the public. Council Member Rubenstein made a motion to close the Public Hearing, second by Council Member Marciante with all members present voting in favor. Council Member Rubenstein made a motion to adopt Ordinance 2025-18, second by Council Member Valenza with all members present voting in favor.

Mayor Davy read Ordinance 2025-19 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-19**

**ORDINANCE AMENDING CHAPTER 46 OF THE BOROUGH CODE CONCERNING THE
RESPONSIBILITIES OF THE POLICE LIEUTENANT, CLARIFYING THE ABSENCE OF AN AGE
REQUIREMENT FOR PROMOTION TO LIEUTENANT, AND MAKING OTHER TECHNICAL CHANGES**

WHEREAS, Chapter 46 of the Code of the Borough of Pennington, at Section 46-26, defines responsibilities and qualifications for the position of Lieutenant in the Pennington Police Department;

WHEREAS, Borough Council seeks to amend the responsibilities of the Lieutenant to require the person in that position to assume responsibility as Officer in Charge of the Department when there is a vacancy in the position of Chief of Police or Public Safety Director (hereafter “Head of Department”);

WHEREAS, Borough Council seeks also to clarify the ordinance to eliminate any interpretation that promotion to Lieutenant is age-restricted, contrary to law;

WHEREAS, an additional change is needed in Section 46-27 to update the language;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that Chapter 46 of the Code of the Borough of Pennington is hereby amended (with deleted language crossed out and new language underlined) as follows:

1. Section 46-26. Lieutenant.

A. A position of Lieutenant shall be and hereby is established effective upon the adoption hereof.

B. Under the supervision of the Chief of Police or Public Safety Director ~~during an assigned tour of duty~~, the Lieutenant has charge of a police platoon or performs specialized supervisory police duties, such as:

- (1) Gives suitable police assignments and instructions to sergeants and police officers, provides them with needed advice and assistance when difficult problems or maneuvers arise, checks their work to see that proper procedures are followed, reasonable standards of workmanship, conduct and output are maintained and that desired police objectives are achieved.
- (2) Directs criminal and noncriminal investigations and sees that appropriate police action is taken.
- (3) Takes fingerprints for classified records and filed.
- (4) When on desk duty, keeps a desk blotter, arrest book and a property book.
- (5) When necessary, apprehends, warns or takes into custody violators of the law.
- (6) Sees that needed police protection is provided when large sums of money are in transit, when there are fires, outbreaks and other conditions which might result in disorder and when large numbers of people congregate for any reason.
- (7) Makes thorough investigations, prepares suitable reports and keeps needed records and files.

- (8) Will be required to learn to utilize various types of electronic and/or manual recording and computerized information systems used by the agency, office or related units.
- (9) Assists in preparation of or prepares Police Department activities report on a monthly and annual basis.

C. The Lieutenant is expected to assume the responsibilities of the Officer in Charge of the Department, without additional compensation, when there is a vacancy in the position of Chief of Police or Director of Public Safety, as applicable, while also continuing to perform the duties of Lieutenant. When serving as Officer in Charge, the responsibilities of the Lieutenant will be adjusted subject to the direction of the Borough Administrator and Borough Council as appropriate.

D. Lieutenant shall be eligible to hold the position of Emergency Management Coordinator or Deputy Emergency Management Coordinator for the Borough. This activity entails no additional compensation. The Emergency Management Coordinator is responsible for planning, responding to and coordinating efforts of all municipal departments and First Responder organizations during major emergency events in Pennington.

C.-E. Requirements for appointment are as follows:

- (1) Education: graduation from high school or vocational high school or possession of an approved high school equivalency certificate. Graduation from an accredited college or university with a B.A. or B.S. degree is preferred.
- (2) Experience: two years of supervisory police experience involving the providing of assistance and protection of persons, the safeguarding of property, the observance of the law and the apprehension of lawbreakers.
- (3) ~~(Age: not less than 18 nor more than 35 years of age, at the announced closing date for filing applications for the position. (Note: when an applicant has reached his/her 35th birthday, he/she is considered to be over 35 years old.)~~
- (4) ~~(3)~~ Citizenship: must be a citizen of the United States.
- (5) ~~(4)~~ Medical examination: As a prerequisite for appointment, appointees may be required to pass a thorough medical and psychological examination to be administered by the appointing authority. Any psychological, medical or physical condition or defect which could prevent efficient performance of the duties of the position, cause the appointee to be a hazard to himself/ herself or others or become aggravated as a result of performance of these duties will be cause for rejection. Failure to demonstrate sufficient capacity to perform the duties of this position may be cause for rejection.
- (6) ~~(5)~~ License: Appointees will be required to possess a driver's license valid in New Jersey only if the operation of a vehicle, rather than employee mobility, is necessary to perform the essential duties of the position.

(7) (6)Knowledge and abilities:

- a. Knowledge of the laws and ordinances which are significant from the police point of view.
- b. Knowledge of the problems and procedures involved in working out the internal organization and formulating rules and regulations for the Police Department.
- c. Knowledge of the methods likely to be useful in providing citizens and others with proper police information, service and protection.
- d. Ability to communicate in written and spoken forms of the English language.

§ 46-27. Sergeant First Class. [Added 12-5-2011 by Ord. No. 2011-19]

- A. A position of Sergeant First Class is hereby established in the Police Department of the Borough of Pennington.
- B. The duties of the Sergeant First Class shall be determined by the Chief of Police, Director of Public Safety, or Officer in Charge, as applicable, and the rules and regulations of the Police Department as may be amended from time to time.

Council Member Marciante made a motion to open the Public Hearing on Ordinance 2025-19, second by Council Member Chandler with all members present voting in favor. There were no comments from the public. Council Member Chandler made a motion to close the Public Hearing, second by Council Member Angarone with all members present voting in favor. Council Member Chandler made a motion to adopt Ordinance 2025-19, second by Council Member Angarone with all members present voting in favor.

Mayor Davy read Ordinance 2025-20 by title.

**BOROUGH OF PENNINGTON
ORDINANCE #2025 – 20**

AN ORDINANCE FURTHER AMENDING ORDINANCE 2025-8 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:

1. Ordinance 2025-8, known and referred to as the Borough Salary ordinance, is hereby amended to increase by three dollars (\$3) the hourly compensation of the Borough's part-time Technical Assistant to Construction (deleted language crossed out and new language underlined) 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)	\$31.56/hour
Tax Assessor (part time)	\$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
Coordinator of Emergency Management	<u>\$30.00/hr *</u>

***capped at \$9,000/year**

- 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
Police Department:		
Crossing Guards	\$ 15.13	\$ 29.29
Crossing Guard – Special Events	\$ 40.00 per hour	
Special Police	\$ 17.00 per hour	
Part Time Employees – All Departments:		
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 Marciante made a motion to open the Public Hearing on Ordinance 2025-20, second by Council Member Chandler with all members present voting in favor. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing, second by Council Member Rubenstein with all members present voting in favor. Council Member Marciante made a motion to adopt Ordinance 2025-16, second by Council Member Rubenstein with all members present voting in favor.

OATH OF OFFICE

Mayor Davy announced the Lieutenant Daryl Burroughs will be sworn in at a ceremony to be held at Borough Hall on December 9th at 6:00pm. Mayor Davy encouraged everyone to attend.

COMMITTEE REPORTS

Personnel/ Economic Development- Ms. Angarone stated that Personnel met on November 5th and discussed meeting dates for 2026 and they decided to meet less frequently in 2026. Ms. Angarone stated that they discussed employee surveys, performance evaluations, succession planning and review of professional services.

Ms. Angarone stated that Economic Development met but she was unable to attend. Ms. Angarone reminded everyone of the upcoming Holiday Walk and Menorah Lighting.

Public Works/ Planning Board/ Historic Preservation – Ms. Stern stated that Public Works did not meet in November. Ms. Stern stated that Historic Preservation met and they continue to work with 221 S. Main on the replacement of their windows. Ms. Stern stated that the new County Historic Development person attended and spoke briefly to the group. Ms. Stern stated that Mrs. Chandler attended to discuss the county tree conversation and she updated the group on what was discussed. Ms. Stern stated that the Planning Board met and they continue to discuss the Master Plan and the best ways to get public input prior to the deadlines for the elements of the plan. Mayor Davy stated that because of the deadlines, the group has to deal with the Affordable Housing Element first before the Land Use Element can be finalized.

Finance & Technology/ Public Safety/ Arboretum / Landfill – Mrs. Chandler reported that Open Space met in December and discussed their schedule for 2026, reviewed criteria for evaluating properties and they would be happy to present that to Council. Mrs. Chandler had no report for the Arboretum. Mrs. Chandler stated that the Mayor covered the landfill. Mrs. Chandler stated that Finance met and we are working on putting the budget together for 2026 which will ramp up in January. Mrs. Chandler stated that in addition to the mad dash for the Master Plan, the Budget will also be coming up in March. Mrs. Chandler advised Council that there may be a need for some special meetings on the budget. Mrs. Chandler stated Public Safety met and reviewed in detail the budget and expenditures so that the committee is more prepared for budget discussions. Mrs. Chandler stated that the committee would like to focus on traffic engineering and they will be making a recommendation hiring a traffic engineer to evaluate all the streets and the traffic coming through Pennington. Mrs. Chandler stated that another recommendation will be to do an RFP to figure out the needs of the Police Department in terms of space and the possible use of the First Aid building.

Environmental Commission / Shade Tree/ Library Board – Mr. Rubenstein reported that Environmental Commission met and discussed site plan development and their involvement in the planning process. Mr. Rubenstein stated that they are reviewing some plans for plantings in the Arboretum and coordination with the Boy Scouts and Girl Scouts. Mr. Rubenstein stated that they are working on the next Community Conversation meeting. Mr. Rubenstein stated that they discussed wildfires and they will be putting something together for public information.

Mr. Rubenstein stated that the Library is working on the upgrades to the furniture.

Parks & Recreation – Mr. Marciante stated that the Holiday Light contest is in progress and information is available on the Borough website. Mr. Marciante commended the volunteers for their hard work.

Senior Advisory Board – Mr. Marciante stated that the Seniors will be hosting a New Years Eve party on December 31st in the afternoon.

Board of Health/ Net Zero Committee – Mr. Valenza had no report.

NEW BUSINESS

BOROUGH OF PENNINGTON RESOLUTION 2025 – 12.2

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 \$ 337,232.12 from the following accounts:

Current	\$ 247,324.45
W/S Operating	\$ 54,571.76
General Capital	\$ 25,486.83
Grant Fund	\$ 337.58
Open Space Fund	\$ 2,210.00
COAH Trust Fund	\$ 3,125.50
Other Trust Fund	\$ 3,600.00
Animal Control Fund	\$ 576.00
TOTAL	\$ 337,232.12

Record of Council Vote on Passage

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

Council Member Angarone made a motion to approve Resolution 2025-12.2, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 12.3**

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:

<u>Current Fund Appropriations:</u>	To:	From:
Legal Consultants	\$ 7,500.00	
Electricity	\$ 7,000.00	
Gas (Natural/Propane)	\$ 5,000.00	
DCRP	\$ 2,500.00	
Trash – Other Expense	\$12,000.00	
Borough Property – Other Expense	\$ 8,000.00	
Recreation – Other Expense	\$ 5,000.00	
Gas, Fuel, Lubricants	\$10,000.00	
Planning Board – Salaries	\$ 4,000.00	
Planning Board – Other Expense	\$ 7,500.00	
Group Insurance	\$ 7,500.00	
Streets – Other Expense	\$ 8,000.00	
Total Current Fund	\$42,000.00	\$42,000.00

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	M				Stern	X			
Marciano	S				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-12.3, second by Council Member Marciano with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.4**

RESOLUTION ACCEPTING THE COMMUNITY FORESTRY MANAGEMENT PLAN, 2026 THROUGH 2035, AS PREPARED BY THE BOROUGH SHADE TREE COMMITTEE

WHEREAS, the Borough's Community Forestry Management Plan is due to expire on December 31, 2025;

WHEREAS, to maintain accreditation in the Urban and Community Forestry Program of the New Jersey Department of Environmental Protection, the Borough must submit a new Community Forestry Management Plan for approval by December 31, 2026;

WHEREAS, the Pennington Borough Shade Tree Committee is charged with advising the Borough in the crafting and implementation of its Community Forestry Management Plan, as set forth in Section 13-5.D of the Borough Code;

WHEREAS, the Shade Tree Committee has presented to Borough Council its Community Forestry Management Plan for 2026 through 2035 ("Plan");

WHEREAS, the stated mission is to ensure the viability and sustainability of Pennington's forests and shade trees for the economic, aesthetic, health and environmental benefits they provide to Borough residents;

WHEREAS, the Plan further states the Shade Tree Committee's commitment to expend resources prudently to reduce tree-related accidents in the Borough and otherwise increase public safety;

WHEREAS, the Plan includes, among other things an informative Community Overview and provisions relating to Tree Inventory and Assessment, Tree Risk Assessment, Planting, Maintenance and Overall Program Goals;

WHEREAS, the Plan discusses as well the capacities of the Community Forestry Program, Required Training and budgetary considerations, concluding with Community Engagement and details for Plan implementation;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that it accepts with gratitude, the excellent work of the Shade Tree Committee as reflected in the Community Forestry Management Plan, 2026 through 2035, for the submission to NJDEP.

Record of Council Vote on Passage

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

Council Member Rubenstein made a motion to approve Resolution 2025-12.4, second by Council Member Chandler with all members present voting in favor except for Ms. Angarone who abstained.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.6**

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN BOROUGH OF PENNINGTON AND IVAN LEE
PERMITTING CONSTRUCTION OF FENCE IN DRAINAGE AND SANITARY SEWER EASEMENT AT 16
QUEENS LANE**

WHEREAS, Ivan Lee is the sole owner of real property known as 16 Queens Lane in the Borough of Pennington, also known as Lot 38 Block 601 on the Borough Tax Map ("Property");

WHEREAS, a 30-foot wide storm and sanitary sewer easement owned by the Borough of Pennington runs along the northerly boundary of the Property as shown on the attached plan of survey ("Borough Easement");

WHEREAS, Mr. Lee wishes to construct a 6-foot fence with a 48-inch gate in the Borough Easement crossing the Easement at a right angle to the northerly property line as also shown on the attached plan of survey;

WHEREAS, Mr. Lee therefore seeks to enter into an agreement with the Borough permitting the fence and gate to be constructed in the Borough Easement as proposed, subject to conditions;

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

1. The Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into an agreement on behalf of the Borough of Pennington, in a form that complies with this Resolution and is approved by the Borough Attorney, granting permission to Ivan Lee to install and maintain the proposed fence in the Borough Easement as substantially described in the annexed plan, subject to the following conditions:

- (a) The proposed fence and gate shall not obstruct the Borough Easement.
- (b) If for any reason in its sole judgment the Borough must remove all or any portion of the fence or gate to address any obstruction or otherwise gain access to the Easement, or the Borough otherwise damages the fence or gate, the Borough shall not be responsible for replacing, repairing or rebuilding the fence or gate. Any such removal of the fence or gate by the Borough shall not require prior approval by Mr. Lee;
- (c) The Borough shall be held harmless by Ivan Lee from all costs and other liabilities (including reasonable attorneys' fees) arising from the presence of the fence or gate in the Borough Easement.
- (d) This agreement permitting the fence and gate in the Borough Easement shall be personal to Ivan Lee, shall not be transferable by him, shall be revocable at will by the Borough, shall not run with the land, shall not be recorded, and shall expire upon change in ownership of the Property.

2. Notwithstanding authorization of the aforesaid agreement by Borough Council, construction of the fence and gate shall be subject to applicable zoning and related approvals.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-12.6, second by Council Member Stern with all members present voting in favor with the exception of Ms. Angarone and Mrs. Chandler who abstained.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-12.7**

**RESOLUTION APPOINTING BOROUGH ENGINEER
FOR THE REMAINDER OF 2025**

WHEREAS, by Borough Council Resolution 2023-1.8, Brandon Fetzer of Van Note- Harvey Associates (now a division of Pennoni Associates, Inc.) was appointed Municipal Engineer of the Borough of Pennington for a term of three years expiring on December 31, 2025;

WHEREAS, Resolution 2023-1.8 further authorized a three-year professional services agreement with Brandon Fetzer and Van Note-Harvey Associates, of which a copy is annexed;

WHEREAS, Brandon Fetzer has resigned as Borough Engineer and left Van Note-Harvey and Pennoni Associates, Inc. effective November 30, 2025;

WHEREAS, Borough Council now seeks to fill the position of Borough Engineer for the remaining month of the term;

WHEREAS, Ralph Petrella, Jr., a Senior Vice President of Pennoni Associates, Inc., supported by Mark Mayhew, P.E., C.M.E., is willing and able to serve as Borough Engineer through December 31, 2025;

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

1. Ralph Petrella, Jr., supported by Mark Mayhew and Pennoni Associates, Inc., is hereby appointed Municipal Engineer of the Borough of Pennington through December 31, 2025; and
2. the Mayor, with the approval of the Borough Attorney, shall take such steps as necessary to ensure that the attached agreement between the Borough and Brandon Fetzer/Van Note-Harvey Associates shall, with the substitution of Ralph Petrella, Jr. for Mr. Fetzer, remain in full force and effect through December 31, 2025.

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 2025-12.7, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION #2025-12.8**

RESOLUTION AUTHORIZING ISSUANCE OF REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES

WHEREAS, the Borough of Pennington seeks to fill the position of Municipal Engineer and to enter into a related professional services agreement for a three-year term from January 2026 through December 2028;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Borough Administrator is hereby authorized to:

1. prepare with the approval of the Personnel Committee of Borough Council a request for proposals (RFP) for engineering services;
2. advertise the RFP and mail it to area engineering firms; and
3. in consultation with the Personnel Committee, provide for the evaluation of responsive proposals and report same to Council.

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 2025-12.8, second by Council Member Angarone with all members present voting in favor.

PROFESSIONAL REPORTS

Borough Administrator – Mr. Caminiti stated that Elizabethtown Gas has completed work on the gas line and they will be moving forward with paving of roads that were disturbed. Mr. Caminiti stated that Halloween went off with no incident and everyone pulled it together to make it a safe environment. Mr. Caminiti stated public works is busy monitoring storms and keeping things moving in terms of daily functions as well as stormwater compliance and other requirements. Mr. Caminiti stated that the Sidewalk Plan and Code Enforcement will be ratcheting up in 2026. Mr. Caminiti stated that budget season is upon us and we are determined to protect the quality of life and the assets of the Borough. Mr. Caminiti stated that the Borough staff should be thanked for their hard work. Mr. Caminiti stated that employee satisfaction surveys were sent out and performance reviews are underway. Mr. Caminiti stated that this information will be helpful in succession planning as things change. Mr. Caminiti stated that Brandon Fetzer's last day with Van Note Harvey will be November 7th and he will be missed as he has institutional knowledge of the Borough.

Borough Attorney- Walter Bliss – Mr. Bliss stated that there are a couple of items for closed session.

Borough Clerk - Betty Sterling – Mrs. Sterling thanked all the departments who have submitted their budget requests and she and Sandy will be working on preliminary budget numbers for the finance committee to review.

Chief Financial Officer - Sandy Webb – Mrs. Webb had nothing further to report.

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

Sergeant Burroughs – Sgt. Burroughs stated that Sgt. Thomas and Detective D'Ascoli did a great job with the Trunk or Treat this year and Halloween went off without any incidents thanks to the officers and crossing guards who worked that night.

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 7:57 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

AT 7:57 PM, Council Member Rubenstein made a motion to convene in Closed Session, second by Council Member Angarone with all members present voting in favor.

At 7:58 PM, Council Member Valenza made a motion to adjourn the regular meeting, second by Council Member Stern.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk