

Pennington Borough Council Regular Meeting – February 3, 2025

Mayor Davy called the Regular Meeting of the Borough Council to order at 7:20 pm. The meeting was held via Zoom. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Chandler, Marciante, Rubenstein, Stem and Valenza in attendance.

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

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

Open to the Public

Mayor Davy read the following statement.

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

Jennifer Duffy a resident of Burd Street thanked Mayor and Council for responses to e-mails that she and other residents of Burd Street have been sending. Ms. Duffy stated that over the past few weeks she and other residents of Burd Street have been communicating their concerns with traffic and other issues related to cars traveling on Burd Street. Ms. Duffy stated that they are very concerned about the proposed traffic light at Ingleside and Route 31. Ms. Duffy stated that the neighbors of Burd Street expect change and action from the governing body of Pennington to address the safety concerns for residents and children in the community. Mayor Davy stated that he has communicated with the residents in writing acknowledging receipt of the letters and petitions which have been received and forwarded to the Public Safety Committee for review and recommendations on how to alleviate the concerns of the residents. Mr. Valenza stated that in the preliminary discussions about this he stated that that he was concerned about the impact of a traffic light without a traffic study to determine the effect the light would have on Burd Street and Pennington overall. Mr. Valenza encouraged residents to bring their concerns to Mercer County and the State as well because they are the ones that control the traffic light decision. Mr. Marciante stated that the Borough should also reach out to Dan Benson at Mercer County and he also stated that residents should submit any ideas that they have for addressing the concerns for consideration.

Several other residents of Burd Street also spoke in support of addressing the traffic concerns and offered solutions that could be considered such as stop signs along Burd Street, one-way street consideration, speed tables or bumps, rumble strips and other traffic calming options. Residents also requested a bigger police presence particularly during peak traffic hours and school hours. Ms. Stern stated that Council Members are not traffic engineers and should not be making decisions on this without a professional opinion. Mr. Rubenstein suggested that other considerations could be narrowing the road, installation of medians and possible roundabouts like they have in Princeton.

MAYOR'S BUSINESS

Mayor Davy stated that he was going to read a Proclamation for Chief Pinelli that he read at the walk out ceremony but since Chief Pinelli was unable to attend he did not read the Proclamation.

**BOROUGH OF PENNINGTON
COUNTY OF MERCER
STATE OF NEW JERSEY**

PROCLAMATION RECOGNIZING AND HONORING CHIEF DOUGLAS PINELLI UPON HIS RETIREMENT FROM THE PENNINGTON BOROUGH POLICE DEPARTMENT

WHEREAS, Chief Douglas Pinelli has served the Borough of Pennington with distinction since October 13, 2004, demonstrating exceptional leadership, dedication, and commitment to public safety; and

WHEREAS, throughout his career, Chief Pinelli has shown remarkable progression through the ranks, being promoted to Sergeant on February 27, 2015, to Sergeant First Class on February 7, 2016, and ultimately appointed as Chief of Police on May 4, 2020; and

WHEREAS, Chief Pinelli has demonstrated outstanding professional development through his FBI LEEDA Command and Supervisory certification, E-Trilogy Certification, EMT Certification, and completion of the Certified Public Managers Program at Rutgers University; and

WHEREAS, his exceptional service has been recognized through numerous awards and commendations, including:

- Recognition as Police Officer of the Year by the State of New Jersey Knights of Columbus (May 16, 2014)
- Recognition for heroic action during a swift water rescue by Hopewell Fire District #1 (November 8, 2006)
- Lifesaving Award presented by Mayor Persichilli (February 28, 2013)
- Letter of appreciation from Hopewell Township Police for life-saving assistance (March 26, 2014)
- Senate & General Assembly Certification for outstanding record of service and leadership (May 11, 2024); and

WHEREAS, Chief Pinelli's leadership has significantly enhanced the professionalism, effectiveness, and community engagement of the Pennington Borough Police Department; and

WHEREAS, his dedication to public service has materially improved the safety and quality of life for all residents of Pennington Borough;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Pennington hereby express their sincere gratitude and appreciation to Chief Douglas Pinelli for his twenty years of exemplary service to our community; and

BE IT FURTHER RESOLVED that the Mayor and Council extend their best wishes to Chief Pinelli for a long, healthy, and fulfilling retirement; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Chief Douglas Pinelli and permanently recorded in the minutes of the Borough of Pennington.

Traffic – Burd Street Letters – Mayor Davy stated that this topic has already been covered.

Ryan Schwab Letter – Mayor Davy stated that Council received a letter from Ryan Schwab with a number of public safety concerns and that letter has been forwarded to the Public Safety Committee for consideration as well. Mayor Davy stated that one of Mr. Schwab's questions was the status of the Streetscape Project and Mayor Davy stated that the consultant is still finalizing the final design of the project.

PRESENTATIONS

Mayor Davy introduced Eric Holtermann, Chair of the Historic Preservation Committee who have a detail annual report for 2024.

APPROVAL OF MINUTES

Council Member Marciante made a motion to approve the minutes of the December 2, 2024, Regular Meeting, second by Council Member Angarone with all members present voting in favor with the exception of Mr. Rubenstein who abstained and Mr. Valenza who was having technical difficulties.

Council Member Marciante made a motion to approve the minutes of the December 30, 2024, Regular Meeting, second by Council Member Angarone with all members present voting in favor with the exception of Mr. Rubenstein who abstained and Mr. Valenza who was having technical difficulties.

Council Member Chandler made a motion to approve the Minutes of the January 6, 2025, Reorganization Meeting, second by Council Member Marciante with all members present voting in favor with the exception of Mr. Valenza who was having technical difficulties.

Council Member Marciante made a motion to approve the minutes of the January 6 2025, Regular Meeting, second by Council Member Stern with all members present voting in favor with the exception of Mr. Valenza who was having technical difficulties.

Council Member Marciante made a motion to approve the minutes of the January 13, 2025, Special Meeting, second by Council Member Chandler with all members present voting in favor.

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

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

Council Member Marciante made a motion to approve the minutes of the December 2, 2024, Closed Session for content but not for release, second by Council Member Stern with all members present voting in favor with the exception of Mr. Rubenstein who abstained.

Council Member Marciante made a motion to approve the minutes of the December 30, 2024, Closed Session for content but not for release, second by Council Member Angarone with all members present voting in favor with

the exception of Mr. Rubenstein who abstained.

Council Member Marciante made a motion to approve the minutes of the January 6, 2025, Closed Session for content but not for release, second by Council Member Stern with all members present voting in favor.

ORDINANCES FOR INTRODUCTION

Mayor Davy read Ordinance 2025-3 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025 - 3**

**AN ORDINANCE OF THE BOROUGH OF PENNINGTON, COUNTY OF MERCER, STATE OF
NEW JERSEY AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT
WITH PENNINGTON BOROUGH POLICE ASSOCIATION,
JANUARY 1, 2025 – DECEMBER 31, 2029**

WHEREAS, the Borough of Pennington and the Pennington Borough Police Association have negotiated the terms of a collective bargaining agreement for the years 2025, 2026, 2027, 2028 and 2029 (“Collective Bargaining Agreement Between the Borough of Pennington and the Pennington Borough Police Association, January 1, 2025 – December 31, 2029,” or “Collective Bargaining Agreement”); and

WHEREAS, the Collective Bargaining Agreement establishes salaries and other conditions of employment; and

WHEREAS, a copy of the Collective Bargaining Agreement is available for inspection at the office of the Clerk in Borough Hall; and

WHEREAS, the Borough desires to adopt this Collective Bargaining Agreement and authorize the salary payments contained therein;

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

1. The Collective Bargaining Agreement negotiated with the Pennington Borough Police Association for the years 2025, 2026, 2027, 2028 and 2029, a copy of which is on file in the Office of the Borough Clerk, is hereby incorporated herein by reference and adopted by the Borough of Pennington.
2. In the event that the terms and conditions of the Collective Bargaining Agreement are at variance with the Borough Employee Personnel Manual, the terms and conditions of the Collective Bargaining Agreement shall be controlling.
3. The Mayor and Clerk are hereby authorized to sign and seal the said Agreement on behalf of the Borough.
4. This Ordinance shall take effect upon final passage and publication according to law, provided however that the terms set forth in said Agreement shall be in effect retroactively to January 1, 2025 unless otherwise specifically provided in the agreement.
5. All ordinances or portions thereof inconsistent herewith are hereby repealed.

Council Member Chandler made a motion to introduce Ordinance 2025-3, second by Council Member Marciante with all members present voting in favor.

Mayor Davy read Ordinance 2025-4.

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2025-4**

**AN ORDINANCE OF THE BOROUGH OF PENNINGTON, COUNTY OF MERCER, STATE OF
NEW JERSEY AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH
INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL NO. 35
JANUARY 1, 2025-DECEMBER 31, 2027**

WHEREAS, the Borough of Pennington and the International Brotherhood of Teamsters Local No. 35 have negotiated the terms of a collective bargaining agreement effective January 1, 2025 through December 31, 2027 and renewable in accordance with its terms;

WHEREAS, the collective bargaining agreement establishes salaries and other conditions of employment;

WHEREAS, a copy of the collective bargaining agreement is available for inspection at the office of the Clerk in Borough Hall;

WHEREAS, the Borough desires to adopt this collective bargaining agreement and authorize the salary payments contained therein;

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

1. The collective bargaining agreement negotiated with the International Brotherhood of Teamsters Local No. 35 effective January 1, 2025 through December 31, 2027 and renewable in accordance with its terms, a copy of which is on file in the Office of the Borough Clerk, is hereby incorporated herein by reference and adopted by the Borough of Pennington.
2. In the event that the terms and conditions of the collective bargaining agreement are at variance with the Employee Manual of the Borough of Pennington, the terms and conditions of the collective bargaining agreement shall be controlling.
3. The Mayor and Borough Clerk are hereby authorized to sign and seal the said agreement on behalf of the Borough.
4. All ordinances or portions thereof inconsistent herewith are hereby repealed.
5. This Ordinance shall take effect upon final passage and publication according to law.

Council Member Marciante made a motion to introduce Ordinance 2025-4, second by Council Member Angarone with all members present voting in favor.

Mayor Davy read Ordinance 2025-5 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-5**

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$50,000 FOR IMPROVEMENTS TO BALDWIN STREET AND BALDWIN COURT IN AND BY THE BOROUGH OF PENNINGTON, IN THE COUNTY OF MERCER, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE THE COST THEREOF.

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

Section 1. The improvement described in Section 3(a) of this bond ordinance has heretofore been authorized to be undertaken by the Borough of Pennington, in the County of Mercer, New Jersey (the "Borough") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$50,000, such sum being in addition to the \$700,000 appropriated therefor by Bond Ordinance #2024-3 of the Borough, finally adopted April 1, 2024 (the "Original Bond Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no additional down payment is provided for the cost of the improvement or purpose in Section 3(a) of this bond ordinance since the improvement or purpose in the Original Bond Ordinance was being partially funded by a State of New Jersey Department of Transportation Grant in the amount of \$517,730.

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$50,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is improvements to Baldwin Street and Baldwin Court 11, including, but not limited to, the rehabilitation of roadways and further including all work and materials necessary therefor and incidental thereto, as described in the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$232,270, including the \$182,270 authorized by the Original Bond Ordinance and the \$50,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$750,000, including the \$700,000 appropriated by the Original Bond Ordinance and the \$50,000 appropriated herein.

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

all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

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

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

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Borough may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 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 \$50,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$15,770 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$10,770 was estimated for these items of expense in the Original Bond Ordinance and an additional \$5,000 is estimated therefor herein.

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

Section 8. Any grant moneys received for the purpose described in Section 3 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 2025-5, second by Council Member Stern with all members present voting in favor.

Mayor Davy read Ordinance 2025-6 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2025-6**

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO ABEY DRIVE, MALLARD PLACE AND QUEENS LANE IN AND BY THE BOROUGH OF PENNINGTON, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$677,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$198,290 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 \$677,000, including a \$478,710 State of New Jersey Department of Transportation Grant (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is provided for the cost of the improvement or purpose since the improvement or purpose is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$198,290 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 improvements to Abey Drive, Mallard Place and Queens Lane 11, including, but not limited to, the rehabilitation of the roads 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 \$198,290, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$29,290 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, if other than the State Grant referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

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

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

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

Council Member Marciante made a motion to introduce Ordinance 2025-6, second by Council Member Chandler with all members present voting in favor.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinance 2025-1 by title.

BOROUGH OF PENNINGTON COUNTY OF MERCER

ORDINANCE NO. 2025-1

AN ORDINANCE INCREASING RATES CHARGED BY THE PENNINGTON BOROUGH WATER AND SEWER UTILITY, AND AMENDING THE CODE OF THE BOROUGH OF PENNINGTON

WHEREAS, the Pennington Borough Water and Sewer Utility continues to incur increased costs;

WHEREAS, Borough Council of the Borough of Pennington has determined that as a result of these increased costs the rates charged by the Utility for water and sewer services must be increased and the rates must be further differentiated for customers based on amount of usage;

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

1. **Section 98-41 of the Code, concerning base and usage charges for water and sewer customers, is hereby amended as follows (with language in brackets deleted, new language underlined and percentage changes indicated in parenthesis):**

A. There are hereby established the following quarterly charges for water customers:

Meter Size (inches)	Base Charge [4,000] <u>2,000</u> Gallons or less	First Excess Usage Block Charge [4001] <u>2,001-</u> 20,000 Gallons (per 1,000 Gallons)	Second Excess Usage Block Charge 20,001-60,000 Gallons (per 1,000 Gallons)	Third Excess Usage Block Charge 60,001-200,000 Gallons (per 1,000 Gallons)	Fourth Excess Usage Block Charge More than 200,000 Gallons
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Less than 1	[\$50.85] <u>\$51.87</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>
1	[\$77.63] <u>\$79.19</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>
2	[\$221.79] <u>\$226.23</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>
3	[\$494.77] <u>\$504.67</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>
4	[\$681.70] <u>\$695.34</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>
6	[\$1,358.72] <u>\$1,385.90</u>	[\$7.49] <u>\$7.64</u>	[\$8.91] <u>\$9.09</u>	[\$9.78] <u>\$9.98</u>	[\$11.44] <u>\$11.67</u>

NOTE: Usage charges are per one-thousand-gallon increments, or portion thereof.

B. There are hereby established the following quarterly charges for sewer customers:

Base Charge [4,000] <u>2,000</u> Gallons or Less	First Excess Usage Block Charge [4,001] <u>2,001</u> - 20,000 Gallons (per 1,000 Gallons)	Second Excess Usage Block Charge 20,001-60,000 Gallons (per 1,000 Gallons)	Third Excess Usage Block Charge 60,001-200,000 Gallons (per 1,000 Gallons)	Fourth Excess Usage Block Charge More than 200,000 Gallons (per 1,000 Gallons)
[\$57.71] <u>\$58.87</u>	[\$8.19] <u>\$8.36</u>	[\$9.83] <u>\$10.03</u>	[\$10.56] <u>\$10.78</u>	[\$11.36] <u>\$11.59</u>

NOTE: Usage charges are per one-thousand-gallon increment, or portion thereof

A. The minimum quarterly base charge for multiunit residential or multiunit commercial or a combination thereof serviced through a single water meter shall be determined by the product of the number of units by the minimum quarterly base charge of a one-inch meter, regardless of the size of the meter(s) that feeds the units.

B. Sewage or other wastes containing unduly high concentrations of other substances which add to the operating costs of the sewage treatment works will be subject to a surcharge to be determined by the Borough on the basis of the character and volume for such sewage and wastes. Where, in the opinion of the Borough, sewage and other wastes of a deleterious character adversely affect the treatment processes, the Borough reserves the right to require that such sewage and wastes be treated by the contributor to remove or neutralize the objectionable substances before discharge into the sewers.

C. Base and usage charges shall be due on January 31, April 30, July 31, and October 31.

D. Premises introducing water into a permanent private pool may be allowed a reduction in the charge of sewer usage in an amount equal to the volume of water introduced into the pool. This will require the installation and rental of a temporary meter in conformance with the Borough Code.

3. This ordinance shall take effect upon its passage and publication as provided by law.

Council Member Chandler made a motion to open the Public Hearing on Ordinance 2025-1, second by Council Member Marciante. Meredith Moore asked for clarification on what the funds from the increase will be used for. Mayor Davy stated that they will be used for daily operation and to fund State and Federal regulations for capital improvements to continue to provide safe drinking water. Council Member Stern made a motion to close the Public Hearing, second by Council Member Chandler with all members present voting in favor. Council Member Chandler made a motion to adopt Ordinance 2025-1, second by Council Member Stern with all members present voting in favor.

Mayor Davy read Ordinance 2025-2 by title.

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2025-2**

**ORDINANCE ACCEPTING UTILITY EASEMENT GRANTED BY
5 PENNINGTON LLC FOR WATER LINE AND PUBLIC FIRE
HYDRANT AT 5 STATE HIGHWAY 31, BLOCK 206, LOT 2,
BOROUGH OF PENNINGTON**

WHEREAS, 5 Pennington LLC, located at 2950 S.W. 27th Avenue, Suite 300, Miami Florida is the owner of real property located at 5 State Highway 31, Borough of Pennington, County of Mercer, State of New Jersey, and more particularly known as Block 206, Lot 2 on the Official Tax Map of the Borough of Pennington (the "Property"); and

WHEREAS, the Grantor was previously granted Preliminary and Final Site Plan approval by the Borough of Pennington Planning Board (the "Board") to convert a former bank building to a Starbucks Restaurant, as memorialized

by the Board's adoption of a Resolution on February 8, 2023 on Application No. PB22-009 ("Approval"); and

WHEREAS, the Property is the site of a public fire hydrant and a water main serving the hydrant in accordance with an agreement with the prior owner for which, as a condition of Board approval, grant of an easement is required, to be recorded prior to issuance of the Certificate of Occupancy;

WHEREAS, as set forth in the attached form of Utility Easement, the required easement is a 20-foot wide non-exclusive easement extending from the easterly boundary of the Property to the fire hydrant near Route 31 to the west:

WHEREAS, consideration for the easement is One Dollar and the promises and representations described in the document;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that the attached Utility Easement is hereby approved and accepted, and the Mayor, with the attestation of the Borough Clerk, is authorized to execute the Utility Easement and to take such steps as necessary to ensure its recording in the Office of the Mercer County Clerk in accordance with law.

Council Member Chandler made a motion to open the Public Hearing on Ordinance 2025-2, second by Council Member Angarone. There were no comments from the public, however Mr. Bliss asked for two substantive changes to the agreement. Mr. Bliss read the changes into the record and asked that the Public Hearing be carried to the next meeting so that the revised ordinance could be advertised as required. Council Member Rubenstein made a motion to accept the amendments and carry the Public Hearing to the March 3, 2025 meeting, second by Council Member Angarone with all members present voting in favor.

COMMITTEE REPORTS

Personnel/ Economic Development- Ms. Angarone stated that Personnel did not meet in January, but they are meeting tomorrow. Ms. Angarone stated that the Borough Administrator will be reporting on relevant personnel matters under Professional Reports.

Ms. Angarone stated the Economic Development met in January and reorganized and they had planned to the Hopewell Township Business event and she will report on that further. Ms. Angarone stated that they are looking into grant opportunities for small businesses, the usual events that they sponsor and materials to be distributed to local businesses.

Ms. Angarone stated that the Committee Chairs group will be meeting on February 10th.

Public Works/ Planning Board/ Historic Preservation – Ms. Stern reported that Public Works met and they are looking for a way to get information out to residents with regard to needed sidewalk repairs. Ms. Stern stated that the Borough Administrator is including this in his plan for Code Enforcement. Ms. Stern stated that they talked in depth with regard to the water system and they are waiting for a report from the Water Analysis Committee which should come in March. Ms. Stern stated that this information is necessary to determine how to proceed with lead line replacements.

Ms. Stern reported on actions taken by the Planning Board at the January meeting including professional appointments and other reorganization resolutions. Ms. Stern stated that Andy Jackson provided a report on the Master Plan 2025.

Ms. Stern thanked Eric Holtermann for his report on Historic Preservation and stated that she had nothing further to report.

Finance & Technology/ Public Safety/ Arboretum / Landfill – Mrs. Chandler stated that Open Space met but she had nothing to report and she also had nothing new to report for the Landfill. Mrs. Chandler stated that the Environmental Commission is in the process of submitting a grant for Native Species for the Arboretum and she has been working with Paul Heinzl regarding a sign for the Arboretum. Mrs. Chandler stated that a spring opening is scheduled.

Mrs. Chandler stated that the Finance Committee did meet and talked about the budget for 2025 at a high level as we are still waiting for final numbers from the auditors. Mrs. Chandler stated that we remain on track to introduce the budget at the March 3rd meeting.

Mrs. Chandler stated that Public Safety met and reviewed the police budget for 2025 as well as discussing the transition plan for the Chief. Mrs. Chandler stated that she along with Mayor Davy and Kati Angarone attended the Chief's walk our ceremony. Mrs. Chandler stated that this was a tremendous event and she thanked Sergeant Burroughs and all the officers for coordinating the event.

Environmental Commission / Shade Tree/ Library Board – Mr. Rubenstein stated that he has been out of town so he missed the Library Board meeting, though he has been keeping up to date via e-mail. Mr. Rubenstein stated that the Environmental Commission had to postpone the community event that was scheduled and a new date will be forthcoming.

Parks & Recreation – Mr. Marciante is schedule to meet on February 10th which is the same night as the Committee

Chairs meeting. Ms. Stern stated that there was some confusion with meeting dates when this meeting was scheduled but everyone else is able to attend so they will proceed with the meeting as scheduled.

Board of Health/ Net Zero Committee – Mr. Valenza reported that he has missed the Net Zero meetings but he will coordinate with the Borough Administrator in the future. Mr. Valenza stated that he was unable to attend the Board of Health meeting but Mayor Davy attended. Mayor Davy stated that they met and reorganized for 2025.

Senior Advisory Board - Ms. Angarone stated that she and Mr. Marciante are looking forward to getting involved with this group but since the meetings are at two in the afternoon she will make some accommodations with her schedule to be able to attend future meetings.

COUNCIL DISCUSSION

Mayor Davy stated that at the work session Nadine asked if Council wants to continue with Local Government Week which we have tried for the past two years with limited attendance from the public. Mayor Davy stated that it is a lot of work if residents are not interested in attending. Mrs. Chandler stated that we tried and if there is no interest then we should not spend the volume of time to continue with the event. Ms. Stern stated that we will continue to have a presence at Pennington Day.

NEW BUSINESS

**BOROUGH OF PENNINGTON
 RESOLUTION 2025 – 2.2**

AUTHORIZING PAYMENT OF BILLS

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Pennington that the bills be paid on audit and approval of the Mayor, the Appropriate Council Member and the Treasurer in the amount of \$ 1,585,063.06 from the following accounts:

Current	\$ 1,350,599.14
W/S Operating	\$ 215,733.01
Open Space	\$ 4,590.00
Other Trust Fund	\$ 9,500.00
COAH Trust	\$ 432.00
General Capital	\$ 2,625.00
Grant Fund	\$ 848.91
Developer’s Escrow	\$ 735.00
TOTAL	\$ 1,585,063.06

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	X			

Council Member Chandler made a motion to approve Resolution 2025-2.3, second by Council Member Rubenstein. Ms. Angarone had questions on a few of the bills on the list. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025 – 2.4**

RESOLUTION AUTHORIZING BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the fiscal year or the first three months of the following year, should it become necessary to expend funds for any purposes specified in the budget an

amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations transfers may be made; and

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

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

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pennington that transfers be made between the following year 2024 budget appropriations:

<u>Current Fund Appropriations:</u>	<u>To:</u>	<u>From:</u>
Legal – Other Expense	\$6,200.00	
Streets – Other Expense		\$6,200.00
Total Current Fund	\$6,200.00	\$6,200.00

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.4, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025 – 2.5**

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

WHEREAS, at the Borough Tax Sale held on December 3, 2021, a lien was sold on Block 503.07, Lot 3.01, also known as 20 South Main Street, Pennington, NJ, for 2020 delinquent sewer payments; and

WHEREAS, this lien, known as Tax Sale Certificate #20-00001, was sold to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021 for 0% and premium in the amount of \$9,500.00; and

WHEREAS, Jerome Matthews, 20 South Main Street, Pennington, NJ 08534 has effected redemption of Certificate #20-00001 in the amount of \$15,469.48;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to issue a check in the amount of \$15,469.48, from the Current Fund, payable to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate #20-00001; and

BE IT FURTHER RESOLVED, the that Chief Financial Officer is authorized to issue a check in the amount of \$9,500.00 from the Trust Fund payable to Christiana T C/F CE1/ First Trust at the address indicated above.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-2.5, second by Council Member Angarone with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.6**

**RESOLUTION SUPERSEDING BOROUGH COUNCIL RESOLUTION 1.21 AND CONFIRMING
AUTHORIZATION OF SHARED SERVICES AGREEMENT FOR FIRE INSPECTION SERVICES BY THE
BOARD OF FIRE COMMISSIONERS OF HOPEWELL TOWNSHIP FIRE DISTRICT NO. 1 WHILE
AMENDING THE TERM TO ONE YEAR,
JANUARY 1, 2025 THROUGH DECEMBER 31, 2025**

WHEREAS, the Borough of Pennington (“Borough”) is responsible for certain fire inspection services pursuant to the Uniform Fire Safety Act (N.J.S.A. 52:27D-195, et. seq.) (the “Fire Safety Act”); and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1, et seq.) the Borough desires to contract with the Board of Fire Commissioners of Hopewell Township Fire District No. 1 (the “Board”) for the provision of fire inspection services and other certain services required by the Fire Safety Act; and

WHEREAS, the Borough and the Board are both “local units” and the fire inspection services and other certain services required by the Fire Safety Act are “shared services” within the meaning of N.J.S.A. 40A:65-3;

WHEREAS, by Resolution 1.21 Borough Council has authorized a Shared Services Agreement with the Board to provide for these fire inspection services for a term of two years;

WHEREAS, the Borough and the Board seek to amend the authorized agreement to a term of one year, from January 1, 2025 through December 31, 2025, leaving all other terms and conditions unchanged;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor of the Borough, with the attestation of the Borough Clerk, is hereby authorized to enter into and execute on behalf of the Borough a Shared Services Agreement providing for the aforesaid services in substantially the form annexed to this Resolution, subject to final approval as to form by the Borough Attorney, but for a term limited to one year, from January 1 through December 31, 2025.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-2.6, second by Council Member Marciante with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.7**

RESOLUTION SUPPLEMENTING BOROUGH COUNCIL RESOLUTION 1.25 TO ADD POLICE ACADEMY PHYSICALS TO THE SERVICES TO BE PROVIDED UNDER AGREEMENT WITH OCCUPATIONAL HEALTH SERVICES, A PROGRAM OF PENN MEDICINE PRINCETON MEDICAL CENTER

WHEREAS, Borough Council Resolution 1.25 authorized the Borough to enter into a contract with Occupational Health Services, a program of Penn Medicine Princeton Medical Center (“Occupational Health”) for the provision of specified health-related services;

WHEREAS, Borough Council now seeks to supplement the services to be provided under Resolution 1.25 to include Police Academy Physicals for designated candidates for the position of Police Officer in the Borough;

WHEREAS, the services and fees related to Police Academy Physicals are described in the annexed Schedule A;

WHEREAS, the services are professional services and the amount of expense expected to be incurred under this contract for these services is in any event substantially below the threshold for public bidding;

WHEREAS, Penn Medicine Princeton Medical Center has completed and submitted a sworn Business Entity Disclosure Certification which certifies that the firm has not made and shall not make any political contribution prohibited by the relevant provisions of state statute;

WHEREAS, Occupational Health shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

WHEREAS, total fees of Occupational Health pursuant to the agreement authorized by Resolution 1.25 as amended in accordance with this Resolution, including expenses, shall not exceed \$6,000.00 without the prior written approval of Borough Council; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for this contract in Account #: 5-01-26-305-000-250;

NOW THEREFORE BE IT RESOLVED, that the Mayor of the Borough is hereby authorized to enter into an agreement with Occupational Health for 2025 amended to include Police Academy Physicals in accordance with the description and pricing of these services attached as Exhibit A to this Resolution, total fees and expenses of the amended agreement not to exceed \$6,000 without the prior written approval of 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	X			

Council Member Marciante made a motion to approve Resolution 2025-2.7, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025-2.8**

**RESOLUTION AUTHORIZING USE OF OUTDOOR SPACE BY
 JERSEY MEDS MANAGEMENT LLC**

WHEREAS, Jersey Meds Management, LLC (“Jersey Meds”) is the licensed proprietor of a cannabis retail store located at 7 Highway 31 North in the Pennington Square shopping center owned by Pennington Square LLC;

WHEREAS, Jersey Meds has submitted to the Borough an Application for Temporary Use of Outdoor Space to hold a grand opening event in the parking lot in front of the Jersey Meds store on Saturday, March 8, 2025 from noon to 4 pm;

WHEREAS, the set-up for the event will include a tent for a glass blower, a covering for a disc jockey, a free-standing sign, a red carpet and the use of five (5) parking spaces otherwise assigned to Jersey Meds for two food trucks, all as described in the attached sketch;

WHEREAS, the event will likely affect adjoining tenants, including a restaurant and service establishment sharing the same parking lot at the southerly end of the shopping center, as well as a larger retail store adjacent to the north;

WHEREAS, the event will also affect the circulation of pedestrians and vehicles through and around the site;

WHEREAS, authorization of the event by Borough Council will require prior approvals by the property owner, the Police Department, the Fire Official and Public Works, in addition to prior written notice to the other tenants of the shopping center;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that the application for temporary use of outdoor space by Jersey Meds Management LLC as described above and in the attached sketch is hereby conditionally approved subject to the following:

1. Prior approval by the Pennington Borough Police Department, with specific attention to pedestrian and vehicular circulation and required safety measures and assurance of compliance with Police recommendations.
2. Prior approval of the Fire Official with respect to potential fire hazards and related safety issues;
3. Prior approval by the Superintendent of Public Works with reference to required barriers and involvement by that department.
4. Prior written approval of the event by Pennington Square, LLC, including but not limited to the proposed use of the parking lot and parking spaces, the impact on pedestrian and vehicular circulation, any adverse impact on tenants, and the adequacy of insurance covering the event.
5. Proof that every tenant in the Pennington Square Shopping Center and adjoining properties has been notified in writing at least a week prior to the event concerning the date, time and nature of the event and details concerning pedestrian and vehicular circulation that may affect them.
6. Jersey Meds has adequate insurance covering the event.
7. Access for emergency vehicles must be maintained at all times.
8. All noise ordinances must be observed.
9. A determination by the Borough Administrator that the above conditions 1 through 6 have been satisfied and that Jersey Meds has provided adequate assurances that conditions 7 and 8 will also be met.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.8, second by Council Member Chandler with all members present voting in favor. Mrs. Sterling stated that she sent this over to Jersey Meds for review and there is a new requirement for proof of insurance but she has not heard back from Jersey Meds. Mr. Bliss explained that the resolution is not self-effectuating and the final approval for the event will come from the Borough Administrator.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.9**

RESOLUTION AUTHORIZING CONTRACT WITH WATER RESOURCE MANAGEMENT FOR SERVICES AS WATER AND SEWER COMPLIANCE OFFICER AND FOR PREPARATION OF CONSUMER CONFIDENCE REPORT AND LEAD SERVICE LINE REPLACEMENT DOCUMENTATION AND OTHER SERVICES AS NEEDED FOR THE YEAR 2025

WHEREAS, the Borough seeks to enter into a contract with Water Resource Management to provide professional services as Water and Sewer Compliance Officer for the Borough in 2025;

WHEREAS, the Borough also seeks the services of Water Resource Management for preparation of Consumer Confidence Report and Lead Service Line Replacement Documentation;

WHEREAS, Water Resource Management has supplied a letter dated January 21, 2025 describing the services it will provide as Water and Sewer Compliance Officer and with respect as well to Consumer Confidence Report and Lead Service Line Replacement Documentation; and

WHEREAS, as further described in the Compliance Officer Proposal, Water Resource Management will provide the Compliance Officer services for a flat fee of \$810 per month **not** to exceed \$9,720 per year, the Consumer Confidence Report for a flat fee of \$160 per month not to exceed \$1,920 per year, and Water & Sewer Ordinance Review for a flat fee of \$500 per month not to exceed \$6,000 per year;

WHEREAS, at the Borough's request, Water Resource Management also provides for the performance of emergency call out and additional professional services for work beyond the scope of services described in the Compliance Officer Proposal on an hourly basis at rates ranging from \$90-\$230.00 per hour plus additional costs as needed on a case by case basis as per the rate schedule provided;

WHEREAS, Water Resource Management and its personnel hold all required New Jersey DEP licenses required to perform the services described in the Compliance Officer Proposal and the Additional Services Proposal;

WHEREAS, the Chief Financial Officer has certified that funds necessary to pay for these services are available in account #: 5-05-55-501-000-260;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the attached Proposal by Water Resource Management is hereby accepted and Water Resource Management is hereby appointed Water and Sewer Compliance Officer for Pennington Borough for 2025 and also charged with performing the additional services as described above, subject to the following conditions:

1. that the Compliance Officer Proposal be amended to ensure compliance by Water Resource Management with Anti-Discrimination and Affirmative Action requirements of the State of New Jersey as set forth in the annexed Exhibit A;
2. that the Compliance Officer Proposal be further amended to provide that the contract between Water Resource Management and the Borough shall be terminable on 30 days prior written notice by either party;
3. that the Additional Services Proposal be supplemented by a provision that expenditures for additional services and costs under that Proposal shall not exceed on an annual basis \$1,000.00 unless approved in advance, in writing, by Borough Council;
4. that Water Resource Management demonstrate coverage by sufficient professional liability insurance, to be approved by the Borough Attorney;
5. that the Mayor or Borough Administrator are authorized to issue such purchase orders and contract documents as further necessary to retain and pay for the services of Water Resource Management as Water and Sewer Compliance Officer consistent with the Compliance Officer Proposal, for preparation of Consumer Confidence Report. O & M and ERP in accordance with the related Proposals, and for the additional services and costs covered by the Additional Services Proposal, and the terms and conditions of this Resolution; and
6. that no work shall begin under this Resolution and agreement until approved in advance and in writing by Borough Council and a related purchase order has been issued.
7. that the contract(s) with Water Resource Management contain a mutual indemnification clause approved by the Borough Attorney.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.9, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025 2.10**

**RESOLUTION ADOPTING NEW REGULATIONS REGARDING CLAIMANT CERTIFICATIONS
 AND PAYMENTS IN ADVANCE**

WHEREAS, N.J.A.C. 5:30-9A6(a) permits a local unit to accept vendor certifications in the form of signature stamp, facsimile signature, electronic signature and “wet” signatures; and

WHEREAS, N.J.A.C. 5:30-9A6(c) and Local Finance Notice 2018-13 provide that a local unit may enact a policy by resolution to not require claimant certification where the vendor or claimant does not provide such certification as part of its normal course of business. In instituting such a policy, the local unit shall have the discretion to require claimant certificate as it deems necessary and appropriate; and

WHEREAS, the Borough would not require claimant certification for the following types of payments and expenditures: government entities; insurance coverages; lessors with contractual obligations; motor fuels, refunds; public utilities; other miscellaneous payments under \$2,500.00 and any other situation deemed necessary and appropriate by the CFO; and

WHEREAS, claimant certification is not permitted to be waived for reimbursement of employee expenses or for services provided exclusively and entirely by an individual (sole proprietor); and

WHEREAS, N.J.A.C. 5:30-9A6(c)(1) and Local Finance Notice 2018-13 permit a local unit to submit payment in advance of delivery of materials or services for certain purposes including, but not limited to, conference registrations, educational courses, annual memberships and permitting fees.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that in accordance with N.J.A.C. 5:30-9A6 and Local Finance Notice 2018-13 the Borough shall:

1. Accept claimant signature in the form of a signature stamp, facsimile signature, electronic signature and “wet” signatures.
2. Waive the requirement to acquire a claimant certification in situations deemed necessary and appropriate by the CFO.
3. Permit payment in advance for services as deemed appropriate and necessary.

BE IT FURTHER RESOLVED, that the following policies shall remain in effect: a copy of the purchase order shall be provided to the vendor; invoices are required for payment; Borough staff shall review and approve transactions prior to submitting to the Finance Office for payment; and the bills list approval process shall remain in place; and this policy shall be reviewed from time to time.

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	X			

Council Member Chandler made a motion to approve Resolution 2025-2.10, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION NO. 2025-2.11**

**RESOLUTION AUTHORIZING ISSUANCE OF PERMIT (S) TO
 HOPEWELL TOWNSHIP RECREATION DEPARTMENT FOR
 USE OF KUNKEL PARK FOR ART IN THE PARK**

WHEREAS, the Hopewell Township Recreation Department (“HTRD”), having offices at 201 Washington-Crossing Pennington Road, has applied to Pennington Borough for permits authorizing use of Kunkel Park for the

program known as Art in the Park (“Program”);

WHEREAS, the dates and times sought to be reserved for use by the Program are during the following weeks from 8:30 AM to 12:30 PM: June 23, 2025 through June 27, 2025, July 7, 2025 through July 11, 2025, July 14, 2025 to July 18, 2025 and July 21, 2025 through July 25, 2025;

WHEREAS, pursuant to Ordinance 2024-1, adopted March 4, 2024, users of the Park issued permits without fee must provide a refundable security deposit in the amount of \$500 chargeable for costs of cleanup and property damage;

WHEREAS, a copy of the proposed permit (“Permit”) is attached and incorporated herein by reference;

WHEREAS, Borough Council seeks to authorize issuance of the Permit subject to the following conditions:

1. HTRD shall comply with the requirements for use set forth in the Permit, including the regulations specified in Borough Code Sec. 143-3.
2. HTRD shall ensure in particular that the tables, benches and other park furniture and equipment in the Park are kept clean and left in the same condition they are found.
3. HTRD shall charge Pennington and Hopewell Township residents the same fee for participation in the Program.
4. HTRD shall provide a \$500 refundable security deposit as provided by Ordinance 2024-1.

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the attached Permit is hereby approved for issuance to the HTRD subject to the conditions set forth above.

Record of Council Vote on Passage

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

Council Member Rubenstein made a motion to approve Resolution 2025-2.11, second by Council Member Angarone with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.12**

RESOLUTION AWARDING CONTRACT TO EAGLE JANITORIAL FOR CONTINUATION OF JANITORIAL SERVICES IN 2025

WHEREAS, the Borough of Pennington seeks to contract with a qualified janitorial service for cleaning services for the building, including the library and the police department for 2025; and

WHEREAS, the Borough has attempted to obtain three quotes for these services and determined that Eagle Janitorial Services of Pennington (“Eagle”) presents the best choice, price and other relevant factors considered;

WHEREAS, Eagle has submitted a proposal dated October 18, 2024 which would have Eagle continue to provide these services 5 days per week, except as otherwise specified, at the rate of \$1,598.00 per month;

WHEREAS, the Eagle proposal contains a specific description of tasks and related frequency of service and is comprehensive in its coverage;

WHEREAS, the work shall include all labor, supervision, material and equipment necessary to perform the services, except as indicated;

WHEREAS, special services including carpet cleaning, stripping and re-waxing of hard surface floors and cleaning of exterior windows are not included in the service but are available subject to separate quotation;

WHEREAS, Eagle has previously provided cleaning services to the Borough and has performed satisfactorily (5) days per week;

WHEREAS, before the agreement may be effective, Eagle Janitorial Services shall supply proof of general, contract and property damage liability insurance as well as employer’s liability/workers compensation with minimum limits of \$1,000,000 or as otherwise required by law, respectively, naming the Borough of Pennington as an additional insured;

WHEREAS, approval of this contract complies with N.J.S.A. 19:44A-20.5 effective January 1, 2006, which prohibits the award of certain contracts to any person or business entity which makes reportable contributions to local political or candidate committees representing member of the governing body; and

WHEREAS, Eagle Janitorial Services shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Exhibit A; and

WHEREAS, the Chief Financial Officer of the Borough has certified that funds for these services are available in account #: 5-01-26-310-000-227 with a portion of the contract to be charged to the Library budget;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Borough Administrator is hereby authorized to issue an appropriate purchase order for the services of Eagle Janitorial Services at the rate of \$1,598.00 per month, for a total not to exceed \$17,578. for the remaining eleven (11) months of the year.

Record of Council Vote on Passage

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

Council Member Rubenstein made a motion to approve Resolution 2025-2.12, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025 – 2.13**

**RESOLUTION AUTHORIZING SHARED SERVICES
 AGREEMENT FOR USE, MAINTENANCE
 AND CLEANING OF THE SENIOR CENTER FOR 2025**

WHEREAS, use of the Senior Center on Reading Street in the Borough of Pennington is shared by Hopewell Borough, Hopewell Township and Pennington Borough;

WHEREAS, responsibilities for maintenance of the Senior Center are also shared among the three municipalities;

WHEREAS, the three municipalities intend to enter into a shared services agreement for 2025, superseding prior agreements, by which Hopewell Township will continue to provide weekly cleaning services at the Center and pay to Pennington Borough the sum of \$5,479.00; Hopewell Borough will pay Pennington \$1,368.00 for the year; and Pennington will provide cleaning supplies for the building and be responsible for all maintenance to the outside of the building and the HVAC and plumbing, painting and replacement of light bulbs, and snow and ice removal from sidewalks and parking lots;

WHEREAS, the proposed form of agreement is annexed to this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to execute the annexed agreement on behalf of Pennington Borough, subject to approval as to form by the Borough Attorney.

Record of Council Vote on Passage

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

Council Member Angarone made a motion to approve Resolution 2025-2.13, second by Council Member Marcianti with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025-2.14**

**RESOLUTION APPROVING RAFFLE LICENSE RA: 1.25 FOR
 THE TRENTON CYRUS FOUNDATION FOR A CASINO NIGHT TO BE HELD APRIL 5, 2025**

WHEREAS, the Trenton Cyrus Foundation submitted raffle application RA: 1.25 on January 10, 2025 for a raffle (Casino Night) to take place on April 5, 2025 and a copy of that application is attached to this resolution; and

WHEREAS, N.J.A.C. 13:47-4.1 et seq., requires seven (7) days to elapse before the Governing Body makes its findings and determinations; and

WHEREAS, the required waiting period was satisfied on January 24, 2025; and

WHEREAS, the Trenton Cyrus Foundation meets the qualifications for issuance of a license for said raffle based on the findings and determination set forth in the annexed form 5-A, as required by law;

WHEREAS, the Trenton Cyrus Foundation, in accordance with law, has submitted the required fees forthwith;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that raffle license RA: 1.25 for the Trenton Cyrus Foundation be approved; and

BE IT FURTHER RESOLVED that the Municipal Clerk will forward the annexed Application and Findings and Determinations for RA: 1.25 to the Legalized Games of Chance Control Commission in accordance with N.J.A.C. 13:47-4.1, et seq.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.14, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025-2.15**

**RESOLUTION AUTHORIZING BOROUGH OF PENNINGTON TO ENTER INTO A
 SHARED SERVICES AGREEMENT WITH HOPEWELL TOWNSHIP FOR EMERGENCY
 AND POLICE DISPATCH SERVICES
 FOR THE YEAR 2025**

WHEREAS, the Borough of Pennington desires to contract with Hopewell Township for the provision of emergency and police dispatch services; and

WHEREAS, the Uniform Shared Services and Consolidation Act permits a local unit to enter into a contract with another local unit for the provision of any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the term of the proposed contract, entitled “Shared Services Agreement for Police Dispatching And Emergency Communication Services Between The Township Of Hopewell And Borough Of Pennington”, shall be for one year beginning January 1, 2025 and continue through December 31, 2025; and

WHEREAS, the cost to the Borough for police dispatch services as outlined in the Shared Services agreement would be \$82,566.00 for 2025;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to execute the aforesaid Shared Services Agreement with Hopewell Township for the provision of emergency and police dispatch services during the period January 1, 2025 through December 31, 2025; and

BE IT FURTHER RESOLVED that the aforesaid Agreement shall be substantially in the form attached to this Resolution, subject to approval by the Borough Attorney.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-2.15, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION 2025-2.16**

**RESOLUTION RENEWING LOCAL RETAIL CANNABIS LICENSE
 FOR JERSEY MEDS MANAGEMENT, LLC,
 PURSUANT TO THE NEW JERSEY CANNABIS REGULATORY,
 ENFORCEMENT ASSISTANCE, AND MARKETPLACE MODERNIZATION
 ACT, N.J.S.A. 24:6I-31, ET SEQ., AND PENNINGTON ORDINANCE 2021-9**

Regulatory Framework

WHEREAS, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:6I-31, et seq. (the “Personal Use Act”) legalizes the recreational use of marijuana by adults 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial production, distribution and sale of cannabis items;

WHEREAS, the Personal Use Act authorizes municipalities to adopt regulations by ordinance governing the number of cannabis establishments, distributors and delivery services allowed to operate within their borders, regulating the location, manner and times of operation of these establishments, distributors and delivery services, and establishing civil penalties for the violation of any such regulations, provided the time of operation of delivery services shall be subject only to regulation by the New Jersey Cannabis Regulatory Commission (N.J.S.A. 24:6I-45.a);

WHEREAS, by Ordinance 2021-9, entitled “Amended Ordinance Restricting the Number, Location and Operation of Cannabis Retailers, Medical Cannabis Dispensaries and Cannabis Delivery Services and Prohibiting All Other Cannabis Businesses and Operations in the Borough, Amending the Code of the Borough of Pennington” (hereafter “Ordinance” or “Ordinance 2021-9”), the Borough of Pennington has authorized as a conditional use the establishment of a single retail store for the sale of personal-use cannabis, subject to the following requirements: :

1. the store shall be licensed by the Cannabis Regulatory Commission (“CRC”) as a Class 5 retailer under the Personal Use Act;
 2. the store shall be located in either the B–H Highway Business zoning district or the OB-Office Business zoning district;
 3. the store shall be regulated as a “conditional use,” requiring the owner to satisfy as a condition of operation the restrictions on the number, location, manner and time of operation set forth in the Ordinance, as amended from time to time, including:
 - (a) the floor area of the licensed facility shall not exceed 2,500 square feet, as defined in Chapter 215 of the Borough Code;
 - (b) the operating hours of the dispensary shall be between 9 am and 8 pm daily;
 - (b) the store shall be accessible directly from a right-of-way through a separate entrance independent from any other retail ingress;
 - (c) no cannabis product shall be visible from a public sidewalk, public street or right-of-way or any other public place;
 - (e) all cannabis products shall be stored securely, indoors and onsite;
 - (f) consumption of cannabis products, by any means of ingestion, shall not be permitted in the licensed facility or adjacent grounds;
 - (g) the licensed facility shall implement odor control measures approved by the Board of Health;
 - (h) the licensed facility shall develop and implement security protocols subject to review and approval by the Pennington Borough Police Department;
 - (i) At a minimum, the following security measures must be undertaken:
 - [1] a video recording security system shall be employed covering all areas of the facility and the exterior of the building with a 24/7 recording system that records for a minimum 30-day archive;
 - [2] the facility and adjacent right-of-way shall be monitored by staff and kept free of loitering, litter and other debris, and the sidewalks shall be swept and cleaned on a regular basis;
 4. the design of the building or structure required by the licensed facility shall conform to the general character of the area in which it is located;
 5. the facility shall provide off-street parking and site access as required by Borough ordinances and applicable approvals of the Borough Planning Board;
 6. the facility shall also comply with all applicable zoning, signage and site plan requirements and the specifications and standards of Sections 215-79 and 215-81 and other applicable provisions of Chapter 215 of the Borough Code, as may be amended from time to time;
- WHEREAS**, as authorized by the Personal Use Act, the Ordinance establishes a separate local licensing requirement as part of Borough restrictions on the number of cannabis retailers and their location, manner and times of operation, to the full extent permitted by law, and such license must be renewed annually;

WHEREAS, the issuance or renewal of a local license requires a resolution of Borough Council finding that the applicant complies with all applicable Borough restrictions on the number of cannabis businesses and the location, manner and times of their operation, including continued compliance with all zoning and land use approvals and related conditions and standards;

WHEREAS, Borough Council may deny or revoke a local license or take other adverse action based on failure of compliance with restrictions, conditions and standards which are the basis for licensure, and to the extent permitted by law, possession of a valid local license shall be a condition precedent to operation of a cannabis business in the Borough;

WHEREAS, Borough Council shall notify the CRC in every case that Council either approves or denies an application for local licensure;

WHEREAS, the local licensing requirement shall be in addition to any land use approvals within the jurisdiction of the Borough Planning Board; .

WHEREAS, as authorized by the Personal Use Act and N.J.S.A. 40:48I-1.a (1), Ordinance 2021-9 imposes a transfer tax of up to two percent (2%) on the sale of cannabis or cannabis items by a cannabis retailer located in the Borough;

WHEREAS, municipalities imposing a transfer tax by ordinance are required by N.J.S.A. 40:48I-1.a (2) to include in the ordinance a user tax, equivalent to the transfer tax rate, payable by any concurrent license holder in the municipality operating more than one cannabis establishment and transferring cannabis or cannabis items to any of the license holder's other cannabis establishments, whether located in the same or other municipality, based on the value of each such transfer or use not otherwise subject to the transfer tax;

WHEREAS, any violation of the provisions of the Ordinance or the conditions of the zoning permit granted, inclusive of any agreements or conditions imposed by the Planning Board, shall be punishable by a civil fine of no less than \$1,000.00 and no more than \$2,500.00, and all violations shall be reported to the CRC or other appropriate state authority;

Renewal of Local License for Jersey Meds Management, LLC

WHEREAS, pursuant to Borough Council Resolution 2023-6.6, which is incorporated herein by reference, Jersey Meds Management, LLC ("Jersey Meds") is the holder of a local license to locate and operate a retail cannabis store as lessee of Unit 5 in the Pennington Square Shopping Center, Block 206, Lot 3 on the Pennington Borough Tax Map, also known as 7 Route 31 North in the Borough of Pennington;

WHEREAS, Jersey Meds now seeks renewal of this local license for the new license year and in support thereof:

1. certifies its continued compliance with the terms, conditions and requirements for issuance of its local license as set forth in Borough Council Resolution 2023-6.6;
2. certifies its eligibility for continued State licensure by the CRC subject only to issuance of a renewed local license by Pennington Borough;
3. certifies that it has paid to Pennington Borough all cannabis transfer taxes and user taxes required by law;
4. has submitted the required annual renewal fee of \$5,000 payable to the Borough of Pennington;

WHEREAS, Borough Council finds and determines that:

1. Except as specifically noted below, Jersey Meds' proposed Class 5 retail store complies with all applicable Borough restrictions on the number of cannabis businesses in the Borough and the location, manner and times of their operation, including compliance with all zoning and land use approvals and related conditions and standards, as required by the Ordinance (Section 215-81(15) of the Borough Code).
2. The noted exception is CRC issuance of a renewed annual Class 5 retail license to Jersey Meds, which is pending and is subject to renewal of this local license;

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

1. Borough Council adopts the recitals and findings set forth above.
2. Renewal of a local license to Jersey Meds for the operation of a Class 5 retail store at 7 Route 31 North in the Borough of Pennington is hereby approved subject to CRC issuance of a renewed annual license to Jersey Meds for this Pennington location, and subject further to the following continuing conditions:

- (a) Continued compliance with all applicable New Jersey State laws and regulations, including in particular the Personal Use Act, CRC Rules and Regulations, the requirements of Ordinance 2021-9 and the Code of the Borough of Pennington, all as may be amended from time to time.
- (b) Continued compliance with the conditions of Conditional Use approval by the Pennington Planning Board, as memorialized in the Planning Board Resolution including, inter alia, the required reporting of attempted use of fraudulent identification documents presented in an effort to purchase cannabis products, as set forth in Condition F at page (6) of the Planning Board Resolution.
- (c) Payment of all required taxes and fees owed to the Borough in accordance with the Ordinance and Borough Code and agreement concerning the schedule for monthly payment of cannabis transfer taxes as stated in Resolution 2023-6.6, as may be amended from time to time.
- (d) The local license shall be prominently displayed in the Jersey Meds’ store, visible to customers.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.16, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.17**

**RESOLUTION REAPPOINTING GIAN-PAOLO (GP) CAMINITI FULL-TIME
BOROUGH ADMINISTRATOR AND APPROVING EMPLOYMENT AGREEMENT FOR 2025**

WHEREAS, Gian-Paolo Caminiti (“Administrator”) was appointed Borough Administrator in February 2024, for a one-year term, and he has served effectively on a full-time basis in accordance with a one-year employment agreement;

WHEREAS, Administrator is certified as a Registered Municipal Clerk and Certified Public Manager by Rutgers University;

WHEREAS, the revised Agreement provides for a one-year term ending December 31, 2025, subject to annual renewal, and an annual salary in accordance with the Borough Salary Ordinance, as may be amended from time to time;

WHEREAS, Administrator will continue to report to the Mayor and serve at the pleasure of Borough Council;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that Gian-Paolo (GP) Caminiti is hereby reappointed full-time Borough Administrator, effective January 1, 2025, nunc pro tunc; and

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the attached one-year renewable agreement with Mr. Caminiti substantially in the form of the attached Agreement.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2025-2.17, second by Council Member Rubenstein with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.18**

**RESOLUTION APPOINTING DARYL BURROUGHS, JR. OFFICER IN
CHARGE OF THE PENNINGTON BOROUGH POLICE DEPARTMENT**

WHEREAS, the Borough of Pennington has a need for an Officer In Charge of the Pennington Borough Police Department upon the retirement of Douglas Pinelli as Chief of Police, effective February 1, 2025;

WHEREAS, First Sergeant Daryl Burroughs, Jr. has served in the capacity of officer-in-charge of the Police Department since January 1, 2025;

