



# **BOROUGH COUNCIL MEETING - DECEMBER 29, 2022**

## **AGENDA**

**Thursday, December 29, 2022 at 3:00 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**

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.**

### **MAYOR'S BUSINESS**

1. ROSI
2. Proposed Council Assignments - 2023
3. Pennington Borough Landfill Results of Environmental Investigation / Affordable Housing Element of the Master Plan - Request for Special Meeting (Tuesday, January 17, 2022 at 7:00 pm)

### **APPROVAL OF MINUTES**

4. Regular Meeting Minutes - December 5, 2022

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

### **ORDINANCES FOR PUBLIC HEARING AND ADOPTION**

- [5.](#) 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

### **COUNCIL DISCUSSION**

- [6.](#) Noise and Lighting Ordinance (Amended)
7. 120 Water Proposal

### **NEW BUSINESS**

- [8.](#) Resolution 2022-12.13 - Resolution Authorizing Payment of Bills
- [9.](#) Resolution 2022 - 12.14 - Resolution Authorizing Budget Transfers
- [10.](#) Resolution 2022 - 12.15 - Resolution Authorizing Refund of Redemption Monies to Outside Lienholder
- [11.](#) Resolution 2022-12.16 - Resolution Approving Light Duty Policy
- [12.](#) Resolution 2022 - 12.17 - Resolution Adopting Technology Risk Management Standards in Compliance with the New Jersey Municipal Excess Liability Joint Insurance Fund's Cyber Risk Management Plan's Tier Three Requirements
- [13.](#) Resolution 2022 - 12.18 - Resolution Authorizing Refunds
- [14.](#) Resolution 2022 - 12.20 - Resolution Authorizing Three-Month Extension of Shared Services Agreement with the Township of Montgomery for Health Services
- [15.](#) Resolution 2022 - 12.21 - Resolution Authorizing Three-Month Extension of Shared Services Agreement with Montgomery Township for Animal Control Services
- [16.](#) Resolution 2022 - 12.22 - Resolution Requesting the New Jersey Department of Transportation Install an All-Pedestrian Signal Phase at the Intersection of Route 31 and West Delaware Avenue

### **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 Administrator 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:

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

**ADJOURNMENT**

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				

**BOROUGH OF PENNINGTON**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING THE BOROUGH NUISANCE  
ORDINANCE TO PROHIBIT INTRUSIVE OUTDOOR LIGHTING  
[AND OPERATION OF POWER MOWERS AND LEAF BLOWERS  
DURING CERTAIN HOURS]**

WHEREAS, the Borough Nuisance Ordinance, Chapter 136 of the Code of the Borough of Pennington, seeks to protect and promote the public health through the control, abatement and prevention of conditions injurious to the public health and safety;

WHEREAS, the Nuisance Ordinance prohibits conditions and activities deemed to be detrimental or a threat to the public health or environment or an annoyance interfering with the comfort and well-being of the residents of the Borough;

WHEREAS, Borough Council finds and determines that outdoor lighting fixtures that illuminate beyond the property on which they are installed, when left on during the late night and early morning hours, unreasonably disrupt the peace and privacy of neighboring residents and endanger public health;

[WHEREAS, Council also finds and determines that the operation of power mowers and leaf blowers in the early morning and evening hours represents an excessively loud and unnecessary disturbance of the peace and comfort of residents and is a danger to the health and welfare of the community;]

WHEREAS, amending the Nuisance Ordinance to prohibit these conditions [and activities] will provide a mechanism for abatement as well as enforcement when appropriate;

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Pennington, that Chapter 136 of the Code of the Borough of Pennington, at Section 136-3, is hereby amended to include the following prohibitions:

“136-3. Nuisances Defined and Prohibited.

\* \* \*

(21) Outdoor lighting fixtures that are not shielded ~~or~~ **and** constructed to prevent illumination beyond the property on which they are installed, **including lights controlled by motion detectors**, shall be turned off between 12:00 midnight and sunrise. Lighting ~~directed downward~~ **shall be presumed to prevent illumination beyond the property if it is directed downward and no direct light is emitted above a plane extending outward from the base of the light source parallel to the ground.** ~~or and otherwise shielded or and constructed so that no direct light is emitted above a plane parallel to the ground shall be presumed to prevent illumination beyond the property.~~ **Illumination beyond the property between 12:00 midnight and sunrise is prohibited.**

[(22) No person shall operate or cause or permit to be operated any power lawnmower or leaf blower except between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday, 9:00 a.m. and 8:00 p.m. on Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday.”]<sup>1</sup>

AND BE IT FURTHER ORDAINED THAT THIS Ordinance shall be effective upon its passage and publication as provided by law.

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<sup>1</sup> Language in brackets { } is for discussion only.



## BOROUGH OF PENNINGTON RESOLUTION 2022 – 12.13

### 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 \$ 554,244.02 from the following accounts:

Current	\$ 465,400.33
W/S Operating	\$ 34,642.75
General Capital	\$ 26,208.15
Water/Sewer Capital	\$ 1,525.72
Grant Fund	\$ 1,433.68
Animal Control Fund	\$ 42.10
Open Space	\$ 7,659.50
Developer's Escrow	\$ 1,775.00
COAH Trust	\$ 7,351.20
Other Trust Fund	\$ 8,201.15
Recreation	\$ 4.44
<b>TOTAL</b>	<b>\$ 554,244.02</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 December 29, 2022.

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

TO: Mayor & Council  
SUBJECT: Time Sensitive Payments  
Bank of Princeton  
BILL LIST: 29-Dec-22

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Current Fund

CK 18213		VOID	\$	(382.31)
CK 18329		VOID	\$	(2.99)
Ck 18342	22-00983	Boro of Pennington - Open Space	\$	264.70
CK 18343	22-00769	Elizabethtown Gas (replaced 18213)	\$	382.31
Wire 12099	22-00994	Payroll Account	\$	64,854.71
Wire 12101	22-00996	Payroll Account - DCRP - 12/15/22	\$	126.19

\$ 65,627.91

Water/Sewer Operating

Ck 5737	22-00982	Kathleen Windfelder	\$	162.06
Wire 22100	22-00994	Payroll Account	\$	10,198.03

\$ 10,360.09

Trust Fund

Wire 12100	22-00994	Payroll Account	\$	7,203.34
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\$ 7,203.34

Open Space

Ck 1197	22-00988	First American Title Ins. Co.	\$	344.00
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\$ 344.00

