

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

Mayor Persichilli called the Reorganization Meeting of the Borough Council to order at 7:00 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.

Mayor Persichilli asked everyone to stand for the Flag Salute.

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.**

Ms. Terri Evanko came forward and asked that Borough Council remember to include a line item in the budget for Senior Services.

Mayors Business

Mayor Persichilli read the following proclamation honoring Tom Ogren for his service on Borough Council.

***PROCLAMATION OF MAYOR AND COUNCIL
RECOGNIZING AND HONORING
THOMAS OGREN***

WHEREAS; *Thomas Ogren has served as a Member of the Common Council, Borough of Pennington for two terms, from January 1, 2007 to December 31, 2013; and*

WHEREAS, *Mr. Ogren has given countless hours of valuable service as Council Liaison to the Personnel Committee, the Shade Tree Commission, the Public Works Committee, the Open Space Advisory Committee, as the Mayor's Liaison to the Planning Board, and has served on numerous task forces and special committees;*

WHEREAS, *Mr. Ogren has been a tireless advocate for Open Space in the Hopewell Valley, the Lawrence Hopewell Trail, and the Pennington downtown and business community and has contributed significantly to secure grant funding to advance and improve these interests;*

WHEREAS, *Mr. Ogren has been instrumental in advocating for and supporting adoption of an Historic Preservation Ordinance;*

WHEREAS, *throughout his tenure on Council, Mr. Ogren has been responsive to the citizens of Pennington, their concerns and their interests; and has worked with dedication and tenacity for the betterment of the Pennington community at large; and*

WHEREAS, *the Borough of Pennington highly respects those who never cease in their efforts to make their community a better place to live.*

NOW, THEREFORE, BE IT PROCLAIMED THAT, *the Mayor and Council of the Borough of Pennington hereby express gratitude and appreciation to Thomas Ogren on this 6th day of January, 2014.*

Mr. Ogren thanked the Mayor and Council for giving him the opportunity to serve the Borough. Mr. Ogren stated that it has been a very worthwhile, rewarding experience. Mr. Ogren wished Mayor and Council the very best in the years to come.

Election Results

Borough Clerk, Betty Sterling announced the following election results:

Charles Marciante was elected to 3 year term expiring December 31, 2016
James Davy was elected to a 3 year term expiring December 31, 2016

Council Member Tucker made a motion to adjourn the 2013 Borough Council, second by Council Member Heinzl.

Oaths of Office

Borough Attorney Walter Bliss administered the Oath of Office to the newly elected Council Members.

Mayor Persichilli asked the Borough Clerk to call the roll for the 2014 Borough Council.

Election of Council President

Council Member Tucker nominated Eileen Heinzl as Council President, second by Council Member Davy with all members present voting in favor.

New Business

Mayor Persichilli asked for a consent agenda for the Resolution 2014-1.1 through 2014-1.9.

**PENNINGTON BOROUGH
Resolution No. 2014-1.1**

**RESOLUTION APPOINTING HODULIK AND MORRISON
AS BOROUGH AUDITOR FOR THE YEAR 2014**

WHEREAS, the Borough of Pennington has a need to appoint a Borough Auditor and to contract for related professional auditing in the year 2014, including conduct of audits for 2014;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of this contract for professional services, having a term of one (1) year, will exceed \$17,500;

WHEREAS, approval of this contract complies with the Local Pay-To-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which except in prescribed circumstances prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, such political contributions are permitted by the new statute only if the municipality has elected to award the contract through a competitive process involving a publicly advertised request for proposals and a review process based on written procedures and criteria prescribed in advance by the governing body or as otherwise provided by law;

WHEREAS, the appointee has made no such political contribution and shall make no such contribution during the term of the contract;

WHEREAS, approval of this contract also complies with Chapter 15, Article I of the Code of the Borough of Pennington which prohibits certain political contributions by professional business entities regardless of the value of the contract;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., without advertising for proposals or competitive bidding, because the services contracted for are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, Hodulik and Morrison, P.A. has served as Borough Auditor and proposes to continue to serve in this capacity for fees not to exceed in the aggregate \$ 25,050.00 for the following services: annual audit of the Borough (\$17,400.00); preparation of annual financial statement (\$4,100.00); preparation of annual debt statement (\$1,000.00); audit of the Pennington Library (\$2,550.00);

WHEREAS, Hodulik and Morrison shall perform such additional professional services as may be requested from time to time by the Borough at the following hourly rates: principal - \$135.00; senior accountant - \$125.00; junior accountant - \$115.00; and as further set forth in the attached letter of engagement dated December 27, 2013;

WHEREAS, Hodulik and Morrison has completed and submitted a sworn Business Entity Disclosure Certification which certifies that the firm has made and shall make no political contribution prohibited by the relevant provisions of either the statute or the Borough Code concerning pay-to-play;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that Hodulik and Morrison, P.A. be appointed as Borough Auditor of the Borough of Pennington for a period of one year in compliance with applicable law;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a professional services agreement with Hodulik and Morrison by accepting the annexed letter of engagement dated December 27, 2013;

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Hopewell Valley News as required by law within ten (10) days of its adoption.

