



COUNCIL WORK SESSION - FEBRUARY 24, 2025

AGENDA

Monday, February 24, 2025 at 7:00 PM

Online via Zoom

I. Call to Order

II. Roll Call - Borough Clerk - Betty Sterling

Angarone; Chandler; Marciante; Rubenstein; Stern; Valenza; Mayor Davy

III. Open Public Meetings Statement

Notice of this meeting has been given to the Hopewell Valley News, Trenton Times and was posted on the bulletin board at Borough Hall at 30 North Main Street and on the Borough website according to the regulations of the Open Public Meetings Act.

IV. Open to the Public/ Public Comment

The Meeting is now open to the public for comment. 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 Clerk acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.

V. Work Session Discussion Items:

1. Stormwater Management MS4 Regional Study - Watershed Institute - Mike Pisauo
- [2.](#) 2025 Budget Presentation - (Slide Presentation) - Sandy Webb, CFO
- [3.](#) Resolution - Burd Street Recommendations from Public Safety Committee
4. Zoom Meetings Policy

VI. Review of Tentative Council Regular Agenda

1. Ordinance 2025-7 - Cap Ordinance (**Introduction**)
2. Introduction of 2025 Budget
3. Resolution - Self Examination of the 2025 Budget

4. Resolution - Civil Rights (Budget Requirement)
5. Ordinance 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 (**Public Hearing & Adoption**)
6. 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 (**Public Hearing and Adoption**)
7. Ordinance 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 p December 31, 2027 (**Public Hearing & Adoption**)
8. 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 (**Public Hearing & Adoption**)
9. 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 Borough to Finance Part of the Cost Thereof (**Public Hearing & Adoption**)
10. Resolution 2025-3.1 - Resolution Authorizing Amendments to the 2025 Temporary Budget
11. Resolution 2025-3.2 - Payment of Bills
12. Resolution 2025-3.3 - Budget Transfer 2024
13. Resolution - Hiring Land Use Administrator
14. Resolution 2025-3.5 - Appointing Zoning Officer
15. Resolution 2025-3.6 - Resolution Authorizing Re-appointment of Deputy Court Administrator
16. Resolution 2025-3.7 - Bingo Application
17. Resolution 2025-3.8 - Raffle Application
18. Resolution 2025-3.9 - Rescind Conditional Appointment of Police Officer
19. Resolution 2025-3.10 - Resolution Authorizing Submission of a Native Plant Society of NJ (NPSNJ) Mini-Grant Application to Fund Native Plantings Within the Arboretum
20. Resolution 2025-3.11 - Health Insurance Fund
21. Resolution 2025-3.12 - McCloskey Mechanical - HVAC Contract

VII. **Open to the Public/ Public Comment**

The Meeting is now open to the public for comment. 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 Clerk acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.

VIII. CLOSED SESSION

AT, PM, BE IT RESOLVED, that Mayor and Council shall hereby convene in closed session for the purposes of discussing a subject or subjects permitted to be discussed in closed session by the Open Public Meetings Act, to wit:

Negotiations - Pennington Fire - Use & Occupancy Agreement

Negotiations - Sewer Connection - 115 Lewisbrook Rd

Contract Negotiations - EMS Agreement

Personnel - Borough Administrator Salary

IX. Adjournment

	2024 Anticipated	2024 Realized	2025 Anticipated
Current Fund			
Surplus Anticipated	578,752.93	578,752.93	814,787.74
Miscellaneous Revenues			
Fees and Permits	12,000.00	13,526.00	12,000.00
Municipal Court	47,000.00	55,146.34	50,000.00
Interest and Costs on Taxes	33,000.00	32,054.55	32,000.00
Interest on Investments and Deposits	31,000.00	37,478.23	35,000.00
Trash Collection Fees	61,000.00	57,807.56	57,000.00
Library Administrative Fee	10,150.00	10,150.00	10,150.00
State Aid			
Consolidated Municipal Property Tax Relief Aid	233.00	0.00	
Energy Receipts Tax	187,348.00	189,818.18	189,585.18
Excess State Aid - 2022	11,077.51	11,077.51	
Uniform Construction Code Fees	85,000.00	113,821.00	105,000.00
Verizon / Comcast Franchise Fee	33,994.91	33,994.91	33,472.75
PSE&G	24,000.00	24,754.84	25,219.00
Cannabis			41,900.00
Capital Fund Balance	40,000.00	40,000.00	40,000.00
Water / Sewer Utility	100,000.00	100,000.00	
Clean Communities			7,259.11
Environmental Commission	1,500.00	1,500.00	
Body Armor	947.92	947.92	969.85
Recycling Tonnage	8,222.09	8,222.09	
BPU Energy Plan Grant	10,000.00	10,000.00	
Interlocal Revenues (Senior Center)	6,334.00	6,460.00	6,847.00
Receipts from Delinquent Taxes	116,000.00	116,915.74	70,000.00
Local Tax for Municipal Purposes	2,905,427.25	3,117,582.83	3,038,752.53

Minimum Library Tax	224,307.00	224,307.00	240,365.19
Total Amount to be Raised	3,129,734.25	3,341,889.83	3,279,117.72
Total General Revenues	4,527,294.61	4,784,317.63	4,810,308.35
	4,527,294.61		4,810,308.35

	2024	2024	2025
Water & Sewer Utility Operating Fund	Anticipated	Realized	Anticipated
Fund Balance	393,530.40	393,530.40	281,089.00
Water & Sewer Rents	1,440,000.00	1,620,442.43	1,500,000.00
Interest on Delinquencies	4,000.00	5,427.59	4,000.00
Interest on Investments	8,000.00	17,590.78	10,000.00
Total General Revenues	1,845,530.40	2,036,991.20	1,795,089.00
	1,845,530.40		1,795,089.00

	2024 Adopted	2025 Requested
General Government		
Office of the Business Administrator		
Salaries and Wages	112,000.00	105,000.00
Other Expenses	43,600.00	47,750.00
Elections		
Other Expenses	5,000.00	5,000.00
Financial Administration		
Salaries and Wages	58,300.00	72,000.00
Other Expenses	37,760.00	38,150.00
Assessment of Taxes		
Salaries and Wages	15,000.00	15,500.00
Other Expenses		
Maintenance of Tax Maps	2,500.00	2,500.00
Miscellaneous Other Expenses	6,400.00	6,250.00
Collection of Taxes		
Salaries and Wages	25,000.00	12,500.00
Other Expenses	8,550.00	8,300.00
Mayor & Council		
Other Expenses	1,000.00	1,000.00
Office of the Borough Clerk		
Salaries and Wages	48,500.00	52,500.00
Other Expenses	22,600.00	20,100.00
Municipal Court		
Salaries and Wages	33,400.00	35,600.00
Other Expenses	8,685.00	10,312.00
Public Defender		
Other Expenses	4,800.00	4,800.00
Legal Services and Costs		
Other Expenses	55,000.00	60,000.00
Consultants	45,000.00	10,000.00
Municipal Prosecutor		
Other Expenses	7,200.00	7,200.00
Engineering Services and Costs		
Other Expenses	32,500.00	42,500.00

Public Buildings and Grounds		
Salaries and Wages	5,000.00	5,000.00
Other Expenses	74,900.00	86,100.00
Planning & Zoning		
Salaries and Wages	63,000.00	81,000.00
Other Expenses	50,350.00	46,850.00
Shade Tree		
Other Expenses	15,000.00	25,950.00
Insurance		
Group Plan for Employees	270,000.00	331,000.00
Workers Compensation Insurance	47,413.00	55,500.00
Workers Compensation - First Aid		
Liability & Other Insurance	66,138.00	72,600.00
Police		
Salaries and Wages	768,000.00	733,000.00
Other Expenses	93,900.00	122,110.00
Due to Fire District	915.00	915.00
Streets & Roads		
Repairs & Maintenance		
Salaries and Wages	290,000.00	325,000.00
Other Expenses	85,450.00	108,250.00
Municipal Service Reimbursement-OE	5,000.00	5,000.00
Street Lighting	34,000.00	34,000.00
Garbage and Trash Removal		
Salaries and Wages	126,000.00	126,000.00
Other Expenses	146,100.00	168,100.00
Health & Welfare		
Board of Health		
Other Expenses	500.00	500.00
Recreation & Education		
Recreation		
Other Expenses	10,350.00	12,850.00
Celebration of Public Events		
Other Expenses	4,500.00	6,000.00
Other Boards & Commissions		
Environmental Commission		
Other Expenses	500.00	1,284.00

Historic Preservation		
Other Expenses	500.00	500.00
Economic Development Commission		
Other Expenses	1,500.00	500.00
State Uniform Construction Code		
Office of the Construction Code Official		
Salaries and Wages	72,000.00	91,500.00
Other Expenses	13,100.00	13,100.00
Unclassified		
Utilities		
Telephone	27,000.00	28,500.00
Electricity	20,000.00	25,000.00
Gasoline & Lubricants	42,000.00	42,000.00
Natural Gas	9,000.00	12,500.00
Salary & Wage Adjustment		
Accumulated Sick Leave	5,000.00	5,000.00
Statutory Expenditures		
Contribution to:		
PERS	99,237.60	97,181.00
PFRS	180,664.00	225,090.00
DCRP	3,000.00	5,000.00
Unemployment Insurance	5,000.00	5,000.00
Social Security System	136,200.00	145,000.00
Subtotal Appropriations Inside Cap	3,344,012.60	3,599,842.00
Operations - Excluded from Cap		
Maintenance of Free Public Library	224,307.00	240,365.19
LOSAP Contribution		
First Aid Organization	0.00	
Workers Compensation	2,987.00	
Liability Insurance	6,462.00	
Group Insurance		
Interlocal Municipal Service Agreements		
Emergency 911 and Dispatch	77,746.00	82,566.00
Senior Services	5,200.00	5,300.00
Health Services	51,000.00	52,020.00

Recycling Agreement	79,500.00	85,416.00
Administration of Municipal Alliance Program	1,500.00	1,500.00
Animal Control	13,260.00	13,525.20
Mercer County EMS	3,650.00	3,800.00
Electronic & Paper Shredding	2,000.00	2,000.00
First Aid	40,000.00	55,000.00
Public and Private Programs Offset by Revenues		
Clean Communities		
Environmental Commission	1,500.00	7,259.11
Solid Waste Recycling	8,222.09	
BPU Energy Plan Grant	10,000.00	
Body Armor	947.92	969.85
Capital Improvements		
Capital Improvement Fund	15,000.00	15,000.00
Municipal Debt Service		
Payment of Bond Principal	265,000.00	270,000.00
Payment of Bond Anticipation Notes		
Interest on Bonds	65,000.00	55,745.00
Interest on Notes		
Debt Service		
Subtotal Outside Cap	873,282.01	890,466.35
Deferred Charge to Future Taxation-Unfunded	30,000.00	30,000.00
Reserve for Uncollected Taxes	280,000.00	290,000.00
Emergency Authorization		
Total General Appropriations	4,527,294.61	4,810,308.35
		4,810,308.35

Water & Sewer Utility Operating	2024 Adopted	2025 Requested
Salaries and Wages	336,000.00	340,000.00
Other Expenses	252,000.00	308,525.00
SBRSA Treatment Costs	440,000.00	430,415.00

Group Insurance	150,000.00	142,000.00
Worker's Compensation Insurance	22,000.00	24,000.00
Liability Insurance	31,000.00	31,500.00
Debt Service		
Payment of Bond Principal	70,000.00	70,000.00
Interest on Bonds	20,000.00	20,000.00
NJ EIT	35,000.00	35,000.00
Statutory Expenditures		
Public Employees' Retirement System	42,530.40	41,649.00
Social Security System	40,000.00	45,000.00
Deferred Charge to Future Taxation Ord	107,000.00	107,000.00
Deferred Charge to Future Taxation	200,000.00	200,000.00
Surplus to Current Fund	100,000.00	
Total Water & Sewer Utility Appropriations	1,845,530.40	1,795,089.00
		1,795,089.00

RESOLUTION 2025 -**BOROUGH OF PENNINGTON
COUNTY OF MERCER
STATE OF NEW JERSEY****RESOLUTION REQUESTING MERCER COUNTY TO CONDUCT A COMPREHENSIVE TRAFFIC SAFETY EVALUATION OF INGLESIDE AVENUE, BURD STREET, AND SKED STREET**

WHEREAS, the Borough of Pennington has received numerous concerns from residents regarding traffic safety issues on Ingleside Avenue, Burd Street, and Sked Street; and

WHEREAS, Ingleside Avenue is a County road under the jurisdiction of Mercer County; and

WHEREAS, recent proposals for traffic signal modifications at the intersection of Route 31 and Ingleside Avenue have raised additional concerns about potential increases in cut-through traffic on residential streets; and

WHEREAS, previous traffic studies have indicated that changes to traffic patterns could result in significant increases in traffic volume through residential neighborhoods; and

WHEREAS, the Borough Council is committed to ensuring the safety of its residents while maintaining the residential character of its neighborhoods; and

WHEREAS, a comprehensive traffic evaluation is necessary to determine the most effective solutions for improving traffic safety while minimizing negative impacts on residential areas.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Pennington, County of Mercer, State of New Jersey, that:

1. The Borough hereby formally requests that Mercer County Executive Daniel Benson and the County of Mercer Engineering Department conduct a comprehensive traffic evaluation to assess multiple possible alternatives for improving traffic safety on Ingleside Avenue, Burd Street, and Sked Street.

2. The requested evaluation shall specifically include, but not be limited to, the following potential alternatives:

- a) Implementation of one-way traffic flow patterns on Burd Street and Sked Street;
- b) Speed reduction measures on Ingleside Avenue, Burd Street, and Sked Street;
- c) The construction of a full traffic calming raised roundabout at the intersection of Ingleside Avenue and Burd Street;
- d) Installation of four-way stop controls at the intersections of:
 - Burd Street and West Welling Street
 - Burd Street and Curlis Avenue

3. The evaluation should consider the impacts of any proposed changes on:

- a) Resident access and circulation
- b) Emergency vehicle response times
- c) School bus routing
- d) Cut-through traffic volumes
- e) Pedestrian and bicycle safety
- f) Overall neighborhood character

4. The Borough requests that this evaluation include current traffic volume data, projected traffic patterns, and specific recommendations for implementing the most effective combination of traffic calming measures.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to:

- 1. Mercer County Executive Daniel Benson
- 2. Mercer County Planning Director
- 3. Mercer County Engineer
- 4. New Jersey Department of Transportation
- 5. Hopewell Township Committee

CERTIFICATION

I, Betty Sterling, Municipal Clerk of the Borough of Pennington, County of Mercer, State of New Jersey, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council during their regular meeting held on [DATE], 2025.

Betty Sterling, RMC
Municipal Clerk

**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.

Introduced: January 13, 2025
Advertised: January 17, 2025
Public Hearing: February 3, 2025 (Carried)
Public Hearing: _____
Adoption: _____
Final Publication: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

BOROUGH OF PENNINGTON
COUNTY OF MERCER

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

RECORD OF COUNCIL VOTE ON INTRODUCTION

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

RECORD OF COUNCIL VOTE ON ORDINANCE AMENDMENT/CARRY PUBLIC HEARING

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

RECORD OF COUNCIL VOTE ON ADOPTION

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

**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.

Introduced: February 3, 2025
Advertised: February 7, 2025
Public Hearing: _____
Adoption: _____
Final Publication: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**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**

RECORD OF COUNCIL VOTE ON INTRODUCTION

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

RECORD OF COUNCIL VOTE ON INTRODUCTION

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

**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.

Introduced: February 3, 2025
Advertised: February 7, 2025
Public Hearing: _____
Adoption: _____
Final Publication: _____

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

BOROUGH OF PENNINGTON
ORDINANCE 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

RECORD OF COUNCIL VOTE ON INTRODUCTION

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

RECORD OF COUNCIL VOTE ON ADOPTION

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

**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.

Introduced:

February 3, 2025

Advertised:

February 7, 2025

Public Hearing:

Adoption:

Final Publication:

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**BOROUGH OF PENNINGTON
ORDINANCE 2025-5**

**BOND ORDINANCE PROVIDING A
SUPPLEMENTAL APPROPRIATION OF \$50,000
FOR IMPROVEMENTS TO BALDWIN STREET
AND BALDWIN COURT 11 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.**

RECORD OF COUNCIL VOTE ON INTRODUCTION

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			

RECORD OF COUNCIL VOTE ON ADOPTION

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

**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.

Introduced:

February 3, 2025

Advertised:

February 7, 2025

Public Hearing:

Adoption:

Final Publication:

ATTEST:

APPROVED:

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**BOROUGH OF PENNINGTON
ORDINANCE 2025-6**

**BOND ORDINANCE PROVIDING FOR
IMPROVEMENTS TO ABEY DRIVE, MALLARD
PLACE AND QUEENS LANE 11 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.**

RECORD OF COUNCIL VOTE ON INTRODUCTION

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

RECORD OF COUNCIL VOTE ON ADOPTION

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