TOTAL \$ 83,535.34

P.O. Type: All									
Range: First to Last									
Format: Detail without Line Item Notes First Enc Date Range: First to 12/31/22									
Vendors: All									
Rcvd Batch Id Range: First to Last									
Include Non-Budgeted: Y									
Open: N Paid: N Void: N									
Rcvd: Y Held: N Aprv: N									
Bid: Y State: Y Other: Y Exempt: Y									
PO #	PO Date	Vendor	Amount	Charge Account	Acct Type	Description	Contract PO Type	Stat/Chk	First Rcvd Chk/Void
Item Description								Enc Date Date	Date Invoice
19-00478 06/12/19 KYLE0005 James Kyle, PP/AICP									
3 Inv. 3890 - Housing Plan Elem.			7,351.20	T-03-00-850-853-255	B	Affordable Housing - COAH		R 06/12/19 12/27/22	3890
19-00935 12/11/19 VANNO01 Van Note-Harvey Associates									
8 Inv. 221200020 - Amp Program			1,200.00	W-06-18-015-000-250	B	ORD 2018-15 - ASSET MANAGEMENT PLAN		R 12/11/19 12/15/22	221200020
21-00465 06/03/21 VANNO01 Van Note-Harvey Associates									
15 Inv. 221200019 - Closeout			2,960.00	1-01-20-165-000-262	B	ENGINEERING: Eng. Services		R 06/03/21 12/15/22	221200019
22-00018 01/14/22 BRITTON Britton Industries, Inc.									
31 Inv. 0898594-IN - Wood			347.57	G-02-44-926-000-250	B	Solid Waste Recycling		R 10/26/22 12/07/22	0898594-IN
22-00026 01/14/22 JACKS GR Jack's Greenhouse and Farm									
3 Inv. 1247 - Winter Decorations			268.90	2-01-26-310-000-272	B	BOROUGH PROP: Trees/Plants/Landscaping		R 01/14/22 12/12/22	1247
22-00039 01/14/22 BLISSW01 Walter R. Bliss Jr., Esquire									
11 Legal Services - Oct 2022			4,167.00	2-01-20-155-000-261	B	LEGAL: Legal Services		R 01/14/22 12/12/22	OCT 2022
12 Legal Services - Nov 2022			4,167.00	2-01-20-155-000-261	B	LEGAL: Legal Services		R 01/14/22 12/12/22	NOV 2022
			8,334.00						
22-00064 01/20/22 ONECALLC One Call Concepts									
12 Inv. 2115502 - Nov 2022			35.39	2-05-55-501-000-275	B	WATER: One Call Messages		R 01/20/22 12/12/22	2115502
22-00085 01/24/22 MINOLTA Konica Minolta Premier Finance									
13 Inv. 489576033 - Dec 2022			203.29	2-01-20-100-000-225	B	ADMIN: Office Equipment		R 01/24/22 12/20/22	489576033
22-00096 01/25/22 PITNEY Pitney Bowes, Inc.									
5 Inv. 3316676080 - 4th Qtr 2022			513.33	2-01-20-100-000-226	B	ADMIN: Equip Maint (Copier/Post Meter)		R 01/25/22 12/12/22	3316676080
22-00155 02/10/22 WATERRES Water Resource Management									
12 Inv. WPN22M01-11 - Nov 2022			425.00	2-05-55-501-000-260	B	WATER: Compliance Officer / Emerg. Serv		R 02/10/22 12/21/22	WPN22M01-11

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract PO Type	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
22-00156	02/10/22	NJANALYT Pace Analytical Services, LLC					B				
5 Inv.	1648981432302	- Feb 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1648981432302
6 Inv.	1651572830332	- May 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1651572830332
7 Inv.	1654250895520	- June 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1654250895520
8 Inv.	1656842955335	- July 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1656842955335
9 Inv.	1659521511356	- Aug 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1659521511356
10 Inv.	1662200667227	- Sept 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1662200667227
11 Inv.	1664791743336	- Oct 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1664791743336
12 Inv.	1667469882408	- Nov 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1667469882408
13 Inv.	1670066861273	- Dec 2022		2,519.00	2-05-55-501-000-256	B WATER:	Water Analysis	R	02/10/22	12/21/22	1670066861273
				22,671.00							
22-00161	02/10/22	EAGLE005 Eagle Janitorial Services					B				
13 Inv.	32815	- Dec 2022		1,457.50	2-01-26-310-000-229	B BOROUGH PROP:	Cleaning Service	R	02/10/22	12/16/22	32815
22-00175	02/16/22	SCHWIE01 Mason, Griffin & Pierson					B				
11 Inv.	85950	- Legal - Pl Board		266.25	2-01-21-180-000-261	B PLANNING BOARD:	Legal Services	R	02/16/22	12/27/22	85950
22-00221	03/04/22	HOUST005 Ariel Houston									
17 Court	- December 1, 2022			100.00	2-01-43-490-000-267	B MUNICIPAL COURT:	Other Services	R	10/21/22	12/20/22	12-1-22
18 Court	- December 15, 2022			100.00	2-01-43-490-000-267	B MUNICIPAL COURT:	Other Services	R	12/20/22	12/20/22	12-15-22
				200.00							
22-00244	03/08/22	PUMPSE01 Pumping Services, Inc.									
1 24 Point Inspection	- Cur'is			1,151.27	2-05-55-502-000-225	B SEWER:	Equipment / Equipment Maint.	R	03/08/22	12/12/22	1130026
22-00245	03/09/22	VANNOT01 Van Note-Harvey Associates					B				
5 Inv.	221200016	- Gen Eng.		1,727.00	2-01-20-165-000-262	B ENGINEERING:	Eng. Services	R	03/09/22	12/15/22	221200016
22-00289	03/25/22	HUBERTCR Craig Hubert									
13 Court	- Oct 6, 2022			300.00	2-01-25-275-000-201	B PROSECUTOR:	Other Expense	R	03/25/22	12/20/22	OCT 6, 2022
14 Court	- Nov 3, 2022			300.00	2-01-25-275-000-201	B PROSECUTOR:	Other Expense	R	03/25/22	12/20/22	NOV 3, 2022
15 Court	- Nov 17, 2022			300.00	2-01-25-275-000-201	B PROSECUTOR:	Other Expense	R	03/25/22	12/20/22	NOV 17, 2022
16 Court	- Dec 1, 2022			300.00	2-01-25-275-000-201	B PROSECUTOR:	Other Expense	R	03/25/22	12/20/22	DEC 1, 2022
17 Court	- Dec 15, 2022			300.00	2-01-25-275-000-201	B PROSECUTOR:	Other Expense	R	03/25/22	12/20/22	DEC 15, 2022
				1,500.00							
22-00329	04/05/22	SCHWIE01 Mason, Griffin & Pierson					B				
Inv.	85953	- Arboretum		175.50	T-03-00-850-850-255	B Open Space Reserves		R	04/05/22	12/20/22	85953

