



# COUNCIL WORK SESSION - JANUARY 27, 2025 AGENDA

Monday, January 27, 2025 at 7:00 PM

Online via Zoom

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**I. Call to Order**

**II. Roll Call - Borough Clerk - Betty Sterling**

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

**III. Open Public Meetings Statement**

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

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

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

**V. Work Session Discussion Items:**

1. **(FOR COUNCIL ACTION)** - Resolution 2025-1.31 - Resolution of the Mayor and Council of the Borough of Pennington to set Forth the Borough's Present and Prospective Fair Share Obligations for the Fourth Round of Municipal Housing Compliance
2. Stormwater Management Update

**Work Session Presentations:**

1. Health Insurance Fund (HIF) - Joe Ablahani

**VI. Review of Tentative Council Regular Agenda**

1. (Public Hearing and Adoption ) Ordinance 2025-1 - An Ordinance Increasing Rates Charged by the Pennington Borough Water and Sewer Utility, and Amending the Code of the Borough of Pennington
2. (Public Hearing and Adoption) Ordinance 2025-2 - AN ORDINANCE ACCEPTING UTILITY EASEMENT GRANTED BY 5 PENNINGTON LLC FOR WATER LINE AND

PUBLIC FIRE HYDRANT AT 5 STATE HIGHWAY 31, BLOCK 206, LOT 2,  
BOROUGH OF PENNINGTON

3. Ordinance - Baldwin Street (Amendment)
4. Ordinance - Abey Drive Road Project
5. Ordinance - PBA Contract
6. Ordinance - Teamsters Contract
7. Resolution 2025 - 2.2 - Resolution Authorizing Payment of Bills
8. Resolution 2025 - 2.3 - Amending Temporary Budget
9. Resolution 2025-2.4 - Resolution Authorizing Budget Transfers in the 2024 Budget
10. Resolution 2025-2.5 - Resolution Authorizing Refund of Redemption Monies to Outside Lienholder
11. Resolution 2025 - 2.6 - Resolution Superseding Borough Council Resolution 1.21 and Confirming Authorization of Shared Services Agreement for Fire Inspection Services by the Board of Fire Commissioners of Hopewell Township Fire District No. 1 While Amending the Term to One Year, January 1, 2025 through December 31, 2025
12. Resolution 2025-2.7 - Resolution Supplementing Borough Council Resolution 1.25 to Add Police Academy Physicals to the Services to be Provided Under Agreement with Occupational Health Service, A Program of Penn Medicine Princeton Medical Center
13. Resolution 2025 - 2.8 - Resolution Authorizing Use of Outdoor Space by Jersey Meds Management LLC
14. Resolution 2025 - 2.9 - Resolution Authorizing Contract With Water Resource Management for Services as Water and Sewer Compliance Officer and for Preparation of Consumer Confidence Report and Water & Sewer Ordinance Review for the Year 2025
15. Resolution 2025 - 2.10 - Resolution Adopting New Regulations Regarding Claimant Certifications and Payments in Advance
16. Resolution - Art in the Park
17. Resolution - Trenton Cyrus - Casino Night
18. Resolution - Janitorial Contract
19. Resolution - Engineering Projects
20. Resolution - Jersey Meds - License Renewal
21. Final Payment Request - Rockwell etc.
22. Resolution - Final Change Order - Rockwell Green etc
23. Resolution - Shared Service - Police Dispatch

24. Resolution - Shared Service - Senior Center Cleaning
25. Resolution - Sewer Connection - 115 Lewis Brook Road
26. Resolution - Borough Administrator Appointment
27. Resolution - OIC Appointment

