

**Pennington Borough Council
Regular Meeting—September 2, 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 Chandler, Marciante, Rubenstein, Stem and Valenza in attendance. Ms. Angarone was absent.

Also present were Borough Clerk Betty Sterling, Borough Attorney Walter Bliss, Borough Administrator GP Caminiti, Public Works Superintendent Rick Smith, Sergeant Daryl Burroughs and Borough Planner Jim Kyle.

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.**

Dan Pace of 9 Railroad Place if the public would be able to comment on the Railroad Place milling and paving under Council Discussion and Mayor Davy said that he would take comments from the public.

MAYOR'S BUSINESS

Mayor Davy announced the resignations of Bronwyn Haley from Economic Development and Ruth Sullivan from Parks and Recreation.

MAYOR'S APPOINTMENTS

Mayor Davy announced the following appointments:

Beatrice Anduze-Farris will move from Alternate 1 to an unexpired 1 year term ending December 31, 2025.

Rafael Ponce de Leon will move from Alternate 2 to an unexpired 1 year term ending December 31, 2025.

OATH OF OFFICE

Borough Attorney Walter Bliss administered the Oath of Office to new police officer Trevor Carlton.

APPROVAL OF MINUTES

Council Member Chandler made a motion to approve the minutes of the May 27, 2025 Work Session, second by Council Member Rubenstein with all members present voting in favor with the exception of Mr. Valenza who abstained.

Council Member Chandler made a motion to approve the minutes of the June 2, 2025 Regular Council Meeting, second by Council Member Rubenstein with all members present voting in favor.

Council Member Chandler made a motion to approve the minutes of the June 12, 2025 Special Council Meeting, second by Council Member Rubenstein with all members present voting in favor with the exception of Ms. Stern and Mr. Valenza who abstained.

Council Member Marciante made a motion to approve the minutes of the July 7, 2025 Regular Council Meeting, second by Council Member Rubenstein with all members present voting in favor with the exception of Mr. Valenza who abstained.

Council Member Marciante made a motion to approve the minutes of the June 24, 2025 Joint Meeting between the Planning Board and Borough Council, second by Council Member Chandler with all members present voting in favor with the exception of Mr. Valenza who abstained.

Council Member Marciante made a motion to approve the minutes of the July 28, 2025 Work Session,

second by Council Member Stern with all members present voting in favor.

Council Member Marciano made a motion to approve the minutes of the August 4, 2025 Regular Meeting, second by Council Member Chandler with all members present voting in favor with the exception of Mr. Valenza who abstained.

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

Council Member Chandler made a motion to approve the May 27, 2025 Closed Session minutes for content but not for release, second by Council Member Marciano with all members present voting in favor with the exception of Mr. Valenza who abstained.

Council Member Chandler made a motion to approve the July 7, 2025 Closed Session minutes for content but not for release, second by Council Member Marciano with all members present voting in favor.

Council Member Stern made a motion to approve the July 28, 2025 Closed Session minutes for content but not for release, second by Council Member Marciano with all members present voting in favor.

ORDINANCES FOR INTRODUCTION

Mayor Davy read Ordinance 2025-13 by title.

**BOROUGH OF PENNINGTON
ORDINANCE #2025 – 13**

**AN ORDINANCE 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)	\$28.56 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

- 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, except the hourly increase for the Technical Assistant to Construction shall be retroactive to August 5, 2025.

Council Member Rubenstein made a motion to introduce Ordinance 2025-13, second by Council Member Marcante. Mrs. Chandler asked how this increase came about. Mr. Caminiti stated that he brought this request to the Personnel Committee. Mr. Caminiti stated that the Technical Assistant has not received an increase in several years and since the revenues collected will support the increase he recommended that it be granted. Mrs. Chandler stated that everyone received a percentage increase at budget introduction and she asked Mrs. Sterling to verify. Mrs. Sterling stated that the Technical Assistant received a percentage increase effective January 1st. Mr. Caminiti stated that since the revenues collected will support the increase he recommends it be granted. Upon a roll call vote all members present voted in favor with the exception of Mr. Marcante who abstained.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinance 2025-11 by title.

BOROUGH OF PENNINGTON ORDINANCE 2025-11

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A GARBAGE TRUCK IN AND BY THE BOROUGH OF PENNINGTON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$470,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$446,500 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 is hereby 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 sum of \$470,000, including the sum of \$23,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$446,500 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 hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a garbage truck, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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 are permitted to 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 10 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 \$446,500, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$27,000 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.

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 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 Marciante made a motion to open the Public Hearing on Ordinance 2025-11, second by Council Member Stern. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing on Ordinance 2025-11, second by Council Member Stern with all members present voting in favor. Council Member Chandler made a motion to adopt Ordinance 2025-11, second by Council Member Stern with all members present voting in favor.

Mayor Davy read Ordinance 2025-12 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-12**

**ORDINANCE AMENDING SECTION 215-81, OF THE BOROUGH CODE
EXTENDING OPERATING HOURS OF THE LICENSED CANNABIS RETAILER
IN THE BOROUGH FROM 8:00 PM TO 9:00 PM**

WHEREAS, Section 215-81 of the Borough Code authorizes no more than one cannabis retailer in the Borough;

WHEREAS, that retailer, known as "Jersey Meds", is owned by Jersey Meds Management LLC and is located at 7 Route 31 North in the Pennington Square Shopping Center, in the Business-Highway (B-H) zoning district;

WHEREAS, Jersey Meds has been in operation since 2023 and has been a productive and responsible member of the Pennington community;

WHEREAS, the State statute authorizing establishment of a store for the retail sale of recreational cannabis N.J.S.A 24:61-31 et seq, permits the municipality to regulate hours of operation;

WHEREAS, Section 215-81 of the Borough Code provides in Section D (1) that the operating hours for the licensed retail facility shall be between 9:00 am and 8:00 pm daily;

WHEREAS, with continued growth of Jersey Meds' clientele have come requests for longer hours from customers who would benefit from extended evening hours, particularly those with non-traditional work schedules or evening availability;

WHEREAS, Jersey Meds has therefore asked for extension of its operating hours to 9:00 pm;

WHEREAS, this one-hour extension of operating hours is compatible with the operating hours of other business establishments in Pennington Square, some of which extend to 10:00 pm, and is otherwise a reasonable accommodation for a growing and responsible local business;

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that Section 215-81, Subsection D(1), of the Code of the Borough of Pennington is hereby amended (with new language underlined and deleted language crossed out) as follows:

“The operating hours of the licensed retail facility shall be between 9:00 a.m. and 8:00 ~~9:00~~ p.m. daily. It shall be unlawful for any person to sell or dispense cannabis or cannabis products in any licensed retail facility at any time other than between these hours.”

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

Council Member Stern made a motion to open the Public Hearing on Ordinance 2025-12, second by Council Member Chandler. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing on Ordinance 2025-12 with all members present voting in favor. Council Member Marciante made a motion to adopt Ordinance 2025-12, second by Council Member Chandler with all members present voting in favor.

COMMITTEE REPORTS

Personnel/ Economic Development- Ms. Stern stated that Ms. Angarone submitted her reports to Mr. Caminiti. Mr. Caminiti reported on the Personnel Meeting that was held. Mr. Caminiti stated that Ms. Angarone reported that Economic Development met and they included Parks and Rec to discuss some joint events to be held in the center of town. Mr. Caminiti read that EDC discussed a possible budget increase to replace the Welcome to Pennington signs which are in need of replacement. Ms. Angarone reported that since these are an important first impression coming into Pennington and should not be used as advertisements. Ms. Angarone had some other thoughts on the signs.

Ms. Stern asked how we will get back to the question of the signs? Mrs. Chandler stated that the reason that EDC is involved is because they were originally an EDC initiative and they were sponsored by local businesses and so when the concern with the replacement came about is was brought back to the EDC. Mrs. Chandler stated that has EDC reached out to the business to see if they are willing to sponsor a sign and before we put this into the budget she would like EDC to poll the businesses first. Mr. Marciante stated that one of the businesses who sponsored an original sign is upset that the sign is either no longer there or in disrepair. Mrs. Chandler stated that if we do this again there should be a better agreement so that everyone has the same understanding related to the signs.

Public Works/ Planning Board/ Historic Preservation – Ms. Stern stated that Public Works and Historic Preservation did not meet in August. Ms. Stern stated that she missed the Planning Board meeting in August but she briefly updated Council on the Master Plan process going forward. Ms. Stern explained that the big piece that is left to complete is the Land Use Plan that the Borough Planner is working on finalizing. Ms. Stern stated that once everything is complete any Ordinance changes or updates that need to be done will come to Council for their action.