December 27, 2022  
04:24 PM

BOROUGH OF PENNINGTON  
Purchase Order Listing By P.O. Number

Page No: 3

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract Description	PO Type	Stat/Chk	Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00336	04/05/22	MEMES005 Patrick Memes					B						
10	Court - Oct 6, 2022			200.00	2-01-43-495-000-255	B	PUBLIC DEFENDER - MISC.		R	04/05/22	12/20/22		OCT 6, 2022
11	Court - Nov 17, 2022			200.00	2-01-43-495-000-255	B	PUBLIC DEFENDER - MISC.		R	04/05/22	12/20/22		NOV 17, 2022
12	Court - Dec 1, 2022			200.00	2-01-43-495-000-255	B	PUBLIC DEFENDER - MISC.		R	04/05/22	12/20/22		DEC 1, 2022
13	Court - Dec 15, 2022			200.00	2-01-43-495-000-255	B	PUBLIC DEFENDER - MISC.		R	04/05/22	12/20/22		DEC 15, 2022
				800.00									
22-00395	04/25/22	TAURI001 Law Offices Joseph Tauriello					B						
10	Inv. - Expert Review			6,037.50	2-01-20-155-000-250	B	LEGAL: Consultants		R	04/25/22	12/15/22		EXPERT REVIEW
22-00511	06/02/22	VANNOT01 Van Note-Harvey Associates					B						
7	Inv. 221200022 - Concept			3,360.00	C-04-22-005-000-250	B	ORD 2022-5 - SECTION 20 COSTS		R	06/02/22	12/15/22		221200022
8	Inv. 221200022 - Prelim Design			7,020.00	C-04-22-005-000-250	B	ORD 2022-5 - SECTION 20 COSTS		R	06/02/22	12/15/22		221200022
9	Inv. 221200022 - Det. Design			1,487.50	C-04-22-005-000-250	B	ORD 2022-5 - SECTION 20 COSTS		R	06/02/22	12/15/22		221200022
10	Inv. 221200022 - Ext. Auth.			505.73	C-04-22-005-000-250	B	ORD 2022-5 - SECTION 20 COSTS		R	06/02/22	12/15/22		221200022
11	Inv. 221200022 - Bidding Phase			6,376.78	C-04-22-005-000-250	B	ORD 2022-5 - SECTION 20 COSTS		R	06/02/22	12/15/22		221200022
				18,750.01									
22-00512	06/02/22	VANNOT01 Van Note-Harvey Associates					B						
8	Inv. 221200021 - Const Admin.			1,552.50	C-04-21-004-000-250	B	NJDOT - EAST WELLING AVE. - SECTION 20		R	06/02/22	12/15/22		221200021
9	Inv. 221200021 - Close Out			4,490.00	C-04-21-004-000-250	B	NJDOT - EAST WELLING AVE. - SECTION 20		R	06/02/22	12/15/22		221200021
				6,042.50									
22-00597	07/05/22	LAWYERS Lawyer's Diary & Manual					B						
1	2023 NJ Lawyers Diary & Manual			125.25	2-01-43-490-000-235	B	MUNICIPAL COURT: Publications		R	07/05/22	12/23/22		
22-00613	07/07/22	PACKETPU Packet Media LLC					B						
1	Ord 2022-9 - Introduction			39.29	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	07/07/22	12/12/22		
2	Ord 2022-10 - Introduction			37.09	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	07/07/22	12/12/22		
				76.38									
22-00685	08/03/22	PACKETPU Packet Media LLC					B						
1	Ord 2022-9 - Adoption			36.04	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	08/03/22	12/12/22		
2	Ord 2022-10 - Adoption			32.90	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	08/03/22	12/12/22		
3	Ord 2022-11 - Introduction			37.09	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	08/03/22	12/12/22		
				106.03									
22-00780	09/12/22	PACKETPU Packet Media LLC					B						
1	Ord. 2022-11 - Adoption			33.95	2-01-20-120-000-201	B	MUN. CLERK: Advertising		R	09/12/22	12/12/22		

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	Contract PO Type	Stat/Chk	First Rcvd	Chk/Void	Invoice
									Enc Date	Date	
22-00780	09/12/22	PACKETPU Packet Media LLC			Continued						
	2 Ord.	2022-12 - Introduction	83.70	2-01-20-120-000-201		B MUN. CLERK: Advertising		R	09/12/22	12/12/22	
	3 Ord.	2022-13 - Introduction	36.04	2-01-20-120-000-201		B MUN. CLERK: Advertising		R	09/12/22	12/12/22	
	4	2021 - Audit Synopsis	72.35	2-01-20-120-000-201		B MUN. CLERK: Advertising		R	09/12/22	12/12/22	
			226.04								
22-00793	09/20/22	PACKETPU Packet Media LLC									
	1	Planning Bd Legal Notice 9/23	43.95	2-01-21-180-000-201		B PLANNING BOARD: Advertising		R	09/20/22	12/12/22	
22-00823	09/30/22	SCORP005 Brian Kubin									
	3	Inv. 133- 13 Deer Harvested	2,210.00	T-03-00-850-850-255		B Open Space Reserves		R	09/30/22	12/12/22	133
	4	Inv. 129 - 29 Deer Harvested	4,930.00	T-03-00-850-850-255		B Open Space Reserves		R	09/30/22	12/16/22	129
			7,140.00								
22-00828	10/05/22	KYLE0005 James Kyle, PP/AICP									
	4	Inv. 3803 - Progress Billing	1,017.00	2-01-21-180-000-250		B PLANNING BOARD: Consultants		R	10/06/22	12/27/22	3803
22-00869	10/18/22	KYLE0005 James Kyle, PP/AICP									
	2	Inv. 3810 - ERI - Final Review	866.20	2-01-20-100-000-250		B ADMIN: Consultants (RND/e-code/website)		R	10/18/22	12/27/22	3810
22-00879	10/20/22	SPEED010 SpeedPro Imaging									
	1	Yard Signs - Speed Pro	84.00	2-01-30-420-000-255		B MEMORIAL DAY / HALLOWEEN / HOLIDAY WALK		R	10/20/22	12/12/22	
22-00895	11/01/22	PACKETPU Packet Media LLC									
	1	Tax Sale Notice to run in	313.22	2-01-20-145-000-201		B TAX COLLECTION: Advertising		R	11/01/22	12/12/22	
22-00897	11/02/22	PACKETPU Packet Media LLC									
	1	Adv for Bids - W. Franklin	135.79	2-01-20-100-000-201		B ADMIN: Advertising		R	11/02/22	12/12/22	
22-00923	11/05/22	VITALS01 Vital Communications, Inc.									
	1	Inv. VITCT00001113 - Mod IV	100.00	1-01-20-150-000-226		B TAX ASSESSMENT: Contract-vital		R	11/05/22	12/12/22	VITCT00001113
	2	Inv. Vital services - Nov 2021	135.00	1-01-20-150-000-226		B TAX ASSESSMENT: Contract-vital		R	11/05/22	12/12/22	NOV 2021
	3	Inv. Services - Jan-June 2022	810.00	2-01-20-150-000-226		B TAX ASSESSMENT: Contract-vital		R	11/05/22	12/12/22	JAN-JUNE 2022
			1,045.00								
22-00936	11/14/22	TOMST005 Tom's Tree Service									
	1	Tree/Stump work in Borough	8,850.00	2-01-26-313-000-250		B SHADE TREE: Tree Pruning / Removal		R	11/14/22	12/19/22	

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
22-00939	11/17/22	MCAATREA Mercer County Assessors Assoc.										
		1 December 7th meeting		50.00	2-01-20-150-000-255	B	TAX ASSESSMENT:	Misc. Expenses	R	11/17/22	12/13/22	
22-00940	11/17/22	HOVALCAR Hopewell Valley Car Wash										
		1 POLICE CAR WASHES 8-10/2022		70.00	2-01-25-240-000-277	B	POLICE:	Vehicle Expenses	R	11/17/22	12/12/22	1253
22-00941	11/17/22	FBILE005 FBI-LEEDA										
		1 ELI CLASS AT EWING PD 716		695.00	2-01-25-240-000-220	B	POLICE:	Dues / Licenses / Education	R	11/17/22	12/12/22	200072936
22-00946	11/21/22	VER-NEW Verizon										
		1 Inv. 9919395155 - Oct 2022		107.75	2-01-29-390-000-263	B	LIBRARY:	Telephone	R	11/21/22	12/06/22	9919395155
22-00948	11/21/22	BAKER Baker & Taylor - Books										
		1 L0757713 - 5017967167		116.33	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5017967167
		2 L0757713 - 5018005767		13.21	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5018005767
		3 L0757713 - 5017978183		264.12	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5017978183
		4 L4065523 - 5018012281		54.41	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5018012281
		5 L5210893 - 5017985421		151.84	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5017985421
		6 L5210893 - 5018022417		88.41	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5018022417
		7 L5216343 - 5017983425		78.51	2-01-29-390-000-242	B	LIBRARY:	Books/Materials/Publications	R	11/21/22	12/15/22	5017983425
				766.83								
22-00952	11/21/22	DEER CAR Deer Carcass Removal Service										
		1 Inv. 2723 - Deer Removal		90.00	2-01-26-290-000-275	B	STREETS:	Deer Carcass Removal	R	11/21/22	12/13/22	
22-00955	11/28/22	VALLEY01 Valley Oil Company										
		1 Inv. 85391 - Diesel Fuel		457.44	2-01-31-460-000-265	B	Gasoline, Motor Fuels & Oil	PW	R	11/28/22	12/12/22	85391
22-00964	11/29/22	REED SHA Sharon Reed										
		1 Medicare Reimb. - S. Reed		2,041.20	2-01-36-472-000-255	B	Social Security Expense		R	11/29/22	12/12/22	2022
		2 Medicare Reimb. - J. Reed		2,041.20	2-01-36-472-000-255	B	Social Security Expense		R	11/29/22	12/12/22	2022
				4,082.40								
22-00966	11/29/22	MCCLO005 McCloskey Mechanical Contrator										
		1 Urgent Repair in Police Dept.		446.40	2-01-26-310-000-227	B	BOROUGH PROP:	Building Maint.	R	11/29/22	12/13/22	SD17685
22-00967	11/29/22	CENTR005 Central Jersey Equipment										
		1 Replace Fuel Lift Pump and		549.50	2-01-26-290-000-226	B	STREETS:	Equip. Maintenance	R	11/29/22	12/21/22	1375220

BOROUGH OF PENNINGTON  
Purchase Order Listing By P.O. Number

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00973 12/02/22 PEDRONI Fuel Company													
1	Ref #579926	- No Lead Gas		747.15	2-01-31-460-000-265			B Gasoline, Motor Fuels & Oil PW	R	12/02/22	12/13/22		579926
2	Ref #579926	- No Lead Gas		747.15	2-01-31-460-000-266			B Gasoline - Police	R	12/02/22	12/13/22		579926
				1,494.30									
22-00974 12/02/22 PACKETPU Packet Media LLC													
1	Ord 2022-14	- Introduction		32.08	2-01-20-120-000-201			B MUN. CLERK: Advertising	R	12/02/22	12/12/22		IN14390
22-00975 12/02/22 CINTAS01 Cintas Corporation													
1	Inv. 4136073861	- Uniforms		70.64	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/02/22	12/13/22		4136073861
2	Inv. 4136073861	- Janitorial		62.20	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4136073861
3	Inv. 4136758008	- Uniforms		70.64	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4136758008
4	Inv. 4136758008	- Janitorial		11.16	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4136758008
5	Inv. 4137499135	- Janitorial		62.20	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4137499135
6	Inv. 4137499135	- Uniforms		70.64	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4137499135
7	Inv. 4138340716	- Uniforms		70.64	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4138340716
8	Inv. 4138340716	- Janitorial		11.16	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4138340716
9	Inv. 4138809472	- Janitorial		62.20	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4138809472
10	Inv. 4138809472	- Uniforms		70.64	2-01-26-290-000-286			B STREETS: Uniforms & Clothing	R	12/03/22	12/13/22		4138809472
				562.12									
22-00976 12/03/22 VERIZON01 Verizon													
1	Court - 609-737-2014	- Nov		156.65	2-01-43-490-000-263			B MUNICIPAL COURT: Telephone	R	12/03/22	12/12/22		NOV 2022
22-00977 12/03/22 CINTAS01 Cintas Corporation													
1	Inv. 4137850535	- Janitorial		63.09	2-01-26-310-000-228			B BOROUGH PROP: Maint. Sr Center	R	12/03/22	12/13/22		4137850535
22-00978 12/03/22 CINTAS01 Cintas Corporation													
1	Inv. 4136758108	- Janitorial		35.00	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4136758108
2	Inv. 4137499229	- Janitorial		140.94	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4137499229
3	Inv. 4138340772	- Janitorial		133.07	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4138340772
4	Inv. 4138809541	- Janitorial		38.71	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4138809541
				347.72									
22-00979 12/03/22 CINTAS01 Cintas Corporation													
1	Inv. 4137499040	- Boro Hall		304.61	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4137499040
2	Inv. 4138809403	- Boro Hall		35.00	2-01-26-310-000-273			B BOROUGH PROP: Janitorial Supp.	R	12/03/22	12/13/22		4138809403
				339.61									



PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice
22-00980	12/05/22	VERIZON01 Verizon											
1	Altocost	- 609-737-3125		65.59	2-01-31-440-000-264		B	TELEPHONE - Police	R	12/05/22	12/12/22		NOV 2022
22-00981	12/05/22	ATTMOBIL First Net (AT&T)											
1	MDT Service	- Nov 2022		164.96	2-01-31-440-000-264		B	TELEPHONE - Police	R	12/05/22	12/12/22		28790842947X112
22-00986	12/07/22	PACKETPU Packet Media LLC											
1	Legal Notice	- Prof Services		26.85	2-01-20-120-000-201		B	MUN. CLERK: Advertising	R	12/07/22	12/16/22		
22-00987	12/07/22	FLEMI005 Flemington Department Store											
1	Inv.	80976 - Burroughs- Shirts		152.85	2-01-25-240-000-286		B	POLICE: Uniforms & Clothing	R	12/07/22	12/16/22		80976
2	Inv.	80975- Burroughs- Jacket		559.95	2-01-25-240-000-286		B	POLICE: Uniforms & Clothing	R	12/07/22	12/16/22		80975
				712.80									
22-00989	12/12/22	BOROUGH3 Boro of Pennington - Current											
1	Interest	- Recreation		4.44	T-03-00-850-854-260		B	Due to Current - Rec. Interest	R	12/12/22	12/20/22		JAN-NOV 2022
2	Interest	- Gen Capital		1,415.64	C-04-00-900-950-260		B	INTEREST - DUE TO CURRENT	R	12/12/22	12/20/22		JAN-NOV 2022
3	Interest	- Grant Fund		1,086.11	G-02-44-950-901-902		B	DUE TO CURRENT - Interest	R	12/12/22	12/20/22		JAN-NOV 2022
4	Interest	- Animal Control		42.10	T-03-00-850-851-256		B	ACO INTEREST - DUE TO CURRENT	R	12/12/22	12/20/22		JAN-NOV 2022
5	Interest	- Trust Fund		997.81	T-03-00-850-858-260		B	Int due to Current	R	12/12/22	12/20/22		JAN-NOV 2022
				3,546.10									
22-00990	12/12/22	BOROUGH1 Boro of Pennington - w/s Oper.											
1	Interest	- w/s Capital		325.72	W-06-00-900-950-260		B	Interest -Due to w/s Operating	R	12/12/22	12/20/22		JAN-NOV 2022
22-00991	12/12/22	PSEG01 PSEG											
1	65-278-022-18	- Public Works		246.70	2-01-31-430-000-263		B	Electricity - PW Buildings	R	12/12/22	12/12/22		NOV 2022
22-00992	12/12/22	VER-NEW Verizon											
1	November Billing	- 2022		1,055.53	2-01-31-440-000-265		B	TELEPHONE - Administration	R	12/12/22	12/12/22		9921865698
22-00993	12/12/22	CASTALDO Donald & Josephine Castaldo											
1	Medicare Reimb.	- D. Castaldo		2,041.20	2-01-36-472-000-255		B	Social Security Expense	R	12/12/22	12/20/22		2022 MEDICARE
2	Medicare Reimb.	- J. Castaldo		2,041.20	2-01-36-472-000-255		B	Social Security Expense	R	12/12/22	12/20/22		2022 MEDICARE
				4,082.40									
22-00995	12/13/22	NUTCOR01 Elizabethtown Gas											
1	6764364361	- Senior Center		287.46	2-01-26-310-000-228		B	BOROUGH PROP: Maint. Sr Center	R	12/13/22	12/13/22		NOV 2022
	2408049581	- Boro Hall		304.15	2-01-31-446-000-201		B	Gas Heat - Borough Hall	R	12/13/22	12/13/22		NOV 2022

PO #	PO Date	Vendor	Item Description	Amount	Charge Account	Acct Type	PO Type	Contract Description	Stat/Chk	First Rcvd Enc Date Date	Chk/Void Date	Invoice
22-00995	12/13/22	NUICOR01 Elizabethtown Gas	Continued									
3	2408049581	- Library	304.15	2-01-29-390-000-264		B	LIBRARY: Gas & Electric		R	12/13/22	12/13/22	NOV 2022
4	0140296831	- Public works	720.64	2-01-31-446-000-205		B	Heat - Public Works Building		R	12/13/22	12/13/22	NOV 2022
			<u>1,616.40</u>									
22-00997	12/13/22	LINCOLN Lincoln Financial Advisors										
1	LOSAP Contribution - 2021		5,769.19	2-01-25-261-000-201		B	LOSAP		R	12/13/22	12/13/22	LOSAP 2021
22-00999	12/15/22	PACKETPU Packet Media LLC										
1	Inv. 300603673 - 2021 Auction		64.29	1-01-20-120-000-201		B	MUN. CLERK: Advertising		R	12/15/22	12/27/22	300603673
22-01000	12/16/22	PEDRON01 Pedroni Fuel Company										
1	Ref #: 580217 - No Lead Gas		411.83	2-01-31-460-000-265		B	Gasoline, Motor Fuels & Oil PW		R	12/16/22	12/23/22	580217
2	Ref #: 580217 - No Lead Gas		411.83	2-01-31-460-000-266		B	Gasoline - Police		R	12/16/22	12/23/22	580217
			<u>823.66</u>									
22-01001	12/16/22	MCMANIMO McManimon Scotland Baumann										
1	Inv. #200391 - Services NOV		623.50	2-01-20-130-000-251		B	FINANCE: Bond Counsel/Phoenix/Acclaim		R	12/16/22	12/23/22	200391
22-01003	12/20/22	VER-NEW Verizon										
1	Inv. 9921777155 - Nov 2022		107.75	2-01-29-390-000-263		B	LIBRARY: Telephone		R	12/20/22	12/23/22	921777155
22-01005	12/20/22	KYLE0005 James Kyle, PP/AICP										
1	Inv. 3795 - Escrow Jersey Meds		1,050.80	E-16-22-011-000-250		B	JERSEY MEDS - CONSULTANTS		R	12/20/22	12/27/22	3795
2	Inv 3798 - Escrow Wenzel		724.20	E-16-22-010-000-250		B	DONALD WENTZEL - CONSULTANTS		R	12/20/22	12/27/22	3798
			<u>1,775.00</u>									
22-01009	12/20/22	VAGGOTJ John Vaggot										
1	Reimbursement - Uniforms		250.00	2-01-26-290-000-286		B	STREETS: Uniforms & Clothing		R	12/20/22	12/20/22	REIMB.
22-01012	12/21/22	MISTR005 Mary Mistrretta										
1	Medicare Reimb- M. Mistrretta		2,041.20	2-01-36-472-000-255		B	Social Security Expense		R	12/21/22	12/21/22	REIMB. 2022
2	Medicare Reimb- S. Mistrretta		2,041.20	2-01-20-100-000-255		B	ADMIN: Miscellaneous Expenses		R	12/21/22	12/21/22	REIMB. 2022
			<u>4,082.40</u>									
22-01014	12/27/22	VER FIOS Verizon - FIOS										
1	Police Internet - Nov 2022		119.00	2-01-31-440-000-264		B	TELEPHONE - Police		R	12/27/22	12/27/22	NOV 2022

P.O. #	P.O. Date	Vendor	Item Description	Amount	Charge Account	Contract P.O. Type	Acct Type Description	Stat/Chk	Enc Date	First Rcvd Date	Chk/Void Date	Invoice
22-01015	12/27/22	MCI COMM MCI Comm Service										
1	20F32543	- Alcotest - Dec 2022		35.88	2-01-31-440-000-264	B	TELEPHONE - Police	R	12/27/22	12/27/22		DEC 2022
22-01020	12/27/22	BOROUGH5 Boro of Pennington - Unemploy.										
1	Transfer Budget Appropriation		2,500.00	2-01-23-225-000-285	B	Unemployment Compensation Ins.		R	12/27/22	12/27/22		2022 APPROP
22-01021	12/27/22	PENNFIRE Pennington Fire District										
1	Fire District Tax - 2022		314,043.00	2-01-50-900-000-208	B	FIRE DISTRICT TAX		R	12/27/22	12/27/22		2022
2	Fire District Tax - 2022		915.00	2-01-25-265-000-201	B	DUE TO FIRE DISTRICT - OE		R	12/27/22	12/27/22		2022
			314,958.00									
22-01022	12/27/22	BOROUGH4 Boro of Pennington - Capital										
1	Budget Appropriation - 2022		15,000.00	2-01-44-901-000-255	B	Capital Improvement Fund		R	12/27/22	12/27/22		2022 APPROP.
Total Purchase Orders:				75	Total P.O. Line Items:	140	Total List Amount:	470,708.68	Total Void Amount:	0.00		

Totals by Year-Fund				
Fund Description	Fund	Budget Total	Revenue Total	G/L Total
				Total
	1-01	3,259.29	0.00	0.00
	2-01	396,513.13	0.00	0.00
	2-05	24,282.66	0.00	0.00
Year Total:		420,795.79	0.00	0.00
	C-04	26,208.15	0.00	0.00
	E-16	1,775.00	0.00	0.00
	G-02	1,433.68	0.00	0.00
	T-03	15,711.05	0.00	0.00
	W-06	1,525.72	0.00	0.00
Total of All Funds:		470,708.68	0.00	0.00

**BOROUGH OF PENNINGTON  
RESOLUTION # 2022 – 12.14**

**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>
Social Security – Other Expense	\$6,000.00	
Administration – Salaries		\$6,000.00
<b>Total Current Fund</b>	<b>\$6,000.00</b>	<b>\$6,000.00</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 December 29, 2022.

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

## BOROUGH OF PENNINGTON RESOLUTION 2022 – 12.15

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

**WHEREAS**, at the Borough Tax Sale held on December 2, 2022, a lien was sold on Block 702, Lot 21, also known as 115 Voorhees Avenue, Pennington, NJ, for 2021 delinquent tax and water/sewer payments; and

**WHEREAS**, this lien, known as Tax Sale Certificate #21-00002, was sold to Christiana T C/F CE1/First Trust for 0% and a 65,000.00 premium; and

**WHEREAS**, Christopher and Elizabeth Schafer, 115 Voorhees Avenue, Pennington, NJ 08534, has effected redemption of Certificate #21-00002 in the amount of \$4,514.48;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chief Financial Officer is authorized to issue a check in the amount of \$4,514.48 payable to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate #21-00002.

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer is authorized to issue a check in the amount of \$65,000.00 (Premium) from the Other Trust fund to the aforementioned lienholder.

#### 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 December 29, 2022.

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-12.16**

**RESOLUTION AUTHORIZING MODIFIED/LIGHT DUTY POLICY  
FOR PENNINGTON BOROUGH POLICE DEPARTMENT**

**WHEREAS**, the Chief of Police and the Public Safety Committee of Borough Council recommend adoption of a modified/light duty policy to be incorporated in the policies and procedures of the Pennington Borough Police Department (“Modified/Light Duty Policy”);

**WHEREAS**, the purpose of the Modified/Light Duty Policy is to establish authority and procedures for granting temporary modified-duty assignments to eligible employees when such assignments advance a legitimate departmental goal;

**WHEREAS**, the proposed Modified/Light Duty Policy would permit assignment of employees of the Department to temporary modified-duty when injury, illness or disability, **including pregnancy**, causes them to be temporarily unavailable to perform their regular assignments but they are capable of performing alternate duty assignments;

**WHEREAS**, the Modified/Light Duty Policy would create opportunities for employees in these situations to remain productive while serving the best interests of the Department;

**WHEREAS**, this Modified/Light Duty Policy defines eligible personnel, prescribes rules for its use, and includes explicit provisions for pregnant officers to ensure equal treatment in accordance with applicable law;

**WHEREAS**, a copy of the proposed Modified/Light Duty Policy is attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by Borough Council of the Borough of Pennington, that the attached Modified/Light Duty Policy is hereby approved and the Chief of Police and Borough Clerk are hereby authorized to take such steps as necessary to implement this Policy beginning with its incorporation in the policies and procedures of the Police Department.

**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 December 29, 2022.

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-12.17**

**A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN  
COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT  
INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER THREE REQUIREMENTS**

**WHEREAS**, the Borough of Pennington is a member of the Mid Jersey Municipal JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

**WHEREAS**, through its membership in the Mid Jersey Municipal JIF, the Borough of Pennington enjoys cyber liability insurance coverage to protect the Borough of Pennington from the potential devastating costs associated with a cyber related claim; and

**WHEREAS**, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

**WHEREAS**, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Pennington; and

**WHEREAS**, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Borough of Pennington to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Borough of Pennington's cyber insurance policy, administered through the Mid Jersey Municipal JIF and the Municipal Excess Liability Joint Insurance Fund;

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Pennington does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 3 of the NJ MEL Cyber Risk Management Plan; and

**Network Segmentation  
Password Integrity  
Third-Party Risk Management**

**Remote Access - MFA  
System and Event Logging Review**

**BE IT FURTHER RESOLVED**, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and 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 December 29, 2022.

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

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



**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 12.18**

**RESOLUTION AUTHORIZING REFUNDS**

**BE IT RESOLVED** that a refund be issued from the Developer's Escrow Fund to Joseph Zambrano, 314 Sked Street, Pennington, NJ 08534 for the balance of Planning Board Application 22-001 in the amount of \$571.33.

**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 December 29, 2022.

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

**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 12.20**

**RESOLUTION AUTHORIZING THREE-MONTH EXTENSION OF SHARED SERVICES  
AGREEMENT WITH THE TOWNSHIP OF MONTGOMERY  
FOR HEALTH SERVICES**

**WHEREAS**, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.) and Title 8, Chapter 52 of the New Jersey Administrative Code, the Borough of Pennington entered into a three-year shared services agreement with the Township of Montgomery (“Montgomery”) for the provision of Health Services to the Borough;

**WHEREAS**, the three-year contract, of which a copy is attached, became effective as of January 1, 2020 and extended through December 31, 2022 and has been renewed annually;

**WHEREAS**, Montgomery Township, by letter of its Administrator dated November 2, 2022, has advised the Borough that upon the expiration of the current contract it does not wish to continue the relationship for another term but will offer a three-month contract extension to permit the Borough to secure an agreement with another Health Department;

**WHEREAS**, the price proposed by Montgomery Township for this extension is \$13,348.91 for the three months combined, with all other terms of the existing contract to remain the same;

**WHEREAS**, the Borough administration is in the process of securing with Hopewell Township a three-year shared services agreement for health services intended to be effective, upon approval by the respective governing bodies, on April 1, 2023;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the aforesaid three-month extension of contract with Montgomery Township, for the price of \$13, 348.91 for the three months combined, with all other terms of the existing health services contract to remain the same, subject to execution of a written document effecting the extension approved by the Borough Attorney.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					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 special meeting on December 29, 2022.

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

**SHARED SERVICES AGREEMENT BETWEEN PENNINGTON BOROUGH,  
MONTGOMERY TOWNSHIP, AND THEIR RESPECTIVE BOARDS OF  
HEALTH FOR PUBLIC HEALTH SERVICES**

This Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Borough of Pennington and the Pennington Borough Board of Health, having their principal place of business at 30 North Main Street, Pennington, NJ 08534, (collectively referred to as “Borough”), and the Township of Montgomery and the Montgomery Township Board of Health, having their principal place of business at 2261 Van Horne Road - Route 206 North, Belle Mead, NJ 08502 (collectively referred to as “Township”);

**WHEREAS**, the Township provides Public Health Services to its municipality in compliance with the standards set forth in NJSA 26:3A2-10, and NJAC 8:52-1.1, et seq.; and

**WHEREAS**, the Borough desires to have the Township provide Public Health Services for a fee, as more detailed below; and

**WHEREAS**, in consideration of payment described in this document, the Township is willing to provide such services according to NJSA 26:3A2-10, NJAC 8:52-1.1, et seq., and other applicable statutes and regulations,

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed by the parties hereto as follows:

**A. SCOPE OF SERVICES.**

1. Except as excluded from the Scope of Services pursuant to Section 12 of this Agreement, the Township will provide properly licensed personnel within the jurisdiction of the Borough to perform all services and activities and meet all the standards of performance and staffing required of a local board of health pursuant to N.J.S.A. 26:3A2-10 and the *Public Health Practice Standards of Performance for Local Boards of Health in New Jersey* (revised) as set forth at N.J.A.C. 8:52-1.1, et seq. (“Practice Standards”), as hereinafter may be amended and supplemented from time to time. The required services, activities, and standards are set forth in the sixteen subchapters of the Practice Standards, which are incorporated herein by reference as if fully set forth at length.
2. The Borough shall designate the Township Health Officer to be the Borough’s Health Officer, and to serve as its general agent for the

enforcement of its ordinances and the Public Health laws of the State during the term of the Agreement.

3. The Township Health Officer and/or other professional staff from the Township Health Department will conduct investigations into violations of health-related ordinances, statutes, and regulations and will take the necessary enforcement actions to obtain compliance (including summons to Municipal Court when warranted).
4. The Township Health Officer and/or other professional staff from the Township Health Department will furnish the Borough's Board of Health with a written quarterly report of all services rendered by the Health Officer and staff, as well as a narrative on current and emerging local health issues. The Township Health Officer, or her designee, will attend quarterly meetings of the Borough's Board of Health, and will provide an annual report to the Borough's elected officials.
5. Any applicant for a health department-related license will file its application with the Borough and pay the appropriate license fee. These fees will be retained by the Borough. The completed license applications will then be electronically sent to the Township's Health Department for review, license issuance, and all necessary inspections.
6. The Township's Health Department will issue health-related licenses on behalf of the Borough, including retail food, temporary food sales, public recreational bathing facilities, child care, and other establishments subject to regulation under the New Jersey State Sanitary Code. The Township's Health Department will review and approve plans, perform necessary inspections (usually once or twice per year) and investigate any complaints related to these establishments. The Township Health Officer, or her designee, will advise the Borough's Board of Health of any immediate health hazard violations within 48 hours of the inspection and will initiate appropriate enforcement action to protect the public health.
7. During the term of this Agreement, any grants or aid awarded to the Borough for any purpose related to enhancing the public health beyond the scope of this Agreement shall be paid to the Township, and the Township shall be responsible for providing the funded service.

8. The parties recognize that responsibilities not addressed in the Practice Standards are often assigned to Health Departments to meet local priorities. The Borough shall consult with the Township Health Officer on a case-by-case basis as to whether such additional responsibilities fall within the scope of this agreement, and may negotiate additional services for an additional fee through a letter of agreement.
9. This Agreement does not create an employment relationship between the Township's Health Officer, and/or the professional staff from the Township Health Department, and the Borough. While performing duties in the Borough, the Township's Health Officer, and/or the professional staff from the Township's Health Department, shall be compensated according to the terms of their employment with the Township.
10. While on duty rendering assistance to the Borough, to the extent permitted by law, the Township's Health Officer, and/or the professional staff from the Township Health Department, shall have the same powers, authority and immunities as Borough personnel, and shall act as the Borough's agent, pursuant to N.J.S.A. 40A:65-7(d).
11. Tobacco Age of Sale Enforcement. The Health Department will provide annual Age of Sale Enforcement to licensed tobacco/Electronic Smoking Device establishments.

## **B. EXCLUSIONS.**

12. The Township will specifically not be responsible for providing the following services to the Borough:
  - **Responsibilities of Mercer County Division of Public Health**, including County Environmental Health Act. Although not responsible for providing the services, the Township Health Officer will assure the Borough has access to these services.
  - **NJLINCS, including, but not limited to, bioterrorism grant-related activities and emergency communication system or successor programs.** These programs are administered by Mercer County, but the Township Health Officer, pursuant to N.J.A.C. 8:52-3.4, will assure that the Borough participates in these services.
  - **Registrar of Vital Statistics.** Each municipality shall provide its own Registrar service

- **Animal Control, other than potential human exposure to rabies.** The provision of animal control services is addressed under a separate shared services agreement between the Township and Borough.
- **NJ Right to Know, Blood-Borne Pathogens Standard, and other PEOSIA program administration.** The Township Health Officer, upon request, will provide technical consultation on occupational safety issues for Borough staff to implement. Actual training and program administration can be obtained from the Township at a rate of \$50 per hour after the execution of a separate shared services agreement or letter of agreement.

**C. EFFECTIVE DATE/TERMINATION.**

13. This Agreement is for a 3-year period, beginning on January 1, 2020 and ending on December 31, 2022. Each party shall notify the other in writing 60 days before the expiration of this Agreement if it desires to renew the Agreement.

**D. FEES.**

14. The Borough shall pay the Township at the following rate for the services described in this Agreement:

January 1, 2020 - December 31, 2020:	\$44,680.00
January 1, 2021 - December 31, 2021:	\$45,570.00
January 1, 2022 - December 31, 2022:	\$46,480.00

15. Fees shall be paid in two equal installments, the first no later than February 1 and the second no later than August 1 of each year that this Agreement is in effect.

**E. LIABILITY/HOLD HARMLESS.**

16. Montgomery Township and Pennington shall each be responsible for their own negligent acts and omissions arising out of or relating to the performance of this agreement, consistent with the provisions of the New Jersey Tort Claims Act, NJSA 59:1-1 *et seq.* Each party shall indemnify, defend and hold harmless the other party, its agents, officers and employees and their successors and assigns, from and against all liability, claims, suits, demands, actions or causes of action of any kind and nature for any such negligent acts and omissions.

**F. MISCELLANEOUS**

17. This Agreement shall become effective upon the adoption of appropriate resolutions by the Township and Borough approving the terms and conditions set forth in this Agreement and authorizing the Mayor and Clerk to authorize this Agreement, and the approval of the New Jersey State Commissioner of Health. The Agreement may be executed in counterparts and any party hereto may execute any such counterpart, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.
18. All section headings contained in this Agreement are for convenience of reference only, do not form a part of this Agreement and shall not affect in any way the meaning or interpretation of the Agreement.
19. Any and all notices, pursuant to this Agreement, shall be in writing and shall be deemed given only if delivered personally, by certified mail, or by overnight mail.
20. This Agreement contains the entire understanding of the parties hereto with respect to the subject matter contained herein. This Agreement supersedes all prior agreements and understandings between the parties with respect to such subject matter. This Agreement may not be changed orally, but only by an agreement in writing and signed by the parties.
21. The Township and the Borough represent that they have duly advised their insurance carriers of the terms and conditions of this Agreement.
22. If any section, paragraph, subsection, clause, or provision of this Agreement shall be adjudged by a court to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause, or provision so adjudges and the remainder of this Agreement shall be deemed valid and effective.

IN WITNESS WHEREOF, the parties have hereunto caused these presents to be signed by their proper corporate officers and their proper corporate seals to be affixed the day and year first above written.

ATTEST:

BOROUGH OF PENNINGTON

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

\_\_\_\_\_  
Joseph Lawver, Mayor

ATTEST:

PENNINGTON BOROUGH BOARD OF  
HEALTH

\_\_\_\_\_

\_\_\_\_\_  
, Board of Health President

ATTEST:

TOWNSHIP OF MONTGOMERY

\_\_\_\_\_  
Donna Kukla, Clerk

\_\_\_\_\_  
Sadaf Jaffer, Mayor

ATTEST:

MONTGOMERY TOWNSHIP BOARD OF  
HEALTH

\_\_\_\_\_  
Stephanie Carey, Health Officer

\_\_\_\_\_  
William Bucci, Board of Health President



**BOROUGH OF PENNINGTON  
RESOLUTION 2022 – 12.21**

**RESOLUTION AUTHORIZING THREE-MONTH EXTENSION OF SHARED SERVICES  
AGREEMENT WITH THE TOWNSHIP OF MONTGOMERY  
FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.) and Title 8, Chapter 52 of the New Jersey Administrative Code, the Borough of Pennington entered into a three-year shared services agreement with the Township of Montgomery (“Montgomery”) for the provision of Animal Control Services to the Borough;

**WHEREAS**, the three-year contract, of which a copy is attached, became effective as of January 1, 2020 and extended through December 31, 2022 and has been renewed annually;

**WHEREAS**, Montgomery Township, by letter of its Administrator dated November 2, 2022, has advised the Borough that upon the expiration of the current contract it does not wish to continue the relationship for another term but will offer a three-month contract extension to permit the Borough to secure an agreement with another municipality;

**WHEREAS**, the price proposed by Montgomery Township for this extension is \$3,668.87 for the three months combined, with all other terms of the existing contract to remain the same;

**WHEREAS**, the Borough administration is in the process of securing with Hopewell Township a three-year shared services agreement for animal control services to be effective, upon approval by the respective governing bodies, on April 1, 2023;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the aforesaid three-month extension of contract with Montgomery Township, for the price of \$3,668.87 for the three months combined, with all other terms of the existing animal control services contract to remain the same, subject to execution of a written document effecting the extension approved by the Borough Attorney.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					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 special meeting on December 29, 2022.

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

## SHARED SERVICES AGREEMENT BETWEEN PENNINGTON BOROUGH AND MONTGOMERY TOWNSHIP FOR ANIMAL CONTROL SERVICES

**This Agreement**, made this \_\_\_\_ day of \_\_\_\_\_, 2019, by and between the Borough of Pennington, a municipal corporation having its principal place of business at 30 North Main Street, Pennington, NJ 08534, (“the Borough”) and the Township of Montgomery, a municipal corporation having its principal place of business at 2261 Van Ilorne Road - Route 206 North, Belle Mead, NJ 08502 (“Township”);

**WHEREAS**, the Township provides animal control services to its municipality in compliance with the standards set forth in NJSA 4:19-15.16 and NJAC 8:23A -1.1-1.13, including the impoundment and housing of animals at a kennel; and

**WHEREAS**, the Borough desires to have the Township provide animal control services, as described in more detail below, for a fee;

**NOW THEREFORE**, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

### **A. SCOPE OF SERVICES.**

1. The Township will provide a licensed Animal Control Officer for the following services:

- Capture and impound stray animals and unlicensed dogs as required by law.
- Care for, feed, and maintain the sanitation of animals in the Township’s designated kennel facility and observe their physical condition and behavior.
- Contact veterinarian when necessary.
- Capture, impound, and arrange for humane destruction of suspected rabid animals
- Transport suspected rabies specimens for analysis at the State Public Health Laboratory
- Investigate potentially dangerous dog incidents
- Investigate animal neglect and cruelty incidents
- Investigate complaints regarding stray animals, and licensed and unlicensed domesticated animals.
- Follow-up of routine dog bites, monitoring and release from home confinement
- Issue summons for violations of local or state animal control regulations.
- Promote the adoption of animals and support their spaying and

neutering.

2. The Township Animal Control Officer will impound and otherwise house animals from the Borough as needed at the Township's designated kennel facility, and will provide all normal and customary kennel services provided to other impounded animals.
3. The Township will provide Animal Control services for the Borough equivalent to its own municipality, including manpower, vehicle costs, veterinarian bills, euthanasia costs, adoption costs, etc.
4. Borough residents redeeming or surrendering animals must pay the Township applicable shelter fees. These fees will be retained by the Township as a host community benefit.
5. Determination of adoptability or need for euthanasia of any animal will be at the discretion of the Township Animal Control Officer, subject to applicable state laws.
6. The Township Animal Control Officer will provide coverage for after-hours animal control emergency response in the Borough. An emergency consists of:
  - Any sick or threatening animal
  - Animal cruelty
  - Bats in house if there is possible exposure
  - Dogs at large that are being held by resident or police
7. The Township Animal Control Officer will provide veterinary and animal handling support for one annual rabies vaccination clinic for cats and dogs, at a time and location by mutual agreement. The Borough is responsible for providing clerical/administrative support for this clinic.
8. The Township Animal Control Officer will provide a quarterly report documenting its activities to the Borough, and will maintain associated files according to New Jersey Records Retention standards.
9. This Agreement does not create an employment relationship between the Township's Animal Control Officer and the Borough. While performing duties in the Borough, the Township's Animal Control Officer shall be

compensated according to the terms of his employment with the Township.

10. While on duty rendering assistance to the Borough, to the extent permitted by law, the Township's Animal Control Officer shall have the same powers, authority and immunities as Borough personnel, and shall act as the Borough's agent, pursuant to N.J.S.A. 40A:65-7(d).

**B. EXCLUSIONS.**

11. The following services are excluded from this Agreement:
- Dog licensing
  - Nuisance wildlife not presenting a threat to public health and safety
  - Deer Carcass removal
  - Dog census (available for an additional fee under a letter of agreement)
  - Preparation of Initial "Notice of Bite and Confinement" reports to be forwarded to Animal Control for follow up
  - Activities commonly known as "Trap/Neuter/Release" or Managed Feral Cat Colonies. Township policy does not support managed feral cat colonies. Township policy does not recognize managed feral cat colonies, but encourages responsible pet ownership.

**C. EFFECTIVE DATE/TERMINATION.**

12. This Agreement is for a three (3) year period, beginning on January 1, 2020 and ending on December 31, 2022. Each party shall notify the other in writing 60 days before the expiration of this Agreement if it desires to renew the Agreement.

**D. FEES.**

13. The Borough shall pay the Township at the following rate for the services described in this Agreement:

January 1, 2020 - December 31, 2020:	\$11,600.00
January 1, 2021 - December 31, 2021:	\$11,800.00
January 1, 2021 - December 31, 2022:	\$12,000.00

The fee shall be paid in two equal installments, the first no later than February 1 and the second no later than August 1 of each year that this Agreement is in effect.

**E. LIABILITY/HOLD HARMLESS.**

14. Montgomery Township and Pennington shall each be responsible for their own negligent acts and omissions arising out of or relating to the performance of this agreement, consistent with the provisions of the New Jersey Tort Claims Act, NJSA 59:1-1 *et seq.* Each party shall indemnify, defend and hold harmless the other party, its agents, officers and employees and their successors and assigns, from and against all liability, claims, suits, demands, actions or causes of action of any kind and nature for any such negligent acts and omissions.

**F. MISCELLANEOUS.**

15. This Agreement shall become effective upon the adoption of appropriate resolutions by the Township and Borough approving the terms and conditions set forth in this Agreement and authorizing the Mayor and Clerk to authorize this Agreement. The Agreement may be executed in counterparts and any party hereto may execute any such counterpart, each of which when executed and delivered shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.
16. All section headings contained in this Agreement are for convenience of reference only, do not form a part of this Agreement and shall not affect in any way the meaning or interpretation of the Agreement.
17. Any and all notices, pursuant to this Agreement, shall be in writing and shall be deemed given only if delivered personally, by certified mail, or by overnight mail.
18. This Agreement contains the entire understanding of the parties hereto with respect to the subject matter contained herein. This Agreement supersedes all prior agreements and understandings between the parties with respect to such subject matter. This Agreement may not be changed orally, but only by an agreement in writing and signed by the parties.

19. The Township and the Borough represent that they have duly advised their insurance carriers of the terms and conditions of this Agreement.
20. If any section, paragraph, subsection, clause, or provision of this Agreement shall be adjudged by a court to be invalid, such adjudication shall only apply to the section, paragraph, subsection, clause, or provision so adjudges and the remainder of this Agreement shall be deemed valid and effective.

IN WITNESS WHEREOF, the parties have hereunto caused these presents to be signed by their proper corporate officers and their proper corporate seals to be affixed the day and year first above written.

ATTEST:

BOROUGH OF PENNINGTON

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

\_\_\_\_\_  
Joseph Lawver, Mayor

ATTEST:

TOWNSHIP OF MONTGOMERY

\_\_\_\_\_  
Donna Kukla, Clerk

\_\_\_\_\_  
Sadaf Jaffer, Mayor

**BOROUGH OF PENNINGTON  
RESOLUTION 2022-12.22**

**RESOLUTION REQUESTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION  
INSTALL AN ALL-PEDESTRIAN SIGNAL PHASE AT THE INTERSECTION OF ROUTE 31  
AND WEST DELAWARE AVENUE**

**WHEREAS**, all Pennington students must cross Route 31 to walk to Hopewell Valley Regional School District's middle school and high school; and

**WHEREAS**, late school busing was eliminated requiring more students to walk home from school following afterschool activities when a crossing guard is not present; and

**WHEREAS**, more students are walking due to the increase in the cost of courtesy busing along with the elimination of a cap on the cost of busing for a family; and

**WHEREAS**, Pennington Borough and Hopewell Township officials have long advocated for a more protected crossing for students and residents at the intersection of Route 31 and West Delaware Avenue; and

**WHEREAS**, traffic crashes in New Jersey resulted in 697 fatalities in 2021, a 20% increase from 2019; and

**WHEREAS**, 35% of these fatalities were pedestrians and bicyclists; and

**WHEREAS**, Pennington has adopted a Vision Zero resolution which focuses on a safe systems approach to transportation planning and the principle that human life and health should be prioritized in all transportation systems; and

**WHEREAS**, NJDOT and Pennington have Complete Street policies which call for designing roads with the safety of all users in mind; and

**WHEREAS**, an all-pedestrian signal phase enables pedestrians to have their own phase, with no traffic movements, which reduces any conflict between pedestrians and motorists, therefore decreasing the likelihood of drivers crashing into pedestrians; and

**WHEREAS**, there are no pedestrians during the auto phases, which increases the throughput of the turning movements of cars.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of Pennington Borough request that the New Jersey Department of Transportation install all-pedestrian signals at the intersection of Route 31 and West Delaware Avenue.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the New Jersey Department of Transportation.

**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 special meeting on December 29, 2022.

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