



## **BOROUGH COUNCIL MEETING - NOVEMBER 7, 2022**

### **AGENDA**

**Monday, November 07, 2022 at 7:00 PM**

**Online via Zoom**

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#### **CALL TO ORDER - Mayor Davy**

#### **ROLL CALL - Borough Clerk - Betty Sterling**

Angarone; Chandler; Gnatt; Gross; Marciante; Stern; Davy

#### **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.

#### **OPEN TO THE PUBLIC - AGENDA ITEMS ONLY**

Meeting open to public for comments on items on the agenda for which no public discussion is provided. 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 3 minutes.**

#### **MAYOR'S BUSINESS**

1. Sked Street Park Improvements - Brett Margulis
2. Council By-Laws - Public Comment
3. Affordable Housing Administrative Agent Contract Amendment
4. Mayor's Appointment

#### **Environmental Commission:**

Timothy Schwartz moving from regular member to Alternate 1 - term expires December 31, 2022

Jim Fuger moving from Alternate 1 to unexpired term ending December 31, 2023

Dan Rubenstein appointed to unexpired term ending December 31, 2022

#### **Shade Tree:**

Jaye Berman appointed to unexpired term ending December 31, 2023

**Open Space:**

Nancy Fishman will serve as the representative from Environmental Commission for an unexpired term ending December 31, 2023

5. Proclamation - Communities of Light - December 5, 2022

**APPROVAL OF MINUTES**

- [6.](#) Regular Council Meeting - October 3, 2022

**APPROVAL OF CLOSED SESSION MINUTES (FOR CONTENT BUT NOT FOR RELEASE)**

7. Closed Session Meeting - September 6, 2022

**ORDINANCES FOR INTRODUCTION**

- [8.](#) Ordinance 2022-14 - Amending Salary Ordinance

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

**COMMITTEE REPORTS**

9. **Planning & Zoning / Personnel / Parks & Recreation** – Mrs. Gnatt
- [10.](#) **Public Safety / Economic Development / Environmental** – Mrs. Chandler
11. **Public Works** – Ms. Stern
12. **Open Space / Shade Tree** – Ms. Stern
13. **Finance & Technology / Board of Health** – Mr. Gross
14. **Historic Preservation / Library** – Ms. Angarone
15. **Senior Advisory** – Mayor Davy

**COUNCIL DISCUSSION**

- [16.](#) Carbon Neutral Baseline - Andrew Jackson
- [17.](#) Proposed Noise Ordinance (Kit / Kati)
- [18.](#) Proposed Good Neighbor Residential Outdoor Lighting Ordinance (Kit / Kati)
19. Updates on Communication Plan (Nadine/Kati)
20. Shared Services - E-Waste/Paper Shredding
- [21.](#) Policy of the Protection and Safe Treatment of Minors
- [22.](#) Best Practices Inventory - Sandy Webb, CFO

## **NEW BUSINESS**

- [23.](#) Resolution 2022-11.1 - Resolution Authorizing Refunds
- [24.](#) Resolution 2022-11.2 - Resolution Authorizing Payment of Bills
- [25.](#) Resolution 2022-11.3 - Resolution Authorizing Budget Transfers
- [26.](#) Resolution 2022-11.4 - Raffle St. Matthews Church
- [27.](#) Resolution 2022-11.5 - Resolution Authorizing Repair and Replacement of Flygt Pump at Curlis and Sked Street Pump Stations Under Cooperative Pricing Agreement With the North Jersey Wastewater Cooperative Pricing System
- [28.](#) Resolution 2022-11.6 - Resolution Authorizing Purchase of Remote Read Meters From Rio Supply, Inc. Through Cooperative Pricing Agreement With the North Jersey Wastewater Cooperative Pricing System
- [29.](#) Resolution 2022-11.7 - Resolution Authorizing Enrollment of the Borough in the Somerset County Cooperative Pricing System (#2-SOCCP)
- [30.](#) Resolution 2022-11.8 - Resolution Ratifying Informal Resolution of Violation of Section 13-10 of the Borough Code Pertaining to Unauthorized Removal of a Tree From the Public Right of Way
- [31.](#) Resolution 2022-11.9 - Resolution Authorizing Escrow Agreement for Engineering Services in Connection with Sewer Connection for 100 Lewis Brook Road
- [32.](#) Resolution 2022-11.10 - Resolution Promoting Sergeant Novin Thomas to Sergeant First Class in the Pennington Borough Police Department
- [33.](#) Resolution 2022-11.11 - Resolution Promoting Sergeant Daryl Burroughs to Sergeant First Class in the Pennington Borough Police Department
- [34.](#) Resolution 2022-11.12 - Resolution Authorizing Amendment of Professional Services Agreement with CGP&H LLC for Affordable Housing Services
- [35.](#) Resolution 2022-11.13 - Resolution Extending Unpaid Leave of Employee Christopher Webb Through December 31, 2022
- [36.](#) Resolution 2022-11.14 - Resolution Authorizing Application for NJDEP Stormwater Utility Feasibility Study Grant
- [37.](#) Resolution 2022-11.15 - Resolution Amending Borough Council Handbook and ByLaws Regarding Public Comment at Council Meetings

## **PROFESSIONAL REPORTS**

Borough Attorney - Walter Bliss  
Police Chief - Doug Pinelli  
Superintendent of Public Works – Rick Smith  
Borough Clerk – Betty Sterling  
Chief Financial Officer – Sandra Webb

## **PUBLIC COMMENT PERIOD**

Please raise your hand so the Borough Clerk can acknowledge you. Please state your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.

## **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:

Personnel - Police Department

Personnel - Borough Administrator Update

AT, PM, Mayor and Council returned to open session.

## **ADJOURNMENT**



DRAFT

Regular Meeting  
October 3, 2022  
Page 1**Pennington Borough Council  
Regular Meeting – October 3, 2022**

Mayor Davy called the Regular Meeting of the Borough Council to order at 7:00 pm. The meeting was held via Zoom due to the COVID19 pandemic. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Chandler, Gnatt, Gross, Marciante, and Stern in attendance.

Also present were Public Works Superintendent Rick Smith, Sergeant Thomas, Sergeant Burroughs and Borough Attorney Walter Bliss.

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

**Open to the Public – Agenda Items Only**

Mayor Davy read the following statement.

The meeting is now open to the public for comments on items on the agenda for which no public discussion is provided. 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 your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.**

Mr. Dan Pace of 9 Railroad Place spoke about the proposed Council By-Laws that will be considered later in the meeting. Mr. Pace stated that he would like the first public hearing to not be restricted to agenda items only so that residents do not have to wait until the end of the meeting to speak. Mr. Pace stated that he did a survey of neighboring municipalities and most municipalities seem to allow public comment at the beginning without restriction.

Pam Switlik of 33 East Welling Avenue stated her main concern is that she would like Council to let Halloween be what Halloween was in the past where everyone is able to participate and trick or treating is not restricted to one area. Mrs. Switlik also asked if someone could provide an update on when the trees and grass will be replaced on East Welling Avenue.

Mayor Davy stated that the week of October 14<sup>th</sup> is when the work should begin to replace trees and grass. Mayor Davy stated that Halloween is on the agenda for discussion later in the meeting.

There were no further comments from the public.

**Mayor's Business**

Mayor Davy announced the resignation of Todd MacDonald from the Shade Tree Committee and the resignation of Jeanne Van Orman from the Planning Board.

Mayor Davy stated that Amy Kassler-Taub who currently serves as Alternate 2 on the Planning Board will be moving to the Alternate 2 position.

Mayor Davy announced the following Mayor's appointments:

Michael Briehler appointed as Alternate 1 on the Economic Development Commission for a term ending December 31, 2022.

John Valenza will move from the Environmental Commission for Planning Board Alternate 2 for an unexpired term ending December 31, 2022.

Mayor Davy stated that he had another appointment to make to the Environmental Commission. Mr. Bliss recommended holding that appointment so that it could be listed on the November Agenda. Mrs. Chandler stated that the Environmental Commission has someone for the Open Space Committee and that will also be for the November meeting.

Mayor Davy announced that the grant application that the Borough submitted to the DEP for EV Charger Equipment has been denied. Mayor Davy stated that the Borough also submitted an application to the BPU to cover installation costs for the chargers and that application was awarded in the amount of \$150,000. Mayor Davy stated that the equipment is estimated at a cost of \$100,000 and he asked how Council would like to proceed with regard to EV chargers. Mrs. Chandler asked if we can reapply for the grant? Mayor Davy asked how long we have to accept the BPU grant? After further discussion it was suggested that we look into these questions. Mrs. Chandler stated that there might be other grants that we can look into.

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Regular Meeting  
October 3, 2022  
Page 2**APPROVAL OF MINUTES**

Council Member Chandler made a motion to approve the minutes of the September 7, 2022 Regular Council Meeting, second by Council Member Marciante with all members present voting in favor.

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

Council Member Chandler made a motion to approve the Closed Session Minutes of August 1, 2022, second by Council Member Stern with all members present voting in favor with the exception of Ms. Angarone who abstained.

**ORDINANCES FOR INTRODUCTION**

There were no Ordinances for introduction.

**ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

Mayor Davy read Ordinance 2022-12 by title.

**BOROUGH OF PENNINGTON  
ORDINANCE 2022-12**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 2022-6 OF THE BOROUGH OF PENNINGTON, IN THE COUNTY OF MERCER, NEW JERSEY, FINALLY ADOPTED MAY 2, 2022, IN ORDER TO AMEND THE DESCRIPTIONS OF THE PROJECTS AND TO PROVIDE FOR THE FUNDING OF AN EMERGENCY APPROPRIATION.**

**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 One. Section 3(a) of Bond Ordinance numbered 2022-6 of the Borough of Pennington, in the County of Mercer, New Jersey (the "Borough"), finally adopted May 2, 2022 ("Bond Ordinance #2022-6), is hereby amended to remove the reference to a sport utility vehicle and to read as follows:

"(a) Acquisition of a vehicle for the Police Department, including all related costs and expenditures necessary therefor and incidental thereto."

Section Two. Section 3(b) of Bond Ordinance #2022-6 of the Borough is hereby amended to remove the reference to a sport utility vehicle and to read as follows:

"(b) Acquisition of a vehicle for the Department of Public Works, including all related costs and expenditures necessary therefor and incidental thereto."

Section Three. Bond Ordinance #2022-6 of the Borough referenced in Sections One and Two hereof as amended provides for the funding of a \$64,677.09 emergency appropriation for the acquisition of a vehicle for the Department of Public Works authorized by a resolution of the Borough adopted on September 6, 2022 and entitled, "Resolution of the Borough of Pennington, in the County of Mercer, New Jersey Authorizing An Emergency Appropriation Pursuant to N.J.S.A. 40A:4-48 to Fund the Acquisition of a Vehicle for the Department of Public Works and Further Authorizing the Issuance of Emergency Notes to Fund Such Emergency Appropriation."

Section Four. 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 Five. 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 Chandler made a motion to open the Public Hearing on Ordinance 2022-12, second by Council Member Gnatt. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing, second by Council Member Chandler with all members present voting in favor. Council Member Marciante made a motion to adopt Ordinance 2022-12, second by Council Member Gross with all members present voting in favor.

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Mayor Davy read Ordinance 2022-13 by title.

**BOROUGH OF PENNINGTON  
ORDINANCE 2022-13**

**AN ORDINANCE AMENDING CHAPTER 200 OF THE CODE OF  
THE BOROUGH OF PENNINGTON CONCERNING STOP INTERSECTIONS**

**WHEREAS**, upon the recommendation of the Chief of Police and the Public Safety Committee of Borough Council, the Borough seeks to amend Section 200-6 of the Borough Code, concerning Stop Intersections, to authorize stop signs at new intersections in the Borough as well as to amend the Code for existing stop intersections to ensure that signs are properly authorized in both directions;

**WHEREAS**, Borough Council determines that the installation of the proposed additional stop intersections will further public safety;

**NOW, THEREFORE, BE IT ORDAINED**, by the Borough Council of the Borough of Pennington, that Chapter 200, Section 200-6, of the Code of the Borough of Pennington, concerning Stop Intersections, is hereby amended (with new language underlined and deleted language crossed out) as follows:

“Sec. 200-6. Stop Intersections.

The following intersections are designated as stop intersections, and stop signs shall be installed as follows:

<b>Intersection</b>	<b>Stop Sign on\</b>
Abey Drive and East Curlis Avenue	Abey Drive
Abey Drive and Kings Court	Kings Court
Abey Drive and Mallard Drive	Mallard Drive
Abey Drive and Queens Lane	Queens Lane
<u>Academy Avenue and Burd Street</u>	<u>Academy Avenue</u>
<u>Baldwin Court and Baldwin Street</u>	<u>Baldwin Court</u>
Baldwin Street and East Welling Avenue	Baldwin Street
<b>Intersection</b>	<b>Stop Sign on</b>
<u>Broemel Place and Green Street</u>	<u>Broemel Place</u>
Brookside Avenue and Green Avenue	Brookside Avenue
Burd Street and Laning Avenue	Laning Avenue <u>(eastbound)</u>
<u>Burd Street and Laning Avenue</u>	<u>Laning Avenue (westbound)</u>
Burd Street and West Welling Avenue	West Welling Avenue <u>(eastbound)</u>
<u>Burd Street and West Welling Avenue</u>	<u>West Welling Avenue (westbound)</u>
<u>Crawley Avenue and Academy Avenue</u>	<u>Crawley Avenue</u>
Curlis Avenue and Burd Street	Curlis Avenue
East Delaware Avenue and Eglantine Avenue	Eglantine Avenue
Eglantine Avenue and East Franklin Avenue	East Franklin Avenue (eastbound)
Eglantine Avenue and East Franklin Avenue	Eglantine Avenue (northbound)
Eglantine Avenue and East Franklin Avenue	<del>Eglantine Avenue</del> <u>Lewis Brook</u> (southbound)
Green Avenue and West Franklin Avenue	Green Avenue

<u>Hale Street and West Welling Avenue</u>	<u>Hale Street (northbound)</u>
<u>Hale Street and West Welling Avenue</u>	<u>Hale Street (southbound)</u>
Ingleside Avenue and Burd Street	Burd Street (southbound)
<u>King George Road and Eglantine Avenue</u>	<u>King George Road</u>
King George Road and Park Avenue	King George Road
<u>King George Road and Rockwell Green</u>	<u>Rockwell Green</u>
<b>Intersection</b>	<b>Stop Sign on</b>
Knowles Street and Broemel Place	Knowles Street
Knowles Street and West Franklin Avenue	All three corners
Maple Lane and Baldwin Street	Maple Lane
<u>O’Hanlon Avenue and Burd Street</u>	<u>O’Hanlon Avenue</u>
<u>Park Avenue and Eglantine Avenue</u>	<u>Park Avenue</u>
Railroad Place and West Franklin Avenue	Railroad Place
Railroad Place and North Main Street	Railroad Place
<u>Sked Street and Voorhees Avenue</u>	<u>Sked Street</u>
Sked Street and West Welling Avenue	West Welling Avenue ( <u>eastbound</u> )
<u>Sked Street and West Welling Avenue</u>	<u>West Welling Avenue (westbound)</u>
Voorhees Avenue and Burd Street	Voorhees Avenue
<u>Weidel Drive and Park Avenue</u>	<u>Weidel Drive</u>
<u>West Welling Avenue and Reading Street</u>	<u>Reading Street</u>

**AND BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage and publication as provided by law.

Council Member Stern made a motion to open the Public Hearing on Ordinance 2022-13, second by Council Member Gnatt. There were no comments from the public. Mrs. Chandler stated that this Ordinance is to get stop signs that are in town but not in the Ordinance and so therefore are not enforceable. Council Member Marciante made a motion to close the Public Hearing on Ordinance 2022-13, second by Council Member Gross with all members present voting in favor. Council Member Gross made a motion to adopt Ordinance 2022-13, second by Council Member Chandler with all members present voting in favor.

**Committee Reports**

**Planning & Zoning / Parks & Recreation/ Personnel** – Ms. Gnatt reported that Parks and Recreation met on September 28<sup>th</sup>. Ms. Gnatt stated that Tom Flood has moved out of town, so there is a vacancy o Parks and Recreation. Ms. Gnatt stated that they discussed the new shed at Kunkel Park and the need for a master list of inventory in the shed. Ms. Gnatt reported that movie night will be held on October 18<sup>th</sup> at Kunkel Park. Ms. Gnatt reported that Parks and Recreation is considering moving the Memorial Day Concert to the Sunday night before Memorial Day. Ms. Gnatt stated that the improvements to Kunkel Park are ongoing and the last item is the basketball court. Ms. Gnatt stated that a meeting will be coming up to review plans for upgrades to Sked Street Park.

Ms. Gnatt stated that she was not able to attend the Planning Board meeting but she can report that a new house was approved for 161 East Delaware Avenue and the Pennington School athletic field improvements was approved after being scaled back.

**Public Safety /Economic Development / Environmental** – Mrs. Chandler reported that Economic Development is working on their website presence and a list of businesses to be posted. Mrs. Chandler stated that members of the EDC attended the PBPA Social that was recently held and members of the EDC are working with the PBPA on the Holiday Walk.

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Mrs. Chandler reported that the Environmental Commission reviewed the Planning Board Application for 161 East Delaware Avenue and the Pennington School and they had no environmental concerns. Mrs. Chandler stated that Nancy Fishman will be the Environmental Member on the Open Space Committee. Mrs. Chandler stated that Borough Planner Jim Kyle is putting the final touches on the Environmental Resource Inventory. Mrs. Chandler stated that in 2021, Borough Council passed a Resolution to be Carbon Neutral by the year 2035. Mrs. Chandler stated that the first step in that process was to create a baseline of greenhouse gas emissions and that has been completed. Mrs. Chandler stated that this will be on the agenda for discussion at the November Council meeting.

Mrs. Chandler stated that the tree work at the Arboretum will begin shortly. Mrs. Chandler stated that there was nothing to report regarding the landfill at this time.

Mrs. Chandler stated that Public Safety met and did a preliminary review of equipment and the budget for 2023. Mrs. Chandler stated that she also did a review of Standard Rules and Regulations that have been updated and are with Walter Bliss for review and possibly that will also be on the November agenda.

Mrs. Chandler stated that she is working on the updated Noise Ordinance which should be ready for the November meeting.

Mrs. Chandler stated that she will be attending the Hopewell Valley Board of Fire Commissioners meeting to discuss Emergency Medical Services, that meeting will be held later this week.

Mrs. Chandler stated that with the upcoming construction at BMS, there will be a number of trucks coming through town to deliver lab equipment. Mrs. Chandler stated that Hopewell Township limited the number of trucks to 3 per day. Mrs. Chandler stated that the Police Department is working with the company regarding this as the trucks will be oversize loads. Mr. Marciante stated that he had heard something different from the Fire Company. Mrs. Chandler stated that this is an ongoing discussion and more information will become available as it evolves.

**Public Works/Open Space/Shade Tree** – Ms. Stern stated that Public Works met on September 14<sup>th</sup>. Ms. Stern stated that leaf collection has started. Ms. Stern stated that the leaf line inventory is ongoing and Rick Smith will be reporting once it is complete. Ms. Stern stated that Public Works will hear a presentation from a company that deals with identifying funding for projects on October 17<sup>th</sup>.

**Finance & Technology / Board of Health** – Mr. Gross reported that Finance and Technology did not meet. Mr. Gross stated that the Board of Health met on September 21<sup>st</sup> and they are working on the Shared Services Contracts. Mr. Gross reported that Mr. Bliss will be reviewing the proposed agreements. Mr. Gross stated that Mayor Davy has asked another municipality to provide a quote as the proposed amounts from Montgomery Township are high. Mr. Gross reported that the Board of Health discussed the possibility of funding from the State to help with increased costs.

Mr. Gross stated that the Board discussed dog and cat incidents with regard to how they are reported. Mr. Gross stated that the Health Officer will be reaching out to Chief Pinelli to make sure the all incidents are reported timely. Mr. Gross stated that it is becoming difficult to track COVID cases. Mr. Gross reported that Covid Boosters and Flu Shots are available and information will be available on the Borough website.

**Historic Preservation / Library** – Ms. Angarone reported that the Historic Preservation met September 20<sup>th</sup> and they are considering an annual notice to residents reminding them of requirements related to Historic Preservation. Ms. Angarone stated the members of Historic Preservation met with the Pennington School regarding improvements to Old Main. Ms. Angarone reported that they are working on amendments to the Historic Preservation Ordinance. Ms. Angarone stated that they are also working on an Unauthorized Work Order Notice.

Ms. Angarone stated that the Library Board has a UTube presence and library events can be viewed there. Ms. Angarone stated that they are working with the Health Department on three upcoming events. Ms. Angarone stated that there are some upcoming events in the month of October. Ms. Angarone stated that the Library is pretty far along with their strategic plan update.

**Open Space / Shade Tree** – Ms. Stern reported that Open Space did meet but she was unable to attend. Ms. Stern stated that Shade Tree met on September 13<sup>th</sup> and the major item of discussion was to approve a new procedure for processing Attention to Municipal Tree requests. Ms. Stern stated that Shade Tree members will be actively participating in the process. Ms. Stern stated that there eight requests that were processed and two more have come in. Ms. Stern stated that they are looking for a new member to replace Todd MacDonald. Ms. Stern stated that Shade Tree will be meeting tomorrow night.

**Senior Advisory Board** – Mayor Davy had no report for Senior Advisory Board.

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Page 6**COUNCIL DISCUSSION**

**Halloween 2022** – Mrs. Chandler stated that Public Safety talked about Halloween a little bit particularly with regard to keeping the children safe. Mrs. Chandler stated that the decision for Council is whether to continue with closing down Burd Street or whether to not shut down Burd and do some other mechanisms for Halloween. Mrs. Chandler stated that her concern is the safety of the participants. Mrs. Chandler stated that when the decision was made a couple years ago it was because of the volume of participants in that area of town, but no one considered that by closing the road it would draw even more participants to the area. Mrs. Chandler stated that the goal was to increase safety for the participants not to increase the number of participants. Mrs. Chandler stated that Council needs to decide how to move forward to maintain Halloween while at the same time keeping participants safe. Mayor Davy stated that Chief Pinelli has stated to him that if the roads are shut down it is not just Pennington Police that are called in, there are Sheriff's officers that will need to be called in too and the costs are about \$4,000 to \$5,000.

Mr. Gross stated that he is not in favor of closing the streets. Mr. Gross lives in that area and had a hard time trying to leave his home last year. Mr. Gross stated that closing the roads gives participants a false sense of security. Mr. Marciante stated that residents are upset because in other areas of town there are no participants. Mr. Marciante asked for consideration of moving the closing of streets each year to alternate areas of towns. Mayor Davy asked Sergeant Thomas if there were any reported incidents prior to closing Burd Street for the first year. Mayor Davy stated that in speaking with Chief Pinelli, the Police Department will do whatever Council decides and if Council opts to not close the roads, he would still provide police coverage to ensure the safety of participants. Mrs. Chandler asked about the light that were purchased. Mr. Smith stated that the lights are very bright, they run on gasoline and they would need someone to stay with them while they are on. Mayor Davy suggested that Council decide whether to close the street or not and then leave the logistics up to Chief Pinelli. Mrs. Chandler stated that if Council votes to not close the roads then there needs to be a significant communication out to residents. Ms. Angarone stated that it sounds like the Borough did an experiment and it produced unforeseen results. Mayor Davy asked for a motion to continue the plan that has been in place for the past couple years and to close the streets in the Burd Street area. Mayor Davy stated that voting yes would mean closing the streets and voting no would mean not closing the streets, but the Police Department would continue to provide safety measures. Ms. Angarone asked if there was a pattern of injury or incidents or did this come about because of one or two requests. Sergeant Thomas stated that over time there have been no reported incidents or injuries. Council Member Gross made a motion, second by Council Member Stern with all members present voting No with the exception of Mr. Marciante who abstained because he would like the location moved each year.

Mrs. Chandler stated that now we need a communication plan. Mayor Davy stated that we can post it on the website and send as an e-mail blast. Mrs. Chandler stated that Public Safety will work on this and make it a safe night for all participants.

Ms. Stern stated that she would like to have listed on the next couple of meetings under Council Discussion, updates on communication plan. Mayor Davy stated that anyone who has an item for the agenda should let Betty know by the Wednesday before the meeting so that it can get on the agenda. Mayor Davy stated that having items listed on the agenda gives the public the opportunity to speak on agenda items at the beginning of the meeting. Ms. Stern stated that she and Kati are working on scheduling of meetings with Department Heads and Committee Chairs and they will be working on a survey to go out. Ms. Stern stated that she has someone lined up to take pictures of Council members for the website and she will be reaching out with some dates and times for pictures.

Mr. Marciante stated that he would like to discuss the traffic light on Route 31 at Ingleside where there have been more accidents. Mr. Marciante asked what was going on with this. Mayor Davy stated that intersection is in Hopewell Township and Borough Council did a resolution to request a traffic study only. Mayor Davy stated that we did not disagree with anything, we simply asked for a traffic study to see if there would be an impact on Borough residents.

**NEW BUSINESS****BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.1****RESOLUTION AUTHORIZING REFUNDS**

**BE IT RESOLVED** that a refund be issued from the Developer's Escrow Account to The Pennington School, 112 West Delaware Avenue, Pennington, NJ 08534 for the remaining balance in escrow account 90-056 in the amount of \$21.91.

**BE IT RESOLVED** that a refund be issued from the Current Fund to Weathervane Abstract & Settlement Services, LLC, 110 Main Street, Flemington, NJ 08822 for an overpayment of 3<sup>rd</sup> Quarter Taxes for Block 702, Lot 16, 202 Burd Street, in the amount of \$2,869.83.

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Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross	X			
Chandler	S				Marciante	X			
Gnatt	M				Stern	X			

Council Member Gnatt made a motion to approve Resolution 2022-10.1, second by Council Member Chandler with all members present voting in favor.

BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.2

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 \$ 1,950,925.92 from the following accounts:

Current	\$ 1,780,302.15
W/S Operating	\$ 74,770.25
General Capital	\$ 11,615.37
Grant Fund	\$ 56,838.20
Animal Control Fund	\$ 3.60
Other Trust Fund	\$ 8,450.00
W/S Capital	\$ 18,946.35
TOTAL	\$ 1,950,925.92

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross	X			
Chandler	S				Marciante	M			
Gnatt	X				Stern	X			

Council Member Marciante made a motion to approve Resolution 2022-10.2, second by Council Member Chandler with all members present voting in favor.

BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.3

RESOLUTION AUTHORIZING REPAIRS TO 2005 GARBAGE TRUCK RESULTING FROM PREVENTATIVE MAINTENANCE INSPECTION UNDER STATE CONTRACT T-2108-A89268

**WHEREAS**, the Superintendent of Public Works has determined that repairs discovered during a preventative maintenance inspection of the 2025 Peterbilt 379 garbage truck are necessary; and

**WHEREAS**, the Superintendent has determined that the repairs can be made under T-2108-A89268 through BCI Truck, Inc. located at 356 Highway 31, Flemington, NJ 08822; and

**WHEREAS**, BCI Truck, Inc. has provided Invoice 88528 dated August 19, 2022 in the amount of \$7,741.79 for the repairs; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase in the trash budget line #: 2-01-26-305-000-277; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid repairs through BCI Truck, Inc. under State Contract T-2108-A89268 are hereby authorized in an amount not to exceed \$7,741.79 as per invoice 88528 dated August 19, 2022.

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

Council Member Chandler made a motion to approve Resolution 2022-10.3, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.4**

**RESOLUTION AUTHORIZING PURCHASE OF ENCLOSED TRAILER FROM FDR HITCHES UNDER STATE CONTRACT 19-FLEET-00879, PURCHASE OF LANDSCAPE PACKAGE FROM FDR HITCHES, AND RESCISSION OF RESOLUTION 5.24**

**WHEREAS**, the Superintendent of Public Works has submitted a request to purchase a 20’ Journey SE Cargo Trailer C/S Door, rear ramp door side vent enclosed trailer; and

**WHEREAS**, the Finance Committee of the Borough of Pennington approved this purchase as part of the Capital Plan for 2022; and

**WHEREAS**, the Superintendent has determined that the trailer is available under State Contract 19-Fleet-00879 from FDR Hitches, located at 120 W. Westfield Ave., Roselle Park, NJ 07204; and

**WHEREAS**, FDR Hitches has provided the Borough with price quotation #15384 dated September 20, 2022 in the amount of \$10,912.60; and

**WHEREAS**, FDR Hitches also provided price quotation #15385 dated September 20, 2022 in the amount of \$1,595.00 for a landscape package not included under State Contract including 2 adjustable shelves, equipment hooks, e-track and 16” plywood kick plates for sides and front; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for these purchases in the General Capital Fund under Ordinance 2022-6 and streets budget line #: 2-01-26-290-000-225; and

**WHEREAS**, Resolution 2022-5.24 approved by Borough Council on May 10, 2022, authorizing the purchase of an enclosed trailer from Stephan L. Green Trailers is no long needed and should therefore be rescinded;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid purchase of a 20’ Journey SE Cargo Trailer C/S Door, rear ramp door side vent enclosed trailer under State Contract 19-Fleet-00879 is hereby authorized in an amount not to exceed \$10,912.60 as per quote dated September 20, 2022 from FDR Hitches.

**BE IT FURTHER RESOLVED**, that purchase of the landscape package for \$1,595.00 not included under State contract, in accordance with FDR Hitches quote #15385 dated September 20, 2022, is hereby approved; and

**BE IT FURTHER RESOLVED**, that Resolution 2022-5.24 is hereby rescinded.

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

Council Member Chandler made a motion to approve Resolution 2022-10.4, second by Council Member Marciante. Mayor Davy asked Mr. Smith to provide a brief explanation for the Resolution. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.5**

**RESOLUTION AUTHORIZING PURCHASE OF TREATED ROCK SALT FROM MORTON SALT, INC. UNDER MERCER COUNTY COOPERATIVE PURCHASING SYSTEM**

**WHEREAS**, the Superintendent of Public Works has identified the need to purchase approximately 100 tons of treated rock salt for the upcoming winter season; and



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**WHEREAS**, the Superintendent has determined that treated rock salt is available through Morton Salt, Inc. under the Mercer County Cooperative Contract Purchasing System, contract #CK09MERCER2021-19 at the price of \$73 per ton; and

**WHEREAS**, Pennington Borough became a member of the Mercer County Cooperative Purchasing System effective May 25, 2007; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase in the streets budget line #: 2-01-26-290-000-271; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid purchase of treated rock salt from Morton Salt, Inc. under the Mercer County Cooperative Purchasing System, contract #: CK09MERCER2021-19 is hereby authorized in an amount not to exceed \$7,500.00.

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

Council Member Marcianti made a motion to approve Resolution 2022-10.5, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 10.6**

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS  
FOR IMPROVEMENTS TO WEST FRANKLIN AVENUE AND KNOWLES STREET – FY2021**

**WHEREAS**, the Borough of Pennington seeks to make improvements to West Franklin Avenue and Knowles Street under a NJDOT - FY 2021 Municipal Aid Grant; and

**WHEREAS**, the funds for the proposed project are being provided by the New Jersey Department of Transportation and the Borough of Pennington without special assessment of property owners;

**WHEREAS**, the Borough now seeks to advertise for bids for these projects as required by the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.;

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

The Borough Clerk is hereby authorized to take all actions necessary to advertise for and receive, in the manner provided by law, bids for improvements to West Franklin Avenue and Knowles Street in the Borough, pursuant to plans, specifications and bid documents prepared by the Borough Engineer.

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

Council Member Marcianti made a motion to approve Resolution 2022-10.6, second by Council Member Gross. Ms. Angarone asked if there is a design for this project. Mayor Davy stated that it is not quite ready yet but this will allow us to advertise when the times comes. Mayor Davy stated that a resident meeting will also be scheduled prior to award of the project. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-10.7**

**RESOLUTION AUTHORIZING EXPENDITURES FROM  
OPEN SPACE FUND TO INSTALL A 30’ X 30’ BASKETBALL PAD AND  
BASKETBALL HOOP AT KUNKEL PARK**

**WHEREAS**, on the recommendation of the Parks and Recreation Committee in collaboration with Borough Council’s Public Works Committee, Borough Council seeks to make improvements to Kunkel Park to enhance its enjoyment by Borough residents as active open space; and

**WHEREAS**, as part of the improvements the Committees recommended that the basketball pad and basketball hoop be replaced; and

**WHEREAS**, three quotes were requested for installation of the basketball pad and hoop from Wagner’s Land Expansion, Inc., GreenLeaf Lawn and Landscape and Lou Beck and two quotes were received; and

**WHEREAS**, the Superintendent of Public Works has reviewed the quotes and recommends that the Borough issue a Purchase Order to Wagner’s Land Expansion, Inc. in the amount of \$15,660.00 to install at Kunkel Park a 30’ x 30’ basketball pad (6” thick) and a basketball hoop, with hoop to be provided by the Borough; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, that the Chief Financial Officer is hereby authorized to issue a purchase order in an amount not to exceed \$15,660.00 to Wagner’s Land Expansion, for installation of the aforesaid basketball pad and hoop, with hoop to be provided by the Borough; and

**BE IT FURTHER RESOLVED** that once the Purchase Order is issued the Superintendent of Public Works is authorized to take additional steps as necessary to facilitate the installation of the basketball pad and hoop at Kunkel Park.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Anagarone	X				Gross	X			
Chandler	X				Marciante	M			
Gnatt	S				Stern	X			

Council Member Marciante made a motion to approve Resolution 2022-10.7, second by Council member Gnatt. A brief discussion took place as to whether the community wants a basketball court at the park. Mayor Davy stated that a letter went out to all residents in the area explaining the proposed improvements. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-10.8**

**RESOLUTION AUTHORIZING EXTENSION OF PAID INTERNSHIP  
FOR MONA HABIBY IN THE BOROUGH BUSINESS OFFICE**

**WHEREAS**, by Resolution 2022-2.12, Borough Council appointed Mona Habiby to serve in a project-based internship paying \$30 per hour for 15 hours per week with an expected duration through May 2022;

**WHEREAS**, by Resolution 2022-5.9, Borough Council extended Ms. Habiby’s internship through September 2022; and

**WHEREAS**, Ms. Habiby continues to make the expected contribution to the workings of the Business Office and there is need to further extend this paid internship through December 2022; and

**WHEREAS**, the hours for this internship are between 15 and 20 hours per week as needed;

**WHEREAS**, the Personnel Committee has approved this extension of Ms. Habiby’s internship;

**WHEREAS**, the Chief Financial Officer has certified that funds are available in 2-01-20-100-000-101;

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, that the paid internship of Mona Habiby is hereby extended through December 2022 at the hours and compensation described above.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross	X			
Chandler	S				Marciante	M			
Gnatt	X				Stern	X			

Council Member Marciante made a motion to approve Resolution 2022-10.8, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-10.9**

**RESOLUTION ADOPTING “PENNINGTON BOROUGH  
COUNCIL HANDBOOK AND BYLAWS”**

**WHEREAS**, the “Pennington Borough Council Handbook and Bylaws” is intended to serve as a guide and resource for Borough Council Members and other members of the Borough governing body and administration, defining the powers and duties of local officials and explaining key features of statutes having particular importance in the conduct of Borough affairs;

**WHEREAS**, the text of the Handbook and Bylaws draws variously from the language of State statutes and Borough personnel policies, with citations, to facilitate use of the document as a reference to address questions as they arise;

**WHEREAS**, the Handbook and Bylaws also includes Bylaws reflecting local rules for conduct of Council business, within the powers of the Council to prescribe;

**WHEREAS**, the proposed “Council Bylaws,” which reflect current practice, are contained in Part IV of the document and are intended to be effective immediately, subject to such amendments from time to time as Council may deem appropriate;

**WHEREAS**, a copy of the proposed Handbook and Bylaws is attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, that the attached “Pennington Borough Council Handbook and Bylaws” is hereby adopted as a guide and reference as aforesaid; and

**BE IT FURTHER RESOLVED**, that Part IV of the document, “Council Bylaws,” is hereby specifically approved and made operative, effective immediately.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone		X			Gross	X			
Chandler	M				Marciante	S			
Gnatt	X				Stern		X		

Council Member Chandler made a motion to approve Resolution 2022-10.9, second by Council Member Marciante. Mayor Davy stated that this is a document that will guide current and new Council Members as to actions and behaviors of the Governing Body. Ms. Stern asked about the concern that was raised earlier regarding the Public Comment period. Mayor Davy stated that it he would recommend that Council move forward with the document as it is and then look further into the concern raised related to public comment period. Ms. Angarone stated that she struggled to see it on the Borough Website. Ms. Stern stated that the handbook was not part of the public packet but it was posted today. Ms. Stern asked if it would be better to hold off on this until the next meeting. Mr. Marciante stated that there is nothing new in the document from what Council has always done. Upon a roll call vote all members present voted in favor with the exception of Ms. Angarone and Ms. Stern who voted no.

**PROFESSIONAL REPORTS**

**Borough Attorney** – Mr. Bliss had nothing further to report.

**Chief Doug Pinelli** – In the absence of the Chief, Sergeant Thomas had nothing further to report.

**Superintendent of Public Works** – Mr. Smith stated that hydrant flushing was paused due to the drought conditions, but they will be resuming hydrant flushing very soon. Mr. Smith stated that residents should call Borough Hall or Public Works with concerns related to discolored water etc. Mr. Smith stated that he would like to thank Betty Sterling for the hard work that she put in to get the new meter reading software up and running. Mr. Smith stated that we were all trained, but a lot of the work fell in Betty’s lap and though the outcome is good, there was a lot of work that took place to get there. Mr. Smith stated that they are working

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on trash calendars and the budget for next year. Mr. Smith commented that the speaker at the next Public Works Meeting is not just able to help with funding options, they can also help with other things. Mr. Smith stated that his Department will work closely with the Police Department to ensure a safe Halloween for all participants.

**Borough Clerk** – Mrs. Sterling reminded Council Members that she sent a new link for the Closed Session just before the meeting.

Mr. Marciante asked about a couple of bills that were on the bill list that was approved earlier.