Finance & Technology/ Public Safety/ Aboretum / Landfill – Mrs. Chandler had nothing to report on the Landfill. Mrs. Chandler stated that work at the arboretum continues. Mrs. Chandler stated that Public Safety met and discussed traffic on Burd Street related to the traffic light at Ingleside and that discussion is on for later in the meeting. Mrs. Chandler stated that the Finance Committee has been working on a document to try to make the budget process go smoother and to help future Councils understand the budget process. Mrs. Chandler stated that the budget process will begin with the distribution of budget request sheets to the Departments and Committees by the end of September. Mrs. Chandler stated that this is the time to discuss and bring to the finance committee requests for the 2026 budget. Mrs. Chandler stated that if any Council Members know of anything that will impact the budget, now is the time to let the finance committee know.

Environmental Commission / Shade Tree/ Library Board – Mr. Rubenstein stated that Shade Tree has not met since June but they continue to work on the Community Forestry Management Plan. Mr. Rubenstein stated that the Environmental Commission met and discussed quite a few items. Mr. Rubenstein stated that the next Community Conversations on Greenscapes will be held later this week and he would encourage everyone to attend.

Parks & Recreation – Mr. Marciante stated that the sandbox replacement at Kunkel started today. Mr. Marciante stated that the final concert will be this Friday and he encouraged everyone to attend. Mr. Marciante stated that he would like to discuss the food license fees at the next work session meeting. Mr. Marciante stated that Parks and Recreation would like to have two benches installed near the sandbox at Kunkel Park.

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

Senior Advisory Board - Mr. Caminiti reported for Ms. Angarone that she was unable to attend the meeting, but residents should consult the Hopewell Valley Senior Services website for information on programs and events. Mr. Marciante stated that the senior picnic will be held on September 11th and registration is available on the website.

Mayor Davy stated that Resolution 2025-9.11 for a Block Party was added after the agenda was posted on the website.

NEW BUSINESS

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.1**

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED that a refund be issued from the Developer's Escrow Fund to Frontier Development LLC, 5 Pennington LLC, 2950 SW 27th Avenue, Suite 300, Miami, FL 33133 for the balance of escrow account 22-009 in the amount of \$500.37.

BE IT RESOLVED that a refund be issued from the Developer's Escrow Fund to Jay Neary, 115 Lewisbrook Road, Pennington, NJ 08534, for the balance of escrow account 23-002 in the amount of \$2,250.24.

BE IT RESOLVED that a refund be issued from the Other Trust Fund to Tricia Krajunus, 217 Pleasant Valley Road, Titusville, NJ 08560, for a refund of Security Deposit for Kunkel Park reservation on 6/22/25 in the amount of \$500.00.

BE IT RESOLVED that a refund be issued from the Other Trust Fund to Megan Riddlesberger, 1 Reigate Way, Titusville, NJ 08560, for a refund of Security Deposit for Kunkel Park reservation on 8/3/25 in the amount of \$500.00.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-9.1, second by Council Member Marciante with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.2**

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 \$ 3,471,779.74 from the following accounts:

Current	\$ 3,361,271.37
W/S Operating	\$ 43,890.74
General Capital	\$ 17,597.50
Grant Fund	\$ 6,688.53
Open Space Fund	\$ 4,500.00
COAH Trust Fund	\$ 710.50
Unemployment Trust Fund	\$ 61.50
Other Trust Fund	\$ 37,050.00
Animal Control Trust	\$ 9.60
TOTAL	\$ 3,471,779.74

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-9.2, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.3**

**RESOLUTION AUTHORIZING MUNICIPAL CLERK TO ENDORSE ABC
APPLICATION BY TRENTON CYRUS FOUNDATION LODGE #5 FOR
SOCIAL AFFAIR EVENT ON OCTOBER 11, 2025**

WHEREAS, Trenton Cyrus Foundation Lodge #5, located at 135 Burd Street in Pennington (“Applicant”) is applying to the State Division of Alcoholic Beverage Control (ABC) for a Limited Brewery Off-Premises Event Permit (File #801396) authorizing an Octoberfest social event on October 11, 2025 (with rain date on October 12, 2025);

WHEREAS, the proposed event will be a Social Affair sponsored by the Trenton Cyrus Foundation Lodge #5 for which tickets will be sold with proceeds going to the Foundation, a civic and charity organization;

WHEREAS, the proposed location of the Applicant’s one-day event is the meeting headquarters of the Trenton Cyrus Foundation Lodge #5 at 131 Burd Street in Pennington;

WHEREAS, the proposed hours of the Applicant’s event are from 4:00pm to 10:00 pm;

WHEREAS, the Applicant’s event will dispense wine in 6-ounce cups and malt alcoholic beverage in 12-ounce cups 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; security personnel, prevention of intoxication and other relevant information pertaining to the event;

WHEREAS, Applicant represents that for security there will be a fenced-in area with only one entrance/exit from outside the hall; former law enforcement officers who are members of the Lodge will be at the door checking ID’s and stamping hands and TIPS-certified members will be on hand;

WHEREAS, approximately 140 people are expected to attend the event;

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 Trenton Cyrus Foundation Lodge #5 on the following conditions:

1. that the application 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;
2. 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;
3. that Applicant’s application be approved by ABC ; and
4. 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				absent	Rubenstein	X			
Chandler	M				Stern	X			
Marciante	S				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-9.3, second by Council Member Marciante with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-9.4**

**RESOLUTION AUTHORIZING HUNTING ON DESIGNATED PROPERTIES
AS PART OF THE BOROUGH'S DEER MANAGEMENT PROGRAM**

WHEREAS, by Resolution 2025-8.7, as part of the Borough's Deer Management Program, Borough Council has authorized a contract with Scorpion Outdoors Deer Management for the hunting of deer by bow and arrow on pre-designated properties during the 2025-2026 bow-and-arrow deer hunting season;

WHEREAS, as part of the agreement with Scorpion Outdoors Deer Management, it is agreed that deer hunting pursuant to the agreement shall be conducted only on properties approved in advance by Resolution of Borough Council and, with respect to properties not owned by the Borough, after permission has also been granted by the owner of the property in writing;

WHEREAS, the purpose of this Resolution of Borough Council is to provide such approval for the properties listed below;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the following properties are authorized by Borough Council for hunting by Scorpion Outdoors Deer Management as part of the Borough's Deer Management Program during the 2025-2026 deer hunting season for bow and arrow:

Block 46, Lot 13 (DPW)

Block 206, Lot 13 (Landfill)

Such additional properties as approved by the Borough Administrator after permission is granted by the owner in writing.

BE IT FURTHER RESOLVED, that any property not owned by the Borough shall require written permission by the owner before any hunting may take place there.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-9.4, second by Council Member Chandler. Mayor Davy asked if we have the list of properties. Mr. Bliss recommended that the two Borough properties be listed along with language allowing the Borough Administrator to approve locations once the forms are submitted and signed. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.5**

RESOLUTION AUTHORIZING CLEAN UP 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 forestry mow debris, invasive weeds, large rotten logs and debris from runoff ditches that needs to be addressed; and

WHEREAS, the Superintendent of Public Works solicited a quote from Shier Tree Expert to perform the services required to perform the clean up with the Arboretum; and

WHEREAS, a copy of Quote #4566 from Shier Tree Expert in the amount of \$5,750.00, 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 Shier Tree Expert, pursuant to the attached quote #4566, are hereby authorized for an amount not to exceed \$5,750.00, 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				Absent	Rubenstein	X			
Chandler	M				Stern	X			
Marciante	S				Valenza	X			

Council Member Chandler made a motion to approve Resolution 2025-9.5, second by Council Member Marciante. Mrs. Chandler stated that the volunteers have been great clearing out the Arboretum but there is a lot of invasive species and large branches that the volunteers cannot safely address. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-9.6**

**RESOLUTION RECOGNIZING THE INCREASE OF THE BID THRESHOLD TO \$53,000
PURSUANT TO STATE LAW**

WHEREAS, the State of New Jersey, through the Division of Local Government Services, has increased the bid threshold for contracting units that have appointed a Qualified Purchasing Agent (QPA) from \$44,000 to \$53,000, effective July 01, 2025, in accordance with N.J.S.A. 40A:11-3 and N.J.A.C. 5:34-5.4; and

WHEREAS, the Borough of Pennington has appointed Michael Pitts, CPA, CMFO, CTC, QPA, MPA, MBA as its Qualified Purchasing Agent, in full compliance with the requirements of N.J.A.C. 5:34-5 et seq., thereby authorizing the Borough to utilize the maximum statutory bid threshold; and

WHEREAS, this updated threshold allows for more efficient procurement procedures while maintaining transparency, fiscal responsibility, and compliance with the Local Public Contracts Law;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Pennington, County of Mercer, State of New Jersey, as follows:

1. Adoption of State-Authorized Threshold: Borough of Pennington hereby acknowledges and adopts the revised bid threshold of \$53,000 as authorized by the State of New Jersey, effective August 4, 2025, pursuant to N.J.S.A. 40A:11-3 and N.J.A.C. 5:34-5.4.
2. Qualified Purchasing Agent Confirmation: The Borough confirms that Michael Pitts, CPA, CMFO, CTC, QPA, MPA, MBA, is duly appointed and certified as the Borough's Qualified Purchasing Agent and shall continue to exercise the authority granted under the Local Public Contracts Law.
3. Direction to Departments: All Borough departments and officials are directed to adhere to the updated threshold in all procurement activities governed by the Local Public Contracts Law.
4. Effective Date: This resolution shall take effect immediately upon adoption and, if required, be filed with the Division of Local Government Services.

Record of Council Vote on Passage

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

Council Member Stern made a motion to approve Resolution 2025-9.6, second by Council Member Marciante with all members present voting in favor.

Mayor Davy asked for a consent agenda for Resolutions 2025-9.7, 2025-9.8, 2025-9.9 and 2025-9.11. Mr. Rubenstein asked why we are voting on block parties. Mr. Bliss stated that he could prepare an Ordinance with the four conditions that would allow the Borough Administrator to sign off without the consent of Council.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 - 9.7**

RESOLUTION AUTHORIZING BLOCK PARTY ON SEPTEMBER 13, 2025 (RAIN DATE, SEPTEMBER 14, 2025) FROM 5 PM TO 10:30 PM ON WALKING PURCHASE DRIVE

WHEREAS, Michael Southall has applied to the Borough of Pennington for permission to close the Borough street known as Walking Purchase Drive at its intersection with North Riding Drive on September 13, 2025 (Rain Date September 14, 2025) beginning at 5 PM and ending at 10:30 PM for a block party on Walking Purchase Drive for an estimated 25 people;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that this application by Michael Southall 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				absent	Rubenstein	X			
Chandler	X				Stern	S			
Marciano	M				Valenza				abstain

Council Member Marciano made a motion to approve Resolution 2025-9.7, 2025-9.8, 2025-9.9 and 2025-9.11, second by Council Member Stern with all members present voting in favor with the exception of Mr. Valenza who abstained.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.8**

**RESOLUTION AUTHORIZING BLOCK PARTY ON OCTOBER 4, 2025 (RAIN DATE, OCTOBER 5, 2025)
FROM 2 PM TO 10 PM ON EAST WELLING AVENUE**

WHEREAS, Michael Rheinhardt has applied to the Borough of Pennington for permission to close the street known as East Welling Avenue from East Welling up to the corner of Baldwin in the Borough on October 4, 2025 (Rain Date October 5, 2025) beginning at 2 PM and ending at 10 PM for a block party on East Welling Avenue for an estimated 50 people;

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

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.

Record of Council Vote on Passage

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

Council Member Marciano made a motion to approve Resolution 2025-9.7, 2025-9.8, 2025-9.9 and 2025-9.11, second by Council Member Stern with all members present voting in favor with the exception of Mr. Valenza who abstained.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.11**

**RESOLUTION AUTHORIZING BLOCK PARTY ON SEPTEMBER 27, 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 between Sked Street and Burd Street in the Borough on September 27, 2025 beginning at 4 PM and ending at 8 PM for a block party on Voorhees Avenue for an estimated 50 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:

9. 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.
10. Each property owner affected by the closure shall be notified in writing substantially in advance of the closure.
11. There must be access for emergency vehicles at all times.
12. 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				absent	Rubenstein	X			
Chandler	X				Stern	S			
Marciante	M				Valenza				abstain

Council Member Marciante made a motion to approve Resolution 2025-9.7, 2025-9.8, 2025-9.9 and 2025-9.11, second by Council Member Stern with all members present voting in favor with the exception of Mr. Valenza who abstained.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 9.9**

**RESOLUTION AUTHORIZING REVISED TERMS FOR PURCHASE OF HYDRANT AND OTHER
WATER DISTRIBUTION SYSTEM SUPPLIES FROM RARITAN PIPE & SUPPLY CO. THROUGH
COOPERATIVE PRICING SYSTEM AGREEMENT WITH THE NORTH JERSEY WASTEWATER
COOPERATIVE PRICING SYSTEM, REVOKING RESOLUTION 2025-7.12**

WHEREAS, by Resolution 2025-7.12, Borough Council authorized the purchase of a fire hydrant and other water distribution supplies from Raritan Pipe & Supply Co. in an amount not to exceed \$12,180.94;

WHEREAS, the purchase was to be effected through the North Jersey Wastewater Cooperative Pricing System;

WHEREAS, Pennington Borough joined the North Jersey Wastewater Cooperative Pricing System by Resolution 2021-10.8 in October of 2021; and

WHEREAS, Raritan Pipe & Supply Co., located in New Brunswick, New Jersey, is an authorized dealer for the hydrant and desired equipment and had provided the Borough with quote #1243227 dated June 6, 2025 on which approval of Resolution 2025-7.12 was based;

WHEREAS, on the advice of the Superintendent of Public Works, it was subsequently learned that the quote for the hydrant and supplies relied on specifications that required revision;

WHEREAS, based on the revised specifications, Raritan Pipe and Supply Co. has now provided the attached quote #1246898, dated July 14, 2025, in the total amount of \$13,837.64;

WHEREAS, the Chief Financial Officer has certified that funds are available for this purchase in the Water/Sewer Budget under line #5-05-55-501-000-271;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington: (1) that the aforesaid purchase of equipment through the North Jersey Wastewater Cooperative Pricing System for the Public Works Department, is hereby authorized in the revised amount not to exceed \$13,837.64 as per quote 1246898, dated July 14, 2025 from Raritan Pipe & Supply Co.; (2) that Resolution 2025-7.12 is hereby revoked.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-9.9, second by Council Member Chandler with all members present voting in favor.

COUNCIL DISCUSSION

Update on New Legislation Regarding Public Notices – Mr. Bliss gave an overview of new legislation requiring that all legal notices must be published on the website by March of 2026 and that a hyperlink to all legal notices be posted prominently on the website. Mr. Bliss stated that all notices shall be posted for no less than a week and then be housed in an archive for no less than 1 year. Mr. Bliss stated that the hyperlink must be supplied to the Secretary of State who then has to display all hyperlinks for local entities. Mr. Bliss stated that there are also requirements for applicant

publications specifically for the Planning Board. Mr. Bliss stated that we will not be required to publish in a newspaper, but we can continue to publish in the paper until March of 2026. Mayor Davy asked Mrs. Sterling if she knew how much we spend on publications. Mrs. Sterling stated that costs for advertising vary between \$30 and \$50 for Ordinances. Mr. Bliss stated that he has more research to do with regard to this legislation.

Communication Update – Ms. Stern reviewed the following items that have been batted around at their communication meeting.

Send out agendas in e-mail for Council Meetings and Work Sessions

Develop an "explainer" about work sessions and Council sessions explaining the schedule and when people can speak

Let people know that they can request copies of meetings.

Publish "explainer" in a permanent site on website and in newsletter

Other suggestions for increasing public engagement

Ms. Stern stated that we have a responsibility to get information out to the public on what will be discussed at each meeting so that residents have the opportunity to know if they want to attend. Ms. Stern stated that they would also like to get something out to the residents, explaining the difference between a work session and a meeting. Ms. Stern asked if anyone had any comments or questions about these items. Mr. Caminiti stated that there are some communication challenges that we are working through, and he agrees that the website is the platform for getting information out to the public. Mr. Caminiti stated that we need to make sure we have guidance, and we address cybersecurity and have security in place when putting information out on the website.

Burd Street/Ingleside - Mercer County Traffic Data Analysis – Mrs. Chandler stated that we reached out to Mercer County to see if they had any information on the traffic light at Route 31 and Ingleside to see if they have any data that would help with determining how to address traffic on Burd Street. Mrs. Chandler stated that since Ingleside is a County Road they did come out and meet to discuss possible ideas for Ingleside. Mrs. Chandler stated that these were conversations only. Mrs. Chandler stated that the outcome was to wait for when the light is installed and then gather data on the impact on Borough roads to determine the best solution going forward. A discussion took place regarding having the State involved in the conversations and Mrs. Chandler stated that the State would not be involved with Burd Street discussions, but they would be involved with any decisions regarding Ingleside Ave.

Developer Presentation Regarding Wells Fargo Site / Draft of Redevelopment Plan for Wells Fargo Site – Mayor Davy stated that Mr. Jeffrey Albert presented a proposal for the Wells Fargo property who attended the last meeting and is back for this meeting with a revised presentation that adds additional detail and recommendations from the previous meeting. Mr. Albert stated that they are not presenting detailed plans and drawings because it is too early in the process. Mr. Albert stated that the two topics that were most important were stormwater and pedestrian safety and that is the focus of this revised presentation. Mr. Albert stated that their engineers are reviewing stormwater and with regard to pedestrian safety, they have done a cursory traffic study, and they feel that an increase in traffic would be negligible. Mr. Albert stated that if a project is approved for this site, they would undertake a full traffic study but they have discussed some thoughts and ideas for pedestrian safety. Mr. Albert briefly explained two thoughts that they had related to pedestrian safety. Mr. Albert stated that he has spoken to Fire Official, Andy Fosina and they will continue those conversations related to fire safety. Mr. Albert repeated that this project is in the very early stages, and it will not be finalized until a redevelopment plan is in place. A discussion took place regarding stormwater management at the intersection of Route 31 and Delaware, that is a known area that floods during fast hitting storms. Mr. Albert stated that they are aware of the problem and feel that the problem will be markedly better if their project is developed. Some discussion took place regarding mixed use. Mr. Albert stated that there is no market for non-residential use and the current owner has tried to market the property for non-residential use and has had no success. Mayor Davy asked Mr. Albert to explain at what stage of the project they would undertake a traffic study and studies and engineering related to storm water management. Mr. Albert stated that the first stage is to have an agreement on a redevelopment plan and that is followed by a redevelopment agreement that installs them as the redeveloper, and it would identify the zoning for the property. Mr. Albert stated that once the plan and the agreement are done, they can start the engineering design and all the other ancillary studies that would be required. Mr. Albert stated that their project would have to go through the Planning Board process just like any other project. Mr. Kyle stated that this is the normal process for redevelopment of a property under a redevelopment agreement.

Mayor Davy asked Jim Kyle to review the draft redevelopment plan that he prepared for this site so that Council can have the opportunity to offer their input. Mr. Kyle shared a copy of the draft plan which Mr. Kyle stated was also discussed at the previous redevelopment committee meeting. Mr. Kyle stated that the plan includes many things that are required to be part of the plan per Statute. Mr. Kyle stated that the plan sets for the process going forward and outlines that Affordable Housing component. Mr. Kyle stated that Council will be presented a final plan that will come to Council for approval by Ordinance. Mr. Kyle explained the process going forward and how both Council and the Planning Board are involved in the process. Mr. Kyle stated that use of the word shall in the plan is by Statute and cannot be changed, use of the word should means that it can be discussed and adapted to what Council wants in the plan. Mr. Kyle stated that the draft plan is on the website and can be reviewed. Mayor Davy stated that this is a draft plan and will come back to Council at a later meeting, no action is being taken tonight. Mayor Davy stated that the final plan will be on the next work session and if Council is inclined they can put forth an Ordinance for the October meeting.

Mr. Caminiti stated that Ms. Stern had to step away from the meeting.

Railroad Place Milling & Paving – Mr. Caminiti stated that the road connecting Railroad Place from Green Street to Main Street is in need of repair. Mr. Caminiti stated that there are two ways to address this, one is an NJDOT grant, and the other is through the support of Mercer County where we pay for the asphalt, and they cover the labor for milling and resurfacing. Mr. Caminiti stated that the County option is a way better option in terms of cost for the Borough and the County has done several roads in the Borough already. Mr. Caminiti stated that the road was owned by the HOA at the time it was built but somewhere along the way, the Borough came into possession of the road. Mr. Caminiti stated that the Engineer has looked at the deed to determine what the Borough responsibility is for paving. Mr. Caminiti stated that there are some special internal areas that lead to common parking areas that are not part of the Borough responsibility but that will be included in the paving project, including aprons to the common parking areas. Mr. Caminiti stated that parking areas will not be paved under this project. Mayor Davy recognized George Ford of 21 Railroad Place, asked for confirmation on the scope of the project and asked specifically about a storm drain that exists on one of the aprons that will be repaired. Mr. Dan Pace of 9 Railroad Place commented briefly on the project.

PROFESSIONAL REPORTS

Borough Administrator – Mr. Caminiti stated that September 1st was the official transition for the change to employee health benefits. Mr. Caminiti thanked Betty Sterling and Walter Bliss for taking on most of the load for this transition. Mr. Caminiti stated that we are dodging a bullet on the large percentage increase for the State Health Benefits effective January 1, 2025. Mr. Caminiti commented briefly on the upcoming budget season that will ramp up in September. Mr. Caminiti stated that updates on road closures have been on the Borough website within an hour of receipt of the notifications. Mr. Caminiti stated that Ken Smith, who has been with Public Works for about 15 years has resigned which may cause some changes regarding leaf collection, snow season and other functions of the department. Mr. Caminiti stated that a meeting took place with Senator Bookers office to keep the door open as we actively look for any grant monies that we can find. Mr. Caminiti stated that he is working on funding for PFAS and the class action settlements and how much money the Borough can expect and also code enforcement which he hopes to hit the ground running in 2026. Mr. Caminiti stated that ordinances will need to be drafted and staffing will need to be addressed in the 2026 budget.

Borough Attorney- Walter Bliss – Mr. Bliss stated that Council has a couple of closed session items.

Borough Clerk - Betty Sterling – Mrs. Sterling reported on the Borough auction that was recently held and she reminded everyone that the water bills will go out later this month and she is looking for items for the newsletter.

Chief Financial Officer - Sandy Webb – Mrs. Webb was not in attendance.

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

Sergeant Burroughs – Sgt. Burroughs had nothing further.

Public Comment

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

Mr. Alex Reznik of 417 Burd Street stated that he would like to complain about the Borough's response to the construction in town. Mr. Reznik stated that the website notifications have been great, but the lack of police presence at the intersections where there are traffic backups, for example West Franklin and North Main is causing a lot of problems and near accidents. Mr. Reznik stated that he has observed this consistently during the construction and he would like to see this rectified going forward. Mr. Caminiti stated that he would address this with Elizabethtown Gas.

Mr. Greg Woods of 3 Park Avenue stated that he appreciated the presentation on the Wells Fargo site on Route 31 and he would like to express his support of the project.

Mr. Eric Holtermann of 45 North Main Street spoke on the Wells Fargo and stated that this is new chapter for Pennington Borough as this will be the tallest building in town and he is wondering if the reports acknowledge the issues that will come from this project like traffic and impervious coverage related to an 80-unit development. Mr. Holtermann stated that 75 percent impervious coverage and he would like to see the density scale of the project scaled back. Mr. Holtermann stated that because a variance will be required the Borough has the opportunity to tailor this project to what the Planning Board and Council feel is best for the town.

CLOSED SESSION

AT, 9:47 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:

Tax Appeal - Verizon

Open Space Acquisition - Green Acres Response

Attorney / Client - PILOT Litigation

Mayor Davy stated that Council will return to open session and possibly take action on a Resolution to be discussed in Closed Session. Mrs. Sterling stated that the link for this meeting will remain open so anyone interested in remaining on the meeting can do so.

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

RETURN TO OPEN SESSION

**BOROUGH OF PENNINGTON
RESOLUTION 2025-9.10**

**RESOLUTION AUTHORIZING (1) PETITION FOR CERTIFICATION
TO SUPREME COURT IN HOPEWELL BOROUGH, et al vs. HOPEWELL TOWNSHIP, et al (APPELLATE
DOCKET NO. A-3086) AND (2) THE PRINTING AND SUBMISSION OF DOCUMENTS BY COUNSEL
PRESS**

WHEREAS, the Borough of Pennington has filed a legal action challenging the legality of a 30-year tax exemption awarded U.S. Home at Hopewell Parc Urban Renewal, LLC and U.S. Home Corporation d/b/a Lennar;

WHEREAS, the legal action is currently titled Hopewell Borough, et al v. Hopewell Township, et al, Superior Court of New Jersey, Appellate Division, Docket No. 3086-22;

WHEREAS, on August 21, 2025, the Appellate Division issued an opinion affirming dismissal of the Borough's complaint in the trial court;

WHEREAS, Borough Council now seeks to appeal this decision to the New Jersey Supreme Court by the filing of a Petition for Certification and an appeal as of right;

WHEREAS, this appeal will require among other things the printing of briefs and documents from the record in the courts below:

WHEREAS, Borough Council intends to authorize an expenditure for the support services of Counsel Press (New York, New York) to do the printing and submission of these and related documents to the Supreme Court and to ensure compliance with related filing requirements;

WHEREAS, Counsel Press estimates that the cost of these services will approximate \$3,700;

NOW, THEREFORE, BE IT RESOLVED that:

1. the Borough Attorney is hereby authorized to take such steps as may be required to file with the New Jersey Supreme Court a Petition for Certification and an appeal as of right in this matter;
2. the retention of Counsel Press for support services as described, and an expenditure of up to \$5,000 for these services, is hereby further authorized.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-9.10, second by Council Member Chandler with all members present voting in favor.

ADJOURNMENT

AT 10:27 PM, Council Member Marciante made a motion to adjourn the regular meeting, second by Council Member Rubenstein with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk