

Pennington Borough Council
Regular Meeting – August 4, 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, and Stem in attendance. Mr. Valenza was absent.

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

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 the following resignations:
Larissa Kelly – Economic Development
Kristyn Friedlich – Parks and Recreation

Mayor Davy announced that the August 25th Work Session is cancelled, and the next meeting will be the Regular Meeting on September 2, 2025.

ORDINANCES FOR INTRODUCTION

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 introduce 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 Marciante made a motion to introduce Ordinance 2025-12, second by Council Member Chandler with all members present voting in favor.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinance 2025-10 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-10**

**BOND ORDINANCE PROVIDING FOR MILLING AND OVERLAYING
OF VARIOUS STREETS IN AND BY THE BOROUGH OF PENNINGTON,
IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING
\$135,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$128,250
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 \$135,000, including the sum of \$6,750 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 \$128,250 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 milling and overlaying of various streets, including, but not limited to, Green Street, Broemel Place, Curlis Avenue and Railroad Place and further including all work and materials necessary therefor and 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 \$128,250, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$10,000 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 2025-10, second by Council Member Stern. There were no comments from the public. Council Member Stern made a motion to close the Public Hearing on Ordinance 2025-10, second by Council Member Marciante with all members present voting in favor. Council Member Rubenstein made a motion to adopt Ordinance 2025-10, second by Council Member Stern with all members present voting in favor.

COMMITTEE REPORTS

Personnel/ Economic Development- Ms. Angarone had nothing to report for Personnel, but stated that they will be meeting on August 6th. Ms. Angarone stated that Economic Development met while she was away, but they are concerned about the road closing and they would like signage indicating that the businesses are still open. Ms. Angarone stated that she will follow up with Mr. Caminiti on signage.

Senior Advisory Board - Ms. Angarone reported that Senior Advisory did not meet so she had no report.

Public Works/ Planning Board/ Historic Preservation – Ms. Stern reported that Public Works met and they discussed the items that Mr. Caminiti updated Council on at the work session last week. Ms. Stern stated that Historic Preservation did not meet. Ms. Stern stated that the Planning Board continues to be busy with the Master Plan and they are working on the last two elements of the Master Plan. Ms. Stern stated that the Master Plan Committee formulated and distributed a survey that was sent to residents to seek input on the next two elements of the Master Plan. Ms. Stern stated that the survey will be open until August 15th. Ms. Stern stated that the Master Plan Committee will be holding a public open house on September 30th at Borough Hall and she will have more information on this at the next meeting. Ms. Stern encouraged everyone to view the new website which has some new features that are available for residents to get information and agendas emailed to them.

Finance & Technology/ Public Safety/ Aboretum / Landfill – Mrs. Chandler stated that the Finance Committee continues to discuss and formulate an operating procedure for the budget process. Mrs. Chandler stated that Public Safety met and later in the meeting Council will consider hiring our 6th officer. Mrs. Chandler stated that plantings will be going in on the Curlis Avenue side sometime in September. Mrs. Chandler had no update on the Landfill.

Environmental Commission / Shade Tree/ Library Board – Mr. Rubenstein stated that no meetings were held in July. Mr. Rubenstein stated that Shade Tree continues to work on the Community Forestry Plan.

Parks & Recreation – Mr. Marciante stated that the next event will be a concert on September 5th and they are working on a pumpkin carving/hayride for October.

Board of Health/ Net Zero Committee – Mr. Valenza was not in attendance.

NEW BUSINESS

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.2**

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 \$ 794,083.78 from the following accounts:

Current	\$ 229,776.49
W/S Operating	\$ 44,426.81
General Capital	\$ 488,359.38
Grant Fund	\$ 3,859.30
COAH Trust Fund	\$ 5,648.00
Other Trust Fund	\$ 22,000.00
Animal Control Trust	\$ 13.80
TOTAL	\$ 794,083.78

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-8.2, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.3**

RESOLUTION ELIMINATING THE ADVISORY COMMITTEE ON HOUSING AND REDEVELOPMENT MATTERS

WHEREAS, by Resolution 2024-8.14 Borough Council created the Advisory Committee on Redevelopment Issues consisting of six members, two from Borough Council, two from the Planning Board and the Borough Administrator and Borough Planner;

WHEREAS, by Resolution 2024-10.7 Borough Council amended Resolution 2024-8.14 expanding the Committee to seven members and providing that the Mayor shall serve on the Committee ex officio whether or not also serving on the Planning Board;

WHEREAS, the purpose of the Committee has been to advise Borough Council in connection with the exercise of its various statutory authorities related to redevelopment;

WHEREAS, the Redevelopment Committee has served the Borough well over the past year but the extent of public interest and involvement in its work indicates a need for direct participation by all of Borough Council and the Planning Board, in their respective roles;

WHEREAS, in the interest of both effectiveness and transparency, Borough Council now therefore seeks to eliminate the Redevelopment Committee in deference to the full membership of Borough Council and the Planning Board.

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

1. Resolutions 2024-8.14 and 2024-10.7 are revoked;
2. the Redevelopment Committee is disbanded.

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				absent

Council Member Chandler made a motion to approve Resolution 2025-8.3, second by Council Member Angarone with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2025-8.4

RESOLUTION MAKING BENEFIT PLANS FOR VISION AND
DENTAL COVERAGES AVAILABLE TO BOROUGH EMPLOYEES
ON A VOLUNTARY BASIS

WHEREAS, Pennington Borough has entered into an Indemnity and Trust Agreement with NJ Solutions Joint Health Insurance Fund (“Fund”) by which, effective September 1, 2025, the Borough will be a member of the Fund and participate in the health insurance coverages and prescription drug coverages offered by the Fund;

WHEREAS, Borough Council also seeks to offer Borough employees and retirees the option of obtaining vision and dental coverages but these coverages are not offered by the Fund at this time;

WHEREAS, Capital Benefits, LLC has therefore agreed to arrange for vision and dental coverages to be available to Borough employees and retirees on an optional, voluntary basis, effective September 1, 2025, through Principal Life Insurance Company of Des Moines, Iowa (“Principal Life”);

WHEREAS, copies of the vision and dental plans available to Borough employees and retirees through Principal Life via Capital Benefits, LLC are attached to this Resolution;

WHEREAS, employees and retirees may elect one or both or none of the coverages at applicable premiums, which shall be payable entirely by the insured without contribution from the Borough;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the Borough Administrator is hereby authorized and directed to take such steps as necessary to ensure that, effective September 1, 2025, Borough employees and retirees are offered the vision and dental coverages available to them through Principal Life Insurance Company via Capital Benefits, LLC as described above.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-8.4, second by Council Member Marciante with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2025-8.5

RESOLUTION AUTHORIZING HIRING OF TREVOR J. CARLTON
AS POLICE OFFICER IN THE PENNINGTON POLICE DEPARTMENT

WHEREAS, the Pennington Borough Police Department registered a vacancy and posted a hiring advertisement on the website PoliceApp on April 14, 2025, which closed on June 14, 2025;

WHEREAS, 61 applications were received through PoliceApp;

WHEREAS, these applications were reviewed according to the following criteria:

- Resident of New Jersey and citizen of the United States;
- Valid NJ Driver’s License
- Between ages 21 and 35 at time of appointment
- High School graduate or GED
- Ability to perform all tasks and duties of a Police Officer in accordance with NJ PTC requirements
- No history of indictable criminal conviction; good moral character

WHEREAS, all candidates who met these criteria were invited to participate in a physical fitness assessment with all candidates notified of the details and location of the test, to include 24 push-ups in one minute, 28 sit-ups in one minute, a 300-meter run in 70.1 seconds, and a 1.5 mile run in 15.55 minutes;

WHEREAS, 24 applicants took the physical fitness test, four failed the exam, one was disqualified and one

left voluntarily;

WHEREAS, applicants who hold a valid NJ PTC BCPO Certification were exempt from participating in the physical fitness assessment and were advanced to the interview phase;

WHEREAS, a total of 27 candidates were afforded an initial interview and 6 were selected for a second round interview, all involving a series of questions relating to policing, life experience, knowledge of Pennington Borough, fit with the Department, prior criminal history, demeanor, preparedness and other relevant questions;

WHEREAS, candidate Trevor Carlton was ultimately selected for hire as the most qualified candidate, subject to criminal background investigation, medical examination, psychological screening and drug testing;

WHEREAS, candidate Carlton subsequently passed all of these tests and is now recommended for hire by the Officer in Charge of the Department, SFC Daryl Burroughs, Jr.;

NOW, THEREFORE, BE IT RESOLVED by Borough Council of the Borough of Pennington, that it hereby authorizes the hiring of Trevor J. Carlton as Police Officer in the Pennington Police Department;

BE IT FURTHER RESOLVED, that Mr. Carlton’s salary and other terms and conditions of employment shall be governed by the contract between the Borough and the Pennington Borough Police Association, and other applicable legal requirements;

BE IT FURTHER RESOLVED, that Mr. Carlton’s start date shall be determined by the Officer in Charge.

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			
Marciante	X				Valenza				absent

Mayor Davy read a brief introduction of Mr. Trevor Carlton and gave an overview of the hiring process. Council Member Chandler made a motion to approve Resolution 2025-8.5, second by Council Member Rubenstein with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.6
RESOLUTION AUTHORIZING EXPENDITURES FROM OPEN SPACE FUND FOR REPAIR OF SAND BOX IN KUNKEL PARK

WHEREAS, the Sand Box in Kunkel Park requires repairs, including the removal and disposal of all semi-buried poles and rotted wood benches and their replacement with new treated 2 x 12s for the seat and 2 x 8s for the sides to match existing construction; and

WHEREAS, the Superintendent of Public Works has obtained the attached quotation for the work from Anthony DiCocco Building Contractors, LLC in Pennington in the amount of \$5,890; and

WHEREAS, the quoted amount is all-inclusive, covering labor and material and all other expenses relating to the work; and

WHEREAS, Pennington’s Open Space Trust Fund has been created in accordance with N.J.S.A. 40:12-15.7, which authorizes use of such funds for development and maintenance of lands acquired for recreation purposes, as determined by the governing body of the municipality; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor and Borough Clerk are hereby authorized to issue a purchase order procuring the aforesaid work by Anthony DiCocco Building Contractors LLC for an amount not to exceed \$5,890.00 payable from the Open Space Fund.

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

Council Member Angarone made a motion to approve Resolution 2025-8.6, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.7**

**RESOLUTION AUTHORIZING CONTRACT WITH
BRIAN KUBIN, D/B/A SCORPION OUTDOORS DEER MANAGEMENT
FOR CONTINUATION OF DEER MANAGEMENT PROGRAM IN 2025-26**

WHEREAS, Borough Council seeks to continue its program of deer management designed to control the population of deer in Pennington Borough by entering into a contract with professional deer hunter Brian Kubin, doing business in Ewing Township as Scorpion Outdoors Deer Management (hereafter “Scorpion Outdoors”);

WHEREAS, attached to this Resolution is a copy of the proposed Agreement with Scorpion Outdoors together with the incorporated proposal by Scorpion Outdoors presented to Pennington in June 2020 describing their methodology and terms of engagement (16 pages);

WHEREAS, services will include a pre-season site survey to designate hunting locations, the establishment of bait stations, camera monitoring, hunting sessions, deer harvest, deer removal and deer donation, among a range of additional activities as described in the attached Proposal;

WHEREAS, the Proposal includes background information on Mr. Kubin which is supplemented in additional information also attached to this Resolution;

WHEREAS, Scorpion Outdoors will charge \$170 for each deer harvested, such that unless deer are harvested, there will be no charge for Scorpion’s activities;

WHEREAS, the \$170 fee per harvested deer shall be an all-inclusive fee and the only compensation paid to Scorpion Outdoors, meaning there shall be no reimbursement for the cost of bait, for the processing of harvested deer, or for any other cost or expense, provided the harvested deer can be donated at no cost;

WHEREAS, Scorpion Outdoors promises to exert best efforts to donate harvested deer without incurring expense, but if it does not succeed in doing so, the contract will be suspended and there shall be no further hunting until an outlet for processing the deer (“Separate Outlet”) can be identified and the Borough enters into a separate contract with it at the Borough’s sole cost and expense;

WHEREAS, if the Borough succeeds in entering into a contract with a Separate Outlet, which shall be at the sole discretion of the Borough, Scorpion Outdoors shall have no obligation in connection with the Separate Outlet except to deliver to it at no expense to the Borough all deer thereafter harvested;

WHEREAS, deer hunting pursuant to the Agreement shall be conducted only on properties, approved in advance by Resolution of Borough Council and in the case of privately owned properties, after permission has been granted by the owner in writing;

WHEREAS, in addition to State reporting requirements, Scorpion Outdoors shall record and report to the Borough the location, sex and age of each deer harvested, with notation for age to be limited to “adult” or “recruit” (the latter signifying fawns and juveniles);

WHEREAS, Mr. Kubin represents that he and Scorpion Outdoors possess all necessary licenses for the activity they propose, he will provide copies of these licenses to the Borough so that they may be kept on file, and he will keep all such licenses in effect for the duration of the contract with the Borough;

WHEREAS, Mr. Kubin and Scorpion Outdoors will supply the Borough with proof of liability insurance with coverage limits of \$1,000,000 per occurrence, \$2,000,000 aggregate, naming the Borough of Pennington as an additional insured;

WHEREAS, Scorpion Outdoors will indemnify and hold harmless the Borough of Pennington for damage to person or property in connection with its contracted activities;

WHEREAS, the total cost of the contracted activities shall not exceed \$17,000 in the 2025-2026 hunting season, representing 100 deer harvested @ \$170;

WHEREAS, Scorpion Outdoors has demonstrated over the past five years that it is uniquely qualified to fulfill the Borough’s needs in connection with its deer management program based on Scorpion’s familiarity with Borough lands and deer population as well as its proven safety record and success rate, and qualifies for an award of contract for extraordinary services in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.1, et seq.;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq. authorizes the award of this contract without public bidding because the total contract price is below the bid threshold and the contract otherwise qualifies as a contract for the performance of extraordinary, unspecifiable services;

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract from the Borough Open Space Fund;

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

1. The Mayor, with the prior approval of the Borough Attorney, is hereby authorized to enter into a contract with Brian Kubin, doing business as Scorpion Outdoors, for performance of services in 2025-2026, provided the contract shall be substantially in the form attached to this Resolution and incorporate the terms described in this Resolution and the attached Proposal, updated in accordance with the terms for 2025-2026:
2. The duration of the contract shall not exceed one (1) year, with hunting activity limited to the 2025-2026 hunting season.
3. The total cost of the contract shall not exceed \$17,000, which shall be all-inclusive, to be drawn from the Borough Open Space Fund.
4. Between meetings of Borough Council, should it be necessary to enter into a contract with a Separate Outlet for the processing of harvested deer, the Mayor is hereby authorized to do so in his discretion provided the contract shall be subject to available funds, shall be approved by the Borough Attorney as to form, and shall not exceed \$1,500. in total contract cost without formal prior approval by Borough Council.

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

Council Member Marciante made a motion to approve Resolution 2025-8.7, second by Council Member Chandler. Mrs. Chandler stated that after the discussion at the work session some small changes were made to the contract, and another survey will be scheduled for 2026 to measure the effectiveness of the program. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-8.8**

**RESOLUTION AUTHORIZING DISMISSAL OF THE BOROUGH’S
CONTESTED ANSWER IN FORECLOSURE ACTION BY NORTHVIEW
ASSOCIATES LLC V BEYROUTY, ET AL (Block 901, Lot 2)**

WHEREAS, Northview Associates, LLC has filed a foreclosure action against Louis B Beyrouty, Pennington Borough and others seeking to take clear title to an isolated vacant 0.31- acre lot on the Hopewell side of Rt 31South opposite the southerly end of Reading Street in the Borough (Block 901, Lot 2 on the Borough Tax Map);

WHEREAS, the foreclosure action is titled Northview Associates, LLC v Beyrouty, et al, Superior Court of New Jersey, Chancery Division, Mercer County, Docket No. F-7948-24;

WHEREAS, the basis for Northview’s claim to the property is a Tax Sale Certificate it purchased at a public tax sale on December 3, 2021;

WHEREAS, the Borough’s interest in the property includes Tax Sale Certificates issued on October 23, 2013, December 8, 2023, and December 5, 2024;

WHEREAS, the Borough filed a contested Answer to the foreclosure Complaint with a view toward protecting its interests;

WHEREAS, the Borough and Northview now acknowledge that Northview’s Tax Sale Certificate is superior to the Borough’s Certificate from 2013 and the Borough’s Certificates from 2023 and 2024 are superior to Northview’s Certificate;

WHEREAS, the Borough and Northview now seek to enter into a Consent Order converting the Borough’s Answer in the action to a “non-contesting answer” (R. 1:34-6) by which the above priority of liens is agreed upon and the matter is removed from contested proceedings and returned to the Office of Foreclosure for resolution, with the Borough continuing to receive notice of proceedings and copies of subsequent pleadings, all with the stipulation that Northview must redeem the Borough’s 2023 and 2024 certificates in order to obtain final judgment;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Borough Attorney is hereby authorized to enter into a Consent Order substantially in conformance with the above recitals.

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				absent

Council Member Chandler made a motion to approve Resolution to approve Resolution 2025-8.8, second by Council Member Stern with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.9

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 (FINAL) FOR
WORK COMPLETED ON THE RECONSTRUCTION OF BALDWIN STREET AND BALDWIN COURT
PROJECT (PEN-BOOFP25201)

WHEREAS, Borough Council has entered into a contract with Top Line Construction Corp. for the reconstruction of Baldwin Street and Baldwin Court road project (PEN-BOOFP25201) at the total contract price of \$568,073.03; and

WHEREAS, Top Line Construction Corp. has submitted the attached Change Order No. 1 (Final) to adjust quantities as necessary for the completion of the project for a reduction of \$91,652.02 in contract price;

WHEREAS, Van Note Harvey Associates has reviewed Change Order #1 (Final) and recommends approval; and

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the aforesaid Change Order No. 1 (Final) authorizing adjustments to contract quantities, thereby reducing the net contract price by \$159,396.56 to \$476,421.01, is hereby approved.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-8.9, second by Council Member Marciante with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.10

RESOLUTION AUTHORIZING PAYMENT REQUEST NO. 2 (FINAL) TO TOP LINE CONSTRUCTION
CORP. FOR WORK COMPLETED ON ROAD REHABILITATION PROJECT BALDWIN STREET AND
BALDWIN COURT (PEN-BOOFP25201)

WHEREAS, Top Line Construction Corp.has completed work pursuant to the contract for the Road Rehabilitation of Baldwin Street and Baldwin Court Project (PEN-BOOFP25201); and

WHEREAS, Van Note Harvey division of Pennoni has reviewed Top Line Construction Corp’s attached application for payment and recommends payment of same pursuant to the Contractor’s Request for Payment No.2 in the amount of \$196,034.09 plus 2% retainage in the amount of \$5,607.74 for a total of \$201,641.83; and

WHEREAS, this is the final payment under the contract; and

WHEREAS, funds are available through a grant from the NJDOT under Ordinance 2024-3 in the General Capital Fund;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that payment to Top Line Construction Corp. in the net amount of \$201,641.83 pursuant to payment request No.2 (Final) is hereby authorized, upon receipt of fully executed documents and certified payrolls.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-8.11, second by Council Member Chandler with al members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.11**

RESOLUTION AUTHORIZING MUNICIPAL CLERK TO ENDORSE ABC APPLICATION BY NEEDLE CREEK BREWERY, LLC FOR CONCERT-RELATED EVENT ON THE PROPERTY OF HOWE COMMONS ON SEPTEMBER 5, 2025

WHEREAS, Needle Creek Brewery, LLC, located in Hopewell Township, NJ (“Applicant”) is applying to the State Division of Alcoholic Beverage Control (ABC) for a Limited Brewery Off-Premises Event Permit (File #800883) authorizing an event on September 5, 2025;

WHEREAS, the proposed event will be in connection with a public concert sponsored by Pennington Borough through the Pennington Parks and Rec Committee;

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

WHEREAS, the proposed hours of the Applicant’s event are from 5pm to 8:30 pm;

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

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

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

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

WHEREAS, five (5) of Applicant’s staff will be at the event, one (1) checking ID’s, two (2) pouring beer, one (1) taking orders and working the register and one (1) manager;

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

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

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

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

- 1. that the application as amended be endorsed by the Officer in Charge of the Pennington Police Department (Pennington’s highest ranking Police Officer), subject to assignment of such paid detail police personnel as may be designated by him;
- 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	X				Rubenstein	X			
Chandler	S				Stern	X			
Marciante	M				Valenza				absent

Council Member Marciante made a motion to approve Resolution 2025-8.11, second by Council Member Chandler. Mr. Bliss read a few minor changes to the Resolution into the record. Upon a roll call vote all members present voted in favor.

No action was taken on Resolution 2025-8.12.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 8.12**

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

PROFESSIONAL REPORTS

Borough Administrator – Mr. Caminiti extended a note of thanks and appreciation to all of the first responders to a fire today. Mr. Caminiti stated that as of September 1st we will be official with our new health insurance, and he would like to thank Betty Sterling and Walter Bliss for handling the administrative work. Mr. Caminiti stated that Elizabethtown Gas is making good progress, and they have been providing updated road closures and detours and that information is posted on the website. Mr. Caminiti stated the progress is being made on Lead Line Replacement, PFAS and Sidewalk Improvements. Mr. Caminiti stated that he continues to investigate code enforcement options and a couple of ordinances, Lead Paint and Rental Registrations, will be coming in the fall.

Borough Attorney- Walter Bliss – Mr. Bliss had nothing further.

Borough Clerk - Betty Sterling – Mrs. Sterling had nothing further.

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

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

Sergeant Burroughs – Sgt. Burroughs welcomed Trevor Carlton to the Pennington Police Department.

Public Comment

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

Mr. Dan Pace of Railroad Place had a question about the Website regarding news flashes.

ADJOURNMENT

AT 7:36 PM, Council Member Rubenstein made a motion to adjourn the regular meeting, second by Council Member Chandler with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk