

**Pennington Borough Council Work Session
Work Session Meeting – April 28, 2025**

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

Also present were Borough Clerk Betty Sterling, Borough Attorney Walter Bliss, Borough Administrator GP Caminiti, Chief Financial Officer Sandra Webb, Public Works Superintendent Rick Smith, Pennington Police OIC Sergeant Daryl Burroughs, Borough Auditors Rob Provost and Rachel Kleinman and Financial Advisor, Sherry Tracey from Phoenix Advisors.

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

Open to the Public

Mayor Davy read the following statement.

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

There were no comments from the public.

Mayor Davy announced that one item on the agenda “COAH extension controls” is being removed from the agenda and will be scheduled for a future closed session discussion.

WORK SESSION PRESENTATIONS

Mayor Davy introduced Carol Lipson from Hopewell Valley Arts Council. Ms. Lipson stated that Michelle Needham is also in attendance. Ms. Lipson thanked Mayor and Council for allowing her to come and speak about a program called Artfront the Council is working on and to get some feedback from Council. Ms. Lipson explained that the idea is to display artwork from local artists and to beautify empty storefronts in the Hopewell Valley. Ms. Lipson stated that they are hoping to get the support of Council as they roll out the program. Ms. Lipson stated that some of the artwork will be for sale, which will in turn help local artists. Ms. Lipson stated that they will display QR codes that would explain the artwork and offer the realtor information for anyone interested in the vacant space. Ms. Lipson gave a brief power point presentation on the program. Council Members were in support of the program and presented some ideas and thoughts. Mrs. Chandler suggested that the Arts Council include the Economic Development Committee in the process.

Mayor Davy introduced Borough Auditor Rob Provost. Mr. Provost stated that Rachel Kleinman, Lead Supervisor for the Audit, was also in attendance. Mr. Provost thanked the Mayor and Council and stated that each year they like to start off with the audit, they look at a lot of things and do many tests and if Council would like to hear more detail on that, Rachel can go into more detail. Mr. Provost stated overall they do a significant amount of testing on all of the funds over many weeks, and he is happy to report that there are no findings or recommendations in the audit once again. Mr. Provost stated that they issued an unmodified opinion which is the highest opinion they can issue and that is commendable and speaks volumes to the work that Betty and Sandy put in for the Borough. Mr. Provost spoke briefly on the timeline for filing the audit and because of the hard work of the finance staff for the Borough they are two months ahead of the filing deadline. Mr. Provost shared a couple of exhibits from the audit and discussed fund balance and where the Borough is in terms of regenerating surplus. Mr. Provost stated that some one time revenues are dwindling and that coupled with salary and benefit increases going forward it is important to maintain and regenerate surplus each year. Mr. Provost explained that with increasing costs that are out of the control of the Borough, like salaries and health benefits are making it more difficult to regenerate the surplus each year. Mr. Provost briefly talked about the Water/Sewer Utility, which is doing very well, the surplus is good and funds are being set aside for lead line replacements. Ms. Kleinman had nothing further to add.

Mayor Davy introduced Sherry Tracy of Phoenix Advisors who made a presentation on General Capital Debt and the impact of projects that are part of the 5 year capital plan. Mrs. Chandler stated that some action items might be coming up at the May meeting if Council wants to proceed after this discussion on of them being an ordinance to purchase a new garbage truck. Ms. Tracy stated that this discussion will focus strictly on General Capital and will not address Utility projects, that is a separate discussion. Ms. Sherry began with a brief explanation on capital projects and the different ways to fund projects including grants and debt service. Ms. Tracy stated that these are projects that cannot be financed in one year’s budget they require borrowing funds to be able to do the project. Ms. Tracy explained the difference

between Bond Anticipation Notes and Bonds and how the funding for each would work. Ms. Tracy explained to Council the current debt that is included in the budget, the payment schedule and the projects that were funded in each bond sale. Ms. Tracy shared her analysis on the effect of borrowing to fund the projects listed in the 5-year capital plan would impact the budget going forward into the next 10 years to 20 years. Ms. Tracy explained the advantages of short-term borrowing by way of Bond Anticipation Notes so that the current debt service will drop before the Borough takes on more long-term debt. Ms. Tracy stated that this was a lot of information, and she is happy to answer any questions from Council. Council Members asked for further clarification of some of the information covered in the presentation. Mayor Davy asked if Council is in agreement to do a Bond Ordinance for the garbage truck at the next meeting. Mr. Rubenstein stated that the truck should be electric, and we should not be investing in fossil fuel vehicles. Mr. Caminiti stated that we have been looking into an electric vehicle option, and he is looking into some grant opportunities that would help with the cost. Mayor Davy stated that it does not sound like we will be ready for the May meeting so we will discuss the Bond Ordinance for the garbage truck and mill and overlay at the May work session. Mayor Davy asked Mr. Caminiti to be ready to discuss these items and to be prepared with a comparison of the carbon reduction to see if it warrants the additional cost for an electric garbage truck.

WORK SESSION DISCUSSION ITEMS

Mayor Davy stated that this slipped through the cracks with the transition of Land Use Administrators and in order to proceed with the plan, Council has to accept the Planning Board recommendation. Mayor Davy stated that the Redevelopment Committee will be discussing the plan at their meeting this week, but they will not be taking any action.

Resolution 2025-5.5 - Resolution Accepting Planning Board Recommendation to Designate Area in the Borough known as Block 201, Lots 6 and 7 on the Borough Tax Map an Area in Need of Redevelopment, in Accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, ET SEQ

Permit Application for Beer Garden at Pennington Day – Mayor Davy stated that Pennington Day would like to have a beer garden at the event this year. Mr. Bliss expressed concerns about the risks in serving alcohol and we should ensure that they have adequate insurance coverage. Mr. Caminiti was asked to ensure that we have the appropriate insurance coverage. Sgt. Burroughs was asked to comment on any concerns he may have, and he stated that this will require an additional officer assigned to the beer garden. Sgt. Burroughs had a bad connection so Mr. Caminiti stated that he would follow up to ensure that all concerns are addressed. Mr. Valenza expressed concern with the hours of operation, which are 10 to 5. Council agreed that they would like the hours to shorten the hours to end at 3:00 pm.

Resolution 2025-5.4 - Amending Remote Public Meetings Procedures – Mrs. Sterling stated that this was on the agenda for the last meeting and a couple of Council Members requested that the resolution be pulled for further discussion. Mrs. Sterling stated that the only change was to add the option of a meeting to permit the new format because the current policy specifically allows webinars only. Mr. Valenza asked about a hybrid meeting and the equipment needed. Mrs. Sterling stated that we are able to have in person meeting with the equipment that we have, we just would not be equipped for a hybrid meeting. Ms. Angarone stated that she has a couple of changes that she would like changed such as the identification of Zoom as a vendor and she will send over her changes in the next week. Some discussion took place regarding the language allowing remote meetings during a State of Emergency and because the State has not lifted the State of Emergency we are taking that to mean that we can still meet remotely. Mayor Davy stated that most municipalities have returned to in person meetings. Mr. Bliss stated that he does not have a lot of confidence in the argument that we can still meet remotely under the General State of Emergency. Mr. Bliss stated that nonetheless, the League of Municipalities has assured him that there is still one other municipality that is holding remote only meetings and he thinks that we are still on thin ice with meeting remotely.

Letter - Pennington Point - Trash Fees – Mayor Davy stated that we received a letter from Pennington Point requesting a reduction in the trash collection fees charged for the Hopewell Township residents who have trash collection by Pennington Borough. Mayor Davy stated that he would like to refer this to the Finance Committee for discussion.

REVIEW OF TENTATIVE COUNCIL REGULAR AGENDA

Mayor Davy asked if Council Members have any comments on the following items that will be on the Regular Agenda for the May 5th meeting. A brief discussion took place regarding the Arboretum tree removal. Mr. Smith explained the Resolution for repair of a garbage truck and stated that discussions are taking place regarding yard waste and bulk waste going forward and whether it makes sense to put money into an older garbage truck. Mr. Smith further explained the need to purchase a new garbage truck which will help in picking up yard waste. Mr. Smith stated that we provide a high level of service for yard waste and bulk and in order to do that the Borough needs to invest in the equipment.

Proclamation - Kieran John

Approval of Minutes - Work Session - March 31, 2025

Ordinance 2025-8 - An Ordinance to Provide for and Determine the Rate of Compensation of Officers and Employees of the Borough of Pennington, County of Mercer, State of New Jersey for the Year 2025 **(Public Hearing and Adoption)**

Ordinance 2025-9 - Ordinance Amending Chapter 98 of the Code of the Borough of Pennington to Clarify Mechanical Subcode Fees **(Public Hearing and Adoption)**

Resolution 2025-5.2 - Resolution Authorizing Payment of Bills

Resolution 2025-5.3 - Resolution Certifying That All Members of the Borough Council of the Borough of Pennington Have Reviewed the Sections of the 2024 Annual Audit Entitled General Comments and Recommendations

Resolution 2025-5.5 - Resolution Granting Conditional Authorization for Las Patatas De Rafa, LLC, Doing Business as La Unica to Maintain a Temporary Outdoor Dining Area in the Public Right-of-Way 2025

Resolution 2025-5.6 - Resolution Authorizing the Auction of Certain Surplus Property No Longer Needed for the Public Use by Pennington Borough Utilizing the Services of GovDeals, Inc.

Resolution 2025-5.7 - Resolution Authorizing Agreement With Jay C.S. Neary Concerning Sewer Connection for 115 Lewis Brook Road in Hopewell Township

Resolution 2025-5.9 - Resolution Authorizing a Professional Services Agreement With Montrose Environmental for the Completion of the 2024 Right to Know Survey

Resolution 2025-5.10 - Resolution Authorizing Submission of Governor's Council on Alcoholism and Drug Abuse Fiscal Grant July 1, 2025 to June 30, 2026

Resolution 2025-5.11 - Resolution Authorizing Take Down of Large Tree Near Enclosure Within the Arboretum and Authorizing the Use of Open Space Funds for this Purpose

Resolution 2025-5.12 - Resolution Authorizing Repair of Trash Vehicle Under State Contract T-2108-A89300

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.

At 9:02pm, Mr. Rubenstein made a motion to adjourn the meeting, second by Council Member Marciante will all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk