

**Pennington Borough Council  
Regular Meeting – January 6, 2014**

Mayor Persichilli called the Regular Meeting of the Borough Council to order at 7:14 pm. Borough Clerk Betty Sterling called the roll; all members were present.

Also present were Borough Administrator, Timothy Matheny, Public Works Superintendent Jeff Wittkop, and Borough Attorney, Walter Bliss.

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

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

Mayor Persichilli read the following statement:

Meeting open to the public for comments on items on the agenda for which no public discussion is provided. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. **Please come forward and state your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.**

There were no comments from the public.

**Ordinances for Introduction**

Mayor Persichilli announced that Ordinance 2014-1 and Ordinance 2014-2 will be held until after the Closed Session.

**Committee Reports**

**Planning & Zoning/Environmental Commission/Library** – Mrs. Heinzl reported that the winter programming brochure for the Library was mailed out with the water bills. Mrs. Heinzl stated that there are a lot of exciting programs for the new year and hopefully they will get a lot of turnout for the programs. Mrs. Heinzl stated that the library renovation project is heading in a good direction. Mrs. Heinzl stated that beginning in early February the children's area will be remodeled, the new chairs for the lounge area by the clock should be delivered in February and they will begin ordering the furniture and planning for the remodeling of the meeting room.

Mrs. Heinzl stated that the Planning Board and the Environmental Commission did not meet in December.

Mrs. Heinzl stated that she has been working on gathering information on a composting pilot program in consult with Mr. Matheny and Mr. Wittkop. Mrs. Heinzl stated that this project would involve residents being able to contract with a company that would come and pick up organic waste from their homes once a week and it would be taken to a facility in Delaware. Mrs. Heinzl stated that the first step that was suggested to her was to do a survey of residents in town to see if there would be an interest in such a program and if so how much they would be willing to pay for this service. Mrs. Heinzl stated that she wanted to bring this before Council because she would like to get this pilot program started this year. Mrs. Heinzl stated that she would be open to thoughts or ideas from Council Members.

Mrs. Heinzl stated that everyone is aware of the Hopewell Valley Stampede and she is the liaison to that project. Mrs. Heinzl stated that this group is working to gather support for the Hopewell Valley Arts Council. Mrs. Heinzl stated that Hopewell Borough and Hopewell Township have both looked into getting funding to purchase and sponsor one of the oxen at a cost around \$3,000. Mrs. Heinzl stated that Pennington Borough has been asked if they would be interested in sponsoring an ox. Mrs. Heinzl stated that one of her thoughts was whether Open Space Funds could be used for that purpose.

**Public Works/Shade Tree** – Mayor Persichilli asked if anyone from the Public Works Committee would like to report. Mrs. Dunn stated that Van Note Harvey has been working on an Operations and Maintenance Manual for the Borough and she would like to report that the manual is complete and she has provided a copy to the Borough Clerk's office for anyone who would like to look at it. Mrs. Dunn stated that she and Mr. Wittkop both have copies and there is a digital copy.

**Personnel/Parks and Recreation /Economic Development** – Mr. Davy stated that the Personnel Committee met and there are some topics that require a closed session discussion.

Mr. Davy stated that the Economic Development Commission will be holding their Business Person of the Year event at the Sun Bank on January 29<sup>th</sup> at 6:00 pm. Mr. Davy encouraged council members to attend.

**Public Safety/Senior Services** – Mr. Tucker reported that Mr. Meytrott was due to return today from his

leave of absence but he will be delayed for a couple more days. Mr. Tucker reported that the new Police Vehicle has been ordered and we are awaiting delivery. Mr. Tucker stated that a search continues to fill the vacancy in the Police Department. Mr. Tucker stated that Council Members have a copy of the statistics and report from Sgt. Friedman for 2013. Mr. Tucker stated that on Christmas Day he required the services of Pennington’s first responders and he would like to commend and thank the Police and First Aid Squad for their prompt response and good work. Mr. Tucker thanked Betty Sterling for coming into work on Friday when the Borough was closed to ensure that Council had their packages for the meeting. Mr. Tucker stated that is the quality of the staff and personnel that we have here in Pennington.