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

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

**VIII. CLOSED SESSION**

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

Contract Negotiations - PBA

Contract Negotiations - PBA

Contract Negotiations - Sewer Connection - 115 Lewis Brook Road

Litigation - Police Matter - Update

Litigation - Hopewell PILOT - Update

Personnel - Borough Administrator Appointment

Personnel - Police Department

**IX. Return to Open Session at pm.**

**X. Adjournment**

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-1.31**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
PENNINGTON TO SET FORTH THE BOROUGH'S PRESENT AND  
PROSPECTIVE FAIR SHARE OBLIGATIONS FOR THE FOURTH ROUND OF  
MUNICIPAL HOUSING COMPLIANCE**

**WHEREAS**, on March 20, 2024, P.L. 2024, c.2, was signed into law which amended the Fair Housing Act at N.J.S.A. 52:27D-301 *et seq.*, (hereinafter "Amended FHA"); and

**WHEREAS**, the Amended FHA requires the Department of Community Affairs ("DCA") to produce non-binding estimates of fair share obligations on or before October 20, 2024; and

**WHEREAS**, the DCA issued a report on October 18, 2024 ("DCA Report") wherein it reported its estimates of the obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

**WHEREAS**, the DCA Report calculates the Borough of Pennington's Fourth Round -(2025-2035) obligations as follows: a Present Need or Rehabilitation Obligation of four (4) and a Prospective Need or New Construction Obligation of fifty-eight (58); and

**WHEREAS**, the Amended FHA provides that "[a]ll parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by COAH unless those regulations are contradicted by statute, including P.L. 2024, c.2, or binding court decisions" (N.J.S.A. 52:27D-311(m)); and

**WHEREAS**, COAH regulations and the Amended FHA authorize a 20% cap, vacant land adjustments as well as durational adjustments; and

**WHEREAS**, based on the foregoing, the Borough of Pennington accepts the DCA calculations of the Borough's fair share obligations and commits to its fair share of four (4) units present need and fifty-eight (58) units prospective need subject to any vacant land and/or durational adjustments it may seek as part of the Housing Plan element and Fair Share Plan element it subsequently submits in accordance with the Amended FHA; and

**WHEREAS**, the Borough of Pennington reserves the right to comply with any additional amendments to the FHA that the Legislature may enact; and

**WHEREAS**, in the event that the FHA is further amended or any rulings or legal precedents arise after the adoption of this Resolution, the Borough of Pennington reserves the right to adjust its position in response to and in light of same, particularly if such a change alters the deadlines and/or requirements placed upon the Borough pursuant to the Amended FHA; and

**WHEREAS**, in the event that a third party challenges the calculations provided for in this Resolution, the Borough of Pennington reserves the right to take such position as it deems appropriate in response thereto; and

**WHEREAS**, in light of the above, the Borough Council of the Borough of Pennington finds that it is in the best interest of the Borough of Pennington to declare its commitment to the obligations reported by the DCA on October 18, 2024 subject to the reservations set forth herein; and

**WHEREAS**, in addition to the above, the Acting Administrative Director of the Administrative Office of the Courts issued Directive #14-24, dated December 13, 2024; and

**WHEREAS**, pursuant to Directive #14-24, "a municipality seeking a certification of compliance with the FHA shall file an action in the form of a declaratory judgment complaint ... in the county in which

the municipality is located... within 48 hours after adoption of the municipal resolution of fair share obligations, or by February 3, 2025, whichever is sooner”; and

**WHEREAS**, the Borough of Pennington seeks a certification of compliance with the Amended FHA and, therefore, directs its Affordable Housing Counsel to file a declaratory judgment complaint and associated pleadings within 48 hours of the adoption of this resolution in the Superior Court of New Jersey - Mercer County.

**NOW, THEREFORE, BE IT RESOLVED**, on this 27<sup>th</sup> day of January, 2025 by the Borough Council of the Borough of Pennington, County of Mercer as follows:

1. All of the above Whereas clauses are incorporated into the operative clauses of this resolution.
2. The Borough of Pennington hereby commits to the DCA Fourth Round Present Need Obligation of four (4) units and the Fourth Round Prospective Need Obligation of fifty-eight (58) units described in this resolution, subject to all reservations of rights set forth above.
3. The Borough of Pennington hereby authorizes and directs its Affordable Housing Counsel to file a declaratory judgment complaint in the Superior Court of New Jersey - Mercer County within 48 hours after adoption of this resolution.
4. In accordance with the Amended FHA and Directive #14-24, the Borough of Pennington authorizes its Affordable Housing Counsel to attach a copy of this resolution as an exhibit to the declaratory judgment action that is filed and to submit and/or file this resolution with the Program or any other such entity as may be determined to be appropriate.
5. The Borough of Pennington hereby directs its Borough Administrator and/or Borough Clerk to publish this resolution on the Borough’s website within 48 hours after adoption of this resolution, attaching this resolution.
6. The Borough of Pennington shall undertake all acts necessary to adopt a housing element and fair share plan to address its present and prospective need obligations as provided for by the Amended FHA, for filing by June 30, 2025 as part of the declaratory judgment action authorized herein.
7. The Borough of Pennington’s Mayor, Administrator, Clerk, Attorneys, Planners, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all such other documents and undertake any and all such further acts as may be necessary or required to effectuate the actions set forth herein.
8. This resolution shall take effect immediately, according to law.

**Record of Council Vote on Passage**

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

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 January 31, 2025.

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

**BOROUGH OF PENNINGTON  
COUNTY OF MERCER**

**ORDINANCE NO. 2025 -1**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Introduced: January 6, 2025

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

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

Adoption: \_\_\_\_\_

Final Publication: \_\_\_\_\_

ATTEST:

APPROVED:

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

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

**BOROUGH OF PENNINGTON  
COUNTY OF MERCER**

**ORDINANCE NO. 2025 - 1**

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

**RECORD OF COUNCIL VOTE ON INTRODUCTION**

| <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          | X          |            |             |             | Rubenstein        | X          |            |             |             |
| Chandler          | M          |            |             |             | Stern             | S          |            |             |             |
| Marciante         | X          |            |             |             | Valenza           | X          |            |             |             |

**RECORD OF COUNCIL VOTE ON ADOPTION**

| <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          |            |            |             |             | Rubenstein        |            |            |             |             |
| Chandler          |            |            |             |             | Stern             |            |            |             |             |
| Marciante         |            |            |             |             | Valenza           |            |            |             |             |



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

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

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

**WHEREAS**, the Grantor was previously granted Preliminary and Final Site Plan approval by the Borough of Pennington Planning Board (the “Board”) to convert a former bank building to a Starbucks Restaurant, as memorialized by the Board’s adoption of a Resolution on February 8, 2023 on Application No. PB22-009 (“Approval”); and

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

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

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

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

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

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

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

Adoption: \_\_\_\_\_

Final Publication: \_\_\_\_\_

ATTEST: \_\_\_\_\_

APPROVED: \_\_\_\_\_

Elizabeth Sterling, Borough Clerk

James Davy, Mayor

**BOROUGH OF PENNINGTON  
COUNTY OF MERCER**

**ORDINANCE NO. 2025 - 2**

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

**RECORD OF COUNCIL VOTE ON INTRODUCTION**

| <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          | X          |            |             |             | Rubenstein        |            |            |             | absent      |
| Chandler          | M          |            |             |             | Stern             | S          |            |             |             |
| Marciante         |            |            |             | absent      | Valenza           | X          |            |             |             |

**RECORD OF COUNCIL VOTE ON ADOPTION**

| <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          |            |            |             |             | Rubenstein        |            |            |             |             |
| Chandler          |            |            |             |             | Stern             |            |            |             |             |
| Marciante         |            |            |             |             | Valenza           |            |            |             |             |

**BOROUGH OF PENNINGTON  
RESOLUTION 2025 – 2.5**

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

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

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

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

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

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

**Record of Council Vote on Passage**

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

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 February 3, 2025.

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-2.6**

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

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

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

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

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

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

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

**Record of Council Vote on Passage**

| <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          |            |            |             |             | Rubenstein        |            |            |             |             |
| Chandler          |            |            |             |             | Stern             |            |            |             |             |
| Marciante         |            |            |             |             | Valenza           |            |            |             |             |

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 February 3, 2025..

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-2.7**

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

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

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

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

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

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

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

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

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

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

**Record of Council Vote on Passage**

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

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 February 3, 2025.

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-2.8**

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

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

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

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

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

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

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

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

1. Prior approval by the Pennington Borough Police Department, with specific attention to pedestrian and vehicular circulation and required safety measures and assurance of compliance with Police recommendations.
2. Prior approval of the Fire Official with respect to potential fire hazards and related safety issues;
3. Prior approval by the Superintendent of Public Works with reference to required barriers and involvement by that department.

- 4. Prior written approval of the event by Pennington Square, LLC, including but not limited to the proposed use of the parking lot and parking spaces, the impact on pedestrian and vehicular circulation, any adverse impact on tenants, and the adequacy of insurance covering the event.
- 5. Proof that every tenant in the Pennington Square Shopping Center and adjoining properties has been notified in writing at least a week prior to the event concerning the date, time and nature of the event and details concerning pedestrian and vehicular circulation that may affect them.
- 6. Access for emergency vehicles must be maintained at all times.
- 7. All noise ordinances must be observed.
- 8. A determination by the Borough Administrator that the above conditions 1 through 5 have been satisfied and that Jersey Meds has provided adequate assurances that conditions 6 and 7 will also be met.

**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          |            |            |             |             | Rubenstein        |            |            |             |             |
| Chandler          |            |            |             |             | Stern             |            |            |             |             |
| Marciante         |            |            |             |             | Valenza           |            |            |             |             |

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 February 3, 2025

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2025-2.9**

**RESOLUTION AUTHORIZING CONTRACT WITH WATER RESOURCE  
MANAGEMENT FOR SERVICES AS WATER AND SEWER COMPLIANCE OFFICER  
AND FOR PREPARATION OF CONSUMER CONFIDENCE REPORT AND WATER &  
SEWER ORDINANCE REVIEW FOR THE YEAR 2025**

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

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

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

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

**WHEREAS**, at the Borough's request, Water Resource Management also provides for the performance of emergency call out and additional professional services for work beyond the scope of services described in the Compliance Officer Proposal on an hourly basis at rates ranging from \$90-\$175.00 per hour plus additional costs as needed on a case by case basis as per the rate schedule provided;

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

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

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

1. that the Compliance Officer Proposal be amended to ensure compliance by Water Resource Management with Anti-Discrimination and Affirmative Action requirements of the State of New Jersey as set forth in the annexed Exhibit A;
2. that the Compliance Officer Proposal be further amended to provide that the contract between Water Resource Management and the Borough shall be terminable on 30 days prior written notice by either party;



3. that the Additional Services Proposal be supplemented by a provision that expenditures for additional services and costs under that Proposal not exceed on an annual basis \$1,000.00 unless approved in advance, in writing, by Borough Council;
4. that Water Resource Management demonstrate coverage by sufficient professional liability insurance, to be approved by the Borough Attorney;
5. that the Mayor or Borough Administrator are authorized to issue such purchase orders and contract documents as further necessary to retain and pay for the services of Water Resource Management as Water and Sewer Compliance Officer consistent with the Compliance Officer Proposal, for preparation of Consumer Confidence Report, O & M and ERP in accordance with the related Proposals, and for the additional services and costs covered by the Additional Services Proposal, and the terms and conditions of this Resolution; and
6. that no work shall begin under this Resolution and agreement until approved in advance and in writing by Borough Council and a related purchase order has been issued.

**Record of Council Vote on Passage**

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

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 February 3, 2025.

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