### **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.

Kathleen Mahle of East Delaware Avenue thanked Council for all they do. Ms. Mahle stated that she agrees with the request to move the general public comment to the beginning of the meeting. Ms. Mahle stated that the main reason she is here is to request additional police presence on East Delaware because speeding is getting out of hand. Ms. Mahle asked if the speed radar or a police car could be posted to try to slow the cars down.

Emily Etchberger of 112 Laning Avenue spoke about Halloween and asked how the community will change their behavior from prior years. Mayor Davy stated that Council will provide communication to residents, post notices on the website and will work very hard to get the word out to all residents. Mayor Davy stated that even though the streets will not be closed there will still be a police presence providing traffic control and safety measures. Mayor Davy stated that this was a challenging decision for Council and there will be extensive communication out to residents. Ms. Etchberger stated that she would recommend that communication go out to the entire community and not just the residents in that area.

There were no further comments from the public.

### **Closed Session**

**AT, 8:31 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:

- Personnel Matter – Police
- Property Acquisition – Open Space
- Personnel - Borough Administrator
- Litigation – Hopewell Township – PILOT
- Shade Tree Investigation

AT, 9:44 PM, Mayor and Council returned to Open Session and with no further business to come before Council, Council Member Chandler a motion to adjourn the meeting, second by Council Member Stern.

Respectfully submitted,

Elizabeth Sterling  
Borough Clerk

BOROUGH OF PENNINGTON  
ORDINANCE #2022 – 14

AN ORDINANCE AMENDING THE BOROUGH SALARY ORDINANCE (ORDINANCE 2022-3) TO PROVIDE FOR PAYMENT OF CROSSING GUARDS FOR SPECIAL EVENTS AT THE RATE OF \$40.00 PER HOUR

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON that the Borough Salary Ordinance (Ordinance 2022-3) is hereby amended at Section Ic to provide for payment of Crossing Guards at special events at the rate of \$40.00 per hour:

SECTION I: EMPLOYMENT POSITIONS/ANNUAL COMPENSATION

- a. The following officer and employee designations are hereby confirmed; and the rate of compensation of each such officer and employee, whose compensation shall be on an annual basis, is as follows:

Borough Administrator	\$88,204.86-\$100,000.00
Administrative Intern (part time)	\$35.00/hour
Borough Clerk	\$46,080.04
Assistant CFO	\$78,729.52
Utility Collector	\$31,835.48
Chief Financial Officer (part time)	\$88.98/hour
Tax Collector (part time)	\$88.98/hour
Technical Assistant to Construction (part time)	\$26.53//hour
Tax Assessor (part time)	\$14,059.59
Zoning Officer (part time)	\$9,514.46
Land Use Admin/Admin Asst.	\$55,000.00
Deputy Registrar	\$175.00 / month
Supt. of Public Works	\$89,034.93
Licensed Water Operator	\$49,682.45
Assistant to Superintendent of Public Works	\$41,000.00
Foreman	\$78,668.75
Judge of Municipal Court	\$13,367.29
Court Administrator (part time)	\$18,570.69
Prosecutor - (Flat Rate per Court Session/per resolution)	\$ 300.00
Public Defender – (Flat Rate per Court Session/per resolution)	\$ 200.00
Court Officer – (Flat Rate per Court Session)	\$76.50
Chief of Police (yearly clothing allowance \$1,500)	\$120,912.50
Administrative Assistant – Police Department	\$15.61/hour
Construction Official	\$29,082.87
Plumbing Sub-Code	\$51.25/ hour
Fire Sub-Code	\$43.68/ hour
Electric Sub-Code	\$42.80/ hour

- a. One person may serve in more than one office or position of employment as listed in Section a hereof. The hourly rates for Plumbing Sub-Code and Fire Sub-Code assume these functions are performed by separate people. A person hired to serve in a dual capacity as both Plumbing Sub-code and Fire Sub-code official shall be compensated at the rate of \$51.25 per hour whether the work in question is in one or both capacities.
- b. The amounts shown in Section a. hereof are the maximum amounts to be paid. However, at the discretion of Borough Council, lesser amounts can be paid.

c. The rate of compensation of each employee paid on an hourly basis is as follows:

	Minimum	Maximum
<b>Police Department:</b>		
Crossing Guards	\$ 15.00	\$ 26.53
<b><u>Crossing Guard – Special Events</u></b>	<b><u>\$ 40.00 per hour</u></b>	
Special Police	\$ 17.00 per hour	
 <b>Part Time Employees – All Departments:</b>		
Part Time or Temporary	\$ 8.00	\$ 25.00
Part Time/Temporary/Licensed	up to a maximum of	\$ 100.00

**SECTION II: Employee/Personnel Manual.**

The terms and conditions of employment as set forth in the Borough Employee or Personnel Manual, as the same may exist and change from time to time, are hereby incorporated herein by reference. The Personnel Manual does not create a contract of employment and except for employees who are tenured; no contract of employment other than “at will” has been expressed or implied. The policies, rules and benefits described in the Manual are subject to change at the sole discretion of the Borough Council at any time.

**SECTION III:**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

**SECTION IV:**

Terms and Conditions of employment for Police and Public Works employees are specified in the respective labor agreements.

**SECTION V:**

This ordinance shall take effect upon final adoption and publication according to law, but the salaries herein provided for shall be retroactive to January 1, 2022 if appropriate.

Introduced: \_\_\_\_\_

Advertised: \_\_\_\_\_

Public Hearing: \_\_\_\_\_

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

\_\_\_\_\_  
James Davy, Mayor

BOROUGH OF PENNINGTON  
ORDINANCE #2022 –14

AN ORDINANCE AMENDING THE BOROUGH SALARY ORDINANCE (ORDINANCE 2022-3) TO PROVIDE FOR PAYMENT OF CROSSING GUARDS FOR SPECIAL EVENTS AT THE RATE OF \$40.00 PER HOUR

RECORD OF COUNCIL VOTE ON INTRODUCTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

RECORD OF COUNCIL VOTE ON ADOPTION

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

Phone  
(609)737-2020

Fax  
(609)730-9324



BOROUGH OF PENNINGTON  
POLICE DEPARTMENT  
30 NORTH MAIN STREET, PENNINGTON, NEW JERSEY 08534

CHIEF DOUGLAS M. PINELLI

**November 2, 2022**

**Memo To: Catherine (Kit) Chandler, Councilperson**

**Subject: Monthly Police Report (October 2022)**

**In addition, the follow items of interest are submitted:**

- 1. The Police department has ordered two (2) new Hybrid Utility vehicles. As of the date of this report there has been no build dates assigned to the vehicle order.**
- 2. The police department has seen an increase in reports of stolen bikes in the last month. This investigation is on going and not only in the borough.**
- 3. The police department held a Truck-Or-Treat at the Pennington Fire Company and had a good turn-out.**
- 4. Halloween went off without the roads being closed. Feed back is that there were more people around town but Burd Street was still extremely busy. There were no injuries or incidents reported. A review of emergency personnel for next year will be completed.**
- 5. The Pennington Police Department took place in the "National Drug Take back Day" held by the DEA on October 29,2022. While we only took back 1 lb. of prescription drugs it was noted by the DEA on their status sheet.**

**Respectfully Submitted,**

**Chief Douglas M. Pinelli**



Good morning,

Thank you for participating in DEA's National Take Back Initiative – October 2022. In total, we collected over 7,500 pounds! Below are the individual totals per department. Please send me an email if you need a copy of your receipt.

<b>NTBI #23 PARTICIPATING DEPARTMENTS as of 10/26/2022</b>			
	<b>County</b>	<b>Participant Name</b>	<b>Total</b>
1	ATLANTIC	Egg harbor twp police dept	86
2	ATLANTIC	Long Port Police Department	31
3	ATLANTIC	Hamilton Police Department	83
4	ATLANTIC	Hammonton police dept	55
5	ATLANTIC	Linwood police department	115
6	ATLANTIC	Northfield police department	43
	<b>ATLANTIC TOTAL</b>		<b>413</b>
1	BURLINGTON	Bordentown township police dept	112
2	BURLINGTON	Burlington city police dept	73
3	BURLINGTON	Burlington township police dept	41
4	BURLINGTON	Cinnaminson police dept	122
5	BURLINGTON	Delran twp police dept	155
6	BURLINGTON	Edgewater park twp police dept	24
7	BURLINGTON	Florence township police dept	0
8	BURLINGTON	Lumberton township pd	126
9	BURLINGTON	Medford lakes police dept	198
10	BURLINGTON	Medford twp police dept	258
11	BURLINGTON	Mount holly twp police dept	75
12	BURLINGTON	Mount laurel police department	25
13	BURLINGTON	Palmyra police dept	0
14	BURLINGTON	Willingboro twp police dept	85
	<b>BURLINGTON TOTAL</b>		<b>1294</b>
1	CAMDEN	Barrington police department	73
2	CAMDEN	Bellmawr police dept	134
3	CAMDEN	Berlin borough police dept	96
4	CAMDEN	Berlin twp police dept	50
5	CAMDEN	Camden county sheriff's office	2
6	CAMDEN	Chesilhurst borough police dept	0
7	CAMDEN	Clementon borough police dept	46
8	CAMDEN	Collingswood police dept	25
9	CAMDEN	Gloucester city pd	62
10	CAMDEN	Gloucester twp. police department(camden county)	386
11	CAMDEN	Laurel springs police dept	12
12	CAMDEN	Lindenwold police dept	0

13	CAMDEN	Magnolia police dept	45
14	CAMDEN	Merchantville police dept	22
15	CAMDEN	Oaklyn police dept	20
16	CAMDEN	Pennsauken police dept	25
17	CAMDEN	Pine hill police department	132
18	CAMDEN	Somerdale boro police dept	10
19	CAMDEN	Voorhees police dept	18
20	CAMDEN	Waterford Police Department	163
21	CAMDEN	Winslow twp. police department	117
	<b>CAMDEN TOTAL</b>		<b>1438</b>
1	CAPE MAY	Avalon police dept	39
2	CAPE MAY	Delaware river & bay authority cape may ferry term	9
3	CAPE MAY	Middle Twp	1327
4	CAPE MAY	North wildwood police department	197
5	CAPE MAY	Sea isle city police department	36
	<b>CAPE MAY TOTAL</b>		<b>1608</b>
1	CUMBERLAND	Bridgeton city police dept	10
2	CUMBERLAND	Millville police dept	22
3	CUMBERLAND	Njsp - bridgeton station / upper deerfield	25
4	CUMBERLAND	Njsp - port norris station	7
5	CUMBERLAND	Vineland police dept	20
	<b>CUMBERLAND TOTAL</b>		<b>84</b>
1	GLOUCESTER	Clayton police department	97
2	GLOUCESTER	Deptford police dept	22
3	GLOUCESTER	East greenwich twp. police department	58
4	GLOUCESTER	Elk township police department	15
5	GLOUCESTER	Franklin township police department	25
6	GLOUCESTER	Glassboro police department	81
7	GLOUCESTER	Harrison township police dept	142
8	GLOUCESTER	Logan twp police dept	45
9	GLOUCESTER	Mantua Township Police Department	230
10	GLOUCESTER	Paulsboro police dept	35
11	GLOUCESTER	West deptford police dept	15
12	GLOUCESTER	Woodbury city	40
13	GLOUCESTER	Woolwich police dept	68
	<b>GLOUCESTER TOTAL</b>		<b>873</b>
1	MERCER	East windsor twp. police dept	263
2	MERCER	Ewing twp police department	246
3	MERCER	Hightstown police department	26
4	MERCER	Hopewell twp. police department	182

5	MERCER	Mercer County Sheriffs Office	243
6	MERCER	Pennington police dept	1
7	MERCER	Robbinsville township police department	208
8	MERCER	West windsor police dept	210
	<b>MERCER TOTAL</b>		<b>1379</b>
1	OCEAN	Barnegat twp police dept	158
2	OCEAN	Beachwood police dept	68
3	OCEAN	Berkley twp pd	8
4	OCEAN	Brick township police department	20
5	OCEAN	Harvey cedars police dept.	24
6	OCEAN	Ocean county prosecutors ofc	19
7	OCEAN	Surf city police dept	82
8	OCEAN	Toms river police dept	12
	<b>OCEAN TOTAL</b>		<b>391</b>
1	SALEM	Lower alloways creek police dept	0
2	SALEM	Salem city police department	0
2	SALEM	Salem County Prosecutor's Office	53
3	SALEM	Salem county / mannington township	0
	<b>SALEM TOTAL</b>		<b>53</b>
	<b>GRAND TOTAL</b>		<b>7533</b>

Thanks,

**Ashley D'Argenio**

Diversion Investigator

Drug Enforcement Administration

New Jersey Division

Phone: 571-776-1931

Sept 2022

\* ERIC M. PERKINS  
JUDGE

MARGARET UMBRO, C  
COURT ADMINISTRATOR

Item 10.

FOR THE MONTH OF SEPTEMBER 2022		
STATE FINES		\$1,100.00
STATE SURCHARGE/MUNICIPAL		\$0.00
STATE UNINSURED MOTORISTS FUND		\$200.00
STATE FUNDS		\$1,527.12
MERCER COUNTY FINES (TITLE 39 SPLIT)		\$1,650.00
MUNICIPAL FINES	*	\$2,250.00
MUNICIPAL COSTS	*	\$1,609.00
MUNICIPAL LOCAL PARKING/LITTERING	*	\$69.00
CONDITIONAL DISCHARGE FEE		\$0.00
CONTEMPT OF COURT	*	\$0.00
DRUG ENFORCEMENT DEMAND REDUCTION FUND		\$0.00
GENERAL FEE	*	\$0.00
OVERPAYMENTS	*	\$0.00
PARKING OFFENSE ADJUDICATION ACT-FTA(POAA)	#	\$0.00
PARKING OFFENSE ADJUDICATION ACT-SUSPENSIONS		\$0.00
PUBLIC DEFENDER APPLICATION FEE		\$200.00
STATE LAB FEE		\$0.00
VICTIMS CRIME COMPENSATION BOARD		\$0.00
FISH & GAME		\$0.00
DARE(DRUG EDUCATION FUND)		\$0.00
RESTITUTION		\$0.00
SPINAL MUNICIPAL	*	\$1.46
DOMESTIC VIOLENCE SURCHARGE		\$0.00
INSPECTION FINES (Check from State)	***	\$2,250.00
CONDITIONALDISMISSAL		
DWI Surcharge	*	\$0.00
TOTAL MUNICIPAL FINES, COSTS AND FEES COLLECTED	*	\$3,929.46
INTEREST REGULAR ACCOUNT		\$1.46
INTEREST BAIL ACCOUNT		\$0.30
POAA	#	\$0.00
PUBLIC DEFENDER	PD	\$200.00
STATE INSPECTION	***	\$2,250.00
TOTAL TRAFFIC SUMMONSES DISPOSED DURING MONTH	120	
TOTAL CRIMINAL SUMMONSES DISPOSED DURING MONTH	3	
TOTAL TRAFFIC SUMMONSES ADDED DURING MONTH	97	
TOTAL CRIMINAL SUMMONSES ADDED DURING MONTH	2	

\* Amounts represented in  
Borough's check  
# Amount represented in  
Borough's POAA  
PD Amount represented in  
Public Defender Fee

cc: Borough Treasurer,  
with check attached

**DRAFT****MEMORANDUM**

To: Pennington Borough Council

From: Pennington Environmental Commission

Subject: Estimated GHG emission baseline for calendar year 2018

Date: October 3, 2022

\*\*\*\*\*

In response to Pennington Borough Resolution 2021-3.4, the Pennington Environmental Commission (PEC) reviewed the Greenhouse Gas (GHG) emissions associated with Pennington Borough operations. The Borough operations in this estimate include buildings and facilities, street lights and traffic signals, operation of Borough-owned water and wastewater infrastructure, and mobile vehicle fuel combustion. This estimate does *not* include emissions out of the Borough's direct control such as purchased services (e.g. wastewater treatment, recycling services, or materials used for infrastructure improvements).

Resolution 2021-3.4 requires a baseline emission rate. Accordingly the EC chose calendar year 2018 to establish a baseline. The spreadsheet used to calculate the emission was sourced from *Sustainable Jersey*. A description of the analytical approach to inferring emissions associated with Borough activities can be found on the Sustainable Jersey website<sup>1</sup>. As indicated in the table below the aforementioned Borough activities resulted in the emission of 305 metric tons CO<sub>2</sub>e in 2018. (CO<sub>2</sub>e is a measure used to compare the emissions of various greenhouse gases on the basis of their global-warming potential.)

Activity	Consumption		CO <sub>2</sub> e (metric tons)
	Natural gas (MBTU)	Electricity (MWh)	
Building & Facilities	1272	135	<b>100</b>
Street Lights & Traffic Signals		123	<b>29</b>
Water & Wastewater		246	<b>59</b>
	Gasoline (gal)	Diesel (gal)	
Mobile Fuel Combustion <sup>2</sup>	9260	3475	<b>117</b>
Total			<b>305</b>

In 2015 the Delaware Valley Regional Planning Commission (DVRPC) issued a report that contained GHG emission estimates for the municipalities that make up the nine counties in the DVRPC region. At that time the DVRPC indicated that Pennington Borough was responsible for 31,832 metric tons of CO<sub>2</sub>e emissions annually<sup>3</sup>. The Mobile-Highway, Residential, and Industrial & Commercial sectors of the Borough accounted for 48%, 28%, and 24% of these emissions, respectively. This analysis illustrates that, while it is important to set a net-zero emission target for Borough operations, a much greater impact may be achieved by encouraging residents and businesses to also reduce their GHG footprint, as the PEC is directed in Resolution 2021-3.4.

The environmental commission will report to the Council on an annual basis the amount of carbon released by Borough operations and the amount of carbon offset. In addition, the PEC will assist the Borough in developing strategies to migrate away from carbon energy sources.

The committee appreciates the opportunity to assist the Borough in addressing the goals outlined in Resolution 2021-3.4.

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<sup>1</sup> - <https://www.sustainablejersey.com/actions/#open/action/24>

<sup>2</sup> - corresponding to 72,800 miles driven. Includes police and waste transportation.

<sup>3</sup> - <https://www.dvrpc.org/webmaps/MunicipalEnergy/mcdDetail.aspx?mcdcode=3402157600>

## PENNINGTON BOROUGH

### NOISE ORDINANCE

No person shall make, continue or cause to be made or continued any loud, continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the Borough of Pennington.

The following acts are declared to be loud, disturbing, excessive, unnecessary and a danger to the health, safety and welfare of the community, in violation of the provisions of this section, but such enumeration shall not be construed to be a limitation or be deemed to be exclusive:

- a) Horns, whistles, bells and signaling devices. The sounding of any horn, whistle, bell or any type of signaling device on any automobile, motorcycle, bus or other vehicle in the municipality, except as a danger warning; the creation by means of any such horn, whistle, bell or signaling device of any unreasonably loud or harsh sound; the sounding of any such horn, whistle, bell or signaling device for an unnecessary and unreasonable period of time; the use of any horn, whistle, bell or other signaling device operated by engine, exhaust or by compressed air or gas or by vacuum; and the use of any horn, whistle, bell or signaling device when traffic is for any reason not moving normally.
- b) Radios, televisions, musical instruments and other machines, players or devices of any type or technology, using any type of media, used for the creation of any music or sound. The use or operation of any of the foregoing devices, with or without amplification, in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or premises in or at which such machine or device is operated and who are voluntary listeners thereto. The following shall be prima facie evidence of a violation of this section:
  - a. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible\* at a distance of 50 feet from the building, structure or vehicle in which or land on which it is located;
  - b. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be *plainly audible*\* within any residence neighboring the building, structure or vehicle in which or land on which it is located.

*\*"plainly" audible" shall refer to any sound that can be detected by a person using his or her unaided hearing faculties.*

- c. Loudspeakers, amplifiers, etc. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, loudspeaker, sound amplifier, or any other machine, player or device of any type or technology for the producing or reproducing of sound which is audible upon the public streets for the purpose of commercial advertising or for any other purpose, except as authorized by governmental authorities in connection with law enforcement or public emergencies, provided, that such devices may be employed in connection with nonprofit, charitable, educational, cultural, religious or recreational activities, in accordance with permissions first obtained therefore from the mayor and council shall find that the public health and safety will not be endangered thereby.
- d. Music amplification at privately sponsored events. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, loudspeaker, sound amplifier or other machine, player or device of any type or technology for the producing or reproducing of sound at a privately sponsored event, including any private school, prior to 12:00 noon or after 10:00 p.m. except as authorized by mayor and council or other governmental authorities in connection with law enforcement or public emergencies or publicly sponsored events; provided, however, that such devices may be used in connection with nonprofit, charitable, educational, cultural, religious or recreational activities in accordance with permissions first obtained therefore from mayor and council, if mayor and council find that the public health and safety will not be endangered thereby

Music amplification at a privately sponsored event between the hours of 12:00pm (noon) and 10:00 p.m. shall be permitted without the necessity of the above-referenced approval, provided that the measured sound pressure or decibel levels comply with applicable State law and regulation.

*The individual, corporation, group or entity owning or controlling the location at which the event will be held shall be responsible for calling the provisions of this subsection and subsection (c) set forth above to the attention of all individuals, corporations and other entities wishing to use the improvements at the location of the event. There shall not be continuous music amplification for a period of time in excess of five hours for any one event.*

- e. Human Noises. Yelling, shouting, whistling, singing or conducting unnecessarily loud or annoying vocal utterances at any time or place, so as unreasonably to annoy or disturb the quiet, comfort or repose of any person in any hospital, residential medical facility, school, place of worship, place of business or dwelling, hotel or other type of residence, or of any person in the vicinity.



- f. Animals, including but not limited to birds and dogs. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity.

For purposes of this subsection, a dog barking continually for 10 minutes or intermittently for 30 minutes, unless provoked, and plainly audible at a distance of 50 feet from the building, structure or vehicle in which or land on which it is located, shall be prima facie evidence of a violation of this section.

- g. Non-Vehicular Whistles, Horns and Other Signaling Devices. The sounding of any whistle, horn and other signaling device, except to give notice of the time to begin or stop work or as a warning of fire or danger, by or upon request of a duly authorized Princeton official, or as may be required by general law or ordinance, or directed by a duly authorized state or federal official.
- h. Idling, Starting, Etc., of Vehicles at Night. Any of the following activities, when occurring in close proximity to residences between 11:00 p.m. and 7:00 a.m.: The warming up or idling of buses, trucks or tractors; and the unnecessary and repeated idling, acceleration and deceleration, or starting and stopping of automobiles and motorcycles.
- i. Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary jet or internal combustion engine or motor vehicle, except through a properly functioning muffler or other device which will effectively prevent loud or explosive noises therefrom.
- j. Overloaded, Improperly Operated Vehicles. The use of any automobile, motorcycle, truck or vehicle so out of repair, or so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other loud or disturbing noise.
- k. Construction Work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure at any time on Sundays, or other than between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays, or between the hours of 7:00 a.m. and 6:00 p.m. on all other days, except in case of urgent necessity in the interest of public health and safety; and, if the nature of the emergency requires the prior procurement of a permit, first obtained from the municipal engineer as to public street work, or from the building official as to other work, pursuant to section 21-3, then all work shall be performed in accordance with the terms of the permit. Such permit may be granted by the municipal engineer or building official for a period not to exceed three days while the emergency continues. Notwithstanding the foregoing, the Mayor and Council by resolution may grant permission for such work to be done

within the prohibited hours for such period in excess of three days as it shall deem reasonably prudent and necessary if it determines that the public health, safety and welfare either will not be impaired or will be better safeguarded by allowing such work within the prohibited hours, [if the engineer or the building official, as the case may be, shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours upon application being made at the time the permit for the work is issued or during the progress of the work.] The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 a.m. and 10:00 p.m., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.

- l. Loading or Unloading Vehicles; Opening Boxes. The creation of loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates or containers.
- m. Refuse Collection. The collection, transportation or disposal of garbage, trash, cans, bottles and other refuse by persons engaged in the business of scavenging or garbage collection, whether private or municipal, at any time on Sundays or other than between the hours of 7:00 a.m. and 7:00 p.m. on all other days, except in case of urgent necessity in the interest of public health and safety and, if the nature of the emergency will admit of the prior procurement of a permit, then only in accordance with a permit first obtained from the engineer pursuant to section 21-3. Such permit may be granted for a period not to exceed three days or less while the emergency continues, and it may be renewed for periods of three days or less while the emergency continues. Notwithstanding the foregoing, the mayor and council by resolution may grant permission for such work to be done within the prohibited hours for such period in excess of three days as it shall deem reasonably prudent and necessary if it determines that the public health, safety and welfare either will not be impaired or will be better safeguarded by allowing such work within the prohibited hours.
- n. Schools, courts, places of worship, The creation of any excessive noise on any street or property adjacent to any school, institution of learning, place of worship or court, while the same is in use, which unreasonably interferes with the workings of such institution, provided that, with respect to such streets, conspicuous signs are displayed indicating the proximity of the school, court, place of worship.

- o. Drums, Other Instruments. The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show, sale or other event.
- p. Solicitors, Peddlers. The shouting or crying of solicitors, peddlers, hawkers and vendors, which disturbs the peace and quiet of the neighborhood.
- q. Lawnmowers and Leaf blowers. No person shall operate, or cause or permit the operation of, any power lawnmower or leaf blower other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Saturdays and 9:00am and 6:00 p.m. on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas.
- r. Other noise-creating gas-powered equipment, blowers, power fans or internal combustion engines, including chain saws, snow blowers and portable generators. No person shall operate, or cause or permit the operation of, any other noise-creating gas-powered equipment, blowers, power fans or internal combustion engines on Sundays, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving or Christmas, or other than between the hours of 8:00 a.m. and 8:00 p.m., Mondays through Fridays, and 8:00 a.m. and 5:00 p.m. on Saturdays. The use of any such equipment shall not be prohibited during the days and times set forth in this subsection (s) when used in response to a bona fide emergency, such as a power outage, snow storm or other natural disaster.
- s. Outdoor Concerts. Outdoor concerts, except in accordance with permissions first obtained therefore from the mayor and council

Nothing in this chapter shall be construed to apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not annoy the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.

For the first violation of any provision of above, a violator shall only be given a written warning of the violation; for the second and any subsequent violations, said violator shall be subject to such fines **and other penalties as follows: ?**

## Chapter 113 GOOD NEIGHBOR RESIDENTIAL OUTDOOR LIGHTING

### 113 - 1 Declaration.

The Borough council declares as follows:

Properly designed and installed outdoor night lighting can benefit everyone by increasing safety, enhancing the nighttime character and providing security. These benefits must be balanced with the fact that outdoor lighting that is improperly designed and/or installed can create problems of excessive glare, light trespass, and higher energy use. Excessive glare can be annoying and may cause safety problems. Light trespass can reduce a sense of privacy. Higher energy use increases utility costs and contributes to climate change. There is a need for a lighting ordinance that recognizes the benefits of outdoor lighting and provides clear guidelines to minimize any negative effects. Appropriately regulated and properly installed, outdoor lighting contributes to the safety and welfare of the residents, business and visitors of the Borough.

**Commented [KA1]:** 113 is available if we are going in alphabetical order.

**Commented [KA2]:** I am not sure if we typically do a "declaration" section.

### 113 - 2 Purpose.

The purpose of this chapter is to regulate outdoor lighting in order to reduce or prevent light pollution, to reduce or prevent glare and light trespass, to promote the conservation of energy, and to preserve and enhance neighborhood character and night-sky beauty of the Borough of Pennington, while also respecting the need for safety and security.

### 113 – 3 Definitions.

As used in this chapter:

“Accent lighting” means any directional lighting that emphasizes a particular object or draws attention to a particular area.

“Floodlight” means a lamp that spreads light over a wide area.

“Full cut-off” means a luminaire that allows no direct light emissions above the horizontal plane (see definition of horizontal plane).

“Fully shielded” means light fixtures shielded or constructed so that no direct light emissions occur above the horizontal plane (see definition of horizontal plane).

“Glare” means stray, unshielded light striking the eye that results in discomfort glare, such as bright light causing squinting of the eyes; and/or disabling glare, such as bright light that reduces the ability to see into shadows.

“Horizontal plane” means a ninety degree angle measured from a vertical line from the bottom of the lamp or bulb extended to the ground.

“Kelvin” means the measure of the color temperature of a light source.

“Lamp or bulb” means the light-producing source installed in the socket portion of a luminaire.

“Light pollution” means general night sky glow caused by scattering artificial light in the atmosphere and resulting in a decreased ability to see the natural night sky.

“Light trespass” means light emitted by a fixture that directly illuminates beyond the property on which the fixture is installed.

“Lumen” means a measurement of light energy generated by a light source.

“Luminaire or fixture” means a complete lighting unit, including the lamps or bulbs, together with the parts required to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

“Lux” means one lumen per square meter, a unit of luminance.

“Shielding” means a method to control light rays so as to avoid light trespass or glare.

“Spotlight” means any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

“Watt” means a unit of electric power consumed by a lamp or bulb. (Ord. 1552 § 1, 2011).

#### **113 - 4 Applicability and good neighbor information process.**

(a) Any luminaire or fixture that does not conform to this chapter, but which lawfully existed as of the date of the enactment of the ordinance codified in this chapter, shall be abated or made to conform within ninety days of the property owner or business owner receiving written notice that the luminaire or fixture is nonconforming.

(b) Any person or business may submit an application to the XXX for an administrative exemption from, or a delay in completing corrective action, pursuant to the requirement of Section 25.05.020. The request shall state fully:

- (1) The circumstances and conditions that justify an administrative exemption; and
  - (2) The circumstances and conditions that would result in a financial hardship or deprive the applicant of reasonable use of the land or building; and
  - (3) How granting an administrative exemption will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, or welfare.
- (c) Compliance with this chapter shall be administered and enforced by the Borough of Pennington XX department pursuant to the provisions of XX. Any adjacent neighboring property owner affected by glare or trespass shall first discuss the concern with the owner of the light fixture prior to filing a service request with the city. The filing of service requests shall be limited to adjacent neighboring property owners directly impacted by light trespass.
- (d) The provisions of this chapter shall be applicable to all federal, state, and local governmental agencies to the maximum extent permitted by law.
- (e) In the event of a conflict between the provisions of the chapter and any other section of the Municipal Code, the more restrictive requirement shall apply.

**Commented [KA3]:** Let's discuss how to make this less bureaucratic. Perhaps a Declaration of Exemption that the Borough can agree or disagree?

**113 – 5 General standards.**

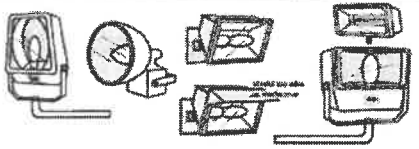
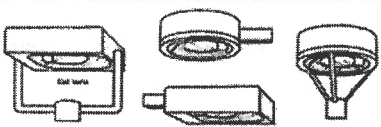
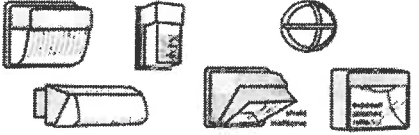
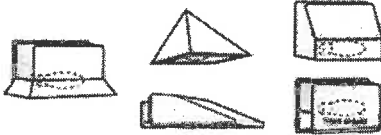
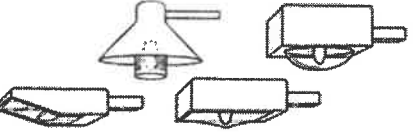
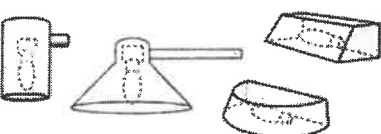
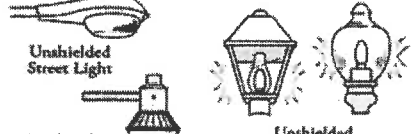
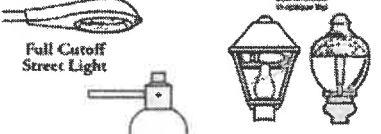


The following general standards shall apply to all outdoor lighting installed after the effective date of the ordinance codified in this chapter:

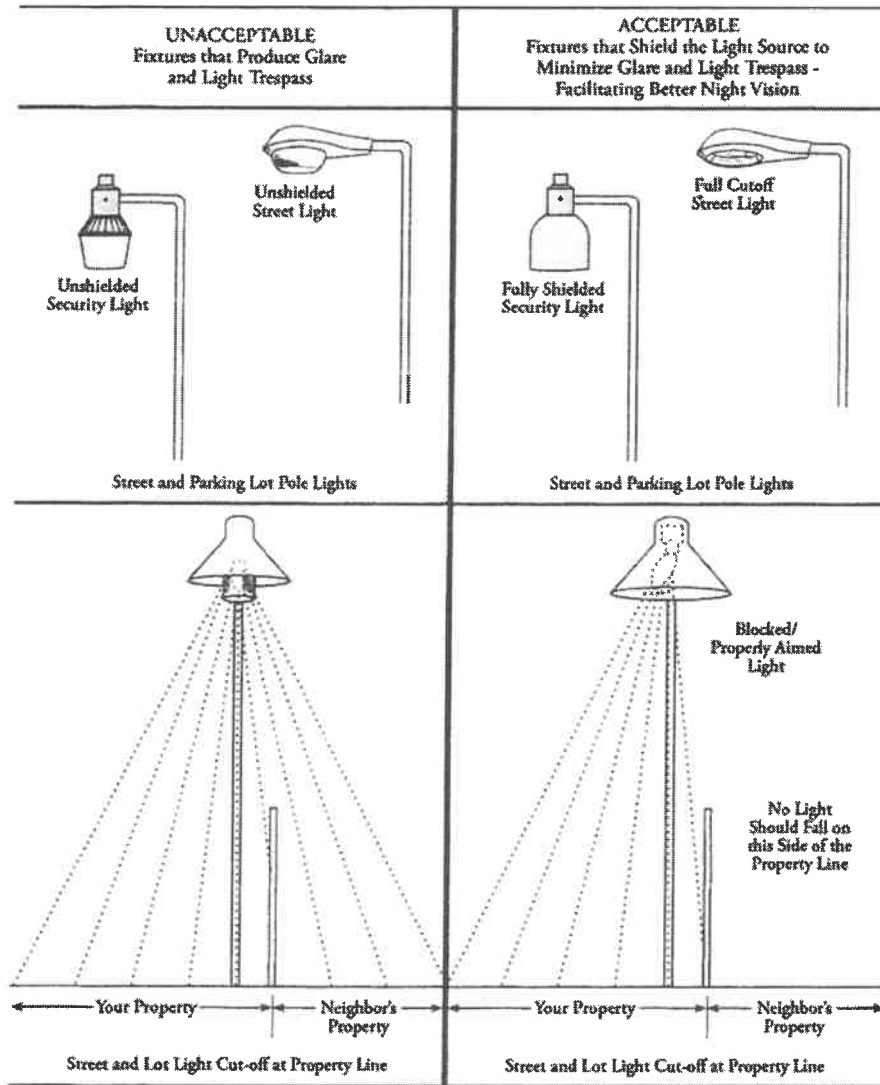
- (a) Light trespass that results in glare is prohibited.
- (b) Outdoor lighting must be hooded, fully shielded, and aimed downward. Examples of acceptable and unacceptable light shielding and hooding are shown in Table A.
- (c) Mercury vapor and low pressure sodium lighting are not permitted for street lighting and commercial applications.

**Table A**

**Acceptable Shielding, Hooding and Aiming of  
Outdoor Light Fixtures**

The following schematics show what is acceptable and what is unacceptable in the Borough of Pennington:

UNACCEPTABLE Fixtures that Produce Glare and Light Trespass	ACCEPTABLE Fixtures that Shield the Light Source to Minimize Glare and Light Trespass - Facilitating Better Night Vision
 <p>Unshielded or Poorly-shielded Floodlights</p>	 <p>Full Cutoff Fixtures</p>
 <p>Unshielded Wallpacks &amp; Poorly-shielded Wall Mount Fixtures</p>	 <p>Fully-shielded Wallpack &amp; Wall Mount Fixtures</p>
 <p>Drop-lens &amp; Sag-lens Fixtures with Exposed Bulb/Reflector Lens</p>	 <p>Fully-shielded Fixtures</p>
 <p>Unshielded Street Light</p> <p>Unshielded Security Light</p> <p>Unshielded 'Period' Style Fixtures</p>	 <p>Full Cutoff Street Light</p> <p>Fully Shielded Security Light</p> <p>Fully Shielded 'Period' Style Fixtures</p>
 <p>Unshielded PAR Floodlights</p> <p>Drop-lens Canopy Fixtures</p>	 <p>Shielded/Property Aimed PAR Floodlights</p> <p>Flush Mounted Canopy Fixtures</p>



### 113 - 6 Exemptions.

**Alert:** This item has been affected by: Ordinance 1650. See the CodeAlert page for details on recent amendments and newly-added provisions.

Commented [KA4]: Kati - look into this.



The following are exempt from the provisions of this chapter:

- (a) Fixtures not fully shielded shall be allowed only if less than three thousand Kelvin and/or seven hundred fifty lumens per fixture.
- (b) Traffic control signals and devices.
- (c) Street lights installed prior to the effective date of the ordinance codified in this chapter. New or replacement lighting shall comply with this chapter.
- (d) Temporary emergency lighting (e.g., for use by fire, police, or repair personnel).
- (e) Moving vehicle lights.
- (f) Residential holiday lighting between November 15th and January 15th and turned off no later than twelve a.m. Residential holiday lighting, as defined by city council resolution, between January 16th and November 14th limited to no more than seven consecutive days and turned off no later than twelve a.m.
- (g) Existing outdoor sports-field lights installed prior to the effective date of the ordinance codified in this chapter. New or replacement lighting shall comply with this chapter.
- (h) Special events approved by the city pursuant to a temporary use permit and emergency or Borough approved night-time construction.
- (i) Safety lights not exceeding two thousand four hundred lumens (one hundred fifty watts incandescent equivalent) per fixture and that are controlled by a motion sensor switch and do not remain on longer than five minutes after activation.
- (j) Low voltage landscape lighting that does not exceed four hundred lumens (thirty-five watts incandescent equivalent) per fixture or string of lights.
- (k) Approved lighting fixtures for any historic resource listed on the register. Nonconforming lighting fixtures consistent with the character of a historic resource on the register may be exempted, subject to the approval of the community development director. Approved fixtures shall be consistent with the architectural period and architecture style of the of the resource and shall not exceed seven hundred fifty lumens (sixty watt incandescent equivalent) and three thousand Kelvin.
- (l) Accent lighting for art located in public places subject to the approval of the community development director.
- (m) Lighting for U.S. flags.
- (n) Lighting required for the purpose of public safety or crime prevention and approved by the chief of police.