**Finance** – Mr. Griffiths reported that the Finance Committee met in December to review the capital accounts and the grants receivables. Mr. Griffiths stated that they instructed the CFO to proceed with her recommendation to borrow additional short-term debt.

**Historic Preservation** – Mrs. Dunn reported that the Historic Preservation Commission did not meet in December as there were no new applications. Mrs. Dunn stated that in February the annual report will be presented by Eric Holtermann.

**New Business**

**Borough of Pennington  
Resolution #2014 - 1.15**

**RESOLUTION AUTHORIZING AND APPROPRIATING A TEMPORARY BUDGET FOR THE  
BOROUGH OF PENNINGTON FOR THE YEAR 2014**

**WHEREAS**, the Local Budget Law (N.J.S.A. 40A:4-19) provides that where any contract, commitments or payments are to be made prior to the final adoption of the 2014 budget, temporary appropriations in an amount not to exceed 26.25% of the total appropriations for the prior year shall be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, 26.25% of the total appropriations of the 2013 budget exclusive of any appropriations for interest, debt redemption charges, Capital Improvement Fund and Public Assistance, in the said budget, is the sum of \$ 755,535.60 for the current fund budget and \$ 240,021.08 for the water and sewer utility fund;

**NOW, THEREFORE, BE IT RESOLVED**, that the attached temporary appropriations be made and that a certified copy of this resolution be transmitted to the Borough Finance Officer.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	X				Marciante	X			
Griffiths	M				Tucker	S			

Council Member Griffiths made a motion to approve Resolution 2014-15, second by Council Member Tucker with all members present voting in favor.

**Borough of Pennington  
Resolution #2014 – 1.16**

**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 \$ 329,920.87 from the following accounts:

Current	\$ 255,308.86
W/S Operating	\$ 46,736.94
Grant Fund	\$ 17,819.09
Developers Escrow	\$ 6,793.23
Water/Sewer Capital	\$ 2,631.75
Animal Control	\$ 431.00

Trust Other \$ 200.00

TOTAL \$ 329,920.87

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	S				Marciante	X			
Griffiths	M				Tucker	X			

Council Member Griffiths made a motion to approve Resolution 2014-1.16, second by Council Member Dunn with all members present voting in favor.

Resolution #2014-1.17 was not used.

**Borough of Pennington  
 Resolution #2014- 1.18**

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH VALLEY HEALTH MEDICAL GROUP TO PERFORM ALCOHOL AND DRUG TESTING SERVICES FOR THE BOROUGH OF PENNINGTON FOR THE YEAR 2014**

**WHEREAS**, the Borough is required to provide an alcohol and controlled substances program for CDL (commercial drivers license) drivers and other participants in compliance with 49 CFR 382 and 49 CFR 40; and

**WHEREAS**, Valley Health Medical Group is experienced in and capable of providing such services; and

**WHEREAS**, this contract shall be for specific services set forth in the Agreement attached to this resolution;

**WHEREAS**, the Borough agrees to the fees per service (ranging from \$40.00 to \$180.00) set forth in the Fee Schedule included in the Agreement;

**WHEREAS**, the services authorized by the contract 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**, Valley Health Medical Group has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither the group nor any of its members has made or shall make any political contribution prohibited by relevant provisions of N.J.S.A. 19:44A-20.5 or Chapter 15, Article I of the Pennington Borough Code, regarding pay-to-play;

**NOW THEREFORE BE IT HEREBY RESOLVED**, that the Mayor of the Borough, with the attestation of the Clerk, and subject to such changes in form as may be required by the Borough Attorney, is hereby authorized to execute the attached Agreement between the Borough and Valley Health Medical Group for the provision of Alcohol and Drug Testing Services for 2014.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	S			
Dunn	M				Marciante	X			
Griffiths	X				Tucker	X			

Council Member Dunn made a motion to approve Resolution 2014-1.18, second by Council Member Heinzel with all members present voting in favor.