WHEREAS, Sgt. Burroughs was assigned to serve in this capacity by Chief Pinelli and he reported to the Chief while the Chief was on leave:

WHEREAS, Borough Council now seeks to appoint Sergeant Darryl Burroughs, Jr. to serve in this capacity in place of the Chief, making him the top uniformed officer in the Department, charged with assuming all roles, responsibilities, and departmental decision-making authority of the retiring Chief while reporting to Borough Council through the Borough Administrator or as otherwise provided below;

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

1. Sgt. Darryl Burroughs, Jr. is hereby appointed Officer In Charge of the Pennington Borough Police Department, which shall be a temporary position subject to termination by either party at will upon 30 days' notice to the other.
2. Sgt. Burroughs shall be compensated for these services in accordance with the collective bargaining agreement between the Borough of Pennington and the Pennington Borough Police Association, and except as provided below, all other terms and conditions of Sgt. Burroughs' employment shall be governed by that Agreement;
3. In his capacity as Officer-In Charge, Sgt. Burroughs will assume all roles, responsibilities and decision-making authority of the retiring Chief, including but not limited to responsibility for:
 - (a) administering and enforcing the rules, regulations and standard operating procedures of the Department and any special emergent directives to which it may be subject;
 - (b) describing the duties and assignments of all personnel;
 - (c) delegating such authority as appropriate for the efficient operation of the Police Department;
 - (d) taking disciplinary action, as warranted by just cause;
 - (e) have, exercise and discharge the power, functions and duties of the police force and take such actions as necessary to ensure its compliance with Borough ordinances and other applicable laws;
 - (f) report directly every month to Borough Council and the Public Safety Committee of Borough Council on the operations of the Department during the previous month;
4. While performing these duties and responsibilities as Officer-In-Charge, Sergeant Burroughs shall continue to perform his existing police duties.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-2.18, second by Council Member Marciante. Mrs. Chandler asked about the reference to the salary being part of the bargaining contract, but she does not see it in the contract. Mr. Caminiti stated that it is in the contract. Mrs. Chandler stated that there is a start date, but is there a review period and an end date. Mr. Caminiti stated that the performance appraisal will be on a quarterly basis. Mr. Caminiti stated that the Borough has the option at no charge to the Borough of having the DCA or the Prosecutors office provide a Chief to shadow Sgt. Burroughs to ensure compliance with all regulations related to the department. Mr. Caminiti stated that ideally in 6 months or one year we should be in a position to appoint a Chief of Police. Mr. Valenza asked if this plan came from the Public Safety or Personnel Committee. Ms. Angarone stated that this has been discussed at a work session. Mr. Valenza stated that his recollection from the Personnel meeting is inconsistent with what is being reported here and Mr. Marciante agreed. Mr. Valenza stated that the Borough needs to follow a process and then brought to Borough Council because this is not what was discussed by the Personnel Committee. Mr. Marciante stated that the discussion was not to appoint a Chief in one year because the Borough does not have any control over a Chief. Mr. Caminiti stated that there is no guarantee at the end of the year there will be an appointment to Chief and the OIC status is not a guarantee and it may go on far longer than one year. Mr. Caminiti stated that this will be on the agenda for Public Safety and Personnel. Upon a roll call vote all members present voted in favor.

Mayor Davy asked Sgt. Burroughs to share his video. Mr. Bliss asked Sgt. Burroughs if he has read and understands the resolution that was just approved and Sgt. Burroughs stated that he has read and understands that resolution. Mr. Bliss administered the Oath of Office to Sgt. Burroughs.

**BOROUGH OF PENNINGTON
RESOLUTION 2025-2.19**

**RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN BOROUGH OF
PENNINGTON AND COUNTY OF MERCER FOR EMS DISPATCH
SERVICES FOR THE YEAR 2025**

WHEREAS, beginning July 1, 2014, EMS dispatch services for the greater Mercer County area became available through Mercer County, and Mercer County began providing EMS dispatch services to Pennington under a

shared services agreement;

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., permits local units of government to enter into a contract with any other local unit for the joint provision within their combined jurisdiction of any service which any party to the agreement is empowered to render within its own jurisdiction;

WHEREAS, under the proposed shared services agreement, Mercer County would arrange for and provide EMS dispatch services, including emergency medical dispatch and community support services, for the Borough of Pennington;

WHEREAS, the term of the proposed agreement is one (1) year from January 1, 2025 through December 31, 2025;

WHEREAS, Pennington would pay for these services through an annual assessment representing the cost of calls made to and received by the County for EMS dispatch services within Pennington’s boundaries;

WHEREAS, based on the annual assessment the annual cost for Pennington Borough for the year 2025 will be \$3,800.00 as set forth in the attached agreement;

WHEREAS, a copy of the proposed shared services agreement is attached to this Resolution;

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2025 budget 4-01-42-102-000-268;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the annexed Shared Services Agreement with Mercer County for the provision of EMS dispatch services as described therein, subject to approval as to form by the Borough Attorney. .

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2025-2.19, second by Council Member Stern with all members present voting in favor

**BOROUGH OF PENNINGTON
 RESOLUTION 2025 – 2.20**

RESOLUTION APPROVING LIST OF ENGINEERING PROJECTS WITH BOROUGH ENGINEER FOR THE YEAR 2025

WHEREAS, Borough Council seeks to approve a list for certain engineering projects for 2025 prior to adoption of the budget; and

WHEREAS, attached to this resolution is a Project List identifying projects that the Borough Engineer recommends, subject to approval by Borough Council; and

WHEREAS, the Project List includes projects that may require engineering services during the year although the estimated costs of the required services has not yet been determined; and

WHEREAS, those projects not yet estimated may require further action by Borough Council and certification as to availability of funds by the Chief Financial Officer once an amount is determined; and

WHEREAS, although the Project List identifies projects totaling \$42,500.00.00 payable from the Current Fund, \$36,250.00 payable from Water and Sewer and \$209,000.00 from Capital Ordinances, it is understood that there is no guarantee that all of these projects will be undertaken this year; and

WHEREAS, it is further understood and agreed that the Engineer shall not begin work on any project without explicit written direction and a signed purchase order from the Borough Administrator;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available in the respective engineering budgets and/or Capital Ordinances for the projects identified on the Project List;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the projects on the attached Project List are hereby approved subject to specific authorization to proceed and issuance of one or more signed purchase orders by the Borough Administrator as stated above.

Record of Council Vote on Passage

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

Council Member Rubinstein made a motion to approve Resolution 2025-2.20, second by Council Member Stern with all members present voting in favor.

PROFESSIONAL REPORTS

Borough Administrator - Mr. Caminiti thanked the Mayor and Council for their continued confidence and support with his reappointment. Mr. Caminiti also thanked the Borough Staff, Police Department and Public Works for the tireless work involved with the walk out ceremony for the Chief. Mr. Caminiti stated that last week we received notification from the Health Insurance Fund that they will take the Borough on and this should offer some savings to the Borough this year and going forward. Mr. Caminiti will be working on the transition. Mr. Caminiti stated that he has been working on staffing changes going forward related to retirements and hopefully we will also be able to tighten up code enforcement.

Borough Attorney- Walter Bliss - Mr. Bliss stated that he would like to thank and appreciate Betty Sterling for the work that she does.

Borough Clerk - Betty Sterling - Mrs. Sterling had no report but thanked Walter for the kind words.

Chief Financial Officer - Sandy Webb - Mrs. Webb had no report.

Superintendent of Public Works - Rick Smith - Mr. Smith congratulated Sgt. Burroughs and thanked the Police Department for their continued assistance with snow events.

Sergeant Burroughs - Sergeant Burroughs had nothing to report.

Public Comment

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

There were no comments from the public.

ADJOURNMENT

AT 8:56 PM, Council Member Chandler made a motion to adjourn the meeting, second by Council Member Marciante with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
 Borough Clerk