Commented [KA5]: above?

Commented [KA6]: seems a bit much. Many folks have garden lights.

Commented [KA7]: Requires discussion. This was supposed to be about residential.

Commented [KA8]: Need this?

BOROUGH OF PENNINGTON  
RESOLUTION 2022-11.\_\_\_\_

RESOLUTION ADOPTING A POLICY FOR THE PROTECTION  
AND SAFE TREATMENT OF MINORS

WHEREAS, the New Jersey Municipal Excess Liability Joint Insurance Fund (NJMEL JIF) has directed municipalities to adopt a Policy Addressing the Protection and Safe Treatment of Minors;

WHEREAS, Borough Council of the Borough of Pennington recognizes its obligation to protect the health, safety and welfare of all its citizens, including children under the age of 18, to protect children from physical, mental, sexual and emotional abuse, and to establish and implement safeguards to eliminate opportunities for abuse of children entrusted to its care and supervision;

WHEREAS, the proposed policy, intended to amend and supplement the Borough's Personnel Policies and Procedures Manual and Employee Handbook ("Personnel Manual"), shall be known as the "Policy for the Protection and Safe Treatment of Minors" ("Policy") and shall include among other provisions:

1. Required background checks for all prospective employees and volunteers, including fingerprint identification, reference checks in both personal and professional capacities and check of the Megan's Law directory for New Jersey and any other State where the applicant previously resided, with written documentation of these checks to be maintained permanently [current employees?];
2. Prohibition of provisional hiring until these investigations are completed;
3. Annual re-check of the Megan Law's directory for all current employees, with the additional requirement that current employees shall notify the Borough of any arrest or conviction of a crime or disorderly persons offense within 72 hours of knowledge of the arrest or conviction;
4. Training requirements for all Borough officials, department heads, volunteers, employees and law enforcement officers;
5. Specific program procedures, including procedures for emergency notifications of parents and guardians and ensuring the availability of medical treatment authorization

forms, rules of conduct addressed to interactions between staff and minors, specification of both prohibited acts and required behaviors;

6. Requirements, procedures and protections for the reporting of suspected child abuse and neglect;

WHEREAS, a copy of the proposed Policy is attached to this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the attached Policy is hereby adopted and made effective immediately, with direction to the Borough Clerk that it be incorporated in the Borough Personnel Manual and implemented forthwith.

# **Policy For the Protection and Safe Treatment of Minors**

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### **I. Purpose and Scope:**

Under New Jersey law (N.J.S.A. 6-8.21), an abused or neglected child is anyone "under the age of 18 who is caused harm by a parent, guardian or other person having custody or control of that minor." A child who is under the age of eighteen (18) is considered to be abused or neglected when a parent, caregiver, another child or another adult does one of more of the following:

1. Inflicts or allows to be inflicted physical injury by other than accidental means that creates substantial harm or risk of substantial harm, and/or
2. Fails to provide proper supervision or adequate food, clothing, shelter, education or medical care although financially able or assisted to do so, and/or

3. Commits or allows to be committed an act of sexual abuse against a child.

Child abuse can have long-term effects on victims. A lack of trust and difficulty with healthy relationships is common, as is a core feeling of worthlessness and low self-esteem. There may even be long-term trouble with regulating emotions that can lead to destructive behaviors.

There are typically four common types of abuse:

- The failure to meet a child's basic needs, physically or emotionally, which is called **neglect**.
- The intentional use of physical force that results in injury, which is called **physical abuse**.
- The practice of any behaviors that harm a child's feelings of self-worth or emotional well-being, which is **emotional abuse**.
- Engaging in sexual acts with a child including pornography, which is **sexual abuse**.

Unfortunately, statistics supplied by the NJMEL JIF reflect that abuse is all too common in any form.

- In New Jersey, abuse reports involving 80,000 children are filed each year. 50,000 of those children receive prevention and post-response services.
- 75% of the cases involve neglect, 18% of the cases involve physical abuse, and psychological abuse accounts for 7% of the cases.
- 55% of the perpetrators are female, while males account for 45%.
- Sadly, child abuse is a vicious cycle, in that 30% of abused children will later abuse their own children.

The statistics and characteristics pertaining to **sexual abuse** are sobering and equally disheartening:

- ✓ **"Peer-to-Peer"** abuse is by far the most common, where one or more children or adolescent(s) sexually abuses or inappropriately touches another. Legally, the abuser must be at least 4 years older to trigger the statute. The *American Psychological Association* reports this type of abuse is driven by power and dominance, the same factors that drive bullying within this age group. In fact, bullying can be a precursor to sexual abuse, especially when there is a lack of supervision.
- ✓ In contrast, **"adult-to-child"** abuse is typically thought out and planned in advance, demanding access and privacy and control. These three factors demand a specific type of relationship and setting, meaning that 90% of juvenile sexual abuse victims know their abuser. The scope of the problem is massive: by the age of 18, 1 in 4 girls and

1 in 6 boys have experienced sexual abuse. From those figures, 88% of those molestations are attributed to individuals with pedophilia. ***Pedophilia is a psychotic disorder in which an adult or adolescent demonstrates a primary sexual attraction to prepubescent children.*** It is important, however, not to confuse pedophilia with actual child molestation, as many pedophiles never act on their attractions.

- ✓ Child sexual abusers are not always easy to spot. Though 7 out of every 8 molesters are male, they match the general population in ethnicity, religion, education, and marital status. So there is no stereotype, especially since abusers go to great lengths to blend in. However, only 10% of them abuse children that they don't know, and 68% look no further than their own families for victims.
- ✓ 40% of abusers first begin molesting children before they themselves reach the age of 15, and the vast majority before the age of 20.
- ✓ Adolescent abusers generally begin their acts of abuse on younger siblings.
- ✓ Most sexual abuse occurs within the family. However, molesters can gain access to children outside of their own families through employment or volunteer work with an organization that works primarily with children. This allows them both time alone with potential victims and the ability to build trust and credibility. In fact, child abusers are often known and respected in their communities for dedication to children.
- ✓ In terms of a victim profile, it is important to remember that, although there are characteristics that make some children more vulnerable, every child is in danger. Passive, lonely or troubled children, especially those who live with step-parents or single parents may be targeted. Children between the ages of 7 and 13 years old are most at risk, and children from low socioeconomic backgrounds or rural areas are more likely to be victimized.
- ✓ Molesters have behavioral patterns that can be identified as ***"grooming"*** their victims. Sexual abuse is rarely violent. The molester's goal is to solicit compliance by beginning to win the victim's trust. There might be pet names, gifts to foster exclusivity and encouragement to "keep secrets." The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child's life in some capacity, like babysitting. For this reason, many parents are shocked

after abuse comes to light simply because the abuser seemed trustworthy. Inevitably, the favoritism is not enough to keep the victim silent any more, and the abuser resorts to threats—threats that play off of a child’s guilt over the sexual contact.

- ✓ During the grooming process and abuse, victims often begin to show signs such as sexual behaviors or strong sexual language that is too adult for their age. Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm. They may begin to display cuts and scratches or other self-inflicted injuries. However, some children are naïve and unaware of the gravity of the abusive nature of their experience. Research shows that children often delay reporting sexual abuse. They should not be disbelieved just because they waited a long time to seek help.

In the State of New Jersey every level of government has a role in protecting minors.

- At the State level:
  - State law is enforced through the NJ Family Division of the State court system. The court has broad powers including the ability to remove children from dangerous situations
  - The Department of Children and Families, specifically the Division of Child Protection and Permanency, combines all state operations intended to safeguard children into a single, coordinated program working closely with the Courts, legal advocates and law enforcement.
  - The Department of Corrections operates adult prisons and youth correctional centers to deal with perpetrators, while individual counties operate youth detention centers and special purpose schools.
- At the local level:
  - Educational professionals have the most contact with children, meaning they are often the first to detect issues.
  - Housing Authority employees may also frequently come into contact with children.
  - Municipalities and counties operate or sponsor a variety of programs that involve children including but not limited to:
    - Recreation programs

- Before and After Care programs
  - Youth sports leagues
  - Youth centers
  - Youth in Government programs
  - Junior law enforcement training programs
- The role of **Police and law enforcement agencies** is especially important. Police officers assist in resolving reported situations, often acting as first identifiers. In New Jersey, police are given broad authority to protect children, including the authority to remove them from their parents or caregivers without a court order if necessary to prevent imminent danger to a child. Under the **Prevention of Domestic Violence Act**, a law enforcement officer must make an arrest when the officer finds “probable cause” that domestic violence has occurred. This holds even if the victim refuses to make a complaint. The Act is invoked in situations where the victim exhibits signs of injury caused by domestic violence, when a warrant is in effect, or when there is probable cause to believe that a weapon has been involved in an act of domestic violence. Abusers often use psychological tactics or coercive control over their partners, such as making threats to prevent a victim from leaving or contacting friends, family or police. But even if these conditions are not met, an officer may still make an arrest or sign a criminal complaint if there is probable cause to believe acts of domestic violence have been committed. Now if there is no visible sign of injury but the victim states that an injury did, in fact, occur, the officer must take other factors into consideration in determining probable cause.

The Borough is committed to the safety of all individuals in this community. However, the Borough has particular concern for those who are potentially vulnerable, including minor children. The Borough regards the abuse of children as abhorrent in all its forms and pledges to hold its officials, employees and volunteers to the highest standards of conduct in interacting with children. NJMEL JIF statistics show that 93% of victims under the age of 18 know the abuser. Further, a perpetrator does not have to be an adult to harm a child but is typically in a caregiver role. The abuser can have any relationship to the child including a playmate, family member, a teacher, a coach, or instructor.

The Borough is fully committed to protecting the health, safety and welfare of minors who interact with officials, employees, and volunteers of the Borough to the maximum extent possible. These



Policy and Procedures establish the guidelines for officials, employees, and volunteers who set policy for the Borough or may work with or interact with individuals under 18 years of age, and those who supervise employees, and volunteers who may work with or interact with individuals under 18 years of age, with the goal of promoting the safety and wellbeing of minors.

This Model Policy provides guidelines that apply broadly to interactions between minors and officials, employees, and volunteers in programs operated by the Borough or affiliated programs or activities. All officials, employees, and volunteers are responsible for understanding and complying with this policy.

## II. Definitions:

- **Authorized Adult**- Individuals, age 18 and older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee and/or interact with minors in program activities, recreational, and/or residential facilities. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, and the like.
- **Child or Minor** - A person under the age of eighteen (18).
- **Department Heads**- Appointed department heads of the Borough, including the chief administrative officer, and any assistants.
- **Direct Contact** - Positions with the possibility of care, supervision, guidance or control of children or routine interaction with children.
- **Dual Reporting** – Reporting possible abuse to both the NJ Department of Children and Families and law enforcement at the same time by the individual designated by the Borough to report all possible cases of abuse.
- **Employees, Staff, or Counselors** – persons working for the Borough on a full-time or part-time basis, and compensated by the Borough.
- **Facilities** - Facilities owned by, under the control of, or rented or leased to the Borough.
- **Grooming** - is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them. Refer to Appendix B for more detailed information on grooming.
- **NJMEL JIF**-New Jersey Municipal Excess Liability Fund Joint Insurance fund

- **Officials** – Elected officials of the Borough, appointed Board members, and Authority Commissioners
- **One-On-One Contact** - Personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.
- **Programs** - Programs and activities offered or sponsored by the Borough.
- **Volunteers** - Individuals volunteering their time to provide services to the Borough who are not on the payroll and receive no compensation.

### **III. Policy:**

The Borough is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18. To that end, the Borough is firmly committed to protecting children under the care and supervision of the Borough from all forms of physical, mental, sexual and emotional abuse. The Borough is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Borough. The procedures outlined below shall apply to all officials, employees, and volunteers of the Borough.

### **IV. Recruitment and Hiring of Employees and Vetting of Individuals Volunteering Their Time:**

- All prospective employees and volunteers shall undergo a thorough and complete background check, including but not limited to a fingerprint identification check, credit check, motor vehicle record check, reference check (personal and professional), and a check of the Megan's Law directory for New Jersey and any other State where the applicant previously resided. Written documentation of the background check shall be maintained by the Borough in perpetuity.
- Background checks that disclose any negative or questionable results must be reviewed and approved by the Borough prior to the individual being hired and/or working with minors. Provisional hiring is not permitted.
- All prospective employees and volunteers must complete the training adopted by the Borough PRIOR TO starting employment or volunteer service. In addition to completing the training course adopted by the (local unit type), all volunteer coaches shall complete the Rutgers SAFETY

Clinic course (*Sports Awareness for Educating Today's Youth*™) which is a three-hour program that meets the "Minimum Standards for Volunteer Coaches Safety Orientation and Training Skills Programs" under (N.J.A.C. 5:52) and provides partial civil immunity protection to volunteer coaches under the "Little League Law" (2A:62A-6 et. seq.)

- iv. The Borough shall annually re-check and document the Megan's Law directory for New Jersey to make certain that current employees are not listed.
- v. Once employed, authorized Adults who are employed are required to notify the appropriate Human Resources representative of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

## **V. Procedures and Responsibilities of Officials:**

Under New Jersey Law, an official may be held liable for the abuse or neglect of a child if he or she fails to implement appropriate safeguards to protect the child while the minor has been entrusted to the care of the municipality. Most importantly, recent changes in the law in New Jersey extended the statute of limitations for child abuse and neglect cases substantially, thus placing local officials and employees at a far greater risk. A valid cause of action can be filed by an alleged victim well after the official has left office. It is, therefore, critically important for officials to establish and monitor policies and procedures designed to safeguard minors entrusted to the care of the municipality.

➤ Officials of the Borough are required to :

- i. Complete the initial training course adopted by the Borough, and any updated/refresher course, in order to better understand their legal duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts:
  - Recognizing the signs of abuse and neglect of minors.
  - Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
  - Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
  - Becoming familiar with the legal requirements to report suspected cases of abuse.

- Fully understanding the legal consequences for not being diligent in making certain that employees of the Borough adhere to all policies and procedures as adopted.
- ii. Meet **annually** with all Department Heads to review the "Policy Addressing Sexual Abuse of Minors", and to verify that the administration is adhering to this policy which includes all of the following provisions. If the policy is not being adhered to, it is the legal obligation of the officials of the Borough to implement whatever changes are necessary as soon as possible to make certain the policy is followed.
- iii. Conduct **random and unannounced** visits to program sites to observe the setup of the programs and conduct of the employees and volunteers of the Borough.

## VI. Program Procedures:

All Borough programs operated by, sponsored by, or affiliated with the Borough shall comply with the following procedures. All officials, employees, and volunteers who interact with or could possibly interact with minors, and those employees who supervise employees who interact with or could possibly interact with minors, shall adhere to the following policy.

## VII. Specific Program Procedures:

The following policies shall apply to **all programs** offered by, sponsored by or affiliated with the Borough. As an essential element of compliance with the overall objective of protecting and addressing the safe treatment of minors, the Borough shall:

- a. Establish a written procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program. In addition, the Borough shall provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.
- b. Make certain that all program participants provide a Medical Treatment Authorization form to the Borough.

- c. Implement and adopt a “Code of Conduct” for volunteer and paid staff members which, at a minimum, will include the following:

Code of Conduct
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- Staff members will, at all times, respect the rights of program participants and use positive techniques of guidance including positive reinforcement and encouragement.
- Staff members will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
- Staff members shall not transport children in their own vehicles, unless written authorization from the child’s parent or guardian has been received.
- Members of the staff shall not be alone with children they meet in the programs outside of the camp. This includes babysitting, sleepovers, and inviting children to their home.
- Staff members shall, at all times, be visible to other staff members while supervising minors. Any exceptions require a written explanation before the fact and approval of the Program Director.
- Staff members will appear neat, clean, and appropriately attired.
- Staff members will refrain from intimate displays of affection towards others in the presence of children, parents and staff.
- Staff members are required to refrain from texting, and posting or checking any of the social media outlets while they are working or volunteering. The only exception is for texting for the purposes of communicating with another staff member or parent regarding a programmatic issue pertaining to a child.
- Staff members are prohibited from buying gifts for program participants.

In addition to the Code of Conduct, the following shall be a part of the specific program provisions:

- The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
- The Borough shall set forth rules and procedures governing when and under what circumstances participants may leave the Borough property during the program.

- No violence, including sexual abuse or harassment, will be tolerated.
- Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited and will be addressed immediately.
- No theft of property will be tolerated.
- No use of tobacco products will be tolerated.
- Misuse or damage of Borough property is prohibited. Charges will be assessed against those participants who are responsible for damage or misuse of property.
- The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
- Under no circumstances are any images of any child taken during any of the activities conducted or sponsored by the Borough to be shared on any social media platform without the expressed written consent of a parent or legal guardian.
- The municipality shall assign a staff member who is at least 21 years of age to be accessible to participants. Additional Authorized Adults will be assigned to ensure one-on-one contact with minors does not occur and that appropriate levels of supervision are implemented.
- Take appropriate steps to make certain that children are not released to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written authorization on file in advance.)
- Develop and made available to participants and their parents or guardians, the rules and discipline measures applicable to the program. Program participants and staff must abide by all regulations and may be removed from the program for non-compliance with rules.
- The recommended ratio of counselors to program participants should reflect the gender distribution of the participants, and should meet the following:

1. One staff member for every six participants ages 4 and 5
  2. One staff member for every eight participants ages 6 to 8
  3. One staff member for every ten participants ages 9 to 14
  4. One staff member for every twelve participants ages 15 to 17
- Responsibilities of the counselors must include, at a minimum, informing program participants about safety and security procedures, rules established by the program, and behavioral expectations. Counselors are responsible for following and enforcing all rules and must be able to provide information included herein to program participants and be able to respond to emergencies.

#### Specific Policy and Procedures for Use of Restrooms by Children/Minors:

- All restrooms shall be checked in advance by staff persons before minor children enter to make certain that no other individuals are present.
- Staff members (of the same sex) are to stand guard at the doorway to make certain that no one else enters the restroom while a child is there. Children should not be permitted to enter restrooms in pairs or in groups, unless it is absolutely necessary.

### **VIII. Procedures for Law Enforcement Officers:**

Law enforcement officers of the Borough frequently interact with minors in a variety of ways. It is important to establish guidelines to assist law enforcement officers in being aware of how to act and react in these circumstances. To that end, the Chief of Police or his or her designee of the Borough shall formulate a written policy addressing the safe treatment of minors for consideration and approval by the governing body for law enforcement officers who interact with minors.

The policy shall, at a minimum, incorporate and address the following:

- a. **Transporting minors in a police vehicle.** Whenever possible, victims or alleged victims of sexual assault or other crimes, or minors removed from a situation for protective purposes, shall be transported by two officers (at least one of whom shall be of the same sex as the victim) in unmarked vehicles that does not have a prisoner compartment/partition. Officers transporting a minor for whatever reason shall document starting and stopping mileage through radio contact.

- b. Directives issued by the NJ State Attorney General pertaining to interaction with minors shall be incorporated into the policy.
- c. The following provisions from the "Code of Conduct" for counselors shall be included in the policy for officers assigned to work in school settings (i.e. Class 3 officers):
  - i. Officers will, at all times, respect the rights of students and use positive techniques of guidance including positive reinforcement and encouragement.
  - ii. Officers will portray a positive role model for youth by maintaining an attitude of respect, loyalty, patience, courtesy, tact, and maturity.
  - iii. Officers shall not transport children in their own vehicles. Officers shall not arrange to see students outside of school and this includes babysitting, sleepovers, and inviting children to their home. Any exceptions require a written explanation before the fact and approval of the Chief.
  - iv. Officers shall make certain that they are neat, clean, and appropriately attired.
  - v. Officers will refrain from intimate displays of affection towards others in the presence of children, parents and staff. Officers shall not buy gifts for students at any time.
  - vi. All officers are required to complete the initial training course offered by the NJMEL JIF, and any refresher courses as well.

## **IX. Training Requirements:**

Individual training courses have been designed for each of the following categories and all officials, employees, and volunteers of the Borough are required to complete training (and refresher course training) adopted by the Borough. ALL employees of the Borough shall complete the training course whether they interact with children/minors or not. Although training records will be maintained, it is recommended that each Borough and individual trainees also keep copies of their own training records.

### **a. Officials**

Complete the initial training course adopted by the Borough, and any updated/refresher course, in order to better understand their legal



duties and responsibilities under Federal and NJ State Law. The training program will include the following concepts.

- Recognizing the signs of abuse and neglect of minors.
- Establishing guidelines for protecting minors from emotional and physical abuse and neglect.
- Understanding and being prepared to implement the procedures necessary to eliminate opportunities for abuse.
- Becoming familiar with the legal requirements to report suspected cases of abuse.
- Fully understanding the legal consequences for not being diligent in making certain that employees of the Borough adhere to all policies and procedures as adopted.

b. **Department Heads**

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc...)
4. Your legal responsibility for implementing and monitoring procedures and employees
5. Reporting cases of abuse

c. **Volunteers and Employees of the Borough**

i. Content of course shall include:

1. Current State NJ State Law pertaining to Sexual Abuse of Minors
2. Recognizing the signs of abuse and neglect
3. Different types of abuse (i.e. Peer to Peer, Adult to Child, etc...)
4. Your legal responsibility for implementing and monitoring procedures and employees
5. Reporting cases of abuse

d. **Law Enforcement Officers**

i. Content of course shall include:

1. Current Status of NJ Law and Directives from the Attorney General for Law Enforcement personnel
2. Your responsibilities
3. Officers in Schools

#### 4. Reporting Abuse

### **X. Reporting Suspected Child Abuse/Neglect:**

In light of the importance and priority placed on safeguarding the health and safety of minors, it is critically important that suspected cases of child abuse and neglect are reported as soon as possible. As a government official, employee or volunteer, you are legally required to report suspected child abuse. This requirement includes all governmental officials, employees and volunteers.

The following procedures shall be utilized in reporting suspected cases of abuse. The Borough shall also train officials, department heads, employees and volunteers in the concept of "dual reporting" as listed and defined below and shall encourage all staff and volunteers to utilize this process as much as possible in reporting suspected cases of abuse.

Child Abuse is hard thing to talk about, especially with victims. The most important thing to remember is to show calm reassurance and unconditional support. Avoid interrogation and leading questions. Understand that denial and embarrassment are common reactions. Don't display disbelief, shock, or disgust. Instead, be reassuring. Make sure the child knows that they did nothing wrong. Reassure them that this is not their fault and make sure they know that you take it seriously.

Interviewing children to investigate sexual abuse requires highly technical expertise. Do not "investigate" an abuse situation. Do not interrogate the child. Rather report it immediately as shown below. And finally, keep safety as the priority. If there is the possibility of violence against yourself or the child, get the appropriate professionals or agencies involved as soon as possible.

It is recommended that, whenever possible, officials, employees and volunteers report the suspected abuse to both the NJ Department of Children and Families and law enforcement at the same time, which is known as "dual reporting."

For employees or volunteers of programs conducted by the Borough:

- Immediately report suspected cases to the Program Director in charge.
- The Program Director shall immediately investigate the alleged incident. The Director shall document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

- a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
  - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
  - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
  - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
  - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
- After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor's role to make a decision on whether a case should be reported. All cases shall be reported.

For Volunteer coaches or other volunteers in charge of programs sponsored by or affiliated with the Borough.

1. The Volunteer shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
  - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
  - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
  - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
  - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
  - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
2. After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

**For Officials and Department Heads who witness or become aware of alleged cases of abuse or neglect:**

1. The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:
  - a. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
  - b. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
  - c. **When:** When the alleged abuse/neglect occurred and when you learned of it.
  - d. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
  - e. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.
    - After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873.

➤ For ***Law Enforcement Officers:***

- Immediately report any suspected or alleged cases of abuse or neglect to the County Prosecutor.

## **XI. Important Information Regarding Reporting Suspected Abuse Under NJ Law:**

The following guidelines have been established under New Jersey law, for those reporting suspected or alleged cases of abuse or neglect. The Borough encourages all officials, employees, and volunteers in programs operated by the Borough or affiliated programs or activities to report suspected cases of abuse with the following in mind.

- i. Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.
- ii. However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.
- iii. When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and

Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.

**XII. Acknowledgement of Receipt and Review of Policy:**

All officials, employees/counselors, and volunteers shall sign and date an acknowledgement form that confirms they have received and reviewed the Policy Addressing the Protection and Safe Treatment of Minors, issued to them by the Borough. The same process shall be used for any revised policy issued in the future.

## **Appendix A: Indicators of Child Abuse/Neglect**

The New Jersey Department of Children and Families issued the following guidelines to assist in recognizing the indicators of child abuse/neglect.

### **Indicators of Child Abuse / Neglect**

Different types of abuse and neglect have different physical and behavioral indicators.

#### **Physical Abuse**

<b>Physical Indicators</b>	<b>Behavioral Indicators</b>
Unexplained bruises and welts: <ul style="list-style-type: none"> <li>• On face, lips, mouth</li> <li>• On torso, back, buttocks, thighs</li> <li>• In various stages of healing</li> <li>• Cluster, forming regular patterns</li> <li>• Reflecting shape of article used to inflict (electric cord, belt buckle)</li> <li>• On several different surface areas</li> <li>• Regularly appear after absence, weekend or vacation</li> </ul> Unexplained burns: <ul style="list-style-type: none"> <li>• Cigar, cigarette burns, especially on soles, palms, back or buttocks</li> <li>• Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia)</li> <li>• Patterned like electric burner, iron, etc.</li> <li>• Rope burns on arms, legs, neck or torso</li> </ul> Unexplained fractures: <ul style="list-style-type: none"> <li>• To skull, nose, facial structure</li> <li>• In various stages of healing</li> <li>• Multiple or spiral fractures</li> </ul> Unexplained laceration or abrasions: <ul style="list-style-type: none"> <li>• To mouth, lips, gums, eyes</li> <li>• To external genitalia</li> </ul>	Wary of adult contacts Apprehensive when other children cry Behavioral extremes: <ul style="list-style-type: none"> <li>• Aggressiveness</li> <li>• Withdrawal</li> </ul> Frightened of parents Afraid to go home Reports injury by parents

### **Physical Neglect**

<b>Physical Indicators</b>	<b>Behavioral Indicators</b>
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g. thefts) States there is no caregiver

### **Sexual Abuse**

<b>Physical Indicators</b>	<b>Behavioral Indicators</b>
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

### **Emotional Maltreatment**

<b>Physical Indicators</b>	<b>Behavioral Indicators</b>
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: <ul style="list-style-type: none"> <li>• Compliant, passive</li> <li>• Aggressive, demanding</li> </ul> Overly adoptive behavior: <ul style="list-style-type: none"> <li>• Inappropriately adult</li> <li>• Inappropriately infant</li> </ul>

## **Appendix B – Grooming Behavior**

Grooming is when someone builds a relationship, trust and emotional connection with a child or young person so they can manipulate, exploit and abuse them.

Here are some common characteristics of someone attempting to “groom” a child.

- Molesters often refer to their intended victims by pet names and use gifts to foster exclusivity and build a relationship while starting the practice of keeping secrets.
- The molester might begin to spend time with the victim outside of the regular program or schedule, contacting parents to become involved in a child’s life in some capacity, like babysitting. For this reason, many parents are shocked after abuse comes to light simply because the abuser seemed so good – too good to be true, in fact.
- Inevitably, the favoritism is not enough to keep the victim, and the abuser resorts to threats—threats that play off of a child’s guilt over the sexual contact.
- During the grooming process and abuse itself, victims often begin to show tell-tale signs including:
  - Sexual behaviors or strong sexual language that is too adult for their age.
  - Many children feel at fault after the abuse and begin to suffer guilt and depression, even resorting to self-harm.
  - Also look for cuts and scratches or other self-inflicted injuries.



# Best Practices Inventory Online Platform

2022 Survey

## Pennington Borough

### Printable Current Answers

001	Unscored Survey	Health Benefits	
For medical benefits, select the formula used for active employee cost sharing . For purposes of this question, the phrase "active employees" does not include those elected officials receiving medical coverage.			[0.00] Percentage of Premium
002	Unscored Survey	Health Benefits	
For prescription drug benefits, select the formula used for active employee cost sharing. For purposes of this question, the phrase "active employees" does not include those elected officials receiving Rx coverage.			[0.00] Percentage of Premium
003	Unscored Survey	Health Benefits	
If your municipality participates in the State Health Benefits Program, please include the following on the Excel form provided on DLGS's Best Practices webpage: 1) the total amount of premiums paid for CY2022 active employee, retiree and eligible elected official SHBP coverage; and 2) the amount of cost sharing collected from your municipality's employees, retirees and eligible elected officials for SHBP coverage in CY2022. Only combine medical and Rx coverage if your municipality uses SHBP for Rx coverage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.			Comment: File Uploaded

004	Core Competencies	Personnel
The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (please consult labor counsel for detailed guidance). Exempt status also precludes overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered a form of overtime pay unless such leave is utilized in the same pay period. Does your municipality not pay overtime to employees classified as exempt under the FLSA?		[0.00] No
005	Core Competencies	Personnel
Has your municipality reviewed and updated its employee personnel manual/handbook within the past three years or upon the conclusion of each of your municipality's collective negotiated agreements (CNAs)? If yes, please provide in the Comments section the date which the personnel manual was officially updated using the MM/DD/YYYY format. If not yes, please type "Did Not Answer Yes" into the comment box.		[1.00] Yes Comment: November 2022
006	Core Competencies	Budget
Does your municipality complete an initial draft of its annual budget no later than the first week of February (or first week of August if an SFY municipality), and obtain input in crafting the draft budget from elected officials and department heads as appropriate to the form of government?		[1.00] Yes
007	Core Competencies	Budget
Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2021-24? This question may only be answered N/A if your municipality's budget is subject to adoption by the Local Finance Board under State Supervision or if the Division instructed the municipality to delay budget adoption.		[1.00] Yes

008	Core Competencies	Budget	Item 22.
N.J.S.A. 40A:5-12 requires the chief financial officer of each municipality to file the Annual Financial Statement (AFS) with the Division by no later than February 10 (August 10 for SFY municipalities). In 2022 the Division extended the AFS submission deadline to March 4 for calendar year municipalities, while the AFS submission deadline for SFY municipalities was extended to September 9. The statute specifies a \$5 per day penalty payable by the CMFO for failing to file the AFS within 10 days of after the time fixed for filing. Did your municipality file its AFS by the required deadline?			[0.00] No
009	Core Competencies	Budget	
Pursuant to N.J.S.A. 40A:2-40, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?			[1.00] Yes
010	Core Competencies	Budget	
Has your municipality electronically submitted its User-Friendly Budget section for the CY2021/SFY2022 adopted budget?			[1.00] Yes
011	Core Competencies	Budget	
Revenue earned from Uniform Construction Code (UCC) fees must be dedicated to UCC enforcement. The amounts of UCC revenue generated and funds appropriated to UCC enforcement appear on the User-Friendly Budget as well as the UCC Annual Report submitted to the Division of Codes and Standards. Your municipality's construction code fee schedule must comply with the parameters set by N.J.A.C. 5:23-4.17, 5:23-4.18 and Local Finance Notice 2020-27. Does your municipality comply with the law prohibiting the imposition of UCC fee amounts greater than necessary to operate the UCC office, and is your municipality refraining from using UCC fees for purposes unrelated to UCC enforcement? Only answer N/A if your municipality does not have a construction code office.			[1.00] Yes
012	Core Competencies	Capital Projects	
Has your municipality adopted a capital program as defined by N.J.A.C. 5:30-4.2, meaning a moving, multi-year plan and schedule for capital projects (including prospective financing sources) and, when pertinent, first year operating costs and savings? Only answer N/A if your municipality is not required to adopt a capital budget pursuant to N.J.A.C. 5:30-4.3.			[1.00] Yes
013	Core Competencies	Transparency	
Are your municipality's codified and uncoded ordinances, including all current salary ordinances, available online?			[1.00] Yes

014	Core Competencies	Procurement	Item 22.
Do your municipality's professional services contracts include a "not to exceed" amount?			[1.00] Yes
015	Core Competencies	Procurement	
On all public works projects subject to the Prevailing Wage Act, the contractor and all subcontractors must provide the contracting unit with certified payroll records for each employee performing work on the project. Certified payroll records shall be provided for each pay period within ten (10) days of the payment of wages. In turn, the municipality must collect, file, and store all certified payroll records on the project and make them available for inspection during normal business hours. Please review Local Finance Notice 2021-20 for further information. Is your municipality maintaining certified payrolls for all prevailing wage municipal projects pursuant to law and making same available for public inspection?			[1.00] Yes
016	Core Competencies	Cybersecurity	
A cybersecurity incident response plan is a set of instructions to help detect, respond to, and recover from network security incidents. Plans such as those adopted by a governing body or from a municipality's JIF address areas such as cybercrime, data loss, and service outages. Does your municipality have a cybersecurity incident response plan?			[1.00] Yes
017	Core Competencies	Cybersecurity	
Are all municipal employees receiving ongoing cybersecurity training in malware detection, password construction, identifying security incidents and social engineering attacks?			[1.00] Yes
018	Core Competencies	Financial Administration	
Pursuant to N.J.S.A. 40A:5-14(d), a local unit's investment policies shall be based on a cash flow analysis prepared by the CFO, with those policies being commensurate with the nature and size of the funds held by the local unit. Has your municipality conducted a cash flow analysis of its deposited and invested funds, and, based on that analysis, does your municipality's cash management plan set policies for your municipality's investments that consider preservation of capital, liquidity, current and historical investment returns, diversification, maturity requirements, costs and fees associated with the investment and, when appropriate, policies of investment instrument administrators?			[1.00] Yes
019	Core Competencies	Budget	
Is your municipality ensuring that insurance reimbursements are credited back to the budget appropriation line item in the budget in accordance with N.J.S.A 40A:5-32, instead of applied as miscellaneous revenue not anticipated? Compliance with this statutory obligation relieves pressure on current year appropriations. Only answer N/A if your municipality had no insurance reimbursements in 2020 or 2021.			[1.00] Yes

020	Core Competencies	Capital Projects	Item 22.
Has your municipality reviewed all completed capital project bond ordinances for remaining balances that can be cancelled by resolution, and revert to their respective balance sheet accounts?			[1.00] Yes
021	Core Competencies	Procurement	
Has your municipality reviewed with legal counsel and other appropriate officials (e.g. engineer) the boilerplate language in its bid or RFP documents to ensure such language meets legal requirements under the Local Public Contracts Law and pay-to-play, along with other relevant statutes and caselaw?			[1.00] Yes
022	Core Competencies	Transparency	
Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?			[1.00] Yes
023	Core Competencies	Transparency	
N.J.S.A. 34:13A-8.2 requires public employers, including municipalities, to file with the Public Employment Relations Commission (PERC) a copy of all contracts negotiated with public employee representatives. This includes, but is not limited to, collective bargaining agreements, memoranda of understanding, contract amendments, and "side letter" or "side bar" agreements. Copies of same may be emailed to contracts@perc.state.nj.us. Has your municipality filed all current contracts with PERC? Only answer N/A if your municipality does not have any employee labor unions.			[1.00] Yes
024	Core Competencies	Transparency	
Pursuant to N.J.S.A. 34:13A-16.8(d)(2), PERC requires a summary of the cost impact associated with a municipality's completed contracts for all bargaining units. Police and fire contracts have one summary form, while non-police and fire contracts have another form. The summary forms and filing instructions are located at <a href="https://www.state.nj.us/perc/conciliation/contracts/">https://www.state.nj.us/perc/conciliation/contracts/</a> . Has your municipality filed the required PERC summary forms for all current completed labor agreements? Only answer N/A if your municipality does not have any employee labor unions.			[1.00] Yes
025	Core Competencies	Cybersecurity	
Does your municipality perform off-network daily incremental backups with weekly full backups of all data?			[1.00] Yes

026	Core Competencies	Shared Services	
N.J.A.C. 5:30-3.8(d)(20) requires each municipal user-friendly budget to include a listing of each shared service provided or received, what entity or entities are providing or receiving the service, the beginning and end date of the agreement as applicable, and the amount either received or paid for the service. Does your municipality list on its user-friendly budget each shared services agreement it is a party to, along with the other information required by the above-referenced regulation?			[1.00] Yes
027	Core Competencies	Fire Districts	
If a Board of Fire Commissioners establishes annual compensation for its fire district commissioners, N.J.S.A. 40A:14-88 requires the municipal governing body to review and approve such compensation before the fire district can submit its annual budget to the voters, or, in the case of fire districts whose Board of Fire Commissioners elections coincides with the November General election, before the fire district's annual budget can be adopted. The fire district shall submit to the municipal governing body for approval the amount of compensation fixed by the Board regardless of whether the amount of compensation is being modified. Oughton v. Board of Fire Comrs., etc., 178 N.J. Super. 565, 570-571 (App. Div. 1981). If any members of the Board of Fire Commissioners in one or more of your municipality's fire districts are authorized by the Board to receive compensation, does your municipality 1) require its fire district(s) to submit such compensation for review on an annual basis; 2) ensure that each Board has adopted a resolution or resolutions fixing the amount of compensation requested for governing body approval; and 3) adopt a resolution approving, disapproving, or modifying the compensation amount fixed by the Board of Fire Commissioners?			[1.00] N/A
028	Core Competencies	Shared Services	
N.J.S.A. 40A:65-4(b) requires a copy of each shared services agreement to be filed with the Division of Local Government Services. Has your municipality filed with the Division the most current copy of each shared services agreement under which the municipality provides one or more services to another local unit as defined by N.J.S.A. 40A:65-3 of the Uniform Shared Services and Consolidation Act? Only answer N/A if your municipality does not provide a shared service to another local unit.			[1.00] Yes
029	Core Competencies	Financial Administration	
N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. For calendar year 2021 audits, this deadline was extended to August 31, 2022 pursuant to the Director's June 16, 2022 Order (See Local Finance Notice 2022-12). Has your municipality's completed audit for the preceding fiscal year been electronically submitted to DLGS within the required timeframe? You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.			[1.00] Yes

030	Core Competencies	Financial Administration
Have all audit findings from the CY2020/SFY2021 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the CY2021/SFY2022 audit? If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings for CY2020/SFY2021.		[1.00] N/A
031	Core Competencies	Utilities
P.L. 2021, c. 97 requires municipalities with their own water, sewer, or electric service to provide monthly notice to residential ratepayers concerning local utility service and bill payment assistance. Please review Local Finance Notice 2022-09 for more information on the law's requirements. Is your municipality complying with the requirements of P.L. 2021, c. 97? Only answer N/A if your municipality does not have its own water, sewer, or electric service.		[1.00] Yes
032	Core Competencies	Transparency
In accordance with Governor Murphy's Executive Order 267 dated October 8, 2021 and outlined in LFN 2022-08 dated March 2, 2022, municipalities and counties were required to provide DLGS with a copy of all American Rescue Plan (ARP) LFRF reports filed with U.S. Treasury, including Project and Expenditure Reports, Interim Reports, and Recovery Plan and Performance Reports?. Did your municipality file with the Division all reports filed with Treasury? Only answer N/A if your municipality refused ARP LFRF Funding		[1.00] Yes
033	Core Competencies	Ethics
The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Statements (FDSs) annually. Compliance by local elected officials is required by N.J.S.A. 40A:9-22.6. Did all governing body members timely file their annual Financial Disclosure Statements for 2022 such that they were not issued a Notice of Violation by the Local Finance Board? Only answer N/A if your municipality has an ordinance on the books establishing a municipal ethics board.		[1.00] Yes
034	Core Competencies	Ethics
If your municipality has a municipal ethics board, did the municipal ethics board enforce the Financial Disclosure Statement (FDS) statute by issuing violations to local government officers (LGOs) who were on the 2022 roster but did not file the FDS by April 30, 2022? Only answer N/A if your municipality does not have an ordinance on the books establishing a municipal ethics board.		[1.00] N/A

035	Best Practices	Financial Administration
N.J.A.C. 5:30-8.3(a) establishes a schedule of minimum dollar amounts for tax collector surety bonding. However, subsection (b) of 5:30-8.3 encourages municipalities to adopt a more stringent schedule for tax collector surety bonding that is specified in the subsection. Has your municipality adopted, at minimum, the higher level surety bonding schedule for tax collectors set forth in N.J.A.C. 5:30-8.3(b)?		[0.50] Yes
036	Best Practices	Financial Administration
N.J.A.C. 5:30-8.4 (a) establishes a schedule of minimum dollar amounts for municipal court surety bonding, specifically for municipal judges and municipal court administrators. However, subsection (b) of 5:30-8.4 encourages municipalities to adopt a more stringent schedule for municipal court surety bonding that is specified in the subsection. Has your municipality adopted, at minimum, the higher level surety bonding schedule for municipal court judges and court administrators set forth in N.J.A.C. 5:30-8.4(b)?		[0.50] Yes
037	Best Practices	Personnel
Has your municipality established by ordinance an anti-nepotism policy that, at minimum, only authorizes the hiring the family members/relatives of municipal officials and employees if the individuals involved would do not work in a direct supervisory relationship, or in job positions in which a conflict of interest could arise. The term "family member/relatives" should be defined to include but not necessarily be limited to spouses, children, siblings, parents, in-laws, and step-relatives.		[0.50] Yes
038	Best Practices	Tax Collection
Does your municipality issue periodic late notices to taxpayers who are overdue on their property tax payments?		[0.50] Yes
039	Best Practices	Procurement
If your municipality contracts with an insurance broker for health insurance, and said contract exceeds the Local Public Contracts Law (LPCL) bid threshold, is your municipality's health insurance broker being procured through a competitive contracting or sealed bid process conducted pursuant to the Local Public Contracts Law? Only answer N/A if your municipality does not contract with an insurance broker for health insurance or, if it does, the contract does not exceed your municipality's LPCL bid threshold.		[0.50] N/A



040	Best Practices	Procurement	Item 22.
Insurance broker fees dependent on the amount of health insurance premiums or fees paid by the municipality are vulnerable to abuse as brokers could face conflicting incentives in seeking lower-cost health insurance alternatives. If your municipality contracts with an insurance broker for health insurance, is the structure for broker payments set at a flat-fee rather than on a commission basis to mitigate the risk of a broker recommending more expensive health insurance coverage to earn higher fees? Only answer N/A if your municipality does not contract with an insurance broker for health insurance.			[0.50] N/A
041	Best Practices	Budget	
Has your municipality created an accumulated absence liability trust fund pursuant to N.J.A.C. 5:30-15.5? Only answer N/A if your municipality 1) does not offer (for any employee hired after a certain date) payouts upon retirement for accumulated sick leave, and 2) no current employee has a grandfathered right to sick leave payouts upon retirement.			[0.50] Yes
042	Best Practices	Transparency	
Does your municipality have an official social media account or accounts and, if so, is there a written policy establishing guidelines on access, use, and permitted content? Answer N/A if your municipality does not have a social media account.			[0.50] N/A
043	Best Practices	Transparency	
Does your municipality feature a link on its website to the Division of Taxation's Property Tax Relief Program webpage at <a href="https://www.state.nj.us/treasury/taxation/relief.shtml">https://www.state.nj.us/treasury/taxation/relief.shtml</a> ?			[0.50] Yes
044	Best Practices	Environment	
Have public electric vehicle charging stations been installed on municipal property?			[0.00] No
045	Best Practices	Environment	
When purchasing new vehicles, does your municipality have a formal policy to purchase hybrid or altenative fuel vehicles whenever such vehicles are suited to the intended use? Only answer N/A if your municipality does not own any vehicles.			[0.50] Yes

046	Unscored Survey	Ethics
N.J.S.A. 40A:9-22.19 of the Local Government Ethics Law allows a municipality to establish its own municipal ethics board. Does your municipality have both an ordinance on the books establishing a municipal ethics board and a municipal code of ethics pursuant to N.J.S.A. 40A:9-22.21?		[0.00] No
047	Unscored Survey	Ethics
If your municipality has an ordinance establishing a municipal ethics board pursuant to N.J.S.A. 40A:9-22.19, is the board constituted with the minimum number of members necessary to establish a quorum for conducting business? A municipal ethics board shall consist of six members, at least two of whom shall be public members. No more than three members shall be of the same political party. Answer NA if your municipality does not have an ordinance establishing a local ethics board.		[0.00] N/A
048	Unscored Survey	Tax Collection
N.J.S.A 54:4-122.9 authorizes municipalities to adopt a resolution contracting with a local bank to serve as an “official tax receiving agency” for receiving, under the tax collector’s supervision, current tax payments, current water and sewer charges, and other public monies. A bank authorized to serve in this capacity can take property tax payments, utility payments, and other charges that are otherwise paid directly to the municipality, so long as those payments are not for delinquencies. Delinquencies must be satisfied directly with the municipality; however, a bank may accept payments made within an authorized grace period. Local Finance Notice 2021-09 contains further information on applicable requirements. Has your municipality designated a local bank as an official tax receiving agency pursuant to N.J.S.A. 54:4-122.9?		[0.00] No
049	Unscored Survey	Tax Collection
As explained in Local Finance Notice 2022-04, P.L. 2021, c. 99 expressly authorizes municipalities to establish property tax rewards programs encouraging patronage of local retail establishments. All actions properly taken by a municipal governing body prior to May 12, 2021 to authorize the creation and operation of a property tax rewards programs were also retroactively validated by P.L. 2021, c. 99. Has your municipality established a property tax rewards program?		[0.00] No
050	Unscored Survey	Housing
The Urban Homesteading Act (N.J.S.A. 40A:12-31 through 38) allows a municipality to adopt an ordinance establishing a process whereby title to municipal property obtained through in rem foreclosure is transferred to individuals committed to rehabilitate the premises and reside there for a specified period. All ordinances establishing an urban homesteading program must be filed with the Division of Local Government Services. Does your municipality currently have an ordinance on the books establishing an urban homesteading program pursuant to the Act?		[0.00] No

051a	Unscored Survey	Shared Services
If your municipality currently provides a chief financial officer, tax collector, tax assessor, municipal clerk, qualified purchasing agent, certified public works manager, municipal treasurer, and/or a public works superintendant to another municipality pursuant to a shared services agreement, please select one or more of the options provided and list under Comments each municipality along with the position being provided to that municipality. If your municipality currently provides none of these positions pursuant to a shared services agreement, select None of the Above and insert N/A into Comments.		[0.00] None of the Above Comment: N/A
051b	Unscored Survey	Shared Services
If the answer to Question 51a is yes, did one or more of the identified shared service agreements result in the dismissal of a tenured official? If yes, please insert under Comments 1) the position or positions where an agreement resulted in the dismissal of a tenured official; and 2) an estimate of the cost savings anticipated to be achieved by the participating municipalities at the outset of the agreement. If the answer is No or N/A, please insert "No" or "N/A" under Comments. See LFN 2018-3R for more information on this provision of the Common Sense Shared Service Act.		[0.00] N/A Comment: N/A
052	Unscored Survey	Environment
How much did your municipality spend on operational costs associated with managing and treating stormwater runoff in the prior fiscal year, and how much did your municipality appropriate toward same for the current fiscal year? Examples of such costs include street cleaning, conveyance system clean-out, routine maintenance of storm drains and outfall pipes, and stormwater runoff-related educational programs. Also list under Comments the FCOA codes your municipality is using to classify these stormwater-related prior year expenditures and current year appropriations.		Comment: 5,000 2-201-55-501-101 & 2-201-55-502-299
053	Unscored Survey	Financial Administration
Does your municipality currently retain a chief financial officer through a professional services contract?		[0.00] No
054a	Unscored Survey	American Rescue Plan Act
What portion of the first tranche of ARP LFRF dollars has your municipality obligated to date?		[0.00] 100%
054b	Unscored Survey	American Rescue Plan Act
What portion of the second tranche of ARP LFRF dollars will your municipality obligate toward eligible uses by December 31, 2022?		[0.00] 0%

054c	Unscored Survey	American Rescue Plan Act	Item 22.
What portion of the second tranche of ARP LFRF dollars will your municipality obligate toward eligible uses by December 31, 2023?			[0.00] 100%
055a	Unscored Survey	Opportunity Zones	
Is your municipality aware of any real estate development projects or businesses that will be using the Opportunity Zone tax incentive or receiving an Opportunity Fund investment?			[0.00] N/A
055b	Unscored Survey	Opportunity Zones	
If your municipality knows of any projects that are using or will be using the Opportunity Zone tax incentive, please include the name of each project, the full address, a short description that includes the primary developer (if applicable), estimated value of the development (i.e. total permitted value), and the project's status (if known) on the Excel form provided on DLGS's Best Practices webpage. Upload the Excel form using the "Attach File" button toward the bottom of your screen. If you have uploaded the Excel form, type "File Uploaded" in the Comment Box. If you have not uploaded the Excel Form, type NA in the Comment Box.			Comment: N/A
056a	Unscored Survey	Lead Remediation	
P.L. 2021, c. 182 requires a municipality to perform, or, in certain circumstances, hire a certified lead evaluation contractor to perform, inspections of certain single-family, two-family, and multiple rental dwellings for lead-based paint hazards. Further information concerning the requirements of this recently enacted law are available at <a href="https://www.nj.gov/dca/divisions/codes/resources/leadpaint.html">https://www.nj.gov/dca/divisions/codes/resources/leadpaint.html</a> . Does your municipality have a permanent local agency that has been charged with conducting inspections for lead-based paint in rental dwellings and enforcing the provisions of P.L. 2021, c. 182? If your answer is "Other" fill-in the name of the municipal agency under Comments. If your answer is "Shared Service", please fill-in the name of the agency and the local unit providing the service under Comments.			[0.00] Board of Health
056b	Unscored Survey	Lead Remediation	
If your municipality does not have a permanent local agency or a shared services agreement to conduct inspections for lead-based paint in rental dwellings and enforce the provisions of P.L. 2021, c. 182, has your municipality retained a lead evaluation contractor certified to provide paid lead inspection services by the New Jersey Department of Community Affairs?			[0.00] No
056c	Unscored Survey	Lead Remediation	
Pursuant to P.L. 2021, c. 182, has your municipality identified rental dwellings that have experienced tenant turnover since July 22, 2022?			[0.00] No

056d	Unscored Survey	Lead Remediation	Item 22.
If your municipality has identified rental dwellings that have experienced tenant turnover since July 22, 2022, have all of those units been inspected prior to re-occupancy?			[0.00] N/A
056e	Unscored Survey	Lead Remediation	
How many visual lead-based paint inspections did your municipality conduct thus far in 2022?			Comment: 0
056f	Unscored Survey	Lead Remediation	
How many dust wipe-sampling lead-based paint inspections did your municipality conduct thus far in 2022?			Comment: 0
056g	Unscored Survey	Lead Remediation	
How many post-remediation lead-based paint inspections has your municipality conducted thus far in 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056h	Unscored Survey	Lead Remediation	
How many lead safe certifications have been issued by your municipality thus far in 2022? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056i	Unscored Survey	Lead Remediation	
What is the number of lead safe certifications issued by the municipality in the past fiscal year, as used by the municipality? Please only include numbers (no text or explanation) under Comments to facilitate tabulation.			Comment: 0
056j	Unscored Survey	Lead Remediation	
Would your municipality be interested in applying for a State grant program to assist with the rental dwelling inspection costs associated with implementing P.L. 2021, c. 182? Answer N/A if your municipality has no local lead inspection activities or does not have any dwellings eligible for inspection.			[0.00] N/A Comment: N/A

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.1**

**RESOLUTION AUTHORIZING REFUNDS**

**BE IT RESOLVED** that a refund be issued from the Current Fund to John Myer, 676 Cattail Road, Livingston Manor, NY 12758 for an overpayment of 3<sup>rd</sup> Quarter Taxes for Block 705, Lot 10, 110 Voorhees Avenue in the amount of \$3,584.96.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

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Elizabeth Sterling, Borough Clerk

## BOROUGH OF PENNINGTON RESOLUTION 2022 – 11.2

### 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 \$ 1,169,637.86 from the following accounts:

Current	\$ 1,091,206.11
W/S Operating	\$ 36,317.06
General Capital	\$ 24,276.12
Grant Fund	\$ 627.61
Animal Control Fund	\$ 529.40
Open Space	\$ 8,450.00
Developer's Escrow	\$ 6,530.56
Other Trust Fund	\$ 1,000.00
W/S Capital	\$ 701.00
<b>TOTAL</b>	<b>\$ 1,169,637.86</b>

#### Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

TO: Mayor & Council  
SUBJECT: Time Sensitive Payments  
Bank of Princeton  
BILL LIST: 7-Nov-22

Page 1

Current Fund

CK 18236	22-00842	Weathervane Title & Abstract	\$	2,869.83	
Wire 12080	22-00850	Payroll Account	\$	63,945.97	
Wire 12081	22-00871	Payroll Account - DCRP - Pd 10/15/22	\$	130.06	
Wire 12082	22-00893	Payroll Account	\$	63,743.32	
Wire 12085	22-00894	Payroll Account - DCRP - PD 10/31/22	\$	124.82	
	22-00892	County of Mercer - County Tax	\$	799,791.84	Due 11/15/22
	22-00892	County of Mercer - Open Space Tax	\$	38,012.39	Due 11/15/22
	22-00905	Payroll Account - Health Ben - Active	\$	13,275.49	Due 11/15/22
	22-00906	Payroll Account - Health Ben - Retired	\$	5,577.54	Due 11/15/22

\$ 987,471.26

Water/Sewer Operating

Wire 22080	22-00850	Payroll Account	\$	10,013.32	
Wire 22082	22-00893	Payroll Account	\$	10,237.22	
	22-00905	Payroll Account - Health Ben - Active	\$	5,689.49	Due 11/15/22
	22-00906	Payroll Account - Health Ben - Retired	\$	2,225.94	Due 11/15/22

\$ 28,165.97

Trust Fund

Wire 12083	22-00893	Payroll Account	\$	1,000.00	
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\$ 1,000.00

Developer's Escrow

CK 3209	22-00841	The Pennington School	\$	21.91	
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\$ 21.91

TOTAL \$ 1,016,659.14



BOROUGH OF PENNINGTON  
Purchase Order Listing By Vendor Name

P.O. Type: A11									
Range: First to Last									
Format: Detail without Line Item Notes First Enc Date Range: First to 12/31/22									
Include Non-Budgeted: Y									
Open: N Paid: N Void: N									
Rcvd: Y Held: N Aprv: N									
Bid: Y State: Y Other: Y Exempt: Y									
Vendor # Name	PO # PO Date Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Chk/Void	1099
Item Description						Date	Date	Invoice	Excl
AARON005 Aaron & Company	22-00014 01/14/22 Blanket - Parts/Supplies		B						
6 57802450.002 - Qwik Cap	31.63	2-01-26-310-000-225			B BOROUGH PROP: Shop Supplies	R	01/14/22 10/13/22	57802450.002	N
Vendor Total:	31.63								
AMAZON Amazon Credit Plan									
22-00818 09/29/22 Purchase of Books -June-July									
1 6/12/22 - 986697844659	58.44	2-01-29-390-000-240			B LIBRARY: Office Supplies	R	09/29/22 10/13/22	986697844659	N
2 6/13/22 - 734889367656	31.98	2-01-29-390-000-240			B LIBRARY: Office Supplies	R	09/29/22 10/13/22	734889367656	N
3 6/15/22 - 994359566799	21.98	2-01-29-390-000-240			B LIBRARY: Office Supplies	R	09/29/22 10/13/22	994359566799	N
4 6/21/22 - 469589576933	21.22	2-01-29-390-000-240			B LIBRARY: Office Supplies	R	09/29/22 10/13/22	469589576933	N
5 6/29/22 - 456599978398	56.43	2-01-29-390-000-240			B LIBRARY: Office Supplies	R	09/29/22 10/13/22	456599978398	N
6 6/13/22 - 936933894864	143.04	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	936933894864	N
7 6/13/22 - 467466466973	23.18	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	467466466973	N
8 6/21/22 - 636866458348	79.54	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	636866458348	N
9 6/21/22 - 646375478348	26.94	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	646375478348	N
10 6/21/22 - 933937348537	73.53	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	933937348537	N
11 6/21/22 - 439496368759	18.62	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	439496368759	N
12 6/26/22 - 585847974989	143.50	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	585847974989	N
13 6/27/22 - 49894546866	47.92	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	49894546866	N
14 6/27/22 - 465658876357	27.99	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	465658876357	N
15 6/27/22 - 549393988968	176.84	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	549393988968	N
16 6/28/22 - 453984439339	12.47	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	453984439339	N
17 6/30/22 - 439949864637	12.99	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	439949864637	N
18 6/30/22 - 784786658355	28.00	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	784786658355	N
19 6/30/22 - 964956984393	26.74	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	964956984393	N
20 7/1/22 - 674934448473	17.99	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	674934448473	N
21 7/1/22 - 467397739338	234.02	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	467397739338	N
22 7/2/22 - 854445343877	20.18	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	854445343877	N
23 7/2/22 - 846963949475	31.98	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	846963949475	N
24 7/2/22 - 867383954597	95.81	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	867383954597	N
7/3/22 - 468839634989	12.99	2-01-29-390-000-242			B LIBRARY: Books/Materials/Publications	R	09/29/22 10/13/22	468839634989	N

BOROUGH OF PENNINGTON  
Purchase Order Listing By Vendor Name

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Exc]
AMAZON	Amazon Credit Plan															
22-00818	09/29/22 Purchase of Books - June-July			Continued												
26	7/3/22 - 43999839498				7.68	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	09/29/22	10/13/22		43999839498	N
27	7/3/22 - 954384375593				11.45	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	09/29/22	10/13/22		954384375593	N
28	7/9/22 - 548464634576				14.96	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	09/29/22	10/13/22		548464634576	N
					1,478.41											
22-00835	10/05/22 Purchase of Books - July/Aug															
1	Inv. 799457737898 - 7/18/22				23.17	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/05/22	10/19/22		799457737898	N
2	Inv. 457443384875 - 7/18/22				229.96	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/05/22	10/19/22		457443384875	N
3	Inv. 554456699865 - 7/27/22				6.53	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/05/22	10/19/22		554456699865	N
4	Inv. 565859878968 - 8/2/22				40.00	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/05/22	10/19/22		565859878968	N
5	Inv. 434795799594 - 7/10/22				22.96	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		434795799594	N
6	Inv. 687599563437 - 7/18/22				17.61	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		687599563437	N
7	Inv. 986665533764 - 7/20/22				6.79	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		986665533764	N
8	Inv. 465893949664 - 7/25/22				24.96	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		465893949664	N
9	Inv. 745667594887 - 8/1/22				13.50	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		745667594887	N
10	Inv. 948764975639 - 8/1/22				45.47	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		948764975639	N
11	Inv. 969888965855 - 8/5/22				16.76	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		969888965855	N
12	Inv. 466386383384 - 8/7/22				7.21	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		466386383384	N
13	Inv. 736639387469 - 8/8/22				22.96	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		736639387469	N
14	Inv. 434574883748 - 8/8/22				139.55	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		434574883748	N
15	Inv. 497879933549 - 8/8/22				19.96	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		497879933549	N
16	Inv. 987944358984 - 8/8/22				16.99	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		987944358984	N
17	Inv. 997543564736 - 8/8/22				14.99	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		997543564736	N
18	Inv. 997543564736 - 8/8/22				0.00	2-01-29-390-000-242				B LIBRARY: Books/Materials/Publications	R	10/05/22	10/19/22		997543564736	N
					669.37											
22-00853	10/13/22 Purchase of Books - Aug/Sept															
1	8/21/22 - 458966958954				70.99	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		458966958954	N
2	8/21/22 - 835585939593				31.96	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		835585939593	N
3	8/28/22 - 898783559878				54.99	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		898783559878	N
4	8/29/22 - 565847937989				18.42	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		565847937989	N
5	9/1/22 - 448839685587				5.26	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		448839685587	N
6	9/7/22 - 977535565834				13.99	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		977535565834	N
7	9/7/22 - 866668795787				51.99	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		866668795787	N
8	9/9/22 - 533654886547				15.79	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		533654886547	N
9	9/7/22 - 663744849865				5.26	2-01-29-390-000-240				B LIBRARY: Office Supplies	R	10/13/22	10/19/22		663744849865	N

Vendor # Name		PO # PO Date Description		Contract PO Type		Amount		Charge Account		Acct Type Description		Stat/Chk		First Rcvd		Chk/Void		Date		Invoice		1099	
Item Description																							
AMAZON Amazon Credit Plan																							
22-00853 10/13/22 Purchase of Books - Aug/Sept Continued																							
10 5/6/22 - 485934747347						15.53		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						485934747347		N	
11 8/10/22 - 476656439947						47.16		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						476656439947		N	
12 8/10/22 - 636339638947						22.96		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						636339638947		N	
13 8/22/22 - 653485663994						21.02		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						653485663994		N	
14 8/29/22 - 775699873546						13.46		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						775699873546		N	
15 9/4/22 - 488366485584						11.99		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 10/19/22						488366485584		N	
						390.25																	
22-00884 10/25/22 Purchase of Books - Sept 2022																							
1 9/12/22 - 747993396395						19.73		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						747993396395		N	
2 9/12/22 - 573737639577						15.83		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						573737639577		N	
3 9/12/22 - 434765955976						17.29		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						434765955976		N	
4 9/12/22 - 447998553697						22.96		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						447998553697		N	
5 9/12/22 - 933793539374						19.96		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						933793539374		N	
6 9/19/22 - 888577476837						19.96		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						888577476837		N	
7 9/19/22 - 766973589478						29.98		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						766973589478		N	
8 9/23/22 - 569477799556						20.29		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						569477799556		N	
9 9/26/22 - 664976984585						42.63		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						664976984585		N	
10 10/3/22 - 848435555555						15.99		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						848435555555		N	
11 10/3/22 - 879399888595						10.81		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/25/22 11/01/22						879399888595		N	
						235.43																	
Vendor Total:						2,773.46																	
HOUST005 Ariel Houston																							
22-00221 03/04/22 Court Recorder - 2022																							
13 Court - October 6, 2022						100.00		2-01-43-490-000-267		B MUNICIPAL COURT: Other Services		R		10/21/22 11/01/22						10-6-22		N	
14 Court - October 20, 2022						100.00		2-01-43-490-000-267		B MUNICIPAL COURT: Other Services		R		10/21/22 11/01/22						10-20-22		N	
						200.00																	
Vendor Total:						200.00																	
BAKER Baker & Taylor - Books																							
22-00860 10/13/22 Purchase of Books - July 2022																							
1 10/5/22 - 5017833193						32.90		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 11/04/22						5017833193		N	
2 10/5/22 - 5017849425						12.42		2-01-29-390-000-242		B LIBRARY: Books/Materials/Publications		R		10/13/22 11/04/22						5017849425		N	

BOROUGH OF PENNINGTON  
Purchase Order Listing By Vendor Name

Vendor # Name	PO # PO Date Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Invoice	1099
Item Description								Date	Date		Excl
BAKER Baker & Taylor - Books											
22-00860 10/13/22 Purchase of Books - July 2022 Continued											
3 L4222473 - 5017835482		2-01-29-390-000-242	16.25		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017835482	N
4 L5210893 - 5017832976		2-01-29-390-000-242	125.69		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017832976	N
5 L5210893 - 5017849258		2-01-29-390-000-242	164.65		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017849258	N
6 L5210893 - 5017867214		2-01-29-390-000-242	34.15		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017867214	N
7 L5216343 - 5017814797		2-01-29-390-000-242	57.11		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017814797	N
8 L5216343 - 5017845458		2-01-29-390-000-242	17.11		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017845458	N
			460.28								
22-00861 10/13/22 Purchase of Books - Aug 2022											
1 L0757713 - 5017854351		2-01-29-390-000-242	232.19		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5078545351	N
2 L0757713 - 5017895041		2-01-29-390-000-242	18.14		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017895041	N
3 L5210893 - 5017885110		2-01-29-390-000-242	106.00		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017885110	N
4 L5210893 - 5017902624		2-01-29-390-000-242	73.77		B LIBRARY: Books/Materials/Publications	R	10/13/22	11/04/22		5017902624	N
			430.10								
22-00876 10/20/22 Purchase of Books - Sept 2022											
1 L0757713 - 5017879643		2-01-29-390-000-242	274.04		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017879643	N
2 L0757713 - 5017927518		2-01-29-390-000-242	100.95		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017927518	N
3 L0757713 - 5017946237		2-01-29-390-000-242	17.56		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017946237	N
4 L0757713 - 5017956505		2-01-29-390-000-242	68.31		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017956505	N
5 L4222473 - 5017958754		2-01-29-390-000-242	15.24		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017958754	N
6 L5210893 - 5017922687		2-01-29-390-000-242	55.61		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017922687	N
7 L5210893 - 5017936863		2-01-29-390-000-242	131.16		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017936863	N
8 L5210893 - 5017950270		2-01-29-390-000-242	111.82		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017950270	N
9 L5210893 - 5017967693		2-01-29-390-000-242	113.54		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017967693	N
10 L5216343 - 5017945262		2-01-29-390-000-242	12.03		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017945262	N
11 L5216343 - 5017967732		2-01-29-390-000-242	11.70		B LIBRARY: Books/Materials/Publications	R	10/20/22	11/04/22		5017967732	N
			911.96								
Vendor Total:			1,802.34								
BCITR005 BCI TRUCK INC.											
22-00840 10/05/22 Repairs to 2005 Garbage Truck											
1 Repairs to 2005 Garbage Truck		2-01-26-305-000-277	7,741.79		B TRASH: vehicle Expenses	R	10/05/22	10/14/22		88528	
Vendor Total:			7,741.79								

BOROUGH OF PENNINGTON  
Purchase Order Listing By Vendor Name

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Invoice	1099
												Excl
<b>BTSHSALE Bish Sales &amp; Service</b>												
	22-00017	01/14/22 Equipment Supply - 2022			B							
	9 Inv.	27800 - weed head & cord	117.00		2-01-26-313-000-226	B SHADE TREE: Equip. Maintenance	R	08/23/22	10/05/22		27800	N
	10 Inv.	27883 - Parts/Sharpen	208.00		2-01-26-313-000-226	B SHADE TREE: Equip. Maintenance	R	01/14/22	11/02/22		27883	N
			325.00									
		Vendor Total:	325.00									
<b>BLACK020 BLACKSTONE PUBLISHING</b>												
	22-00810	09/28/22 Purchase of Books										
	1 Inv.	2050351 - No One Goes	29.95		2-01-29-390-000-242	B LIBRARY: Books/Materials/Publications	R	09/28/22	10/13/22		2050351	N
		Vendor Total:	29.95									
<b>SCORP005 Brian Kubin</b>												
	22-00823	09/30/22 Deer Management - 2022-2023			B							
	2 Inv.	131 - 25 Deer Harvested	4,250.00		T-03-00-850-850-255	B Open Space Reserves	R	09/30/22	11/02/22		131	N
		Vendor Total:	4,250.00									
<b>BRITTON Britton Industries, Inc.</b>												
	22-00018	01/14/22 Tipping Fees - 2022			B							
	28 Inv.	0881928-IN - wood	326.79		G-02-44-926-000-250	B Solid Waste Recycling	R	09/30/22	10/14/22		0881928-IN	N
	29 Inv.	0885894-IN - wood	300.82		G-02-44-926-000-250	B Solid Waste Recycling	R	09/30/22	10/26/22		0885894-IN	N
			627.61									
		Vendor Total:	627.61									
<b>CINTAS01 Cintas Corporation</b>												
	22-00815	09/29/22 Uniform Rental - Sept 2022										
	1 Inv.	4130544661 - Janitorial	14.95		2-01-26-310-000-273	B BOROUGH PROP: Janitorial Supp.	R	09/29/22	10/13/22		4130544661	N
	2 Inv.	4130544661 - Uniforms	70.64		2-01-26-290-000-286	B STREETS: Uniforms & Clothing	R	09/29/22	10/13/22		4130544661	N
	3 Inv.	4131199263 - Janitorial	5.50		2-01-26-310-000-273	B BOROUGH PROP: Janitorial Supp.	R	09/29/22	10/13/22		4131199263	N
	4 Inv.	4131199263 - Uniform	70.64		2-01-26-290-000-286	B STREETS: Uniforms & Clothing	R	09/29/22	10/13/22		4131199263	N
	5 Inv.	4131925984 - Uniform	70.64		2-01-26-290-000-286	B STREETS: Uniforms & Clothing	R	09/29/22	10/13/22		4131925984	N
	6 Inv.	4131925984 - Janitorial	93.69		2-01-26-310-000-273	B BOROUGH PROP: Janitorial Supp.	R	09/29/22	10/13/22		4131925984	N
	7 Inv.	4132624560 - Janitorial	5.50		2-01-26-310-000-273	B BOROUGH PROP: Janitorial Supp.	R	09/29/22	10/13/22		4132624560	N

BOROUGH OF PENNINGTON  
Purchase Order Listing By Vendor Name

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
CINTAS01 Cintas Corporation																
22-00815 09/29/22 Uniform Rental - Sept 2022 Continued																
8	Inv. 4132624560 - Uniforms				179.74	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4132624560	N
					511.30											
22-00816 09/29/22 Janitorial - Public works																
1	Inv. 4130544671 - Pub Wks				38.71	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4130544671	N
2	Inv. 4131199291 - Pub Wks				35.00	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4131199291	N
3	Inv. 4131925967 - Pub Wks				140.94	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4131925967	N
4	Inv. 4132624682 - Pub Wks				133.07	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4132624682	N
					347.72											
22-00817 09/29/22 Janitorial -Boro Hall/sr. Ctr.																
1	Inv. 4131925936 - Janitorial				294.93	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4131925936	N
2	Inv. 41326424399 - Janitorial				35.00	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4132644399	N
3	Inv. 4132231164 - Janit Sr. Ct				47.25	2-01-26-310-000-273		B BOROUGH PROP:	Janitorial Supp.		R	09/29/22	10/13/22		4132231164	N
					377.18											
					Vendor Total:	1,236.20										
CIOCC005 CIOCCA FMFL INC.																
22-00801 09/26/22 Repair Vehicle 403																
1	Repair vehicle 403				1,021.33	2-01-25-240-000-277		B POLICE:	Vehicle Expenses		R	09/26/22	10/13/22		281227	N
					Vendor Total:	1,021.33										
COOPE005 Cooper Electric																
22-00021 01/14/22 Blanket PO - Electrical Supply																
6	Inv. S049064135.001 - Bulbs				33.48	2-01-26-310-000-255	B	B BOROUGH PROP:	Door Repairs/Shelving		R	08/22/22	10/05/22		S049064135.001	N
7	Inv. S049655715.001- Bulbs				123.60	2-01-26-310-000-255		B BOROUGH PROP:	Door Repairs/Shelving		R	08/22/22	10/14/22		S049655715.001	N
					157.08											
					Vendor Total:	157.08										

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
<b>STOUTDAV David Stout</b>												
	22-00830 10/05/22 Reimbursement - Boots											
	1 Reimbursement - Boots		114.95		2-01-26-290-000-286	B STREETS: Uniforms & Clothing	R	10/05/22	10/13/22			N
	Vendor Total:		114.95									
<b>DEER CAR Deer Carcass Removal Service</b>												
	22-00829 10/05/22 Deer Carcass Removal											
	1 Inv. 2574 - Deer Carcass		90.00		2-01-26-290-000-275	B STREETS: Deer Carcass Removal	R	10/05/22	10/21/22		2574	N
	Vendor Total:		90.00									
<b>DEMCO DEMCO, Inc.</b>												
	22-00811 09/28/22 Library Supplies											
	1 12806580 - Clear Glossy Label		83.90		2-01-29-390-000-240	B LIBRARY: Office Supplies	R	09/28/22	10/14/22		7163458	N
	2 12201400 - Paperfold Jacket		22.67		2-01-29-390-000-240	B LIBRARY: Office Supplies	R	09/28/22	10/14/22		7163458	N
			106.57									
	Vendor Total:		106.57									
<b>PINELLID Douglas Pinelli</b>												
	22-00917 11/03/22 Reimbursement - Tactical Mount											
	1 Reimbursement - Tactical		252.00		2-01-25-240-000-242	B POLICE: Police Supplies / Ammunition	R	11/03/22	11/04/22			N
	Vendor Total:		252.00									
<b>EAGLE005 Eagle Janitorial Services</b>												
	22-00161 02/10/22 Janitorial Services - 2022											
	11 Inv. 32401 - Oct 2022		1,457.50		2-01-26-310-000-229	B BOROUGH PROP: Cleaning Service	R	02/10/22	10/14/22		32401	N
	Vendor Total:		1,457.50									
<b>EAGLE015 Eagle Point Gun/T.J Morris &amp; S</b>												
	22-00571 06/23/22 Ammunition and Targets											
	2 Inv. 145831 - 9/26/22		219.90		2-01-25-240-000-242	B POLICE: Police Supplies / Ammunition	R	06/23/22	10/25/22		145831	N
	3 Inv. 141086 - 8/1/22		1,320.00		2-01-25-240-000-242	B POLICE: Police Supplies / Ammunition	R	06/23/22	10/25/22		141086	N

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
22-00571	Eagle Point Gun/T.J Morris & S	4	06/23/22	Inv. 145747 - 9/7/22	476.00	Continued		2-01-25-240-000-242	B	POLICE: Police Supplies / Ammunition	R	06/23/22	10/25/22		145747	N
					2,015.90											
22-00688	08/03/22 Purchase of Handguns	1		Purchase of Handguns as per	6,330.06			2-01-25-240-000-242	B	POLICE: Police Supplies / Ammunition	R	08/03/22	10/13/22			N
22-00845	10/11/22 POLICE FIREARM TRAINING CLASS	1		9MM 100 GRAIN RHT HANDGUNROUND	383.69			2-01-25-240-000-242	B	POLICE: Police Supplies / Ammunition	R	10/11/22	10/21/22		147514	N
	Vendor Total:				8,729.65											
EBSCO	EBSCO Subscription Services	22-00812	09/28/22	2022 Magazine Subscriptions	923.03			2-01-29-390-000-242	B	LIBRARY: Books/Materials/Publications	R	09/28/22	10/13/22		7963216	N
	Vendor Total:				923.03											
NUICOR01	Elizabethtown Gas	22-00844	10/06/22	September Billing - 2022	78.63			2-01-31-446-000-201	B	Gas Heat - Borough Hall	R	10/06/22	10/06/22		SEPT 2022	N
	1 2408049581 - Boro Hall				78.62			2-01-29-390-000-264	B	LIBRARY: Gas & Electric	R	10/06/22	10/06/22		SEPT 2022	N
	2 2408049581 - Library				49.20			2-01-31-446-000-202	B	Gas Heat - Senior Center	R	10/06/22	10/06/22		SEPT 2022	N
	3 6764364361 - Sr. Center				206.45											
22-00848	10/11/22 Public Works - Sept 2022	1		0140296831 - Public works	62.76			2-01-31-446-000-205	B	Heat - Public Works Building	R	10/11/22	10/13/22		SEPT 2022	N
22-00916	11/03/22 October Billing - 2022	1		2408049581 - Boro Hall	122.45			2-01-31-446-000-201	B	Gas Heat - Borough Hall	R	11/03/22	11/03/22		OCT 2022	N
	2 2408049581 - Library				122.46			2-01-29-390-000-264	B	LIBRARY: Gas & Electric	R	11/03/22	11/03/22		OCT 2022	N
	3 6764364361 - Sr. Center				125.29			2-01-31-446-000-202	B	Gas Heat - Senior Center	R	11/03/22	11/03/22		OCT 2022	N
	Vendor Total:				370.20											
	Vendor Total:				639.41											



Vendor # Name	PO # PO Date Description	Item Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice	1099 Exc1
ETHOS005 ETHOS SURVIVAL											
	21-01067	12/14/21 Cuff & Double Stack Mag Cases									
		1 Cuff Cases		240.00	1-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	12/14/21	11/04/22	0262	N
		2 Double Stack Mag Cases		252.00	1-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	12/14/21	11/04/22	0262	N
		3 OC Spray		252.00	1-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	12/14/21	11/04/22	0262	N
		4 Discount		59.52	1-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	12/14/21	11/04/22	0262	N
		5 Shipping		25.00	1-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	12/14/21	11/04/22	0262	N
				709.48							
		Vendor Total:		709.48							
FBINA005 FBINAA - NJ CHAPTER											
	22-00799	09/23/22 2022 Annual Conference									
	1	2022 Annual FBINAA-NJ Chapter		325.00	2-01-25-240-000-220	B POLICE: Dues / Licenses / Education	R	09/23/22	10/21/22	22-32	N
		Vendor Total:		325.00							
ATTMOBIL First Net (AT&T)											
	22-00896	11/01/22 MDT Service - Oct 2022									
	1	MDT Service - Oct 2022		164.96	2-01-31-440-000-264	B TELEPHONE - Police	R	11/01/22	11/01/22	287290842947X10	N
		Vendor Total:		164.96							
FLEMI005 Flemington Department Store											
	22-00803	09/26/22 Badges and Hi-Viz Vest									
	1	Badges and Hi-Viz Vest		137.90	2-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	09/26/22	10/13/22		N
	2	Badges and Hi-Viz Vest		58.50	2-01-25-240-000-286	B POLICE: Uniforms & Clothing	R	09/26/22	10/13/22		N
				196.40							
		Vendor Total:		196.40							
GABRI005 Gabriel Rosko											
	22-00743	09/02/22 TRAQ Certification									
	1	TRAQ Certification		720.00	2-01-26-313-000-220	B SHADE TREE: Education	R	09/02/22	10/13/22	REIMB	N
		Vendor Total:		720.00							

Vendor #	Name	PO #	PO date	Description	Amount	Contract PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
GANWLA01 Gann Law Books															
22-00674 08/02/22 2023 - NJ Court Rules Anno															
		1	2023 - NJ Court Rules Anno		184.00		2-01-43-490-000-235		B MUNICIPAL COURT: Publications	R	08/02/22	10/21/22			N
		2	Shipping		12.00		2-01-43-490-000-235		B MUNICIPAL COURT: Publications	R	08/02/22	10/21/22			N
					196.00										
			Vendor Total:		196.00										
HACHC005 Hach Company															
22-00875 10/20/22 Optical Switch/CKT BD Assembly															
		1	vv Optical Switch Assembly		30.62		2-05-55-501-000-291		B WATER: Purification Supplies	R	10/20/22	11/03/22		13313745	N
		2	CKT BD Assy, Main Bd, CL17		970.16		2-05-55-501-000-291		B WATER: Purification Supplies	R	10/20/22	11/03/22		13313745	N
					1,000.78										
			Vendor Total:		1,000.78										
HARTEL HTS Tree Care Professionals															
22-00585 06/28/22 Tree Removal/Prune															
		1	Tree Removal/Prune		7,700.00		2-01-26-313-000-250		B SHADE TREE: Tree Pruning / Removal	R	06/28/22	10/13/22			N
		2	Tree Removal/Prune		400.00		2-01-26-313-000-250		B SHADE TREE: Tree Pruning / Removal	R	06/28/22	10/13/22			N
					8,100.00										
			Vendor Total:		12,300.00										
22-00749 09/07/22 Tree Takedown - Arboretum															
		1	Take Down of Dead or Leaning		4,200.00		T-03-00-850-850-255		B Open Space Reserves	R	09/07/22	11/01/22			N
			Vendor Total:		12,300.00										
HUNT JER Hunter Jersey Peterbilt															
22-00872 10/19/22 Repairs to 2021 Peterbilt															
		1	Repairs to 2021 Peterbilt as		1,731.88		2-01-26-305-000-277		B TRASH: Vehicle Expenses	R	10/19/22	10/25/22		R205013772	N
		2	Credit Balance 21-00042		802.50		2-01-26-305-000-277		B TRASH: Vehicle Expenses	R	11/04/22	11/04/22			N
					929.38										
			Vendor Total:		929.38										
KYLE005 James Kyle, PP/AICP															
22-00188 02/18/22 General Planning Services 2022															
		Inv. 3622 - General Planning			355.00		2-01-21-180-000-250		B PLANNING BOARD: Consultants	R	02/18/22	10/14/22		3622	

Vendor # Name	PO # PO Date Description	Contract PO Type	Amount	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Chk/Void	1099
Item Description						Enc Date	Date	Invoice	Exc]
KYLE0005 James Kyle, PP/AICP Continued									
22-00828 10/05/22 Master Plan - Reexam 2022 B									
3 Inv. 3623 - Progress Billing	3,158.80	2-01-21-180-000-250	B PLANNING BOARD: Consultants	R	10/06/22	10/14/22	3623		N
22-00864 10/14/22 Escrow September Invoice									
1 Inv. 3672 - Penn School	170.40	E-16-22-003-000-250	B Pennington School - MP Review	R	10/14/22	10/21/22	3672		N
2 Inv. 3621 - Penn School	695.80	E-16-22-003-000-250	B Pennington School - MP Review	R	10/14/22	10/21/22	3621		N
3 Inv. 3620 - Zhang	454.40	E-16-22-007-000-250	B ZHANG, QUN - VARIANCE APPLICATION	R	10/14/22	10/21/22	3620		N
4 Inv. 3675 - Thompson	227.20	E-16-22-005-000-250	B ELISE THOMPSON - 132 S. MAIN STREET	R	10/14/22	10/21/22	3675		N
	1,547.80								
22-00865 10/14/22 Escrow Invoices - Sept 2022									
1 Inv. 3674 - Bent Escrow	312.40	E-16-22-006-000-250	B EMILY BENT - ZONING APPEAL	R	10/14/22	10/21/22	3674		N
2 Inv. 3674 - Bent Escrow	0.00	E-16-22-006-000-250	B EMILY BENT - ZONING APPEAL	R	10/14/22	10/21/22	3674		N
3 Inv. 3673 - Fav Dentist Escrow	653.20	E-16-22-004-000-250	B FAVORITE DENTIST - VARIANCE APPL.	R	10/14/22	10/21/22	3673		N
	965.60								
22-00868 10/18/22 Inv. 3671 - Zhang Escrow									
1 Inv. 3671 - Zhang Escrow	213.00	E-16-22-007-000-250	B ZHANG, QUN - VARIANCE APPLICATION	R	10/18/22	10/21/22	3671		N
Vendor Total:	6,240.20								
HILL0005 Joseph D. Kaplan & Son, PC									
22-00880 10/21/22 Alt. Prosecutor - Oct 20, 2022									
1 Alt. Prosecutor - Oct 20, 2022	300.00	2-01-25-275-000-201	B PROSECUTOR: Other Expense	R	10/21/22	11/01/22	10/20/22		N
Vendor Total:	300.00								
MINOLTA Konica Minolta Premier Finance									
22-00085 01/24/22 Lease - Admin Copier B									
11 Inv. 484785258 - Oct 2022	203.29	2-01-20-100-000-225	B ADMIN: Office Equipment	R	01/24/22	10/20/22	484785258		N
Vendor Total:	203.29								
SCHMIE01 Mason, Griffin & Pierson									
22-00175 02/16/22 Legal - Planning Board - 2022 B									
9 Inv. 85044 - Legal - P1 Board	100.00	2-01-21-180-000-261	B PLANNING BOARD: Legal Services	R	02/16/22	10/14/22	85044		

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type Charge Account	Acct Type Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice	1099 Excl
SCHMIE01 Mason, Griffin & Pierson	22-00175 02/16/22 Legal - Planning Board - 2022	Continued								
	10 Inv. 85279 - Legal - PJ Board	257.25	2-01-21-180-000-261	B PLANNING BOARD: Legal Services	R	02/16/22	10/14/22	85279		N
		357.25								
	22-00832 10/05/22 August Escrow Invoices									
1 INV #85045 Penn School Escrow		702.00	E-16-22-003-000-250	B Pennington School - MP REVIEW	R	10/05/22	10/13/22	85045		N
	2 INV #85046 Zhang	97.50	E-16-22-007-000-250	B ZHANG, QUN - VARIANCE APPLICATION	R	10/05/22	10/13/22			N
		799.50								N
22-00863 10/14/22 Escrow September Invoices										
	1 INV. 85280 - Bent Escrow	39.00	E-16-22-006-000-250	B EMILY BENT - ZONING APPEAL	R	10/14/22	10/21/22	85280		N
	2 INV. 85281 - Penn School	929.25	E-16-22-003-000-250	B Pennington School - MP REVIEW	R	10/14/22	10/21/22	85281		N
		968.25								
22-00867 10/18/22 Inv. 85282 - Zhang Escrow										
	1 INV. 85282 - Zhang Escrow	1,203.50	E-16-22-007-000-250	B ZHANG, QUN - VARIANCE APPLICATION	R	10/18/22	10/25/22	85282		N
	Vendor Total:	3,328.50								
MCCLO005 McCloskey Mechanical Contractor	22-00419 05/03/22 HVAC Maint. Contracts - 2022									
	1 HVAC Maintenance Agreement -	806.95	2-01-26-310-000-227	B BOROUGH PROP: Building Maint.	R	05/03/22	11/01/22	SD16479		N
	2 HVAC Maintenance Agreement -	681.15	2-01-26-310-000-228	B BOROUGH PROP: Maint. Sr Center	R	05/03/22	11/01/22	SD16480		N
	3 HVAC Maintenance Agreement -	418.60	2-01-26-310-000-227	B BOROUGH PROP: Building Maint.	R	05/03/22	11/01/22	SD16481		N
		1,906.70								
	Vendor Total:	1,906.70								
MCI COMM MCI COMM Service	22-00899 11/02/22 2DF32543 - Alcotest - Oct 2022									
	1 2DF32543 - Alcotest - Oct 2022	34.51	2-01-31-440-000-264	B TELEPHONE - Police	R	11/02/22	11/02/22	OCT 2022		N
	Vendor Total:	34.51								

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099
Item Description																Exc
MCMAIM0 McManimon Scotland Baumann																
22-00813	09/29/22	Inv. 186057	- Bond Ord 2021		525.00	1-01-20-130-000-251			B	FINANCE: Bond Counsel/Phoenix/Acclaim	R	09/29/22	10/13/22		186057	N
1	Inv. 186057	- Bond Ord 2021														
Vendor Total:					525.00											
MCIAUT01 Mercer County Improvement Auth																
22-00049	01/18/22	Recycling - 2022						B								
12	Inv. 108364	- Nov 2022			3,191.75	2-01-42-103-000-267			B	Recycling Service	R	01/18/22	10/21/22		108364	N
22-00843 10/06/22 Tipping Fees - Sept 2022																
1	9/1/22	- 02-00471505			910.96	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00471505	N
2	9/6/22	- 02-00471728			901.52	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00471728	N
3	9/8/22	- 02-00471989			991.20	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00471989	N
4	9/12/22	- 02-00472249			744.59	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00472249	N
5	9/15/22	- 02-00472522			732.78	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00472522	N
6	9/15/22	- 02-00472573			949.90	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00472573	N
7	9/19/22	- 02-00472798			770.54	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00472798	N
8	9/22/22	- 02-00473148			921.58	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00473148	N
9	9/26/22	- 02-00473360			749.31	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00473360	N
10	9/28/22	- 02-00473612			409.47	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00473612	N
11	9/29/22	- 02-00473679			645.47	2-01-26-305-000-291			B	TRASH: Tipping Fees	R	10/06/22	10/21/22		02-00473679	N
					8,727.32											
Vendor Total:					11,919.07											
METAL005 Metal Fab Pro Race Shop																
22-00729	08/26/22	Battery for Ford Utility Truck			171.00	2-05-55-501-000-226			B	WATER: Equip. Maintenance	R	08/26/22	11/03/22		13488	N
1	Battery for Ford Utility Truck															
Vendor Total:					171.00											
MGLFOR01 MGL Printing Solutions																
22-00569	06/23/22	Dog / Cat Licenses - 2023			310.00	T-03-00-850-851-255			B	ANIMAL CONTROL - EXPENSES	R	06/23/22	10/21/22		192009	N
1	Dog Licenses - Quantity 250															

Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
MGLFOR01 MGL Printing Solutions	22-00569 06/23/22 Dog / Cat Licenses - 2023	Continued										
	2 Cat Licenses - Quantity 100	217.00	T-03-00-850-851-255	B	ANIMAL CONTROL - EXPENSES	R	06/23/22	10/21/22			192009	N
	Vendor Total:	527.00										
MCANJ01 Municipal Clerks' Assn of NJ	22-00836 10/05/22 Membership Dues - 2022-2023	Continued										
	1 Membership Dues - 2022-2023	100.00	2-01-20-120-000-215	B	MUN. CLERK: Dues/Licenses	R	10/05/22	10/13/22			DUES - 2022-23	N
	Vendor Total:	100.00										
NJDEPTOF NJ Dept of Health & Sr. Serv.	22-00862 10/14/22 Dog License Report - Sept 2022	Continued										
	1 Dog License Report - Sept 2022	2.40	T-03-00-850-851-255	B	ANIMAL CONTROL - EXPENSES	R	10/14/22	10/14/22			SEPT 2022	N
	Vendor Total:	2.40										
STOFNJ01 NJDCA Codes & Standards	22-00870 10/18/22 DCA FEES - July-Sept 2022	Continued										
	1 DCA FEES - July-Sept 2022	3,635.00	2-01-50-900-000-201	B	DUE TO STATE-CONSTRUCTION FEES	R	10/18/22	10/21/22			3RD QTR 2022	N
	Vendor Total:	3,635.00										
NV500005 NV5	20-00864 10/21/20 Streetscape Preliminary Design	Continued										
	4 Inv. 294672- Progress Billing	10,348.48	C-04-20-012-000-201	B	ORD 2020-12 PRELIM ENG STREETSCAPE IMPRV	R	10/21/20	10/19/22			294672	N
	Vendor Total:	10,348.48										
ONECALLC One Call Concepts	22-00064 01/20/22 One Call Messages - 2022	Continued										
	10 Inv. 2095501 - Sept 2022	25.74	2-05-55-501-000-275	B	WATER: One Call Messages	R	01/20/22	10/05/22			2095501	N
	Vendor Total:	25.74										

Vendor #	Name	PO #	PO Date	Description	Item Description	Contract	PO Type	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Invoice	1099
ONECALL	One Call Concepts																
22-00064	01/20/22 One Call Messages - 2022					Continued											
11 Inv.	2105502 - Oct 2022					60.06	2-05-55-501-000-275			B	WATER: One Call Messages	R	01/20/22	11/01/22		2105502	N
						85.80											
	Vendor Total:					85.80											
PACKETPU	Packet Media LLC																
22-00827	10/05/22 Legal Notices - Oct 14, 2022																
1 Ord	2022-12 - Adoption					80.80	2-01-20-120-000-201			B	MUN. CLERK: Advertising	R	10/05/22	10/21/22			N
2 Ord	2022-13 - Adoption					32.90	2-01-20-120-000-201			B	MUN. CLERK: Advertising	R	10/05/22	10/21/22			N
						113.70											
	Vendor Total:					113.70											
PEDRON01	Pedroni Fuel Company																
22-00819	09/29/22 Ref #: 579123- No Lead Gas																
1 Ref #:	579123- No Lead Gas					2,304.68	2-01-31-460-000-265			B	Gasoline, Motor Fuels & Oil PW	R	09/29/22	10/20/22		579123	N
22-00847	10/11/22 Ref #: 582847 - No Lead Gas																
1 Ref #:	582847 - No Lead Gas					935.87	2-01-31-460-000-265			B	Gasoline, Motor Fuels & Oil PW	R	10/11/22	10/21/22		582847	N
22-00891	10/26/22 Ref #: 579410 - No Lead Gas																
1 Ref #:	579410 - No Lead Gas					447.41	2-01-31-460-000-265			B	Gasoline, Motor Fuels & Oil PW	R	10/26/22	11/03/22		579410	N
2 Ref #:	579410 - No Lead Gas					447.40	2-01-31-460-000-266			B	Gasoline - Police	R	10/26/22	11/03/22		579410	N
						894.81											
	Vendor Total:					4,135.36											
PENNCARP	Pennington Carpet																
22-00831	10/05/22 Carpet Cleaning																
1 Carpet	Cleaning - 10/10/22					312.00	2-01-26-310-000-227			B	BOROUGH PROP: Building Maint.	R	10/05/22	10/21/22			N
2 Carpet	Cleaning - 10/10/22					468.00	2-01-29-390-000-227			B	LIBRARY: Building Maint. - HVAC	R	10/05/22	10/21/22			N
						780.00											
	Vendor Total:					780.00											

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Amount	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd	Chk/Void	Invoice	1099
Item Description													Date	Date		Exc
PENNI015 Pennington Computer Services																
22-00854	10/13/22	Computer Maint - Sept 2022														
1	Inv.	8715	-	Computers/Maint.	3,275.89	2-01-29-390-000-243			B	LIBRARY: Computer Supplies/Software	R	10/13/22	11/01/22		8715	N
Vendor Total:							3,275.89									
PENNI001 Pennington Quality Market																
22-00677	08/02/22	Supplies for Trail Day														
1	Supplies for Trail Day				145.00	2-01-28-370-000-255			B	RECREATION: Misc. Expenses	R	08/02/22	10/05/22		005-00089595	N
2	Supplies for Trail Day				15.10	2-01-30-420-000-255			B	MEMORIAL DAY / HALLOWEEN / HOLIDAY WALK	R	10/05/22	10/05/22		005-00089595	N
Vendor Total:							160.10									
Vendor Total:							160.10									
PRIOR001 Prior-Nami																
22-00857	10/13/22	Inv 0000712923 - Copier (Lib)														
1	Inv	0000712923	-	Copier (Lib)	1,101.43	2-01-29-390-000-229			B	LIBRARY: Maintenance Contracts	R	10/13/22	10/25/22		0000712923	N
Vendor Total:							1,101.43									
PSEGA001 PSE&G																
22-00849	10/11/22	65-278-022-18 - Public Works														
1	65-278-022-18	-	Public Works		322.81	2-01-31-430-000-263			B	Electricity - PW Buildings	R	10/11/22	10/13/22		SEPT 2022	N
22-00889 10/25/22 1301211605 - October 2022																
1	7341633107	-	Well 6		824.80	2-05-55-501-000-264			B	WATER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N
2	7341633204	-	PW Garage		4.96	2-01-31-430-000-263			B	Electricity - PW Buildings	R	10/25/22	10/25/22		OCT 2022	N
3	7341633301	-	Street Lights		2,521.57	2-01-31-435-000-266			B	Street Lights	R	10/25/22	10/25/22		OCT 2022	N
4	7341633409	-	Sewer Sked St		120.31	2-05-55-502-000-264			B	SEWER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N
5	7341633506	-	St. Lights		90.11	2-01-31-435-000-266			B	Street Lights	R	10/25/22	10/25/22		OCT 2022	N
6	7341633506	-	Kunkel Park		0.00	2-01-31-430-000-264			B	Electric - Boro Hall	R	10/25/22	10/25/22		OCT 2022	N
7	7341633700	-	PW Garage		28.68	2-01-31-430-000-263			B	Electricity - PW Buildings	R	10/25/22	10/25/22		OCT 2022	N
8	7341633808	-	Well 8		852.15	2-05-55-501-000-264			B	WATER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N
9	7341633905	-	Well 5		0.00	2-05-55-501-000-264			B	WATER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N
10	7341634006	-	Well 7		1,053.33	2-05-55-501-000-264			B	WATER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N
11	7341634103	-	Garage Office		4.96	2-01-31-430-000-263			B	Electricity - PW Buildings	R	10/25/22	10/25/22		OCT 2022	N
12	7341634200	-	Sr. Center		148.45	2-01-31-430-000-265			B	Electric - Sr. Center	R	10/25/22	10/25/22		OCT 2022	N
	7341634308	-	Sewer Curlic		263.54	2-05-55-502-000-264			B	SEWER: Gas & Electric	R	10/25/22	10/25/22		OCT 2022	N



Vendor # Name	PO # PO Date Description	Item Description	Amount	Contract PO Type	Charge Account	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
PSEGAS01 PSE&G	22-00889 10/25/22 1301211605 - October 2022	Continued										
	14 7341634405 - well 9	759.71	2-05-55-501-000-264	B WATER: Gas & Electric	R	10/25/22	10/25/22	10/25/22	OCT 2022	N		
	15 7359443202 - Boro Hall	1,193.03	2-01-31-430-000-264	B Electric - Boro Hall	R	10/25/22	10/25/22	10/25/22	OCT 2022	N		
	16 7359443202 - Library	1,193.03	2-01-29-390-000-264	B LIBRARY: Gas & Electric	R	10/25/22	10/25/22	10/25/22	OCT 2022	N		
		9,058.63										
	Vendor Total:	9,381.44										
READY005 Ready Refresh	22-00632 07/15/22 Water Delivery - Police Dept.			B								
	3 Inv. 0216705352331 - Sept 2022	162.20	2-01-25-240-000-225	B POLICE: Office Equipment/Furniture	R	07/15/22	11/03/22		0216705352331	N		
	Vendor Total:	162.20										
RSMITH Richard W. Smith Jr.	22-00902 11/02/22 Reimb - Hotel - Water Conf.											
	1 Reimb - Hotel - water Conf.	140.79	2-05-55-501-000-220	B WATER: Education	R	11/02/22	11/03/22			N		
	Vendor Total:	140.79										
RIVER005 River valley Psychological	22-00802 09/26/22 Marone Pre-Employment Eval.											
	1 Marone Pre-Employment Eval.	400.00	2-01-25-240-000-250	B POLICE: Consultants	R	09/26/22	10/13/22			N		
	Vendor Total:	400.00										
RNDCON01 Rnd Consulting, LLC	22-00852 10/12/22 Inv. 22183 - Computer Maint.											
	1 Inv. 22183 - Cloud Backup	19.94	2-01-20-100-000-250	B ADMIN: Consultants (RND/e-code/Website)	R	10/12/22	10/21/22		22183	N		
	2 Inv. 22183 - Managed Backup	260.00	2-01-20-100-000-250	B ADMIN: Consultants (RND/e-code/Website)	R	10/12/22	10/21/22		22183	N		
	3 Inv. 22183 - Battery Backup	360.00	2-01-20-100-000-240	B ADMIN: Office Supplies	R	10/12/22	10/21/22		22183	N		
	4 Inv. 22183 - Comp Main - PW	292.50	2-01-26-290-000-226	B STREETS: Equip. Maintenance	R	10/12/22	10/21/22		22183	N		
	5 Inv. 22183 - Comp Main - Admin	487.50	2-01-26-290-000-226	B STREETS: Equip. Maintenance	R	10/12/22	10/21/22		22183	N		
	6 Inv. 22183 - Intermedia e-mail	534.83	2-01-20-100-000-243	B ADMIN: Intermedia - E-mail accounts	R	10/12/22	10/21/22		22183	N		

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RNDCON01	RND Consulting, LLC	22-00852	10/12/22	Inv. 22183 - Computer Maint.	Continued												
		7	Inv. 22183	- Zoom	58.63	2,013.40	2-01-20-100-000-250	B	ADMIN: Consultants (RND/e-code/Website)	R			10/12/22	10/21/22		22183	N
Vendor Total:						2,013.40											
ROSEDA01	Rosedale Mills	22-00028	01/14/22	Shop Supplies - 2022													
		6	Inv. 359107	- Mouse/Rat Traps	53.97		2-01-26-290-000-270	B	B STREETS: Hardware /Tools/ Shop Supplies	R			06/21/22	11/02/22		359107	N
Vendor Total:						53.97											
DARM	Treasurer, State of NJ	22-00883	10/25/22	Microfilm Storage Fee - 2021													
		1	Microfilm Storage Fee - 2021		25.00		2-01-20-120-000-240	B	B MUN. CLERK: Office Supplies	R			10/25/22	10/25/22		2021 CHARGES	N
Vendor Total:						25.00											
JOHNNY	United Site Services	22-00361	04/11/22	Handicap Restroom -Kunkel Park													
		9	Inv. 0006579580	- Sep 30	13.63		2-01-28-370-000-288	B	B RECREATION: Portapot Rental	R			10/11/22	10/11/22		0006579580	N
Vendor Total:						13.63											
USABLU01	USA Blue Book	22-00794	09/21/22	Valve Box Raisers & Bio Blocks													
		1	37862	- Valve Box Riser 1.5"	299.70		2-05-55-501-000-271	B	B WATER: Street System	R			09/21/22	11/01/22		138686	N
		2	37863	- Valve Box Riser 2"	395.70		2-05-55-501-000-271	B	B WATER: Street System	R			09/21/22	11/01/22		138686	N
		3	37861	- Valve Box Riser 1"	281.70		2-05-55-501-000-271	B	B WATER: Street System	R			09/21/22	11/01/22		138686	N
		4	89463	- Plantpro 5-Lb Bioblock	882.24		2-05-55-502-000-275	B	B SEWER: Enzymes	R			09/21/22	11/01/22		138686	N
		5	Freight Charge		169.54		2-05-55-502-000-275	B	B SEWER: Enzymes	R			09/21/22	11/01/22		138686	N
Vendor Total:						2,028.88											

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
VALLEY01	Valley Oil Company	22-00866	10/17/22	Inv. 85296 - Diesel Fuel	1,853.64	2-01-31-460-000-265	B	W-06-18-015-000-250	B	Gasoline, Motor Fuels & Oil PW	R	10/17/22	10/25/22		85296	N
	Vendor Total:				1,853.64											
VANNOT01	Van Note-Harvey Associates	19-00935	12/11/19	Asset Management Plan	701.00	W-06-18-015-000-250	B		B	ORD 2018-15 - ASSET MANAGEMENT PLAN	R	12/11/19	10/19/22		221000007	N
	7 Inv. 221000007 - Amp Program															
21-00465	06/03/21 NJDOT - Burd Street 3				3,461.81	1-01-20-165-000-262	B		B	ENGINEERING: Eng. Services	R	06/03/21	10/19/22		221000006	N
14 Inv. 221000006 - Closeout																
22-00511	06/02/22 W. Franklin/Knowles - Design				12,967.64	C-04-22-005-000-250	B		B	ORD 2022-5 - SECTION 20 COSTS	R	06/02/22	10/25/22		221000009	N
6 Inv. 221000009 - Concept /																
22-00512	06/02/22 Construction Phase - E Wellling				960.00	C-04-21-004-000-250	B		B	NJDOT - EAST WELLING AVE. - SECTION 20	R	06/02/22	10/19/22		221000008	N
7 Inv. 221000008 - Const Admin.																
22-00833	10/05/22 Escrow Invoices September				262.50	E-16-22-007-000-250	B		B	ZHANG, QUN - VARIANCE APPLICATION	R	10/05/22	11/02/22		220900061	N
1 Inv # 220900061 Zhang					548.50	E-16-22-003-000-250	B		B	Pennington School - MP Review	R	10/05/22	11/02/22		220900062	N
2 Inv #220900062 Penn School					811.00											
	Vendor Total:				18,901.45											
VER-NEW	Verizon	22-00851	10/12/22	September Billing - 2022	975.50	2-01-31-440-000-265	B		B	TELEPHONE - Administration	R	10/12/22	10/12/22		9917108459	N
1 Inv. 9917108459 - Sept 2022																
22-00858	10/13/22 September 2022 - Library				108.69	2-01-29-390-000-263	B		B	LIBRARY: Telephone	R	10/13/22	10/21/22		9917019530	N
1 Inv. 9917019530 - Sept 2022																
	Vendor Total:				1,084.19											
VERIZ001	Verizon	22-00882	10/25/22	609-737-3125 - Alcotest	67.26	2-01-31-440-000-264	B		B	TELEPHONE - Police	R	10/25/22	10/25/22		SEPT 2022	
1 Inv. 9917019530 - Sept 2022																

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
VERIZ001	Verizon			Continued												
22-00898	11/02/22	609-737-9576	- Public Works	313.33	2-01-31-440-000-263	B Telephone PW					R	11/02/22	11/02/22		OCT 2022	N
22-00900	11/02/22	609-737-2014	- Court Fax	156.07	2-01-43-490-000-263	B MUNICIPAL COURT: Telephone					R	11/02/22	11/02/22		OCT 2022	N
			Vendor Total:	536.66												
VER-NEW	Verizon															
22-00901	11/02/22	Hotspot - Pinelli	- Oct 2022	37.31	2-01-31-440-000-264	B TELEPHONE - Police					R	11/02/22	11/02/22		9918933840	N
			Vendor Total:	37.31												
VERIZ001	Verizon															
22-00920	11/04/22	Alcotest - Oct 2022		65.38	2-01-31-440-000-264	B TELEPHONE - Police					R	11/04/22	11/04/22		OCT 2022	N
			Vendor Total:	65.38												
VERIZ-PD	Verizon - FIOS															
22-00881	10/25/22	Police Internet - Sept 2022		243.00	2-01-31-440-000-264	B TELEPHONE - Police					R	10/25/22	10/25/22		AUG/SEPT 2022	N
			Vendor Total:	243.00												
VER FIOS	Verizon - FIOS															
22-00909	11/02/22	Internet - Police - Oct 2022		119.00	2-01-31-440-000-264	B TELEPHONE - Police					R	11/02/22	11/02/22		OCT 2022	N
22-00910	11/02/22	Admin - Internet - Oct 2022		131.99	2-01-31-440-000-265	B TELEPHONE - Administration					R	11/02/22	11/02/22		OCT 2022	N
22-00913	11/03/22	Internet - Library - Oct 2022		149.00	2-01-29-390-000-262	B LIBRARY: Hub Line					R	11/03/22	11/03/22		OCT 2022	
			Vendor Total:	399.99												

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type	Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice	1099 Excl
BLISSW01	Walter R. Bliss Jr., Esquire	22-00039	01/14/22	Legal Services - 2022												
	7 Legal Services - June 2022				4,167.00	2-01-20-155-000-261	B		B	LEGAL: Legal Services	R	01/14/22	11/04/22		JUNE 2022	N
	8 Legal Services - July 2022				4,167.00	2-01-20-155-000-261			B	LEGAL: Legal Services	R	01/14/22	11/04/22		JULY 2022	N
	9 Legal Services - August 2022				4,167.00	2-01-20-155-000-261			B	LEGAL: Legal Services	R	01/14/22	11/04/22		AUG 2022	N
	10 Legal Services - Sept 2022				4,167.00	2-01-20-155-000-261			B	LEGAL: Legal Services	R	01/14/22	11/04/22		SEPT 2022	N
					16,668.00											
	Vendor Total:				16,668.00											
WATERRES	Water Resource Management	22-00155	02/10/22	Compliance Officer - 2022												
	9 Inv. WPN22M01-8 - Aug 2022				425.00	2-05-55-501-000-260	B		B	WATER: Compliance Officer / Energ. Serv	R	02/10/22	10/06/22		WPN22M01-8	N
	10 Inv. WPN22M01-9 - Sept 2022				425.00	2-05-55-501-000-260			B	WATER: Compliance Officer / Energ. Serv	R	02/10/22	10/26/22		WPN22M01-9	N
					850.00											
	Vendor Total:				850.00											
NEWTOW01	Workplace Central	22-00856	10/13/22	Supply Order												
	1 DPSR2037 - Calculator Ribbon				4.56	2-01-20-130-000-240			B	FINANCE: Office Supplies	R	10/14/22	10/24/22		850285-0	N
	2 UNV74500 - file jackets				57.63	2-01-20-130-000-240			B	FINANCE: Office Supplies	R	10/14/22	10/24/22		850285-0	N
	3 AVE5160 - Labels				31.98	2-01-20-100-000-240			B	ADMIN: Office Supplies	R	10/14/22	10/24/22		850285-0	N
	4 VER99811 - Thumb Drives				49.16	2-01-20-120-000-240			B	MUN. CLERK: Office Supplies	R	10/14/22	10/24/22		850285-0	N
	5 AVE74400 - Sheet Protectors				31.53	2-01-20-120-000-240			B	MUN. CLERK: Office Supplies	R	10/14/22	10/24/22		850285-0	N
					174.86											
	Vendor Total:				174.86											
Total Purchase Orders: 102 Total P.O. Line Items: 282 Total List Amount: 152,978.72 Total Void Amount: 0.00																

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	1-01	4,696.29	0.00	0.00	4,696.29
	2-01	99,038.56	0.00	0.00	99,038.56
	2-05	8,151.09	0.00	0.00	8,151.09
Year Total:		107,189.65	0.00	0.00	107,189.65
	C-04	24,276.12	0.00	0.00	24,276.12
	E-16	6,508.65	0.00	0.00	6,508.65
	G-02	627.61	0.00	0.00	627.61
	T-03	8,979.40	0.00	0.00	8,979.40
	W-06	701.00	0.00	0.00	701.00
Total of All Funds:		152,978.72	0.00	0.00	152,978.72

**BOROUGH OF PENNINGTON  
RESOLUTION # 2022 – 11.3**

**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 2022 budget appropriations:

<b><u>Current Fund Appropriations:</u></b>	<b><u>To:</u></b>	<b><u>From:</u></b>
Borough Property – O/E	\$8,500.00	
Shade Tree – O/E	\$3,000.00	
Police – O/E	\$2,000.00	
Borough Admin. – Salaries		\$13,500.00
<b>Total Current Fund</b>	<b>\$13,500.00</b>	<b>\$13,500.00</b>

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-11.4**

**RESOLUTION APPROVING RAFFLE LICENSE RA: 3.22 FOR  
ST. MATTHEWS EPISCOPAL CHURCH**

**WHEREAS**, St. Matthews Episcopal Church submitted raffle application RA: 3.22 on October 25, 2022 for a raffle to take place on December 10, 2022 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 October 31, 2022; and

**WHEREAS**, St. Matthews Episcopal Church 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**, St. Matthews Episcopal Church 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: 3.22 for St. Matthews Episcopal Church be approved; and

**BE IT FURTHER RESOLVED** that the Municipal Clerk will forward the annexed Application and Findings and Determinations for RA: 3.22 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**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



Usher Publishing Company, Inc.  
Low Blank and Municipal Publishers and Printers  
Trenton, New Jersey

LGCCC5-A

## FINDINGS AND DETERMINATION

Application No. 3:22

in re

Identification No. ....

APPLICATION FOR A BINGO  
RAFFLES LICENSE

(Complete 2 copies)

Insert name  
of MunicipalityBorough of Pennington

Name of applicant

St. Matthews Episcopal Church

(Mark appropriate answers to ALL questions)

1 Applicant (is) ( <del>is not</del> ) qualified.	6 There (is) ( <del>is not</del> ) satisfactory proof that no payment will be made for conducting the games or assisting therein except to the extent allowed by law.
2 Members designated to conduct games (are) ( <del>are not</del> ) bona fide active members.	7 There (is) ( <del>is not</del> ) satisfactory proof that the prizes are of the nature and amount allowed by the Act.
3 Members designated to conduct games (are) ( <del>are not</del> ) of good moral character and have never been convicted of crime.	8 The rental to be paid for raffles equipment (does) ( <del>does not</del> ) conform to the schedule of authorized rentals prescribed by the rules of the Control Commission and the raffles equipment lessor (has) ( <del>has not</del> ) been approved by the Control Commission.
4 The games (will) ( <del>will not</del> ) be conducted according to the Act and the Rules and Regulations.	9 Other:
5 The entire net proceeds (are) ( <del>are not</del> ) to be disposed of for a purpose permitted by the Act.	10 License is (granted) ( <del>denied</del> ).

.....  
(Date).....  
(Signature of verifying official).....  
(Title)

(Send one copy to the Control Commission)

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.5**

**RESOLUTION AUTHORIZING REPAIR AND REPLACEMENT OF FLYGT PUMP AT CURLIS  
AND SKED STREET PUMP STATIONS UNDER COOPERATIVE PRICING AGREEMENT  
WITH THE NORTH JERSEY WASTEWATER COOPERATIVE  
PRICING SYSTEM**

**WHEREAS**, in July 2022 the Borough of Pennington required emergency repair and replacement of Flygt Pumps at the Curliss Pumping Station and the Sked Street Pumping Station;

**WHEREAS**, the work was performed by Pumping Services, Inc. of Middlesex, New Jersey, under the Borough's pricing system agreement with the North Jersey Wastewater Cooperative Pricing System;

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

**WHEREAS**, the work at the Curliss Pumping Station occurred over multiple days in April as described in the attached Invoice #1131382 dated July 14, 2022 and corresponding Field Service Tickets, for a total cost of \$3,110.74;

**WHEREAS**, the work at the Sked Street Pumping Station occurred over two days in June as described in the attached Invoice #1131383, also dated July 14, 2022 and corresponding Field Service Tickets, for a total cost of \$3,038.00;

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase in the 2022 Water/Sewer budget – Account #: 2-05-55-501-000-292;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid purchase of services through the North Jersey Wastewater Cooperative Pricing System, is hereby approved and ratified in the total amount of \$6,148.74 in accordance with the attached invoices.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



**PSI**  
**PROCESS**  
*Employee Owned*

# Pumping Services, Inc.

201 Lincoln Boulevard  
Middlesex, NJ 08846  
(732) 469-4540

[www.psiprocess.com](http://www.psiprocess.com)

Electrical Contractor Bus. Permit #34EB01825300

# Invoice Reprint

INVOICE #	1131382	Item 27.
DATE	07/14/22	
PAGE	1 of 1	




## BILL TO

002236  
Borough of Pennington  
ATTN: Finance - Accounts Payable  
30 North Main Street  
Pennington, NJ 08534

## SHIP TO

Pennington Borough  
Curliss Pumping Station  
East Curliss Avenue  
Pennington, NJ 08534  
609-737-9440

ORDER NUMBER S75128	PAYMENT TERMS Net 30 Days Pending	CUSTOMER P/O NUMBER RICK SMITH	INSTRUCTIONS 
WRITTEN BY Mark D. Trupkiewicz	CONTACT Rick Smith	SHIP VIA OUR TRUCK - PICK-UP REQUIRED	

PRODUCT/DESCRIPTION	QUANTITY OPEN	QUANTITY SHIPPED	QUANTITY BACKORDERED	PRICE	U/M	EXTENSION
---------------------	------------------	---------------------	-------------------------	-------	-----	-----------

-----> Description Of Repair Job A <-----

Removal of Equipment

-----> Solution Of Repair Job A <-----

FST 72490 - 4/25/2022

We removed the damaged ABS pump from the well. Wired Mini Cas for new Flygt pump into control panel and installed pump. Pump runs but does not sit properly on the base elbow. We removed the pump back to our shop to adapt to the ABS rail bracket.

FST 72928 - 4/29/22

Installed new Flygt pump with new ABS profile gasket and we were able to get it to seat. The pump is still spraying a little at the base elbow and it may be worn. Well would need to be pumped out, isolated and a confined space entry made to inspect. Left system working at this time.

All labor is priced per the Co-Op contract B279-13.

<b>43070518</b>	1	1	0	92.3440 EA	92.34
ABS PROFILE GASKET 4"					
<b>LAB19</b>	9.8	9.8	0	308.0000 EA	3,018.40
Crew (2) Prevailing Wage					
Regular time					
Tech Description	Date	Hours			
ST49 Service Truck #49	04/25/22	4.5			
ST17 Service Truck # 17	04/29/22	5.3			

MERCHANDISE TOTAL	HANDLING	MISC CHARGE	TAX	FREIGHT	DEPOSIT AMOUNT	DEPOSIT APPLIED	INVOICE TOTAL
3,110.74	0.00	0.00	0.00	0.00	0.00	0.00	3.11



Pumping Services, Inc.  
201 Lincoln Blvd.  
Middlesex, NJ 08846  
Electrical Lic. #01079400  
Telephone: (732) 469-4540

Field Service Ticket 72490

SRO: 575128 Seg: A  
Job #:

Customer & Billing Address: <u>1236</u>		Job Location: <u>CURLISS PS</u>		Date: <u>4/25/22</u>	
<u>BOROUGH OF PANNINGTON</u>		<u>CURLISS AVE</u>		Contact: <u>ALAN SMITH</u>	
<u>30 NORTH MAIN ST</u>		<u>PANNINGTON NJ 08534</u>		Cell #: <u>609 647 3069</u>	
Phone:		Phone:		Taken by:	
Make:		Model:		PO#:	
Serial Number		Ph		Hours	
<u>ABS</u>		<u>AFP-15</u>		<u>012407</u>	
<u>31530950215 ABS</u>		<u>1840052</u>		<u>13251</u>	
Starter Make:		Heater Size:		Min. Cable Length:	
Conduit Size:		Seal Fail:			
Qty	Materials Utilized	Price	Problem: <u>Remove Damaged Abs Pump for</u>		
			<u>Estimate. Install new Flygt w/</u>		
			<u>Minicas Relay</u>		
Solution: <u>REMOVED ABS PUMP FROM STATION &amp; DISCONNECTED @ SPLIT BOX.</u>					
<u>REMOVED TO SHOP FOR ESTIMATE.</u>					
<u>DISCONNECTED EXISTING SEAL FAIL RELAY IN CONTROL. MOUNTED &amp; WIRED NEW</u>					
<u>MINICAS RELAY FOR NEW FLYGT PUMP LISTED ABOVE. WIRED NEW</u>					
<u>PUMP TO TEST FOUND PUMP &amp; RELAY OPERATE NORMALLY. SET PUMP IN STATION</u>					
<u>&amp; TESTED. FOUND HEAVY TURBULANCE IN WELL &amp; PUMP NOT TAKING STATION DOWN.</u>					
<u>PRIMED DOWN W/ PUMP. FOUND NEW PUMP DOES NOT SIT ON BEST ELBOW</u>					
<u>PROPERLY. REMOVED NEW PUMP TO SHOP TO ADJUST. OLD BRACKET TO FLYGT PUMP.</u>					
Additional Work Required:					
Scheduled Service? <input type="checkbox"/> Confined Space? <input type="checkbox"/>					
Off Hours Service? <input type="checkbox"/> Hazmat Site? <input type="checkbox"/>					
Vehicle: <u>49</u>					
Servicemen: <u>A. CARLTON J. VINA</u>					
Shop Start:					
Left Shop:					
Arrived Job: <u>1130am</u>					
Left Job: <u>300pm</u>					
Arrived Shop: <u>400pm</u>					
Total Time:					
Billed Time: <u>4.5 hr</u>					
Hourly Rate: <u>LAB19</u>					
Received by: <u>X</u>				Labor	
Print Name:				Material	
Date: <u>4/25/22</u>				Sub-total	
				Tax	
				Total	
Subject to terms & conditions on back of ticket					



Pumping Services, Inc.  
201 Lincoln Blvd.  
Middlesex, NJ 08846  
Electrical Lic. #01079400  
Telephone: (732) 469-4540

Field Service Ticket 72928

SRO: 575128 Seg: A  
Job #:

Customer & Billing Address #			Job Location			Date		
PENNINGTON 30 NORTH MAIN ST. PENNINGTON, NJ 08534			Curtis St PS.			Contact: Rick Smith Cell #: 609-647-3069		
Phone: 609-737-0276			Phone:			Taken by: [Signature]		
						PO#:		
Make	Model	Serial Number	Ph	Volt	Amp	HP	Imp	Hours
FUYGT	3153.095-0215ABS.	1840058	3	230		15	463	14.260
Starter Make:			Heater Size:		Min.Cable Length:	Conduit Size:		Seal Fail:
Qty Materials Utilized			Price	Problem:				
1 43070518				Install FUYGT pump -				
Solution:								
pumped in and checked rotation. Test ran Pump pump was spraying at bare elbow WAS able to blow out debris on bare elbow and reduce spraying still spraying a little bit but ok. Bare elbow should be inspected during next inspection								
Additional Work Required:								
Scheduled Service?	<input checked="" type="checkbox"/>	Confined Space?	<input type="checkbox"/>					
Off Hours Service?	<input type="checkbox"/>	Hazmat Site?	<input type="checkbox"/>					
Vehicle	17	17						
Servicemen	KJohno	JFrank						
Shop Start			Additional Comments on Attached Sheet? <input type="checkbox"/>					
Left Shop	7:45	7:45	Received by: _____  Print Name: _____  Date: 4-27-22					
Arrived Job	8:45	8:45						
Left Job	12:00	12:00	Labor Material  Sub-total Tax Total					
Arrived Shop	1:00	1:00						
Total Time								
Billed Time	5.25 hr							
Hourly Rate	\$180.9							
Subject to terms & conditions on back of ticket								



**PSI**  
**PROCESS**  
*Employee Owned*

# Pumping Services, Inc.

201 Lincoln Boulevard  
Middlesex, NJ 08846  
(732) 469-4540

[www.psiprocess.com](http://www.psiprocess.com)

Electrical Contractor Bus. Permit #34EB01825300

# Invoice Reprint

INVOICE #	1131383	Item 27.
DATE	07/14/22	
PAGE	1 of 1	



## BILL TO

002236  
Borough of Pennington  
ATTN:Finance - Accounts Payable  
30 North Main Street  
Pennington, NJ 08534

## SHIP TO

Pennington Borough  
Sked Street Pumping Station  
Sked Street  
Pennington, NJ 08534  
609-737-9440

ORDER NUMBER S76216	PAYMENT TERMS Net 30 Days Pending	CUSTOMER P/O NUMBER RICK SMITH	INSTRUCTIONS
WRITTEN BY Mark D. Trupkiewicz	CONTACT Rick Smith	SHIP VIA OUR TRUCK - PICK-UP REQUIRED	

PRODUCT/DESCRIPTION	QUANTITY OPEN	QUANTITY SHIPPED	QUANTITY BACKORDERED	PRICE	U/M	EXTENSION
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-----> Description Of Repair Job A <-----

Customer has a pump #1 fail and can't get the pump to run in hand or auto either.

-----> Solution Of Repair Job A <-----

FST 72482 - 6/6/22

Upon arrival found pump tripped out, pump megged ok. Pump vibrates badly and pulls high amps out of water. Pulled pump for repair. Customer has new pump for this station but volute needs to be drilled out to fit ABS bracket. Brought new pump back to shop to be drilled and tapped for ABS bracket. Will return 6/7/22 to install.

FST 72972 - 6/7/22

Wired in and checked rotation, installed pump and test ran. Running at 240 volts/ 18 amps. Tested station in Auto. All ok.

All labor is proced in accordance with Co-Op contract B279-13.

<b>LAB19</b>		9.8	9.8	0	310.0000	EA	3,038.00
Crew (2) Prevailing Wage							
Regular time							
Tech	Description	Date	Hours				
ST17	Service Truck # 17	06/06/22	5				
ST17	Service Truck # 17	06/07/22	4.8				

*North Jersey  
Coop.*

MERCHANDISE TOTAL	HANDLING	MISC CHARGE	TAX	FREIGHT	DEPOSIT AMOUNT	DEPOSIT APPLIED	INVOICE TOTAL
3,038.00	0.00	0.00	0.00	0.00	0.00	0.00	3,038.00





**Pumping Services, Inc.**  
201 Lincoln Blvd.  
Middlesex, NJ 08846  
Electrical Lic. #01079400  
Telephone: (732) 469-4540

Field Service Ticket 72482

SRO: 576216 Seg:       
Job #:     

Customer & Billing Address		Job Location		Date	
Borough of Pennington 30 North Main St Pennington NJ		Sked St Ps Sked St Pennington NJ		Contact: Rick S Cell #: 609-647-3065	
Phone:		Phone:		Taken by: PP PO#:	
Make	Model	Serial Number	Ph	Volt	Amp
1 Flygt	327.180 2587	0140206	3	220	25/10
Starter Make:	Heater Size:	Min. Cable Length:	Conduit Size:	Seal Fail:	
Qty	Materials Utilized	Price	Problem:		
			Pump not running		
Solution:					
Found pump tripped out. Pump messed ok. Pulled pump. Pump turns free. Test ran pump. Pump dripped badly and draws high amps out of the water. Pulled pump for repair. Customer has new pump for this station but valve needs to be drilled out to fit ABS bracket. Brought new pump back to shop to be drilled and tapped for ABS Bracket. Will return tomorrow to install pump.					
Additional Work Required:					
ABS Bracket. Will return tomorrow to install pump.					
Scheduled Service? <input type="checkbox"/>		Confined Space? <input type="checkbox"/>			
Off Hours Service? <input type="checkbox"/>		Hazmat Site? <input type="checkbox"/>			
Vehicle	17	17			
Servicemen	K. Solera	J. Vera			
Shop Start			Additional Comments on Attached Sheet? <input type="checkbox"/>		
Left Shop	11:00	11:00	Received by: _____		
Arrived Job	12:00	12:00			
Left Job	3:00	3:00	Print Name: _____		
Arrived Shop	4:00	4:00			
Total Time			Date: 6-6-22		
Billed Time	5 hr				
Hourly Rate	180.00		Subject to terms & conditions on back of ticket		
			Labor		
			Material		
			Sub-total		
			Tax		
			Total		



**Pumping Services, Inc.**  
201 Lincoln Blvd.  
Middlesex, NJ 08846  
Electrical Lic. #01079400  
Telephone: (732) 469-4540

**Field Service Ticket** 72972

SRO: 576216 Seg: A  
Job #:

Customer & Billing Address 2236		Telephone: (732) 469-4540		Job Location		Date		
Borough of Pennington 30 North Main St Pennington, NJ 08534		Pennington Borough Sked Street Pumping Station Sked Street Pennington, NJ 08534		Contact: Rick Smith Cell #: 609-647-3069		Taken by: PO#:		
Phone: 609-737-0276		Phone: 609-737-9440						
Make	Model	Serial Number	Ph	Volt	Amp	HP	Imp	Hours
Flygt	3127.060.1308	2110044	3	230	25	10	488	11193
Starter Make:		Heater Size:		Min. Cable Length:		Conduit Size:		Seal Fail:
Qty Materials Utilized		Price		Problem:				
				Install pump				
Solution:		Wired in and checked rotation. Installed pump and test ran. Running at 240 volts - 18 Amps. Tested station in Auto. OK						
Additional Work Required:								
Scheduled Service? <input type="checkbox"/>		Confined Space? <input type="checkbox"/>						
Off Hours Service? <input type="checkbox"/>		Hazmat Site? <input type="checkbox"/>						
Vehicle	17	17						
Servicemen	K. Schaefer	J. Frank						
Shop Start			Additional Comments on Attached Sheet? <input type="checkbox"/>					
Left Shop	9:45	9:45	Received by:		Labor			
Arrived Job	11:00	11:00	Print Name:		Material			
Left Job	1:30	1:30	Date:		Sub-total			
Arrived Shop	2:30	2:30			Tax			
Total Time	4.75				Total			
Billed Time			Subject to terms & conditions on back of ticket					
Hourly Rate								



**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.6**

**RESOLUTION AUTHORIZING PURCHASE OF REMOTE READ METERS FROM RIO  
SUPPLY, INC. THROUGH COOPERATIVE PRICING SYSTEM AGREEMENT WITH THE  
NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM**

**WHEREAS**, the Borough of Pennington has committed to the replacement of manual read meters with remote read meters; and

**WHEREAS**, the Superintendent of Public Works has submitted a request to purchase additional remote read meters; and

**WHEREAS**, the Superintendent has determined that the remote read meters are available from Rio Supply, Inc. through the North Jersey Wastewater Cooperative Pricing System; and

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

**WHEREAS**, Rio Supply, Inc. located in Sicklerville, New Jersey is an authorized dealer for the desired equipment and has provided the Borough with quote #16459 dated November 4, 2022 for purchase of the equipment through the North Jersey Wastewater Cooperative Pricing System; and

**WHEREAS**, the quote identifies the following types of meters:

ED2B11RPDG11 – 5/8” x 3/4” T-10 C/I 302 Pro-Coder)r9001 Gal., inside	\$297.50
ED2B11RPWG11 – 5/8” x 3/4” T-10 Pro-Coder)r9001, Pit Gal	\$314.50
ED2F11RPDG11 – 1” T-10 C/I 302 Pro-Coder)r900i inside	\$476.00

**WHEREAS**, the Superintendent of Public Works has requested the flexibility to order these meters as needed and cannot at this time identify how many of each type he will need to order: and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase in the 2022 Water/Sewer budget – Account #: 2-05-55-501-000-292;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid purchase of remote read meters from Rio Supply, Inc. through the North Jersey Wastewater Cooperative Pricing System, is hereby authorized in an amount not to exceed a total of \$4,000.00 with pricing as per quote #16459 dated November 4, 2022.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



**RIO Supply, Inc.**  
100 Allied Pkwy  
Sicklerville, NJ 08081  
www.riosupply.com

Item 28.

## QUOTATION

### ADDRESS

Pennington W Dept  
301 North Main St.  
Pennington, NJ 08534

### SHIP TO

Pennington W Dept  
301 North Main St.  
Pennington, NJ 08534

**QUOTATION # 16459**

**DATE 11/04/2022**

PART #	DESCRIPTION	QTY	PRICE (EA)	TOTAL
ED2B11RPDG11	5/8" X 3/4" T-10 C/I 302 PRO-CODER)r900I, GAL, INSIDE	1	297.50	297.50
ED2F11RPDG11	1 T-10 C/I 302 PRO-CODER)R900i INSIDE GAL	1	476.00	476.00
ED2B11RPWG11	5/8 X 3/4 T-10 PRO-CODER)R900I, PIT GAL	1	314.50	314.50

Contact Us:

TOTAL

**\$1,088.00**

Bryan Burdalski  
(609) 410-5219  
bryan@wbutilitysales.com

Matthew Phillips  
(856) 889-1119  
mphilips@riosupply.com

Accepted By

Accepted Date

Thank You For Your Business!

All Quotes Valid for 14 Days \_ Customer is Responsible for Sales Tax and Shipping Charges \_ All Sales Are Final

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.7**

**RESOLUTION AUTHORIZING ENROLLMENT OF THE BOROUGH IN THE SOMERSET  
COUNTY COOPERATIVE PRICING SYSTEM (#2-SOCCP)**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration;

**WHEREAS**, prior to making purchases or contracting for services, the municipality or other contracting unit must determine that the use of the cooperative purchasing agreement will result in cost savings after all factors, including charges for service, material and delivery have been considered;

**WHEREAS**, the Borough of Pennington has the opportunity to utilize cooperative purchasing to obtain discount pricing through the Somerset County Cooperative Pricing System (#2-SOCCP); and

**WHEREAS**, the State of New Jersey has issued two (2) Local Finance Bulletins to provide guidance to municipalities and units of local government on the procedures for using national cooperative purchasing programs effectively;

**WHEREAS**, the Borough of Pennington desires to join the Somerset Cooperative Pricing System (2-SOCCP) to obtain discount pricing for goods and services; and

**WHEREAS**, the Borough will become a Participating Member in the Somerset County Cooperative Pricing System (2-SOCCP) by entering into a Cooperative Pricing System Agreement substantially in the form annexed to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor is hereby authorized to enter into the attached Cooperative Pricing System Agreement on behalf of the Borough and to take such other or additional steps as may be required to qualify the Borough as a Participating Member of the Somerset County Cooperative Pricing System (2-SOCCP).

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



# **Somerset County Cooperative Pricing System #2SOCCP**



*Striving for economy, efficiency and effectiveness  
through ethical cooperative purchasing*

**LEAD AGENCY**

County of Somerset

**2022 Somerset County Board of County Commissioners**

Shanel Y. Robinson, Director • Melonie Marano, Deputy Director

Sara Sooy • Paul Drake • Douglas Singleterry

**COUNTY ADMINISTRATOR**

Colleen Mahr

**DIRECTOR OF FINANCE & ADMINISTRATION**

Nicola Trasente

**PURCHASING DIVISION**County Administration Building – 3<sup>rd</sup> Floor

P.O. Box 3000; 20 Grove Street – Somerville, NJ 08876-1262

Hours: 8:30 A.M. – 4:30 P.M.

Phone: (908) 231-7043 – Fax: (908) 575-3917

*Melissa A. Kosensky, QPA, CCPO, RPPO* 7043  
Purchasing Agent

*Janet Elbert* 7042  
Purchasing Specialist

*Janice Artfitch* 7179  
Purchasing Specialist

*Melanie Lee* 7016  
Purchasing Specialist

## ***The Cooperative Pricing System Program***

Created over a quarter century ago to obtain benefits through economies of scale, the Somerset County Cooperative Pricing System was formally approved by the Division of Local Government Services, New Jersey Department of Community Affairs on November 12, 1980 and renewed every five years. The Somerset County Cooperative Pricing System's next extension is due December 31, 2023.

***\*\*\*Membership is automatically renewed unless withdrawn by the member\*\*\****

***\*\*\*Somerset County provides this service with NO FEE to its members\*\*\****

Somerset County, as lead agency, advertises for bids for its own estimated needs and for the membership of the system. The County enters into a master contract in which the successful vendor may agree to provide the commodity or service to the participating members at the same price. Some vendors decline to extend prices to the cooperative members and a second, willing vendor is designated for use by the Lead Agency. Each member is responsible for only its own quantities actually ordered from the contract with the vendor. Other contracts may be established for specific municipalities/members when their participation is included in the original bid.

The system is similar in concept to the State Cooperative Purchasing Program. Contracting units should review the list of awarded contracts, and then contact the vendor directly to order/verify availability. Local units generate their own resolutions and contracts in accordance with the New Jersey Local Public Contracts Law N.J.S.A. 40A:11-1 et seq and Rules, N.J.A.C. 5:34-7.1 et seq.

Cooperative purchasing provides local officials with another avenue to pursue in saving dollars.

Participation is voluntary. If a member does not want to participate in the process for a particular commodity, the member does not have to submit estimates.

Requirements for joining include the adoption of a resolution by the governing body and execution of a master agreement. These documents are submitted by the County to the Division of Local Government Services for approval. (Please see enclosed sample resolution and master agreement)

If there are any questions about the Cooperative Pricing System, or you are not a member and are interested in learning how to join, please call Somerset County Purchasing Division at 908-231-7043 or email [PurchasingDiv@co.somerset.nj.us](mailto:PurchasingDiv@co.somerset.nj.us).

As contracts are awarded, all members receive an email with the resolution of award as well as the schedule of prices. Current annual cooperative contracts may also be viewed at: [www.co.somerset.nj.us/government/finance-and-administrative-services/purchasing](http://www.co.somerset.nj.us/government/finance-and-administrative-services/purchasing).

RESOLUTION

WHEREAS, the \_\_\_\_\_ desires to become a member of  
 the Somerset County Cooperative Pricing System, #2-SOCCP, effective  
 and, that such membership shall be for the period ending December 31, 2023 and each renewal,  
 thereafter of the system, unless elects to formally withdraw from the system;

NOW, THEREFORE, BE IT RESOLVED, that the \_\_\_\_\_ and  
 (Officers)

\_\_\_\_\_ are hereby authorized to execute the attached agreement  
 (Officer)  
 for such membership.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
 CEO

Attest:

\_\_\_\_\_

\_\_\_\_\_

Provide:

Two certified copies of Resolution and

Two (2) executed copies of Agreement to:

Melissa A. Kosensky, QPA, CCPO, RPPO  
 Purchasing Agent  
 Somerset County Purchasing Division  
 P.O. Box 3000  
 20 Grove St.  
 Somerville, NJ 08876-1262

## SOMERSET COUNTY COOPERATIVE PRICING SYSTEM ID# - 2SOCCP

## COOPERATIVE PRICING SYSTEM AGREEMENT

This agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the County of Somerset (Lead Agency), and the \_\_\_\_\_, who desire to participate in the SOMERSET COUNTY COOPERATIVE PRICING SYSTEM ID#-2SOCCP.

## WITNESSETH

WHEREAS, N.J.S.A. 40A:11-11(5), specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the County of Somerset is conducting a voluntary Cooperative Pricing System with other contracting units; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, all parties hereto have approved the within Agreement by Resolution in accordance with aforementioned statute; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes;

NOW, THEREFORE, IN CONSIDERATION OF the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

1. The goods or services to be priced cooperatively may include all goods and services which may be under the laws and stipulations of the State of New Jersey and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis.
2. The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until terminated as hereinafter provided.
3. The Lead Agency, on behalf of all participating contracting units, shall upon approval of the registration of the System and annually thereafter *On The Anniversary Of The Registration of the System* publish a legal ad in such format as required by N.J.A.C. 5:34-7.9(a) in its own official newspaper normally used for such purposes by it to include such information as:
  - (A) The name of Lead Agency soliciting competitive bids or informal quotations.
  - (B) The address and telephone number of Lead Agency.
  - (C) The names of the participating contracting units.
  - (D) The State Identification Code assigned to the Cooperative Pricing System.
  - (E) The expiration date of the Cooperative Pricing System.



4. Each of the participating contracting units shall designate, in writing, to the Lead Agency, the items to be purchased and indicate therein the approximate quantities desired (IF NOT AN OPEN END CONTRACT), the location for delivery and other requirements, to permit the preparation of specification as provided by law.
5. The specifications shall be prepared and approved by the Lead Agency and no changes shall be made thereafter except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
6. Single advertisement for bids or the solicitation of informal quotations for the goods or services to be purchased shall be prepared by the Lead Agency on behalf of all of the participating contracting units desiring to purchase any item.
7. The Lead Agency when advertising for bids shall receive bids on behalf of all participating contracting units. Following the receipt of bids, the Lead Agency shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the Lead Agency entering into a Master Contract with the successful bidder(s) providing for two categories of purchases:
  - (A) The quantities ordered for the Lead Agency's own needs, and
  - (B) The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's Master Contract.
8. The Lead Agency shall enter into a formal written contract(s) directly with the successful bidder(s) only after it has certified the funds available for its own needs.
9. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful vendor(s) against said contract; accept its own deliveries, be invoiced by and receive statements from the successful vendor(s); make payment directly to the successful vendor(s) and be responsible for any tax liability.
10. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
11. The provisions of Paragraphs 7, 8, 9, and 10 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
12. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids or quotations which it has itself received.

13. The Lead Agency reserves the right to exclude from consideration any good or service if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
14. The Lead Agency shall appropriate sufficient funds to enable it to perform the administrative responsibilities assumed pursuant to this Agreement.
15. This agreement shall become effective on the date of the resolution subject to the review and approval of the Director of the Division of Local Government Services and shall continue in effect for a period not to exceed five (5) years from said date unless any party to this Agreement shall give written notice of its intention to terminate its participation.
16. The County of Somerset shall on behalf of all local units participating in the cooperative pricing system renew the system every five (5) years in perpetuity; unless all parties give written notice that there is no longer a desire to need for participation in the system. Renewal of the system will be in accordance with the provisions of N.J.A.C. 5:34-7.6, as may be amended.
17. All records and documents maintained or utilized pursuant to terms of this Agreement shall be identified by the System Identifier assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the Lead Agency for purposes of identifying each contract and item awarded, in this case #2 SOCCP.
18. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed the day and year above written.

FOR THE LEAD AGENCY

ATTEST:

COUNTY OF SOMERSET

\_\_\_\_\_

BY: \_\_\_\_\_

CLERK OF THE BOARD

DIRECTOR OF THE BOARD

FOR THE PARTICIPATING UNIT

ATTEST:

PARTICIPATING UNIT NAME

\_\_\_\_\_

BY: \_\_\_\_\_

NAME  
TITLE

NAME  
TITLE

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 - 11.8**

**RESOLUTION RATIFYING INFORMAL RESOLUTION OF VIOLATION OF SECTION 13-10  
OF THE BOROUGH CODE PERTAINING TO UNAUTHORIZED REMOVAL OF A TREE  
FROM THE PUBLIC RIGHT-OF-WAY**

**WHEREAS**, Section 13-10.A of the Code of the Borough of Pennington provides, among other things, that no person shall remove any tree in the public-right-of way or public property of the Borough;

**WHEREAS**, Section 13-10.B of the Borough Code provides that any person violating this prohibition shall, upon conviction, be subject to a fine not exceeding \$1,000. plus payment for correction of the work as necessary to bring it into compliance with applicable specifications and requirements;

**WHEREAS**, the Owner of the residential property known as Block 705, Lot 8 at 315 Sked Street has removed a tree from the public right-of-way between the curb and sidewalk in front of the property, believing the tree to be dead;

**WHEREAS**, the removal of the tree became known to Borough officials and the matter was reviewed by the Borough Shade Tree Committee, which recommended that enforcement action of some kind be taken by the Administration;

**WHEREAS**, the matter was resolved amicably by the Mayor who directed that the owner pay the cost of a replacement tree, which was estimated by Public Works at \$275;

**WHEREAS**, a copy of the owner's check for \$275, payable to the Borough of Pennington, is attached to this Resolution;

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

1. The check for \$275 payable to the Borough of Pennington for a replacement tree is hereby accepted and ratified in lieu of formal proceedings in the matter of the Owner of Block 705, Lot 8 pursuant to Section 13-10 of the Borough Code, with the following caveat.
2. The unauthorized removal of any tree or shrub or part of a tree or shrub in the public right-of-way is prohibited by ordinance. Prosecution in Municipal Court pursuant to Section 13-10.B is the rule.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

**BOROUGH OF PENNINGTON  
RESOLUTION 2018-11.9**

**RESOLUTION AUTHORIZING ESCROW AGREEMENT FOR ENGINEERING SERVICES IN  
CONNECTION WITH SEWER CONNECTION FOR 100 LEWIS BROOK ROAD**

**WHEREAS**, by Resolution 2018-5.6 adopted by Borough Council on May 7, 2018 (superseding Resolution 2018-4.11), Pennington Borough Council conditionally authorized expansion of the Pennington Sewer Service Area to include the property known as 100 Lewis Brook Road in Hopewell Township located partially in Pennington Borough (“the Property”);

**WHEREAS**, Resolution 2018-5.6 sets forth conditions for expansion of the Pennington Sewer Service Area to include the Property as well as conditions for Borough approval of the related sewer connection;

**WHEREAS**, in September 2020 the Borough entered into an Escrow Agreement with then owners Daniel Popkin and Robin Federiconi covering engineering services needed to satisfy the various conditions of approval as well as inspection of the installation and connection;

**WHEREAS**, the Property has since been sold to Gimbert and Carmen Fernandez (hereafter “Owners”) intending to reside at 100 Lewis Brook Road and now seeking to connect with the Pennington sewer system;

**WHEREAS**, the escrow agreement between the Borough and Popkin/Federiconi in September 2020 covering the services of the Borough Engineer is no longer operable and an agreement with the new Owners is required;

**WHEREAS**, the intent of this new agreement is to cover the fees and costs of the Borough Engineer not only in inspecting the force main installation in the Pennington Right-of-Way and inspecting the connection to the Borough sewer system but also in determining and/or confirming the Owners’ compliance with all conditions of approval contained in Resolution 2018-5.6;

**WHEREAS**, a copy of the proposed new Escrow Agreement between the Borough and Gimbert and Carmen Fernandez is attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, that the attached Escrow Agreement between the Borough and Gimbert and Carmen Fernandez is hereby approved and the Mayor is hereby authorized to sign and enter into the Agreement on behalf of the Borough.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

## **ESCROW AGREEMENT**

WHEREAS, by Resolution 2018-5.6 adopted by Borough Council on May 7, 2018 (superseding Resolution 2018-4.11), Pennington Borough Council conditionally authorized expansion of the Pennington Sewer Service Area to include the property known as 100 Lewis Brook Road in Hopewell Township located partially in Pennington Borough (“the Property”);

WHEREAS, a copy of Resolution 2018-5.6 (“Resolution”) is attached to this Agreement and incorporated herein by reference;

WHEREAS, the conditions for expansion of the Pennington Sewer Service Area to include the Property are set forth in paragraphs numbered 1 through 5 at the top of page two of the Resolution and paragraphs numbered 1 through 3 under “BE IT RESOLVED” also on page two of the Resolution;

WHEREAS, condition no. 2 under “BE IT RESOLVED” on page two of the Resolution provides that “Borough Council will approve sewer service to the Property after all conditions for expansion of the Sewer Service Area have been satisfied and all amendments and approvals required to effect the expansion have been obtained, subject to the following conditions precedent as further described above [then listing 5 conditions]”;

WHEREAS, condition no. 3 under “BE IT RESOLVED” on page two of the Resolution provides:

“The escrow agreement between the Borough and owners covering the services of the Borough Engineer shall include not only the cost of engineering services related to review of the proposed expansion of the Sewer Service Area and proposed sewer connection but also all services related to amendment of the water quality management plan and other procedural steps for finalizing the proposed expansion of the Sewer Service Area and all services related to satisfying conditions for connection to the Borough system including related inspections. The intent is that Owners establish and fund an escrow to cover all services by the Borough Engineer in connection with this matter through conclusion.”

WHEREAS, in September 2020 the Borough entered into an Escrow Agreement with then owners Daniel Popkin and Robin Federiconi covering described engineering services under the Resolution and related escrow provisions;

WHEREAS, the Property has since been sold to Gimbert and Carmen Fernandez (hereafter “Owners”) intending to reside at 100 Lewis Brook Road and now seeking to connect with the Pennington sewer system;

WHEREAS, the escrow agreement between the Borough and Popkin/Federiconi in September 2020 covering the services of the Borough Engineer is no longer operable and an agreement with the new Owners is required;

WHEREAS, the intent of this new agreement is to cover the fees and costs of the Borough Engineer not only in inspecting the force main installation in the Pennington Right-of-Way and inspecting the connection to the Borough sewer system but also in determining and/or confirming the Owners’ compliance with all conditions of approval contained in Resolution 2018-5.6;

WHEREAS, references to the Borough Engineer include the services of the firm Van Note-Harvey Associates;

NOW, THEREFORE, IT IS AGREED, on this \_\_\_\_\_ day of November 2022, as follows:

- A. The above recitals are incorporated in and acknowledged to be part of this Agreement.
- B. Before any work is performed by the Borough Engineer, Owners will deposit with the Borough Clerk an initial amount of \$3,000.00 to be held by the Borough in escrow for the payment of invoices submitted by the Borough Engineer for time and out-of-pocket costs expended by the Borough Engineer and the firm of Van Note-Harvey Associates in performing the work covered by this Agreement as described above. It is understood that the hourly billing rate of the Borough Engineer is \$143 per hour.
- C. Promptly after services are rendered, the Borough Engineer shall submit invoices to the Borough Clerk with copies to Owners describing the services performed, the applicable fee for these services and any out of pocket costs for which reimbursement is due. All invoices shall be paid by the Borough Clerk no earlier than seven (7) business days after date of receipt, to permit Owners to make timely objection to any amount billed.
- D. Owners shall be advised of all amounts expended from the escrow and the sums needed to replenish the fund in anticipation of projected additional billings. The Borough Engineer is expected to make best efforts to ensure that the timing of the billings does not permit amounts invoiced to exceed the funds on hand, Owners agree to promptly replenish the fund as requested by the Borough Clerk.

- E. Owners agree to hold the Borough harmless from any and all claims, expenses, litigation or liabilities relating to payment of amounts due to the Borough Engineer or the firm Van Note-Harvey Associates in connection with the work.
- F. Borough agrees to return all unexpended funds, net of any amounts still owing to the Borough Engineer, when the services of the Borough Engineer are no longer required.

\_\_\_\_\_  
GIMBERT FERNANDEZ (Owner)      Date

\_\_\_\_\_  
CARMEN FERNANDEZ (Owner)      Date

THE BOROUGH OF PENNINGTON

By: \_\_\_\_\_  
JAMES DAVY, MAYOR      Date

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.10**

**RESOLUTION PROMOTING SERGEANT NOVIN THOMAS  
TO SERGEANT FIRST CLASS IN THE PENNINGTON  
BOROUGH POLICE DEPARTMENT**

**WHEREAS**, pursuant to Chapter 46 of the Code of the Borough of Pennington regular members of the Pennington Borough Police Department are appointed to their respective ranks by Borough Council;

**WHEREAS**, Novin Thomas is now serving as Sergeant of the Pennington Borough Police Department;

**WHEREAS**, upon the recommendation of Chief Douglas Pinelli, it is determined by Borough Council that Novin Thomas has qualified for promotion to Sergeant First Class, in accordance with Paragraph 4 of Article XXVII of the Collective Bargaining Agreement between the Borough of Pennington and Pennington Borough Police Association;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that Sergeant Novin Thomas is hereby promoted to Sergeant First Class in the Pennington Borough Police Department effective November 1, 2022, nunc pro tunc, with compensation as Sergeant First Class retroactive to that date.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



Phone  
(609)737-2020



Fax  
(609)730-9324

BOROUGH OF PENNINGTON  
POLICE DEPARTMENT  
30 NORTH MAIN STREET, PENNINGTON, NEW JERSEY 08534

**DOUGLAS M. PINELLI**  
**Chief of Police**

Date: October 24, 2022

Good afternoon,

This is to inform the Pennington Borough Council that Sgt. Novin Thomas and Sgt. Daryl Burroughs have successfully completed their 1-year (12 months) probation period. As of November 1, 2022, both Sergeants should be moved to the position of Sergeant First Class. This agreement is contractual and located in article XXVII – Salaries and Other Compensation; Base Salaries section 4 (Attached).

Thanks,

Douglas M. Pinelli  
Chief of Police

2. Any officer hereafter hired in Class/Rank 8 shall be hired at the Step corresponding to the year of hire and shall remain at that salary until satisfactory completion of training and certification for full time police officers by the PTC, at which time he/she shall move from Class 8 to Class 7 at the Step corresponding to the year PTC certification is received.
3. Each year, officers in Class/Ranks 7 through 1 shall advance to the next Class/Rank on the anniversary of his/her date of hire, at the Step corresponding to the year the anniversary occurs. Automatic advancement in this manner shall include advancement to the Class/Rank of Senior Patrolman, except officers in the Class/Rank of Senior Patrolman, after advancing to that Class/Rank, shall on January 1 of each subsequent year progress only to the Step for that year.
4. Advancement to the Class/Rank of Sergeant requires promotion. Upon satisfactory completion of the first twelve (12) months as Sergeant, the officer shall move into the position of Sergeant First Class at the salary and Step corresponding to the year of completion. During the first 12-month period an officer in the Class/Rank of Sergeant shall on January 1 of that year be advanced to the applicable Step for Sergeant for the new year. The Officer in the Class/Rank of Sergeant First Class shall on January 1 of each year thereafter advance only to the applicable Step for that year.
5. The Sergeant First Class Salary Guide shall be a minimum premium of eleven (11) percent above Senior Patrolman.
6. The sidebar agreement dated 1998 and known as the Schedule Accord/Pittman Schedule is hereby superseded and, except to the extent incorporated in this Agreement, shall have no further force or effect. The 72 hours of "schedule accord time" previously provided in the aforementioned agreement shall be eliminated in lieu of the Borough making a one-time add-on adjustment to the base salaries as set forth in the step/system/salary guide as agreed to by the parties. It is further acknowledged by the parties to this agreement that police officers work a 12-hour Pittman schedule and are compensated in conformance with the Fair Labor Standards Act Section 207L exemption, which sets forth that law enforcement personnel receive overtime after 2,184 hours per annum. It is further acknowledged that scheduling is the prerogative of the Chief of Police.
7. It shall be the prerogative of the Chief of Police to designate an Officer in Charge of the Department in the event the Chief takes a vacation of five days or more. In such event the designated Officer in Charge shall be compensated \$50.00 per day for each day he/she serves in the role of Officer in Charge.
8. It shall be the prerogative of the Chief of Police to designate a police officer as Detective pursuant to rules issued by the Chief of Police. The rules promulgated by the Chief shall specify the duties, responsibilities, and qualifications of the position. The police officer who serves in this role shall not be required to work overtime hours.

Salary guide is shown on following page:

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 11.11**

**RESOLUTION PROMOTING SERGEANT DARYL BURROUGHS  
TO SERGEANT FIRST CLASS IN THE PENNINGTON  
BOROUGH POLICE DEPARTMENT**

**WHEREAS**, pursuant to Chapter 46 of the Code of the Borough of Pennington regular members of the Pennington Borough Police Department are appointed to their respective ranks by Borough Council;

**WHEREAS**, Daryl Burroughs is now serving as Sergeant of the Pennington Borough Police Department;

**WHEREAS**, upon the recommendation of Chief Douglas Pinelli, it is determined by Borough Council that Daryl Burroughs has qualified for promotion to Sergeant First Class, in accordance with Paragraph 4 of Article XXVII of the Collective Bargaining Agreement between the Borough of Pennington and Pennington Borough Police Association ;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that Sergeant Daryl Burroughs is hereby promoted to Sergeant First Class in the Pennington Borough Police Department effective November 1, 2022, nunc pro tunc, with compensation as Sergeant First Class retroactive to that date.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

Phone  
(609)737-2020



Fax  
(609)730-9324

BOROUGH OF PENNINGTON  
POLICE DEPARTMENT  
30 NORTH MAIN STREET, PENNINGTON, NEW JERSEY 08534

**DOUGLAS M. PINELLI**  
**Chief of Police**

Date:           October 24, 2022

Good afternoon,

This is to inform the Pennington Borough Council that Sgt. Novin Thomas and Sgt. Daryl Burroughs have successfully completed their 1-year (12 months) probation period. As of November 1, 2022, both Sergeants should be moved to the position of Sergeant First Class. This agreement is contractual and located in article XXVII – Salaries and Other Compensation; Base Salaries section 4 (Attached).

Thanks,

Douglas M. Pinelli  
Chief of Police

2. Any officer hereafter hired in Class/Rank 8 shall be hired at the Step corresponding to the year of hire and shall remain at that salary until satisfactory completion of training and certification for full time police officers by the PTC, at which time he/she shall move from Class 8 to Class 7 at the Step corresponding to the year PTC certification is received.
3. Each year, officers in Class/Ranks 7 through 1 shall advance to the next Class/Rank on the anniversary of his/her date of hire, at the Step corresponding to the year the anniversary occurs. Automatic advancement in this manner shall include advancement to the Class/Rank of Senior Patrolman, except officers in the Class/Rank of Senior Patrolman, after advancing to that Class/Rank, shall on January 1 of each subsequent year progress only to the Step for that year.
4. Advancement to the Class/Rank of Sergeant requires promotion. Upon satisfactory completion of the first twelve (12) months as Sergeant, the officer shall move into the position of Sergeant First Class at the salary and Step corresponding to the year of completion. During the first 12-month period an officer in the Class/Rank of Sergeant shall on January 1 of that year be advanced to the applicable Step for Sergeant for the new year. The Officer in the Class/Rank of Sergeant First Class shall on January 1 of each year thereafter advance only to the applicable Step for that year.
5. The Sergeant First Class Salary Guide shall be a minimum premium of eleven (11) percent above Senior Patrolman.
6. The sidebar agreement dated 1998 and known as the Schedule Accord/Pittman Schedule is hereby superseded and, except to the extent incorporated in this Agreement, shall have no further force or effect. The 72 hours of "schedule accord time" previously provided in the aforementioned agreement shall be eliminated in lieu of the Borough making a one-time add-on adjustment to the base salaries as set forth in the step/system/salary guide as agreed to by the parties. It is further acknowledged by the parties to this agreement that police officers work a 12-hour Pittman schedule and are compensated in conformance with the Fair Labor Standards Act Section 207L exemption, which sets forth that law enforcement personnel receive overtime after 2,184 hours per annum. It is further acknowledged that scheduling is the prerogative of the Chief of Police.
7. It shall be the prerogative of the Chief of Police to designate an Officer in Charge of the Department in the event the Chief takes a vacation of five days or more. In such event the designated Officer in Charge shall be compensated \$50.00 per day for each day he/she serves in the role of Officer in Charge.
8. It shall be the prerogative of the Chief of Police to designate a police officer as Detective pursuant to rules issued by the Chief of Police. The rules promulgated by the Chief shall specify the duties, responsibilities, and qualifications of the position. The police officer who serves in this role shall not be required to work overtime hours.

Salary guide is shown on following page:

**BOROUGH OF PENNINGTON  
RESOLUTION 2018-11.12**

**RESOLUTION AUTHORIZING AMENDMENT OF PROFESSIONAL SERVICES  
AGREEMENT WITH CGP&H LLC FOR AFFORDABLE HOUSING SERVICES**

**WHEREAS**, Pennington Borough has entered into an agreement with CGP&H LLC for the performance of professional services relating to administration of the Borough's Affordable Housing program ("Agreement");

**WHEREAS**, the Agreement provides in Schedule A, which is attached to the agreement, the following Scope of Services and Compensation:

"For services rendered by the Consultant, the Consultant shall be Compensated as follows;

Administrative Agent Advisory Services paid the Borough

CGP&H shall provide the Borough of Pennington advisory services on the development of the Borough's affordable housing plan and affordable housing matters regarding the eventual resale/turnover of the 16 affordable housing units at the American Properties development and 8 units at Pennington pointe. For these services, CGP&H will bill hourly at \$145 per hour for senior staff and \$100 per hour for all other staff."

**WHEREAS**, CGP&H now proposes as an amendment to the Agreement which would substitute an expanded Schedule A, breaking down the services to be provided into five (5) categories, including : (1) Initial Program Setup (First Year Only) at the hourly rate of \$145 per hour for senior staff and \$100 per hour for all other staff, total not to exceed \$2,000; (2) Day-to-Day Administrative Agent Services, billed at the same hourly rates as in #1 but capped at a not to exceed \$6,000 per year; (3) Administrative Agent Resale Fee, billed as a flat fee payable by the Borough for each sale unit at the time it is listed for sale (with an additional 3% of the resale price to be paid to CGP&H by the seller at closing); (4) Direct Costs, providing reimbursement for expenses up to \$300 per contract year; (5) Additional Advisory Services as requested by the Borough, billed at the same hourly rates as above. With the exception of the last category, covering additional services upon request, the services to be provided will not require further authorization by the Borough.

**WHEREAS**, a copy of the proposed new Schedule A is attached to this Resolution, providing additional explanations of each of the categories of services listed;

**WHEREAS**, CGP&H has provided a form of "Amendment #1 to Contract (Dated August 1, 2022 through July 31, 2023," which is also attached;

**WHEREAS**, Amendment #1 almost entirely overlaps the form of agreement presently in effect except it appears to omit the provision in the present Agreement that would permit either party to cancel the Agreement on one month's notice, and generally, Amendment #1 creates uncertainty as to precisely what it intends to change in the present Agreement beyond substituting a new Schedule A;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor, upon resolution of the issues described above to his satisfaction, is hereby authorized to sign and enter into the attached Amendment #1 on behalf of the Borough;

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



**CGP&H**

Community Grants, Planning & Housing  
Good People. Great Results. Since 1993.

Item 34.

1249 South River Road, Suite 301  
Cranbury, NJ 08512  
www.cgph.net 609 664 2769 Fax: 609 664 2786

August 26, 2022

Katie Ronollo  
Pennington Borough  
30 North Main Street  
Pennington, NJ 08534

**RE: Professional Services Agreement**

Dear Ms. Sullivan:

As requested, please find enclosed, one (1) fully executed contract between the Borough of Pennington and CGP&H.

If you need any other information, please feel free to contact me at 609-664-2679 x51. We look forward to working with the Borough.

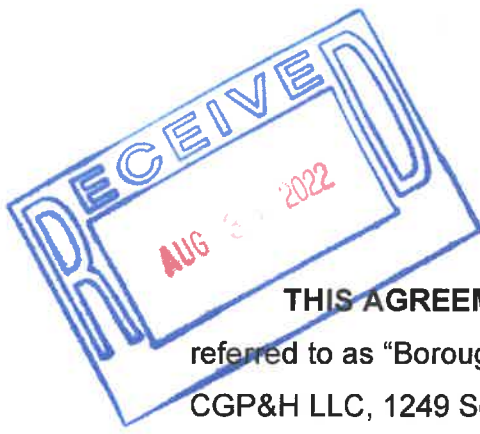
Sincerely,

Mateusz Pitrus  
Business Operations Associate

Enc.







## PROFESSIONAL SERVICES AGREEMENT

**THIS AGREEMENT** by and between the Borough of Pennington (hereinafter referred to as "Borough"), a Municipal Corporation of the State of New Jersey and CGP&H LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512 (hereinafter referred to as "CGP&H"); and

**WHEREAS**, both the Borough and CGP&H desire to set forth the various duties, terms and responsibilities of the parties hereto;

**WHEREAS**, the Borough Council hereby desires to approve of this Contract that was presented for the provision of said services.

**WITNESSETH**, that the parties hereto, for and in consideration of the mutual agreements herein contained, promise and agree as follows:

1. The term of the Agreement shall become effective as of the 1st day of August, 2022 for a period of twelve (12) months terminating at the close of business on the 31st day of July, 2023. The Agreement may be terminated by either party, by giving one (1) month advanced written notice to the other.
2. CGP&H shall furnish all equipment and materials and shall perform the services set forth in Schedule A, Scope of Services and Compensation. Compensation will be provided as in this Agreement and as awarded in accordance with Compensation Schedule in strict accordance with the contract as the word "contract" is hereinafter defined and in accordance with all other terms and provisions.
3. The "contract" shall consist of the following:
  - a. This Agreement and all Schedules annexed thereto.
  - b. Resolution of appointment made by the Mayor and Borough Council.
  - c. All other terms required by law to be inserted in this contract, whether actually inserted or not.
  - d. The Affirmative Action Requirements annexed hereto, applicable to this

contract, as Schedule B.

4. CGP&H hereby represents to the Borough that CGP&H is qualified to fulfill the position set forth herein with applicable requirements. CGP&H further represents that CGP&H is familiar with all applicable statutes, laws, regulations, procedures and requirements in connection with this appointment.
5. CGP&H hereby agrees to perform the services set forth under the Scope of Services and Compensation, Schedule A, for the Borough of Pennington during the period set forth herein above.
6. CGP&H shall not assign this contract or any of its rights or monies due hereunder without the previous written consent of the Borough of Pennington as evidenced by a duly adopted Resolution.
7. CGP&H represents that they currently have professional liability insurance in a minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate, and that they shall supply a certificate to the Borough showing said coverage. CGP&H further covenants and agrees to protect, keep and hold the Borough of Pennington harmless against any and all actions, claims or demands for damages, which may be caused by the negligent error, act or omission of CGP&H or by the improper performance of the contract.
8. Payment to CGP&H shall be made in strict accordance with the terms of this contract. It is understood and agreed that in the event CGP&H is required to perform services that are not contemplated and are not within the subject matter of this contract and are extraordinary and are of a kind which would not ordinarily be performed in the normal course of providing services, that CGP&H shall be paid additional sums of money based upon change orders duly approved by Resolution of the Borough of Pennington Council.


**AND IT IS FURTHER UNDERSTOOD AND AGREED** that the covenants, conditions and agreements herein contained are binding of the parties hereto, their successors, assigns and legal representatives.

**IN WITNESS WHEREOF**, the parties hereto have caused their presents to be signed by the respective authorized officers and the proper corporate and/or municipal seals affixed hereto, the date and year first written above.

WITNESS:

BOROUGH OF PENNINGTON

BY: 

BY: 

NAME: Kathleen Rondo

NAME: JAMES M. DAVY

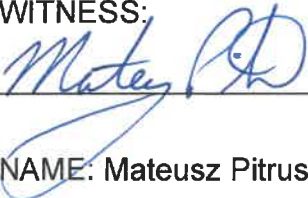
TITLE: Land Use Admin.

TITLE: MAYOR

DATE: 8/15/2022

WITNESS:

CGP&H, LLC





NAME: Mateusz Pitrus

NAME: Randall Gottesman, PP

TITLE: Business Operations Associate

TITLE: President

DATE: 8/26/2022

## **SCHEDULE A: SCOPE OF SERVICES AND COMPENSATION**

For services rendered by the Consultant, the Consultant shall be compensated as follows:

### **Administrative Agent Advisory Services Paid by the Borough**

CGP&H shall provide the Borough of Pennington advisory services on the development of the Borough's affordable housing plan and affordable housing matters regarding the eventual resale/turnover of the 16 affordable housing units at the American Properties development and 8 units at Pennington Pointe. For these services, CGP&H will bill hourly at \$145 per hour for senior staff and \$100 per hour for all other staff.

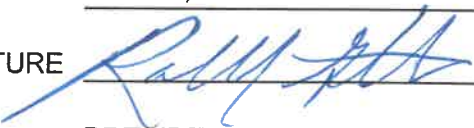
**SCHEDULE B**  
**N.J.S.A. 10-5-31 et seq., (N.J.A.C. 17-27)**  
**MANDATORY AFFIRMATIVE ACTION LANGUAGE**  
**GOODS PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

- a. The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.
- b. The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex.
- c. The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the American with Disabilities Act.
- e. The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C 17:-5.2. or a binding determination of the applicable county employment goals determined by the Division pursuant to N.J.A.C.17:27-5.2.

- f. The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- g. The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal Law and applicable Federal Court decisions.
- h. In conforming with the applicable employment goals, the contractor or subcontractor agrees to review all procedures to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions
- i. The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:
  - Letter of Federal Affirmative Action Plan Approval
  - Certificate of Employee Information Report
  - Employee Information Report Form AA302
- j. The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance and EEO for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

COMPANY CGP&H, LLC

SIGNATURE 

TITLE PRESIDENT

DATE 8/26/2022

**AMENDMENT #1 TO CONTRACT (Dated August 1st, 2022 through July 31st, 2023)**

**THIS AMENDMENT** forms a part of the Contract Documents and modifies the original Contract Documents described, and is made between the Borough of Pennington (hereinafter referred to as "Borough"), a Municipal Corporation of the State of New Jersey and CGP&H LLC, 1249 South River Road, Suite 301, Cranbury, NJ 08512 (hereinafter referred to as "CGP&H"); and

**WHEREAS**, both the Borough and CGP&H wish to amend certain terms of the Contract.

**WHEREAS**, the Borough Council hereby desires to approve of this Amendment that was presented for the provision of said services.

**WITNESSETH**, that the parties hereto, for and in consideration of the mutual agreements herein contained, promise and agree as follows:

1. CGP&H shall furnish all equipment and materials and shall perform the services set forth in Schedule A, Scope of Services and Compensation. Compensation will be provided as in this Amendment and as awarded in accordance with Compensation Schedule in strict accordance with the contract as the word "contract" is hereinafter defined and in accordance with all other terms and provisions.
2. CGP&H hereby represents to the Borough that CGP&H is qualified to fulfill the position set forth herein with applicable requirements. CGP&H further represents that CGP&H is familiar with all applicable statutes, laws, regulations, procedures and requirements in connection with this appointment.
3. CGP&H shall not assign this contract or any of its rights or monies due hereunder without the previous written consent of the Borough of Pennington as evidenced by a duly adopted Resolution.
4. CGP&H represents that they currently have professional liability insurance in a minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate, and that they shall supply a certificate to the Borough showing said coverage. CGP&H further covenants and agrees to protect, keep and hold the Borough of Pennington harmless against any and all actions, claims or demands for damages, which may be caused by the negligent error, act or omission of CGP&H or by the improper performance of the contract.
5. Payment to CGP&H shall be made in strict accordance with the terms of this Amendment. It is understood and agreed that in the event CGP&H is required to perform services that are not contemplated and are not within the subject matter of this contract and are

extraordinary and are of a kind which would not ordinarily be performed in the normal course of providing services, that CGP&H shall be paid additional sums of money based upon change orders duly approved by Resolution of the Borough of Pennington Council.

6. All of the terms of the original contract shall remain in full force and effect including the term of the contract which shall run from August 1st, 2022 through July 31st, 2023.

**AND IT IS FURTHER UNDERSTOOD AND AGREED** that the covenants, conditions and agreements herein contained are binding of the parties hereto, their successors, assigns and legal representatives.

**IN WITNESS WHEREOF**, the parties hereto have caused their presents to be signed by the respective authorized officers and the proper corporate and/or municipal seals affixed hereto, the date and year first written above.

**WITNESS:**

**Borough of Pennington**

BY: \_\_\_\_\_

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

**WITNESS:**

**CGP&H, LLC**

\_\_\_\_\_

\_\_\_\_\_

NAME: \_\_\_\_\_

NAME: Randall Gottesman, PP

TITLE: \_\_\_\_\_

TITLE: President

DATE: \_\_\_\_\_



## SCHEDULE A: SCOPE OF SERVICES AND COMPENSATION

For services rendered by the Consultant and/or subcontractors, under the terms of this document, the Consultant shall be compensated as follows:

<b>ADMINISTRATIVE AGENT GENERAL SERVICES paid by Pennington</b>	
<b>1. Initial Program Setup (First Year Only)</b>	<p>Estimated not-to-exceed \$2,000 in year one billed hourly at a rate of \$145 per hour for senior staff and \$100 per hour for all other staff.</p> <p>If any of the items below are not provided to CGP&amp;H by the Borough, then CGP&amp;H will be required to bill hourly beyond the above not-to-exceed in order to complete this first-year program setup.</p> <ul style="list-style-type: none"> <li>• Excel spreadsheet of waiting list with emails, when applicable</li> <li>• Excel spreadsheet of its housing portfolio</li> <li>• Complete case files</li> </ul> <p><b>This fee will not reoccur in subsequent years</b></p>
<b>2. Day-to-Day Administrative Agent Services</b>	Not to exceed \$6,000 billed at an hourly rate of \$145 per hour for senior staff and \$100 per hour for all other staff
<b>3. Administrative Agent Resale Fee</b>	<p>\$2,000 flat fee payable by Pennington for each sale unit when home gets listed for sale</p> <p>A fee of 3% of the resale price will be paid from the seller at the closing to CGP&amp;H.</p>
<b>4. Direct Costs</b>	<p>Reimbursement for expenses.</p> <p>Not to exceed \$300 per contract year.</p>
<b>5. Additional Advisory Services as requested by the Borough</b>	<p>Billed hourly at a rate of \$145 per hour for senior Staff and \$100 per hour for all other staff. Budget will depend on the breadth and scope of the services required by the Borough.</p> <p><b>CGP&amp;H will not bill for any time under this line item without written authorization from the Borough.</b></p>
<b>Total Paid by Pennington</b>	<b>Not-to-exceed \$8,000 in the first contract year if no units are listed for sale</b>

- 1. Initial Program Setup (First Year Only):** This includes but is not limited to creating an administrative agent operating manual, and creation of or revisions to a municipal Affirmative Marketing Plan, and any other activities related to the transition from the Borough's current Affordable Housing Professional to CGP&H. If CGP&H receives an excel spreadsheet of the Borough's waiting list with email addresses for applicants, an excel spreadsheet of its housing portfolio, and complete case files, then the setup fee can be accomplished at the estimated not-to-exceed amount above. If not, it may

be necessary to bill hourly beyond the estimated not-to-exceed amount to rectify any deficient files during the transition. This is a one-time fee that will not reoccur in subsequent years.

2. **Day-to-Day Administrative Agent Services:** This includes creating and/or updating the Administrative Agent Operating Manual, and Affirmative Marketing Plan, if required. This also includes responding to general affordable housing inquiries, affirmative marketing, foreclosure prevention activities, and annual mailings to homeowners as well as preparing intent-to-sell packages and annual unit monitoring reports. It also includes advising Pennington on affordable housing requirements for new developments. CGP&H will strive to comply with all aspects of S2527 affirmative marketing legislation. However, CGP&H cannot ensure that all other administrative agents administering affordable housing units in the municipality are meeting the regulations until further direction is provided by the State of New Jersey.
3. **Administrative Agent Resale Fee:** CGP&H will facilitate the resale of any affordable sales unit that is put up for sale by its current owner. The fees are all-inclusive of the services required to sell an affordable unit, including: certifying a buying household(s) as eligible, sending potential purchasers to the unit, facilitating an agreement between buyer and seller, and preparing and filing closing documents. The flat fee that is paid by Pennington will be billed once a notice of intent to sell is signed by the seller. In the event that the seller cancels the sale or should the unit not go to closing, this flat fee is still applicable and will not be returned or cancelled.
4. **Direct Costs:** this includes, but is not limited to, reimbursement for direct costs for large scale printing jobs; postage; mailings; poster production; expedited mailings or messenger services, etc.
5. **Additional Advisory Services as requested by the Borough:** These include special projects outside the scope of general administration including, but not limited to trust fund monitoring, mid-point review, and CTM entry of trust fund or unit information, group home research to document creditworthiness, or other special projects such as extension of controls or implementing an affordability assistance program. CGP&H will not bill for any time under these services without written authorization from the Borough.

## AFFORDABILITY ASSISTANCE PROGRAM SERVICES

<b>1. Affordability Assistance Program Services</b>	<p>For all other services related to affordability assistance programs set up or implementation, CGP&amp;H will bill hourly at \$145 per hour for senior staff, and \$100 per hour for all other staff.</p> <p>CGP&amp;H will charge a flat fee of \$275 for each first month's rent program application.</p> <p>CGP&amp;H will charge a flat fee of \$425 for each down payment assistance program application.</p>
---	--

- Affordability Assistance Program Services:** This includes, but is not limited to, working with the Municipality's representatives to review and select affordability assistance programs and then prepare the Affordability Assistance manual which may include different affordability assistance programs. Once programs are selected and manuals written and approved, administration of these affordability assistance programs includes soliciting applications, distributing and processing applications, and income certifying applicants. CGP&H will review and approve applications and track the disbursement of funds for required reporting.

It is our understanding that if appointed administrative agent for the Borough of Pennington, any new developers or landlords of affordable units will be required to use CGP&H as their administrative agent for as long as we remain the Borough's Administrative Agent. It is also our understanding that Pennington will help facilitate getting under contract with developers or landlords if needed. As such, the following are the fees CGP&H will charge to developers, landlords, or homeowners.

<b>RENTAL &amp; OWNERSHIP FEES PAID BY Developer/Landlord/Homeowner</b>		
<b>1. Rental Fees</b>	Flat fee of \$860/rental certification. No charge for applicants found to be ineligible.  <i>No charge to prescreen applicants and referring as many applicants to landlord as needed to fill each vacancy</i>	Developer/Landlord pays fee.  <i>Pennington will help facilitate CGP&amp;H going under contract with developers.</i>  <i>Pennington may pay this fee if Developer will not contract with CGP&amp;H.</i>
<b>2. Waiting List Management Fee</b>	\$32 per deed restricted unit annual fee payable upon commencement of affirmative marketing. Minimum fee of \$300 annually.	Developer/Landlord pays fee
<b>3. Lease Renewal Fee</b>	\$32 per lease renewal	Developer/Landlord pays fee
<b>4. Ownership Fee: Resales</b>	3% of the sale price of the home	Homeowner pays fee.
<b>5. Ownership Fee: Refinance Requests</b>	\$175 flat fee to process request	Homeowner pays fee
<b>6. Ownership Fee: New Development</b>	CGP&H will charge a fee of \$2,150 per sale unit. \$1,075 will be billed at the time each home goes under contract and \$1,075 will be billed at closing. If a buyer goes under contract and does not close, the first \$1,075 payment would not be returned.	Developer/Landlord pays fee
<b>7. Setup of New Projects</b>	\$1,000 flat fee per new development	Developer/Landlord pays fee
<b>Cost to Pennington for these services</b>	\$0.00 anticipated cost to Pennington.	

- 1. Rental Fees:** CGP&H will contact the next applicant on the waiting list to prescreen them for eligibility, refer them to the landlord, and invite them to submit a full application. CGP&H will collect and review documentation from the applicant households to determine their eligibility. Eligibility determination fees do not include credit or background checks, which are generally done by the landlord. The Developer/Landlord may pay rental certification fees.
- 2. Waiting List Management Fee:** The waiting list management fee will allow us to maintain the waiting list on our web-based Affordable Homes New Jersey Profile ([affordablehomesnewjersey.com](http://affordablehomesnewjersey.com)). This unique online system provides around-the-clock, user-friendly and robust online tools for applicants, while also increasing our turnaround times. After initial lease-up, all applicants will be required to update their information annually.

3. **Lease Renewal Fee:** CGP&H will advise the Developer of the maximum rental amount before each new lease is executed and we will review all executed leases and maintain copies in our files, as required by UHAC.
4. **Ownership Fee: Resales:** CGP&H will charge the seller a fee as a percent of the sales price to refer interested buyers, coordinate with both the seller and all interested applicants throughout the duration of the sale process, income certify prospective buyers, prepare the closing documents, attend closings whenever required, and perform other duties related to the closing. This fee is paid by the owner directly to CGP&H at closing. In the unusual event where the sale fee comes in less than the minimum, CGP&H will be paid the difference by the municipality.
5. **Ownership Fee: Refinance Requests:** CGP&H charges existing homeowners a fee per request to process requests for subordination or home equity loans. This fee will be paid by the homeowner requesting the review.
6. **Ownership Fee: New Development:** After random selection is completed, CGP&H will process the pre-applications, screen pre-applicants, and refer eligible households to the developer, income certify all buyers, coordinate with mortgage providers, and prepare affordable housing related closing documents for the project.
7. **Setup of New Projects:** CGP&H will charge new developers a flat fee for project set-up activities. This includes pricing of units, preparation of deed restriction, affirmative marketing, and all other set-up activities.

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-11.13**

**RESOLUTION EXTENDING UNPAID LEAVE OF EMPLOYEE  
CHRIS WEBB THROUGH DECEMBER 31, 2022**

**WHEREAS**, Chris Webb is presently on an approved unpaid leave of absence through November 30, 2022;

**WHEREAS**, Mr. Webb has notified the Borough that he expects to meet with his doctor to prepare to return to work upon expiration of his leave;

**WHEREAS**, in order to ensure that Mr. Webb has the necessary medical clearances to return to work, including clearance by a Borough doctor to ensure fitness for duty, Council seeks to extend Mr. Webb's unpaid leave of absence through December 31, 2022;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that extension of Chris Webb's unpaid leave of absence is hereby approved.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 - 11.14**

**RESOLUTION AUTHORIZING APPLICATION FOR NJDEP  
STORMWATER UTILITY FEASIBILITY STUDY GRANT**

**WHEREAS**, the New Jersey Department of Environmental Protection has solicited Expression of Interest in No-Cost Storm Water Utility Consulting and Guidance;

**WHEREAS**, Pennington's municipal storm water system is able to manage historic levels of rainfall, it is not able to manage adequately the storm water that results from recent increases in rainfall and local changes in impervious cover;

**WHEREAS**, Pennington is in the early stages of reviewing the need for a storm water utility and the Borough's Environmental Commission has been tasked by Borough Council to explore the issues;

**WHEREAS**, to date a collaboration with the Watershed Institute has produced an impervious cover analysis, with results that underscore the pervasiveness of storm water issues in the Borough;

**WHEREAS**, the Watershed Institute study has also produced several conceptual designs to address areas with a significant amount of impervious cover;

**WHEREAS**, the extent and frequency of flooding has increased risks to public safety and burdens to homeowners generally, and flooding at the intersection of Route 31 and Delaware Avenue threatening neighboring businesses as well as the implications of developing the site of the former Borough landfill are likely to be challenges of particular prominence in the future;

**WHEREAS**, a storm water utility feasibility study will lay the groundwork for long-term investments in expanding and maintaining storm water infrastructure and for solving current and future storm water issues;

**WHEREAS**, in anticipation of Borough Council's agreement with these observations and shared recognition of the need for a storm water utility feasibility study, and in order to meet a November 1, 2022 deadline, the Mayor has sent the attached letter to NJDEP, dated October 31, 2022, expressing the Borough's interest in this opportunity;

**WHEREAS**, Borough Council seeks to adopt and ratify the Mayor's letter and to endorse all steps by the Administration needed to support this application;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that application to the NJDEP for available grant funds and no-cost storm water utility consulting and guidance, including the attached letter by the Mayor to NJDEP dated October 31, 2022, is hereby approved and ratified, with the direction that the Administration take all additional steps needed to submit supporting information and obtain application approval.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk



30 North Main Street • Pennington, NJ 08534 • 609-737-0276 • Fax: 609-737-9780 • [www.penningtonboro.org](http://www.penningtonboro.org)

October 31, 2022

NJ Department of Environmental Protection  
Mail Code 401-04B  
401 East State Street  
P.O. Box 420  
Trenton, NJ 08625-0420

RE: Expression of Interest in NJDEP Stormwater Utility Feasibility Study Grant

Sent via e-mail to: [stormwaterutility@dep.nj.gov](mailto:stormwaterutility@dep.nj.gov)

To Whom It May Concern:

I am writing on behalf of the municipality of Pennington Borough, in response to NJDEP's Request for Expression of Interest for No-Cost Stormwater Utility Consulting and Guidance. Please consider this our official application for the grant.

The municipality of Pennington Borough, comprises 0.96 square miles and is located in Mercer County. Pennington is a developed community with over 90% of its land already developed. The 2020 United States Census counted 2,553 people, with 1,010 households in the borough. Pennington is a Municipal Separate Storm Sewer (MS4) municipality.

Our municipal stormwater system, although aging, is still up to the task of managing historic levels of rainfall. However, it is not able to adequately manage the stormwater that results from recent increases in rainfall amount and localized changes in impervious cover. For example, during Hurricane Ida the intersection of Route 31 and Delaware Avenue was flooded, making this significant travel corridor impassable and threatening neighboring businesses. This intersection is in both Pennington Borough and Hopewell Township. Route 31 is a State Road and Delaware Ave is the responsibility of Mercer County. Finding a way to address this type of flooding is going to require financial resources, creative thinking, and governmental cooperation.

Pennington Borough is in the beginning stages of reviewing the need for a stormwater utility. Our Environmental Commission has been tasked by Borough Council to explore the issue. To date we have worked with the Watershed Institute to do an impervious cover analysis. The findings of this analysis (provided in Attachment 2 of this letter) emphasized the pervasiveness of stormwater issues in our Borough. Several conceptual designs were also prepared as part of the Watershed Institute study to address areas with a significant amount of impervious cover. These designs recommend features to remove and/or convert impervious surfaces to pervious surfaces, or otherwise disconnect drainage areas from the local waterways by creating bioretention systems or other Green Infrastructure/Best Management Practices.



The extent and frequency of flooding has increased risks to public safety and burden to homeowners. In addition, the possibility of developing the site of a closed landfill may pose new challenges. Pennington may require costly infrastructure improvements to better manage our stormwater runoff and address the above-mentioned issues. We are keenly interested in investigating whether creating a stormwater utility would help to alleviate some of these challenges.

The primary contacts for this Stormwater Utility feasibility study will be Kit Chandler, President of Pennington Borough Council, and Rick Smith, Director of Pennington Public Works. Their contact information can be found in Attachment 1 along with contact information for our Mayor and selected members of our Borough Environmental Commission and Borough Planning Board who have been engaged in stormwater discussions for quite some time.

We feel very strongly that Pennington Borough is an ideal candidate for a stormwater utility feasibility study, due to its capable and proactive leadership, and its creative approach to addressing stormwater issues thus far. We believe that a stormwater utility feasibility study will lay the foundation for long-term investments in expanding and maintaining stormwater infrastructure, and will provide a road map for solving current and future stormwater issues. We would wholeheartedly welcome the opportunity to work with NJDEP consultants on a stormwater utility feasibility study that will have significant benefits for all Pennington Borough residents as well as residents of surrounding Mercer County communities.

Thank you for your consideration of our application.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jim Davy", written over the printed name.

James Davy  
Mayor  
Pennington Borough

**Attachment 1: Pennington Borough Contact information**

Kit Chandler, President, Pennington Borough Council - Liaison

[cchandler@penningtonboro.org](mailto:cchandler@penningtonboro.org)

Rick Smith, Director, Pennington Public Works

[RSmith@penningtonboro.org](mailto:RSmith@penningtonboro.org)

Brian Friedlich, Chair, Pennington Environmental Commission

[Brian.friedlich@gmail.com](mailto:Brian.friedlich@gmail.com)

Joann Held, Member, Pennington Environmental Commission

[JoannHeld@comcast.net](mailto:JoannHeld@comcast.net)

Andrew Jackson, Member, Pennington Planning Board

[andy.jackson@verizon.net](mailto:andy.jackson@verizon.net)

The Address for each of these contacts is:

30 North Main Street

Pennington, NJ 08534

## Attachment 2

### **Impervious Cover Assessment and Reduction Action Plan For Pennington Borough, Mercer County, New Jersey Prepared by the Watershed Institute, December 30, 2020**

#### **FINDINGS & RECOMMENDATIONS**

1. Impervious surfaces cover approximately 29.3 percent of Pennington's land area. This is well above the 10% threshold above which a subwatershed is considered to be impaired for water quality.
2. The municipality has two subwatersheds which have impervious cover (IC) ranging from 26.7-29.9 % IC; the recommendation of this report is that restorations efforts should be focused throughout the Borough due to the overall high percentages of IC. We recommend limitations on development and incorporation of Green Infrastructure throughout the municipality to limit future increases in IC.
3. Stormwater runoff volume from the municipality IC is over 232 million gallons of stormwater annually.
4. Using Geographical Information Systems, we identified 24 sites where actions could be taken to mitigate stormwater runoff. For 11 of those sites, we conducted more detailed on-site stormwater assessments and prepared Green Infrastructure conceptual designs. Those 11 projects have a total stormwater mitigation potential of more than 12.9 million gallons of runoff.
5. While Pennington has some regulations in place for Tree Protection, Stream Corridor Protection, and Stormwater Management Rules, the creation of new and updating / strengthening of current ordinances for all three of these categories are recommended to help with mitigation and resiliency for both surface water pollution, flooding events, and habitat degradation.

**BOROUGH OF PENNINGTON  
RESOLUTION 2018-11.15**

**RESOLUTION AMENDING BOROUGH COUNCIL HANDBOOK AND  
BYLAWS REGARDING PUBLIC COMMENT AT COUNCIL MEETINGS**

**WHEREAS**, as explained in the Borough Council Handbook and Bylaws (“Bylaws”), the Open Public Meetings Act requires as a minimum that a portion of every meeting of Borough Council be set aside for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Borough (III.A.8.b);

**WHEREAS**, nothing in the Open Public Meetings Act limits the discretion of Council in permitting, prohibiting or regulating the active participation of the public at any meeting as long as this minimum standard for public comment is met (III.A.8.c);

**WHEREAS**, the Bylaws as presently written observe that a common practice is to provide two periods for public comment, one at the beginning of the meeting for comment on agenda items and one at the end of the meeting for general comment not restricted to the agenda, a model Borough Council has heretofore adopted (III.A.8.d);

**WHEREAS**, Borough Council now seeks to amend the Bylaws to continue the practice of having two periods for public comment, one at the beginning and one at the end of the meeting, but removing any restriction on the subjects that can be addressed during either period;

**WHEREAS**, accompanying this change of procedure, however, Council also seeks to restrict each speaker to two minutes and permit them to speak at either the beginning or end of the meeting but not both;

**NOW, THEREFORE, BE IT RESOLVED**, by a majority of the full authorized membership of Borough Council, that the Bylaws are hereby amended (with new language underlined and deleted language crossed out) as set forth below.

1. Bylaws Article III.8.d, is hereby amended to read:

“d. Two Periods for Public Comment: A common practice is to provide two periods for public comment, one at the beginning of the meeting ~~for comment on agenda items~~ and one at the end of the meeting ~~for general comment not restricted to the agenda. This allocation permits Council to hear public comment on agenda items before they vote while deferring comment of a more general nature until the business before Council is completed.~~”

2. Bylaws Article IV, Section F, subsection 2.d, under Order of Business, Regular Meetings, is hereby amended to read:

“d. Meeting Open to the Public for Comment ~~on Agenda Items Only.~~

The speaker shall:

- i. State their full name.
- ii. State their full address
- iii. Have 3 ~~2~~ minutes to speak ~~and can be permitted additional time by the Mayor~~”

3. Bylaws Article IV, Section F, subsection 2.n, also under Regular Meetings, with respect to the second public comment period permitted:

**“n. Meeting Open to Public for General Comment ~~by members of the public who did not speak during the first period for public comment. Speakers will have two minutes to speak~~”**

4. Bylaws Article IV, Section F, subsection 3.d, under Order of Business, Special Meetings, is hereby amended to read:

“d. Open to the Public - ~~Agenda Items only~~. The speaker shall:

- i. State their full name.
- ii. State their full address
- iii. Have ~~3~~ **2** minutes to speak ~~and can be permitted additional time by the Mayor”~~

5. Bylaws Article IV, Section G, subsections 14. a, b and c, under Procedural Rules, Public Comment, are hereby amended to read:

“14. Public Comment. The public shall be offered the opportunity to address the Borough Council at Council Meetings as follows:

- a. Initial Comment Period (~~for Items on Agenda~~) – Members of the public may address the Council on any item **of concern listed on the agenda. Speakers Members of the public** are asked to provide their name and address for the record and to limit their comments to no more than ~~3~~ **2** minutes.
- ~~b.~~ Ordinance Public Hearings – Members of the public may address the Council relative to specific ordinances scheduled for public hearing and adoption. Members of the public are asked to provide their name and address for the record and to limit their comments to no more than ~~3~~ **2** minutes. It is noted that there is no public hearing requirement for the introduction of Ordinances. However, the public may comment on such introductory ordinances during **one of the public initial comment periods at the beginning of the Council meetings**;
- c. Second Public Comment period (~~Unrestricted as to Subject~~) – At the end of each Council meeting **members of the public who did not speak during the first comment period** shall be provided the opportunity to address the Council on any matter of concern. Members of the public are asked to provide their name and address for the record and to limit their comments to no more than ~~3~~ **2** minutes.”

6. These amendments to the Borough Council Handbook and Bylaws shall be effective immediately.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

\_\_\_\_\_  
Elizabeth Sterling, Borough Clerk

# Pennington Borough Council Handbook and Bylaws

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Adopted October 3, 2022

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## I. Purpose

This document is intended as a guide and resource for Borough Council Members and other members of the Borough governing body and administration.

The text draws heavily from the language of State statutes. This is important to note because a municipality is a subdivision of the State and derives its powers and responsibilities from the State Legislature.

The information provided defines the powers and duties of local officials in their defined roles, explains key features of statutes having particular importance in the conduct of Borough affairs, and includes a “bylaws” section reflecting local rules within the powers of the municipality to prescribe.

References to New Jersey statutes are provided to permit consultation when further information is required to answer particular questions.

## II. Powers and duties

### A. Mayor

1. Term. The Mayor is elected for a four-year term.
2. Head of Government. The Mayor shall be the head of the municipal government and shall have all powers designated by general law. The Mayor shall see to it that the laws of the State and the ordinances of the Borough are faithfully executed, shall recommend to the Council such measures as determined by the Mayor to be necessary or expedient for the welfare of the Borough, and shall maintain peace and good order in accordance with law.
3. Approves Ordinances. In compliance with statutory procedures, the Mayor may either approve an ordinance by signing it and returning it to the Clerk or veto the ordinance by returning it to the Clerk with a statement describing objections. A veto is subject to override by a vote of two-thirds of all the members of Council. No ordinance or any item or part thereof shall take effect without the Mayor’s approval unless the Mayor fails to return the ordinance as required or Council overrides a veto. If an ordinance contains more than one distinct section, clause or item, the Mayor may approve one or more of them and veto the rest.
4. Presides at Council Meetings. The Mayor is the Presiding officer over all deliberations and shall conduct all regular and special meetings of Council. The Mayor shall vote only in the case of a tie. (See Section IV - Council Bylaws)



5. Nominates and Appoints. The Mayor shall nominate and, with the advice and consent of Council, appoint all subordinate officers of the Borough, unless the specific terms of the general law clearly require a different appointment procedure. To the extent practicable, nominations should be made within thirty (30) days of the office becoming vacant. The Mayor shall have authority to appoint, without advice and consent, ad-hoc committees and other municipal bodies as prescribed by ordinance.
6. Requires a Stand-in When Absent. If the Mayor is absent from the Borough for three days or more or unable to perform the duties of the office, the Council President shall perform all the duties of the Mayor during the absence. Where such absence is intended, the President of Council shall become the Acting Mayor until the Mayor's return. If the Council President is unable to perform the duties of the Acting Mayor, then the Council Member with the longest consecutive tenure on the council body may act temporarily for the President of the Council.

**Relevant Legal Authority:** N.J.S.A. 40A:60-5; N.J.S.A. 40A:60-3; N.J.S.A. 10:4-6, et seq.

## B. Council

1. Term. Council Members are elected for a 3-year term.
2. General Powers. Borough Council is the legislative body of the Borough. Subject to the provisions of statute and other general law, Council shall have full power to exercise all powers of local government in such manner as Council may determine.
3. Specific Powers. Subject to general law and the provisions of statute. Council may:
  - a. pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;
  - b. control and regulate the finances of the municipality and raise money by borrowing or taxation;
  - c. create such offices and positions as Council deems necessary, provided the appointed officers shall perform the duties required by law and the ordinances of the Borough;
  - d. investigate any activity of the municipality;
  - e. remove for cause any officer of the municipality, other than those officers excepted by law;
  - f. override a veto of the Mayor as provided above.

4. Council shall have all the executive responsibilities of the Borough not placed by general law or applicable statutes in the office of the Mayor.
5. Whenever Council fails to confirm the Mayor's nomination of an official to a subordinate office within 30 days of being presented the nomination, Council shall make the appointment if there are three affirmative votes for it, with the Mayor not having a vote except in the case of a tie.
6. Council may, by ordinance, delegate all or a portion of the executive responsibilities of the municipality to an administrator, who shall be appointed pursuant to N.J.S.A. 40A:9-136.
7. Council may, by ordinance, adopt an administrative code, setting forth the manner in which the Council shall perform its duties. If Council organizes itself into standing committees, the administrative code shall specify the powers and duties of such committees and the manner in which they are appointed.
8. Council may create such advisory councils to the Borough as it may choose.

**Relevant Legal Authority:** N.J.S.A. 40A:60-6, 60-7.

### **C. Council President**

**The Council President is elected by Council at the annual reorganization meeting and serves for one year. The Council President presides at meetings of Council in the Mayor's absence but maintains the right to vote. When the Mayor is absent from the Borough for three days or more or is unable to perform the duties of the office, the Council President serves as Acting Mayor and is charged with performing all the duties of Mayor in the Mayor's absence.**

### **D. Mandatory Legislative Procedures**

Three types of legislation can be enacted at meetings: motions, resolutions and ordinances, all of which must be moved, seconded, and voted on at least once.

#### **1. Motions**

Actions that do not create municipal laws, spend money or commit any funds may be taken by simple motions such as approval of minutes, direction to perform a task, or actions taken by the Mayor to open or close a meeting to public comments and questions or to adjourn.

## 2. Resolutions

Resolutions are formal actions that are written out before a meeting when the Borough Council's intent is known or action is required or routine.

Resolutions are passed by a one-time vote upon formal roll call. A copy of each adopted Resolution is formally filed by a clearly identified resolution number and description. Some may require approval by the affirmative votes of a two-thirds majority rather than a simple majority, such as when:

- a. Introducing and adopting the municipal budget;
- b. Making emergency appropriations;
- c. Authorizing payment of bills;
- d. Fixing interest rates on past-due taxes;
- e. Refunding tax overpayments;
- f. Awarding contracts;
- g. Transferring between appropriation accounts or reserves.

## 3. Ordinances

Ordinances are local laws. They address such subjects as traffic, debt, creating municipal positions and departments, salaries or salary ranges for municipal employees, zoning, construction, licensing and other regulation. Once enacted, ordinances usually remain permanently in effect unless a rescinding ordinance is enacted. At least a majority of the full Borough Council must vote in favor on an ordinance for its adoption.

- a. Introduction and adoption: Ordinances are voted on twice, first to introduce the ordinance and then, after an advertised public hearing, a second to adopt it.
- b. Advertising: By law, the Clerk must advertise the pending ordinance at the time of introduction and at least once no less than 10 days before public hearing. The advertising must be placed in a newspaper designated by the Borough Council for the publication of the Borough's legal advertisements.
- c. Public Hearing: All ordinances must receive a public hearing prior to adoption on a date fixed at introduction and then advertised. The hearing must be open to all present for comments. If necessary the Borough Council may continue the public hearing at a later date.

## E. **Council Committees**

1. Appointment. At the first regular meeting, the Mayor shall recommend to the Council President and Council the appointment of all committees of Council. Standing committees, consisting solely of Council members, are appointed to facilitate the work of the Council within statutory limits.
2. Members. Each Standing Committee shall consist of no more than 3 members of the Council.

3. Committees: The current Council committees include:
  - a. Finance
  - b. Personnel
  - c. Public Safety
  - d. Public Works
  - e. Building Department/Construction Code Office/Zoning Administration
4. Chairperson Duties and Responsibilities. The Committees are intended to facilitate the policy and decision-making work of the Council. The Chairs of standing committees do not have any operational responsibility for the administrative departments of the Borough government (i.e. Public Works, Public Safety, Building Department etc.). All operational concerns and issues are the responsibility of the Borough Administrator and respective department heads.
5. Succession. The Mayor and Council shall name a successor to any chair in case of removal, resignation or death while serving in such capacity.
6. Removal. The Borough Council, by a majority vote, shall have the power to remove a member of a committee for cause.
7. Ad-Hoc Committees. Ad-hoc Committees shall be appointed by the Mayor for purposes other than those included in the duties of the standing committees.

#### **F. Borough Boards and Committees Having Council Liaisons**

1. By recommendation of the Mayor, Council shall by resolution appoint one or more members of the Governing Body to serve as a liaison for boards, committees and any other agencies as they see fit.
2. Borough Council Members have been appointed to serve as liaisons on the following boards and committees:
  - a. Parks & Recreation Commission
  - b. Board of Health
  - c. Library Board of Trustees
  - d. Environmental Commission
  - e. Shade Tree Committee
  - f. Open Space Committee
  - g. Economic Development Commission
  - h. Senior Advisory Board
  - i. Historic Preservation Commission
  - j. Hopewell Valley Green Team

## **G. Board of Health**

**The Board of Health is mandated by statute. (NJSA 26:3-1) It consists of five members appointed by the Mayor with the advice and consent of Council. The Board meets quarterly and serves without compensation. (Borough Code, Ch.30)**

**The Board of Health has all the rights powers and duties conferred upon local boards of health by statute. It is authorized to pass, alter or amend ordinances and make rules and regulations in regard to the public health within its jurisdiction for the purposes prescribed by statute. These statutory purposes range from protection of the public water supply and prevention of pollution, to the licensing and regulation of the sanitary conditions of hotels, restaurants, cafes and other public eating houses, to the prevention and prohibition of nuisances. (N.J.S.A. 26:3-2, -31)**

**The Borough Board of Health has not been active in passing ordinances in recent years. When it has, advertising and related scheduling services were provided by the Borough Clerk. Borough Council, at the request of the Board or in collaboration with it, may also enact health-related ordinances.**

**An appointed Health Officer serves as the general agent for enforcement of applicable ordinances and the sanitary laws of the State. All boards of health in municipalities containing a population of 2,000 inhabitants or more are also required to have at least one registered environmental health specialist appointed by the board.**

**As permitted by statute, Pennington Borough and the Pennington Board of Health contract with the Township of Montgomery and the Montgomery Township Board of Health to provide all health services to Pennington required by law, using personnel properly licensed to perform such services. The Township Health Officer is designated by contract to be the Borough's Health Officer and to serve as its general agent for the enforcement of Pennington ordinances and the Public Health laws of New Jersey.**

**The core documents prescribing State-mandated health services, activities and standards are N.J.S.A. 26:3A2-10 and *Public Health Practice Standards of Performance for Local Boards of Health in New Jersey* as set forth in N.J.A.C. 8:52-1.1, et seq.. These documents are incorporated by reference in the shared services agreement with Montgomery Township.**

## H. Borough Clerk

1. Statutory Position. Every municipality must have a certified municipal clerk, appointed by the governing body for a three-year term. The Borough Clerk currently serving the Borough is tenured.
2. Duties. The Borough Clerk shall perform the following duties prescribed by statute:
  - a. act as secretary to the municipal corporation and custodian of records;
  - b. act as secretary to the governing body, preparing meeting agendas as directed, attending all meetings of the governing body, retaining the original copies of all ordinances and resolutions, recording the minutes of every meeting, and performing related responsibilities;
  - c. serve as chief administrative officer in all elections;
  - d. serve as chief registrar of voters;
  - e. serve as the administrative officer responsible for the acceptance of applications for licenses and permits and the issuance of licenses and permits;
  - f. serve as coordinator and records manager responsible for implementing local archives and records retention programs required by law;
  - g. perform such other duties as are imposed by statute, regulation or municipal ordinance or regulation.

**Applicable statutes:** N.J.S.A. 40A:9-133.

## I. Borough Administrator

1. Office of Administrator. A Borough ordinance creates the position of Borough Administrator and specifies that the person appointed shall serve at the pleasure of Council for a term of one year. Required education, experience and abilities of the Administrator are also specified. The position is assigned a central leadership role in discharging the executive responsibilities of the Borough.
2. Appointment. The Borough Administrator is appointed by the Mayor with the advice and consent of Council.
3. Purpose. The Borough Administrator is the chief administrative officer of the Borough and is responsible to the Mayor and Council for the proper and efficient administration of the affairs of the Borough, integrating and coordinating the functions of the Borough according to its policies.

4. Specific Duties. The specific responsibilities of the Borough Administrator, as defined by the current ordinance, are the following:
  - a. handle all day-to-day Borough operations, including personnel management, budget control, departmental oversight and municipal operations;
  - b. coordinate operations of all departments to enhance the efficiency of overall Borough activities;
  - c. handle public relations with residents, including citizen complaints and/or requests for services;
  - d. prepare job descriptions and performance evaluations for all non-police employees;
  - e. analyze, review and suggest revisions of municipal policies, procedures, resolutions and ordinances to make local government more responsive to the needs of its residents;
  - f. know state regulations and implement them in a timely manner and keep current of changes;
  - g. review municipal programs/activities and evaluate their administration, objectives, efficiency, effectiveness and suitability to current conditions, costs and accomplishments, and suggest, develop and organize new programs where necessary;
  - h. advise the governing body in matters of policy;
  - i. prepare and develop, with departmental input, the annual budget for presentation to the governing body;
  - j. perform any other duties or tasks assigned by the governing body.
5. The Administrator attends all Borough Council meetings.

**Relevant Legal Authority:** N.J.S.A. 40A:9-136,-137; Borough Code, Chapter 39, Sections 39-23 through 39-27.

## J. Interrelationships

1. The Administrator serves as a liaison between the Borough Council and the departments, boards and officials of the Borough. **Council Members seeking information from employees and officials should communicate through the Administrator.**
2. The Mayor shall serve as the liaison between and among Borough Council and all boards, committees and agencies or organizations not assigned to a specific Council Member for liaison purposes.
3. Council Committees advise Mayor and Council and perform such other functions as may be delegated to them by ordinance.
4. Council members liaise with boards and committees and report to Mayor and Council on developments.

### **III. Key Statutes**

#### **A. Open Public Meetings Act (OPMA)**

**1. Legislative Policy**

The public has a right to have adequate advance notice and the right to attend all meetings of Borough Council and other public bodies at which any business affecting the public is discussed or acted upon in any way, subject only to exceptions in the public interest defined by statute. A covered body must be organized by law and collectively empowered as a multi-member voting body to spend public funds or affect persons' rights.

**2. Definition of Meeting (Requiring Adequate Notice)**

A meeting is any gathering whether in person or by means of communication equipment which is attended by or open to all of the members of a public body held with intent to discuss or act as a unit upon specific public business. However, a meeting does not include any such gathering (1) attended by less than an effective majority of the members of the public body or (2) attended by or open to all the members of three or more similar public bodies at a convention or similar gathering.

**3. Definition of Adequate Notice**

Adequate notice means written advance notice of at least 48 hours giving the time, date, location, and to the extent known, the agenda of any regular, special or rescheduled meeting, stating whether formal action may or may not be taken. The meeting notice must be (1) prominently posted in at least one public place reserved for such or similar announcements, (2) mailed, telephoned, telegraphed or hand delivered to at least two newspapers designated by the body to receive such notices, and (3) in the case of the Borough, filed with the municipal clerk. A 48-hour notice is not required for any meeting covered by the annual notice of meetings published by the municipality.

**4. Annual Notice**

Within 7 days of the annual reorganization meeting, the governing body must publish and maintained posted throughout the year in the public place reserved for such notices, mail to the newspapers described above and submit to the municipal clerk, a schedule of regular meetings to be held during the year. The schedule must contain the location of each meeting to the extent known, and the time and date of each meeting. In the event of a change during the year, the revised schedule must be published and circulated in the same manner as the initial annual notice.

**5. Emergency Exception to Notice Requirement**



A public body may hold a special meeting without 48-hour notice upon the affirmative vote of three quarters of the members present if all of the following conditions are satisfied:

- a. the meeting is required to deal with a matter of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest;
- b. the meeting is limited to discussion of and acting with respect to such matter of urgency and importance;
- c. notice of such meeting is provided as soon as possible following the calling of the meeting, by posting written notice in at least one place reserved for public notices and by notifying the two newspapers designated for notices; and
- d. either the need for such a meeting could not have reasonably been foreseen at a time when adequate notice could have been provided, or adequate notice could have been provided but the public body nevertheless failed to do so.

#### 6. Electronic Notice

A public body may provide electronic notice of any meeting through the Internet, although in ordinary circumstances, such notice may not substitute for "adequate notice" defined above. However, during a period declared under State law a state of emergency, public health emergency or state or local disaster emergency, the body may conduct remote meetings electronically and provide electronic notice in lieu of adequate notice. To the extent practicable, the meeting should be limited to subjects relevant to the emergency. However, this provision shall not be construed to limit any authorization under other law.

#### 7. Notices of Ordinance Introduction, Public Hearing and Adoption

Required notices for ordinance introduction, hearing and adoption are not governed by the OPMA but by separate statute. These notices must take the form of paid legal advertisements and be placed as such.

#### 8. OPMA Requirements for Conduct of Meetings

- a. Sunshine Statement: At the commencement of every meeting of a public body, the presiding officer shall announce publicly and cause to be entered into the minutes an accurate statement that (a) adequate notice of the meeting has been provided, specifying the time, place and manner of notice, or (b) that adequate notice was not provided, describing how the conditions for emergency notice are satisfied, or if the need for notice could have reasonably been foreseen but it was not provided, the reason it was not provided.
- b. Public Comment: The Open Public Meetings Act requires as a minimum that *a portion of every meeting be set aside for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the municipality.* The

length of this portion of the meeting is subject to the discretion of the governing body.

- c. Discretion in Conduct of Meeting: Nothing in the Open Public Meetings Act limits the discretion of Council in permitting, prohibiting or regulating the active participation of the public at any meeting as long as the minimum standard for public comment, described above, is met.
- d. Two Periods for Public Comment: A common practice is to provide two periods for public comment, one at the beginning of the meeting for comment on agenda items and one at the end of the meeting for general comment not restricted to the agenda. This allocation permits Council to hear public comment on agenda items before they vote while deferring comment of a more general nature until the business before Council is completed.

#### 9. Meetings Not Required to be Public

All meetings of public bodies must be open to the public at all times subject only to the exceptions defined by statute, when meetings in executive or closed session are permitted. The exceptions involve discussion of the following matters:

- a. matters required to be confidential by federal law, State statute or rule of court;
- b. matters in which release of information would impair a right to receive federal funds;
- c. matters necessitating disclosure of information that would constitute an unwarranted invasion of individual privacy, unless the individual concerned has requested in writing that the material be disclosed publicly;
- d. collective bargaining agreement and related negotiations;
- e. matters involving purchase, lease or acquisition of real property or other investment of public funds if discussion in public could adversely affect the public interest;
- f. discussion of tactics and techniques used in protecting public safety and property, and investigations of violations of law;
- g. pending or anticipated litigation or contract negotiation (other than labor negotiation covered above), or matters falling within the attorney-client privilege;
- h. personnel matters, unless (following Rice notice) all the individual employees or appointees whose rights could be adversely affected request in writing that the matter or matters be discussed in public;
- i. deliberations after a public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of license.

#### 10. Procedural Requirements for Going into Executive or Closed Session.

Before going into closed session, the governing body must first adopt a resolution stating the general nature of the subject to be discussed and

as precisely as possible, the time when and the circumstances under which the discussion in closed session can be disclosed to the public.

#### 11. Minutes

Minutes of all meetings are required by law. The minutes must show at a minimum the time and place of the meeting, the members present, the subjects considered, the actions taken, the vote of each member and any other information which in a particular matter (eg, land use) must be recorded in the minutes.

**Relevant Legal Authority:** N.J.S.A. 10:4-6, et seq.

### B. Local Government Ethics Law

#### 1. Covered Officers and Employees; Definitions

- a. The Local Government Ethics Law establishes a statutory code of ethics for Local government officers and employees. Covered local government officers include, among others, Members of Council and the Planning Board and managerial executive employees as defined by regulation.
- b. Members of Council and other local "officers" must also file annual financial disclosure statements with the Department of Community Affairs. The filed disclosure statements are public records.
- c. Covered local employees (as opposed to "officers") include all paid employees of the Borough as well as any person serving on a Borough board, committee or commission that performs a function other than of a purely advisory nature. Coverage is broad. It is not affected by whether the person is compensated or not, part-time or full-time. N.J.S.A. 40A:9-22.3.

#### 2. The Code of Ethics set forth further below incorporates the following definitions of key terms:

- a. "member of immediate family" means a spouse or dependent child residing in the same household;
- b. "business organization" means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union or other legal entity;
- c. "interest" means the ownership or control of more than 10% of the profits, assets or stock of a business organization (not including control of the assets of a non-profit entity or labor union).

#### 3. Prohibited Conduct under the Local Government Ethics Law

- a. The following ethical standard is likely to raise the most frequent questions for decision-makers:
  - i. No Member of Borough Council shall act in an official capacity in any matter where the Member, or someone in the Member's immediate family, or a business organization in which the

Member has an interest has a **direct or indirect financial or personal involvement** that might reasonably be expected to impair the Member's objectivity or independence of judgment.

ii. The term "**involvement**" as used here is different than an "interest" as earlier defined. Whether a Member has a prohibited "involvement" in a matter before Council often requires a case by case judgment based on the particular facts. Factors weighed in the process of making a judgment include not only actual conflict of interest but also the "appearance of conflict."

iii. Members are advised to ask for advice with respect to particular situations they have any uncertainty about. Advice may be obtained from the Borough Attorney and/or advisory opinions as needed may be obtained from the Local Finance Board in the Department of Community Affairs.

b. The other provisions of this code of ethics include:

i. No Member and no one in a Member's immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity which is in substantial conflict with the Member's proper discharge of his duties in the public interest.

ii. No Member shall use or attempt to use the Member's official position to secure unwarranted privileges or advantages for himself or others.

iii. No Member shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice the Member's independence of judgment in the exercise of official duties.

iv. No Member or anyone in the Member's immediate family or any business organization in which any of them has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment or other thing of value that may appear to be given or offered for the purpose of influencing the Member, directly or indirectly, in the discharge of official duties. (This prohibition does not apply to solicitation or acceptance of a contribution to the campaign of a Member who is an announced candidate for elective public office and has no knowledge or reason to believe that the contribution was made with the intent of influencing the Member in the discharge of official duties.)

v. No Member shall use or allow to be used the Member's office or any information not generally available to the public, received in the course of being in office, for the purpose of securing

financial gain for the Member or the Member's immediate family or any business organization with which the Member is associated.

vi. No Member or business organization in which the Member has an interest shall represent any person or party other than the Borough in connection with any cause, proceeding, application or other matter pending before Council or any agency in the Borough. (This provision does not apply to one employee representing another in the context of official labor union or similar representational responsibilities.)

vii. A Member shall not be prohibited from making an inquiry for information on behalf of a constituent if no fee, reward or other thing of value is promised or given to the Member or the Member's immediate family, directly or indirectly, in return.

- c. Nothing shall prohibit a Member or the Member's immediate family from representing themselves in negotiations or proceedings concerning his or their own interests, provided such activity is compliant with the other provisions.
- d. No Member shall be deemed in conflict with these provisions if by participating in Council action the Member obtains material or monetary gain as part of a business, profession, occupation or group, provided any such gain could reasonably be expected to accrue to other members of the business, profession, occupation or group.

### **C. Laws Against Discrimination**

**The New Jersey Law Against Discrimination (NJLAD), N.J.S.A. 10:5-2.1, et seq., prohibits unlawful discrimination in employment, public accommodation, housing, land use, lending and association membership. Compliance with Equal Employment Opportunity by vendors and contractors is a condition of every Borough contract, whether for services or for construction of public works.**

#### **Unlawful Employment Practices**

**The NJLAD defines as an unlawful employment practice and an unlawful discrimination the refusal to hire or employ or to bar or discharge from employment, or require to retire, unless justified by lawful considerations other than age; or to discriminate in compensation or in terms, conditions or privileges of employment, for a reason prohibited by the Law. The reasons prohibited by law include:**

**“race, creed, color, national origin, ancestry, age,**

marital status, civil union status, affectional or sexual orientation, genetic information, pregnancy or breast-feeding, sex, gender identity or expression, disability or atypical heredity cellular or blood trait of any individual, or . . . liability for service in the Armed Forces of the United States, or the nationality of any individual, or . . . the refusal to submit to a genetic test or make available the results of a genetic test . . .” (N.J.S.A. 10:5-12)

Borough Personnel Policies and Procedures make clear that the Borough is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title IV of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the NJLAD. Decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels that they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer, their Department Head, the Borough Administrator, the Borough Clerk or the Borough Attorney. See the full text of Borough Policy 1.1, Equal Employment Opportunity Policy.

#### Americans With Disabilities Act

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the NJLAD, the Borough shall not discriminate against any employee or job applicant on the basis of a known or perceived disability and shall make reasonable accommodations for applicants and employees with disabilities, provided the individual is otherwise qualified to safely perform the essential functions of the job and the accommodation does not impose undue hardship on the Borough.

As required by law, the Borough Administrator shall engage in an interactive dialogue with disabled employees and prospective employees to identify reasonable accommodations. However, the ADA does not require the Administrator to offer permanent “light duty” or relocate essential job functions or provide personal use items such as eyeglasses, hearing aids, wheelchairs and the like. See the full text of Borough Policy 1.2, Americans With Disabilities Act Policy.

#### Policy Against Harassment/Sexual Harassment

The Borough prohibits harassment on the basis of actual or perceived sex, race, creed, color, religion, national origin or other characteristic for which discrimination is prohibited. While it is not

always easy to define precisely what harassment is, it includes slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing and other verbal and physical conduct.

The Borough has a strong commitment to maintaining a workplace free of sexual harassment. Unwelcome sexual advances, requests for sexual favors and other verbal, physical or visual conduct of a sexual nature constitutes harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

It is the responsibility of all employees to bring these kinds of problems to the attention of the appropriate officials so that steps may be taken to correct them, whether the person violating the policy is a fellow employee, management representative, supplier, volunteer or business invitee.

This policy must be reinforced with effective training, for both supervisory and non-supervisory employees. The goal of effective training is to build a culture in which all employees feel safe. Training should empower participants to intervene appropriately when they witness harassment or discrimination and include tools for response and lodging complaints. See the full text of Policy 1.7, Policy Against Harassment; and Policy 1.8, Anti-Sexual Harassment Policy.

#### **Anti-Discrimination Principles Applied to the Hiring Process**

The Borough Personnel Policies and Procedures Manual describes a procedure for recruiting and hiring new employees, coordinated by the Borough Administrator in conjunction with the Borough Clerk, to ensure compliance with contractual, legal and equal opportunities and the Equal Pay Act.

Notification of vacancies are to be distributed to all departments and where positions are advertised, the media or other periodical used must have as wide circulation as possible to encourage applications from candidates from diverse backgrounds. These advertisements must prominently state that the Borough is an equal opportunity employer.

**All candidates must complete a uniform application form. A resume will not be considered a substitute. The application will be a confidential document.**

**The Borough Administrator or Supervisor will coordinate the interview process including the scheduling of applicants and development of interview questions and standards to measure candidate responses. All questions must be in accordance with the New Jersey Division of Civil Rights Guidelines for Pre-Employment Inquiries.**

**After an offer of employment is made and prior to commencing employment, the Borough Administrator may require applicants to pass a physical examination in order to insure that they can perform the duties of their position without injury to themselves or others. The same post-offer physical examination must be performed on all applicants for a particular position.**

**The final decision will be made by the Borough Council after all references and other information has been verified. The employment offer must be made in a letter to the candidate outlining all terms and conditions of the offer, with a deadline for acceptance.**

**After acceptance, but before starting employment, all new employees shall be required to fill out an employment verification form and provide acceptable proof of right to employment in the United States.**

**All applications, interview notes, reference checks and other documents generated during the hiring process must be returned to the Borough Clerk. Documents related to the successful candidate will be placed in the employee's official personnel file except medical records must be maintained in a separate file. All records and documents relating to the other candidates must be retained for at least one year. All records and documents created during the hiring process are confidential and must be retained in a locked cabinet.**

**See full text of Procedure 6.1, Employment Procedure.**

#### **D. Municipal Vacancy Law**

**When the office of Mayor or Council Member becomes vacant by reason of death, resignation, moving out of town or the various other reasons recognized as creating a vacancy under the Municipal Vacancy Law, N.J.S.A. 40A:16-1, et seq., the vacancy must be filled in accordance with the following procedures.**

##### **General Requirements**

**1. If the vacancy occurs after September 1 of the next-to-last year before expiration of the officeholder's term, Council may fill the vacancy by**



appointment. The process for making that appointment is described further below.

2. If the vacancy occurs at any other time, the office must be filled for its unexpired term at the next general election. The date of that election may not be less than 60 days after the occurrence of the vacancy. In the meantime, Council may fill the vacancy temporarily by appointment.

3. An appointment by Council to fill a vacancy in the office of Mayor shall be by a majority vote of the entire membership of Council (i.e., by four affirmative votes).

4. An appointment to fill a vacancy in the membership of Council shall be by a majority vote of the remaining members of Council. The Mayor shall be permitted to vote only in the case of a tie.

#### **Appointment Procedures**

5. If the officeholder whose office has become vacant was elected as the nominee of a political party, the municipal committee of that party shall no later than 15 days after occurrence of the vacancy, present to Council the names of 3 nominees to fill the vacancy. No later than 30 days after the occurrence of the vacancy, Council shall appoint one of the 3 nominees. If Council fails to do so, the municipal committee shall, within the next 15 days, appoint one of the nominees and that person shall be sworn in immediately.

6. If the municipal committee fails to submit 3 nominees within 15 days after occurrence of the vacancy, Council may within the next 15 days appoint a person from the same political party as the officeholder whose office has become vacant.

7. If the officeholder whose office has become vacant was not the nominee of a political party, Council may appoint a successor without regard to party.

#### **Failing or Declining to Make an Appointment**

8. If Council fails or declines to fill a vacancy in the membership of Council by appointment within the time prescribed, the office shall remain vacant for the remainder of the term or until a successor is elected and qualified.

9. If Council fails or declines to fill a vacancy in the office of Mayor in conformance with prescribed procedures, and the vacancy occurs in other than the final 6 months of the Mayor's term, the Borough Clerk

shall fix a date for a special election to fill the vacancy. The special election may not be held less than 45 days nor more than 50 days after expiration of the time for filling the vacancy. If that date falls within 20 days prior to the general election or other scheduled election in the Borough, the vacancy shall be filled at that election and not by special election. If the date prescribed for a special election falls within 20 days after the general election or other scheduled election in the Borough, then the special election to fill the vacancy shall be held not less than 20 days nor more than 25 days from the date of the previously scheduled election.

10. If the vacancy in the office of Mayor occurs in the final 6 months of the Mayor's term, no special election shall be held.
11. No appointment shall be made by Council to fill a mayoral vacancy after a date for a special election has been fixed.

#### **Vacancy After Election Before Taking Office**

12. If after election for Mayor or Council Member the person elected shall die before commencement of the term, the applicable municipal committee shall appoint another person to fill the position until the next regular municipal election. If the person was not the nominee of a political party, Council shall appoint a successor to fill the office until the next regular municipal election without regard to party.

#### **Other Statutory Provisions**

13. All appointees to fill a vacancy, whether for an unexpired term or temporarily, shall take office immediately after appointment and qualification.
14. Persons elected to serve for an unexpired term shall take office immediately upon certification of the results of the election.
15. Persons elected to serve a full term shall take office on the date fixed for the commencement of the term.
16. The Municipal Vacancy Law and legal counsel should be consulted for unique situations. The statute also prescribes procedures for fixing the date of a special election, nomination of candidates for that election and the like.

### **IV. COUNCIL BY-LAWS**

#### **A. Rules of Conduct**

1. Compliance with Law. All Council Members embrace their commitment to uphold the law and conform their actions to it at all times, consistent with their oath of office. This commitment includes meticulous compliance with the Open Public Meetings Act, the Local Government Ethics Law and the Law Against Discrimination.
2. Political Activity. Members shall not engage in partisan political activity on municipal time or property. This shall not be construed to prevent members from becoming or continuing to be members of any political party, club or organization, attending political meetings or expressing partisan political views or circulating petitions on public questions outside of working hours and off municipal property. Nor shall members be prevented from voting with complete freedom in any election.
3. Attendance. All Members recognize their obligation to attend conscientiously the meetings of Council and the committees and liaison activities to which they have been appointed.
4. Role as Liaison. No Council Member may vote on any board or committee on which they serve as liaison. In other words, Council liaisons are not voting members of the boards, committees, or commissions for which they serve as Council liaison.
5. References. The Mayor shall refer all communication addressed to Mayor and Council, petitions, proposed ordinances, proposed resolutions and reports, to the appropriate committees of Council as soon as practicable after receipt by the Borough.

## **B. Scheduling of Council Meetings**

1. Annual Meetings. An annual Reorganization meeting shall be held within the first 7 days of January to administer the oath of office for newly elected members. Members shall elect one member as Council President to serve for the Calendar Year.
2. Regular Meetings. Regular council meetings shall be set by Resolution at the annual Reorganization meeting. Borough Council has traditionally conducted its regular meetings on the first Monday of every month at 7:00 p.m.
3. Special Meetings. The Mayor shall, when necessary, call special council meetings with at least 48 hours' notice to council members and the public. Any four members of Council may call such meetings if the Mayor neglects or refuses to do so.
4. Executive Sessions. Closed executive sessions shall be noticed and held in accordance with N.J.S.A. 10:4-12(b).

5. Actions to be Taken. Borough Council may not take action on any matter except in a regular, special or emergency meeting. No actions may be taken during closed sessions.

### **C. Agenda**

1. The meeting agenda shall be prepared by the Mayor, the Borough Administrator and the Clerk. Any item that Council wishes to add to the agenda must be provided by the Wednesday of the week before the meeting.
2. Agendas for regular meetings will be made available to the Council and posted on the Bulletin Board in Borough Hall and the Borough website on the Friday before the Monday evening meeting.

### **D. Notice**

Notice of all meetings shall be given by the Borough Clerk in accordance with the Open Public Meetings Act.

### **E. Quorum**

1. Three (3) Council Members and the Mayor or four (4) Council Members in the absence of the Mayor shall constitute a quorum for transacting business.
2. In the Absence of the Mayor, the Council President shall preside as Mayor. If the Council President is unable to attend, the Council Member with the longest tenure on the Governing Body shall act temporarily for the President of the Council. The Council President or senior member shall retain the right to debate and vote on all questions before Council.

### **F. Order of Business**

1. Subject to Authority of Mayor and Council. The order of business prescribed below may be changed by the Mayor or by a majority vote of the Council members present.
2. Regular Meetings
  - a. Meeting called to Order - Mayor
  - b. Roll call – Borough Clerk
  - c. Open Public Meeting Statement
  - d. Meeting Open to the Public for Comment on Agenda Items Only.  
The speaker shall:
    - i. State their full name,
    - ii. State their full address
    - iii. Have 3 minutes to speak and can be permitted additional time by the Mayor
  - e. Mayor's Business
  - f. Approval of Minutes

- g. Ordinances for Introduction
- h. Ordinances for Public Hearing and Adoption
- i. Committee Reports
- j. Council Discussion
- k. Professional Reports
- l. Resolutions – Routine business may be done by Consent Agenda.  
Any council member has the right to pull a resolution from this Agenda.
- m. Presentation and Approval of Bills and Claims
- n. Meeting Open to Public for General Comment
- o. New Business
- p. Adjournment

### 3. Special Meetings

- a. Meeting called to Order – Mayor
- b. Roll call – Borough Clerk
- c. Open Public Meeting Statement
- d. Open to the Public – Agenda Items only. The speaker shall:
  - i. State their full name,
  - ii. State their full address
  - iii. Have 3 minutes to speak and can be permitted additional time by the Mayor
- e. Business in order stated in the Notice
- f. Adjournment

## B. Procedural Rules

1. OPMA Compliance. Meetings shall be held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4–6 et. seq. (Refer to Rules of Conduct - section III)
2. Robert's Rules. All deliberations shall be governed by Robert's Rules of Order unless otherwise provided herein or by statute or Borough ordinance.
3. Debate. Every member of the Council shall request recognition of the Chair and address the chair for no more than 5 minutes unless consented to by the majority of the members present. The Mayor may engage in debate in matters brought before the Council.
4. Decorum. The Mayor shall preserve order and decorum on all occasions and may cause the removal of all persons who interrupt Council proceedings. To preserve order while a Member is speaking all others shall refrain from interruptions.

5. Recognition. The Mayor shall recognize speakers entitled to the floor and guide the proceedings. No Council member shall be denied recognition should they choose to speak.
6. Points of Order. The Mayor shall decide all questions on points of order.
7. Seconds. No question shall be put or debated unless seconded.
8. Reconsideration. Once a motion has been decided, a member of the majority vote may move to reconsider more than once.
9. Action. A motion is deemed to be in possession of the Borough Council when it has been stated by the Presiding officer or made by a committee report.
10. Motion. When a question is before the Borough Council, the only motions in order shall be in the order they stand and as follows:
  - a. to adjourn
  - b. to lay on the table
  - c. for the previous question
  - d. to postpone
  - e. to refer
  - f. to amend
11. Voting. The Mayor shall put to vote all questions which are regularly moved or otherwise arise in the course of proceedings.
12. Record Votes. The ayes and nays may be called for by a member or the Presiding officer, a record of which will be entered in the minutes. A member may change their vote at any time before the result is announced.
13. Disputes. Robert's Rules of Order shall govern in cases of disputes over the interpretation of rules and procedures.
14. Public Comment. The public shall be offered the opportunity to address the Borough Council at Council Meetings as follows:
  - a. Initial Comment Period (for Items on Agenda) - Members of the public may address the Council on any item listed on the agenda. Members of the public are asked to provide their name and address for the record and to limit their comments to no more than 3 minutes.
  - b. Ordinance Public Hearings - Members of the public may address the Council relative to specific ordinances scheduled for public hearing and adoption. Members of the public are asked to provide their name and address for the record and to limit their comments to no more than 3 minutes. It is noted that there is no public hearing

requirement for the introduction of Ordinances. However, the public may comment on such introductory ordinances during the initial comment period at the beginning of the Council meeting.

- c. Second Public Comment Period (Unrestricted as to Subject) - At the end of each Council meeting the public shall be provided the opportunity to address the Council on any matter of concern. Members of the public are asked to provide their name and address for the record and to limit their comments to no more than 3 minutes.
- d. Responses to Comments - Council members and the Mayor shall be given the opportunity to respond to the public's questions and comments.

15. Adjourn. A motion to adjourn shall always be in order except when a member is in possession of the floor, when the ayes and nays are being called and the members voting, and when adjournment was the last preceding question.

16. Record of Actions Taken.

- a. Ordinances and Resolutions - The Clerk shall maintain and keep all adopted Ordinances and Resolutions on file and submit the same to the website.
- b. Reports - The Clerk shall file all reports by Council Members and all papers presented to or acted upon by the Council.
- c. Minutes - The Clerk shall maintain an electronic copy of meeting minutes and make them available to the Mayor and Council Members and, once approved, publish them on the Borough website. The minutes shall indicate at minimum: date, time, and name of attendees and those absent, proposals considered and a record of any vote taken and how each member voted.

**Relevant Legal Authority:** N.J.S.A. 40A:60-3; N.J.S.A. 10:4-12, N.J.S.A. 10:4-6.

## H. Adoption and Amendments

### 1. Adoption

The Council Bylaws shall be adopted by a resolution of the Council concurred in by a majority of the members of the Council. The bylaws shall become effective immediately after adoption and shall remain in effect until amendments are proposed and adopted.

### 2. Amendments

- a. The Mayor or any member of the Council may propose amendments to these Bylaws
- b. Amendment shall require a two-thirds vote on a roll call at a regular public session of the Council.