**RESOLUTION 2014 - 1.19**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR THE WATER STORAGE TANK REHABILITATION PROJECT**

**WHEREAS**, Borough Council of the Borough of Pennington has authorized advertisement for bids for the project known as “Water Storage Tank Rehabilitation” (VNHA #41242-217-71);

**WHEREAS**, on December 18, 2013 the Borough received five (5) bids for the project;

**WHEREAS**, the bid of Alpine Painting and Sandblasting of Paterson, New Jersey, in the amount of \$138,950.00 was the lowest responsible bid for the project;

**WHEREAS**, the Borough Engineer has reviewed the bid of Alpine Painting and Sandblasting and determined that the bid conforms with bid specifications and that Alpine Painting and Sandblasting has the ability to perform the work;

**WHEREAS**, a summary of the bids is available in the office of the Borough Clerk;

**WHEREAS**, the Chief Financial Officer of the Borough has certified that funds are available for the project in Account # W-06-07-009-000-250 (Ord. 2007-9);

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

1. The contract entitled “Water Storage Tank Rehabilitation Project” is hereby awarded to Alpine Painting and Sandblasting of Paterson, New Jersey for the total contract price of \$138,950.00;
2. The Mayor, with the attestation of the Borough Clerk, is hereby authorized to execute and enter into the aforesaid contract on behalf of the Borough subject to approval as to form by the Borough Attorney.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	X				Marciante	S			
Griffiths	M				Tucker	X			

Council Member Griffiths made a motion to approve Resolution 2014-1.19, second by Council Member Marciante with all members present voting in favor.

**Borough of Pennington  
Resolution #2014 – 1.20**

**RESOLUTION AUTHORIZING PAYMENT REQUEST NO. 4 TO DESANTIS CONSTRUCTION, INC. FOR WORK COMPLETED ON THE PENNINGTON CONNECTION TO LAWRENCE HOPEWELL TRAIL PROJECT**

**WHEREAS**, DeSantis Construction, Inc. has completed certain work pursuant to the contract for the Pennington Connection to the Lawrence Hopewell Trail Project (Van Cleef Engineering Associates Project No. VCEA File No. 7071); and

**WHEREAS**, Van Cleef Engineering Associates has reviewed the application and recommends payment under the contract pursuant to the Contractor’s Request for Payment No. 4 (\$136,809.05) less two percent (2%) retainage (\$2,736.18), the net due therefore amounting to \$134,072.87; and

**WHEREAS**, this is a partial payment under the contract; and

**WHEREAS**, funds are available in Account #: T-03-00-850-850-255;

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that payment request No. 4 to DeSantis Construction Inc. in the amount of \$134,072.87 is hereby authorized.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	M			
Dunn	S				Marciante	X			
Griffiths	X				Tucker	X			

Council Member Heinzel made a motion to approve Resolution 2014-1.20, second by Council Member Dunn with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION #2014 - 1.21**

**RESOLUTION AUTHORIZING CARRY-OVER OF UNUSED  
VACATION TIME FOR W. JEFFREY WITTKOP**

**WHEREAS**, Borough Public Works Superintendent W. Jeffrey Wittkop has requested of Borough Council that he be permitted to carry into the year 2014 any unused vacation time that he will not have used as of the end of this calendar year;

**WHEREAS**, the basis for this request is that due to staffing issues he was unable to use his time at the end of 2013;

**WHEREAS**, Mr. Wittkop currently has an unused balance of seventeen (17) vacation days (136 hours);

**WHEREAS**, the Borough Personnel Manual provides, in Article V, Section E, par.2, that up to one-half of vacation time earned in a particular year may be carried over to the subsequent year and no more, except the Personnel Manual provides further that exceptions may be made in extraordinary circumstances upon approval of the full authorized membership of Borough Council;

**WHEREAS**, Mr. Wittkop’s request has been reviewed by the Borough Council and it has been determined that the exception permitted by the Personnel Manual is in the best interest of the Borough and ought to be granted in this case, subject to the following requirement:

1. that he use up the additional carried-over vacation by June 30, 2014 or forfeit the time;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that Mr. W. Jeffrey Wittkop is hereby authorized to carry-over into 2013 all of the unused vacation days he earned in 2013 provided he use up all such time on or before June 30, 2014 or forfeit the time, and provided he otherwise comply with the requirements set forth above.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	S				Marciante	X			
Griffiths	M				Tucker	X			

Council Member Griffiths made a motion to approve Resolution 2014-1.21, second by Council Member Dunn with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2014-1.22**

**RESOLUTION AUTHORIZING ACQUISITION OF  
PLAYGROUND EQUIPMENT FOR SKED STREET PARK**

**WHEREAS**, at the meeting of Mayor and Council on December 4, 2013, Borough Council authorized the acquisition of new playground equipment for Sked Street Park;

**WHEREAS**, Borough Council further authorized funding for this acquisition from the Borough’s Open Space Trust Fund, subject to consultation with the Open Space Committee;

**WHEREAS**, the equipment will be purchased under New Jersey State Contract and therefore will

not require advertising for bids;

**WHEREAS**, the playground equipment to be acquired is known as “UltraSite – ‘Up and Down’ Double Deck 2-5 (Cluster A B w BB) with Mount Climber” and is available under New Jersey State Contract #A81411 for \$7,459, before applicable discount and freight and other incidental charges, as set forth in the attached quotation by UltraPlay of Spring Lake, New Jersey;

**WHEREAS**, installation of the new playground equipment is to be performed at a total cost of \$2,625, pursuant to the attached quotation by Currie Grove LLC of Stowe, Pennsylvania;

**WHEREAS**, the Open Space Committee has been consulted and recommends acquisition and installation of the equipment using funds from the Open Space Trust Fund, subject to approval by the Borough Attorney;

**WHEREAS**, as confirmed by the Borough Attorney, this is an appropriate expenditure from the Open Space Trust Fund because it is for the maintenance and development of lands acquired for recreational purposes;

**WHEREAS**, the funds needed to pay for the equipment and installation are available in the Open Space Trust Fund;

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

1. The action of Borough Council at its meeting of December 4, 2013 authorizing acquisition of new playground equipment for Sked Street Park is hereby ratified and confirmed;
2. Expenditures of up to \$10,100. from the Borough’s Open Space Trust Fund for the aforesaid acquisition and installation of playground equipment, pursuant to the respective quotations attached, is hereby authorized.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	S			
Dunn	X				Marciante	M			
Griffiths	X				Tucker	X			

Council Member Marciante made a motion to approve Resolution 2014-1.22, second by Council Member Heinzel with all members present voting in favor.

**BOROUGH OF PENNINGTON  
RESOLUTION 2014 – 1.23**

**RESOLUTION AUTHORIZING ACQUISITION OF POLICE VEHICLE**

**WHEREAS**, at the meeting of Mayor and Council on December 4, 2013, Borough Council authorized the acquisition of a new vehicle for the Police Department;

**WHEREAS**, the vehicle sought to be purchased is a 2014 Ford Interceptor, V-6, with all-wheel drive, appropriately equipped for the intended police purposes;

**WHEREAS**, this vehicle is available under New Jersey Sate Contract No. 82925 from Cherry Hill Winner Ford for a total price of \$30,445 as set forth in the attached quotation;

**WHEREAS**, acquisition of the vehicle can be financed through Ford Credit for payments of \$10,945. per year over three years, payable annually in advance, as further set forth in the attached quotation by Ford Credit;

**WHEREAS**, this purchase under State Contract does not require advertising for public bids;

**WHEREAS**, the funds needed to pay for the vehicle are available in Account No. 3-01-25-240-000-277;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of

Pennington, as follows:

1. The action of Borough Council at its meeting of December 4, 2013 authorizing acquisition of a new police vehicle under State Contract is hereby ratified and confirmed;
2. Acquisition of the described police vehicle pursuant to the attached quotations, including expenditures of up to \$33,000. for the acquisition, with financing, is hereby authorized.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	M				Marciante	X			
Griffiths	X				Tucker	S			

Council Member Dunn made a motion to approve Resolution 2014-1.23, second by Council Member Tucker with all members present voting in favor.

**Borough of Pennington  
 Resolution #2014 – 1.24**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
 SHARED SERVICES AGREEMENT WITH THE BOARD OF FIRE  
 COMMISSIONERS OF HOPEWELL TOWNSHIP FIRE DISTRICT NO. 1  
 FOR THE PROVISION OF BASIC LIFE SUPPORT SERVICES FOR THE YEAR 2014**

**WHEREAS**, the Borough of Pennington (the “Borough”), is responsible for providing a system for the provision of emergency care and transportation of persons who are sick or injured and in need of immediate medical care within the boundaries of the Borough; and

**WHEREAS**, for this purpose, 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 for the provision of Basic Life Support Services within the boundaries of the Borough;

**WHEREAS**, the proposed Shared Services Agreement, of which a copy is attached, is in substantially the same form as the 2013 agreement between these parties including the \$3,000 annual fee for the services;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the Mayor of the Borough of Pennington is hereby authorized and directed to execute the attached Shared Services Agreement between the Borough of Pennington and the Board of Fire Commissioners of Hopewell Township Fire District No.1 for the provision of Basic Life Support Services within the boundaries of the Borough, subject to approval as to final form by the Borough Attorney of the Borough of Pennington.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	M				Marciante	X			
Griffiths	X				Tucker	S			

Council Member Dunn made a motion to approve Resolution 2014-1.24, second by Council Member Tucker with all members present voting in favor.

**Council Discussion**

**Letter from DOT – No Passing Zones** – Mrs. Sterling stated that the letter is asking for a resolution in support of the “No Passing Zone” on Route 31. Mrs. Sterling stated that she was hoping that Mr. Meytrott would be at the meeting and he could speak to this request. Mayor Persichilli stated that Mr. Meytrott is due back in the next couple of days and we could check with him when he returns. Mrs. Sterling stated that the letter is requesting a resolution in support within 90 days. Mr. Matheny stated that this request is to keep Route 31 in Pennington as a “No Passing Zone”. Mr. Matheny stated that a resolution in support would basically keep things the way they already are.

**Resolution #2014 – 1.25**

**RESOLUTION IN SUPPORT OF USE OF A “NO PASSING ZONE” ON ROUTE 31**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 31 in the Borough of Pennington; and

**WHEREAS**, NJDOT investigation revealed the current centerline pavement markings on Route 31 meet and conform to current design standards; and

**WHEREAS**, NJDOT will update existing records to reflect current No Passing Zone conditions along (US) (NJ) Route 31;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, County of Mercer, in the State of New Jersey, that it supports the use of a “No Passing Zone” on Route 31 in the Borough of Pennington as recommended by the NJDOT.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Davy	X				Heinzel	X			
Dunn	X				Marciante	S			
Griffiths	M				Tucker	X			

Council Member Griffiths made a motion to approve Resolution 2014-1.25, second by Council Member Marciante with all members present voting in favor.

**Professional Reports**

Mr. Bliss reminded Council of the closed session.

**Public Comment**

Mayor Persichilli read the following statement for anyone interested in speaking before Council: Please come forward and state your name and address for the record. Please limit comments to the Governing Body to a maximum of three (3) minutes.

There were no comments from the public.

**Closed Session**

**AT, 7:39 PM, BE IT RESOLVED**, that Mayor and Council shall hereby convene in closed session for the purposes of discussing a subject or subjects permitted to be discussed in closed session by the Open Public Meetings Act, to wit:

Personnel

**Open Session**

AT, 8:05 PM, Mayor and Council returned to open session.

Mayor Persichilli read Ordinance 2014-1 by title.

**BOROUGH OF PENNINGTON  
 ORDINANCE 2014-1**

**AN ORDINANCE CONCERNING THE DUTIES AND QUALIFICATIONS OF THE  
 SUPERINTENDENT OF PUBLIC WORKS AND AMENDING THE CODE  
 OF THE BOROUGH OF PENNINGTON**

**WHEREAS**, the Borough seeks to clarify the duties and qualifications of the Superintendent of Public Works to remove from this position responsibilities for the Borough’s water and sewer systems, in keeping with the separate certification and licensing requirements for these responsibilities;

**WHEREAS**, the Borough also intends to update the codified duties of the Superintendent

of Public Works to align them with current practice;

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

1. Chapter 39, Article I, Section 39-3 of the Code of the Borough of Pennington, concerning Qualifications, is hereby amended as follows (with brackets indicating deletions and underling denoting new language):

“A person [shall be] appointed Superintendent of Public Works [unless qualified to operate a public waterworks and has secured and holds all] **shall be certified by the State of New Jersey as a Certified Public Workers Manager and have such other** certificates, licenses and permits required by state law and regulations and municipal ordinances.”

2. Chapter 39, Article I, Section 39-5, concerning Duties, is hereby amended as follows (with brackets indicating deletions and underling denoting new language):

“The Superintendent of Public Works shall:

- A. Perform all the duties [heretofore performed by the Superintendent of the Water Department and Superintendent of Streets] **of the Superintendent of Public Works required by Borough ordinances and other applicable laws and regulations.**
- [B. Supervise, care for, operate and maintain the public waterworks and distribution system.]
- [C] **B.** Supervise the care and maintenance of the Borough streets, roads, avenues, public buildings, public places, [sewers and] **storm** drains, the [Borough landfill] **motor vehicles of the Borough** and the collection and disposal of garbage, [and] trash, **brush and snow.**
- D. [Perform such other duties as from time to time directed.] **Manage the Department of Public Works and all functions necessary for its effective operation, in accordance with applicable laws and regulations.**
- E. Advise the Shade Tree Commission in connection with the planting and removal of trees.**
- F. Serve as Certified Recycling Professional for the Borough.**
- G. Respond to complaints and inquiries from residents.**
- H. Report to the Borough Administrator and interface with Mayor and Council, the Borough Engineer and other Borough professionals as necessary.**
- I. Be on call 24 hours per day, 365 days per year.**
- J. Work in connection with the water and sewer systems of the Borough under the supervision of appropriately licensed personnel.**
- K. Perform such other duties as from time to time directed.**

3. This ordinance shall be effective upon passage and publication as required by law.

Council Member Heinzl made a motion to introduce Ordinance 2014-1, second by Council Member Dunn. Mr. Bliss reviewed some changes to the ordinance that were made after Council received their copy of the Ordinance. Upon a roll call vote, all members present voted in favor of introduction of the ordinance.

Mayor Persichilli read Ordinance 2014-2 by title.

**BOROUGH OF PENNINGTON  
ORDINANCE 2014-2**

**AN ORDINANCE AMENDING “AN ORDINANCE TO PROVIDE FOR  
AND DETERMINE THE RATE OF COMPENSATION OF OFFICERS  
AND EMPLOYEES OF THE BOROUGH OF PENNINGTON, COUNTY  
OF MERCER, STATE OF NEW JERSEY FOR THE YEAR 2013.”**

**WHEREAS**, in anticipation of the retirement of the Superintendent of Public Works in the Summer of 2014, Borough Council has need to appoint an Assistant Superintendent of Public Works, on a temporary basis, to work with the Superintendent until his retirement, then, after satisfactory performance while serving in this position, as determined by the Borough Administrator, step up to become Superintendent;

**WHEREAS**, the Assistant Superintendent of Public Works shall be certified by the State of New Jersey as a Certified Public Works Manager and have the qualifications otherwise necessary to serve as Superintendent;

**WHEREAS**, the salary of the Superintendent of Public Works is also to be amended in keeping with the responsibilities of the position;

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

1. Section I.a of Borough of Pennington Ordinance No. 2013-5 (“AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF PENNINGTON, COUNTY OF MERCER, STATE OF NEW JERSEY FOR THE YEAR 2013,” as amended by Pennington Ordinance No. 2013-11) is hereby amended to provide for the following annual salary for the position of Assistant Superintendent of Public Works:

**“Assistant Superintendent of Public Works -- \$65,000.00”**

2. The same Section I.a of Pennington Ordinance No. 2013-5 is amended to increase the maximum annual salary for the position of Superintendent of Public Works, as follows:

“Supt. of Public Works -- \$[54,498.70] 75,000.00”

3. This amendatory ordinance shall be effective upon passage and publication as provided by law.

Council Member Heinzl made a motion to introduce Ordinance 2014-2, second by Council Member Marcianta. Mr. Bliss stated that the ordinance states that the position of Assistant Superintendent of Public Works is a temporary position. Upon a roll call vote, all members present voted in favor.

Council Member Griffiths made a motion to adjourn the meeting, second by Council Member Heinzl.

Respectfully submitted,

Elizabeth Sterling  
Borough Clerk