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	S				Tucker	M			

**Borough of Pennington
Resolution #2014-1.2**

**RESOLUTION APPOINTING EDWARD J. MCMANIMON AS BOND COUNSEL
FOR THE YEAR 2014**

WHEREAS, there exist the need for the appointment of Bond Counsel; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids be publicly advertised;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of this contract for professional services, having a term of one year, shall not exceed \$17,500;

WHEREAS, Mr. McManimon has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither he nor his firm 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 RESOLVED, by the Pennington Borough Council that Edward J. McManimon is hereby appointed as Bond Counsel for a period of one year or in accordance with the appropriate New Jersey statutes; and

BE IT FURTHER RESOLVED, that this contract is awarded without competitive bidding as “Professional Services” under the provisions of the Local Public Contracts Law, because the services contracted for are of such a qualitative nature as will not reasonably permit the drawing of such specifications or the receipt of competitive bids;

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Hopewell Valley News as required by Law within ten days of its passage.

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	S				Tucker	M			

**Borough of Pennington
 Resolution #2014- 1.3**

**RESOLUTION APPOINTING CRAIG J. HUBERT AS CHIEF MUNICIPAL PROSECUTOR
 FOR THE YEAR 2014**

WHEREAS, N.J.S.A. 2B:24-4e provides that a municipality may appoint municipal prosecutors as necessary to administer justice in a timely and effective manner in municipal court;

WHEREAS, N.J.S.A. 2B:25-6f requires that when a municipality has appointed more than one municipal prosecutor a chief municipal prosecutor be designated and appointed by the municipality;

WHEREAS, Borough Council seeks to designate and appoint Craig Hubert as the Chief Municipal Prosecutor;

WHEREAS, Mr. Hubert has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither he nor his firm 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;

WHEREAS, Mr. Hubert shall be compensated as Chief Prosecutor pursuant to the annual Salary Ordinance of the Borough;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that Craig J. Hubert is hereby designated and appointed Chief Municipal Prosecutor of Pennington Borough for the year 2014.

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	S				Tucker	M			

**PENNINGTON BOROUGH
 Resolution No. 2014 - 1.4**

**RESOLUTION APPOINTING WALTER R. BLISS, JR.
 AS BOROUGH ATTORNEY FOR THE YEAR 2014**

WHEREAS, the Borough of Pennington has a need to appoint a Borough Attorney and to contract for related professional legal services in the year 2014;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of this contract for professional services, having a term of one (1) year, will exceed \$17,500;

WHEREAS, approval of this contract complies with the Local Pay-To-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which except in prescribed circumstances prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, such political contributions are permitted by the new statute only if the municipality has elected to award the contract through a competitive process involving a publicly advertised request for proposals and a review process based on written procedures and criteria prescribed in advance by the governing body or as otherwise provided by law;

WHEREAS, the appointee has made no such political contribution and shall make no such contribution during the term of the contract;

WHEREAS, approval of this contract also complies with Chapter 15, Article I of the Code of the Borough of Pennington which prohibits certain political contributions by professional business entities regardless of the value of the contract;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., without advertising for proposals or competitive bidding, because the services contracted for are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, Walter R. Bliss, Jr. has served as Borough Attorney and proposes to continue to serve in this capacity in both litigation and non-litigation matters at his previous billing rate of \$120 per hour, plus reimbursement for reasonable out-of-pocket expenses;

WHEREAS, Mr. Bliss has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither he nor his firm has made nor shall make any political contribution prohibited by the relevant provisions of either the statute or the Borough Code concerning pay-to-play;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that Walter R. Bliss, Jr. be appointed as Borough Attorney of the Borough of Pennington for a period of one year in compliance with applicable law;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a professional services agreement with Walter R. Bliss, Jr. in the form annexed hereto;

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Hopewell Valley News as required by law within ten (10) days of its adoption.

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	S				Tucker	M			

**Borough of Pennington
Resolution #2014 – 1.5**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON
DESIGNATING DEPOSITORY BANKS, OFFICIAL NEWSPAPERS AND OFFICIAL
SIGNATORIES FOR THE BOROUGH FOR THE YEAR 2014**

BE IT RESOLVED:

That The Bank of Princeton, Wells Fargo, PNC Bank, Bank of America, Hopewell Valley Community Bank, Commerce Bank, Sun Bank, and Santander Bank, be declared official depositories of the Borough of Pennington for 2014 provided any such bank receiving Borough funds first submit a sworn statement that it has not made political contributions in violation of Chapter 15, Article 1 of the Code of the Borough of Pennington regarding pay-to-play;.

BE IT RESOLVED:

That the Hopewell Valley News be designated as the official weekly publication for the Borough of Pennington for 2014, and as is required by law.

BE IT RESOLVED:

That the Hopewell Valley News and Trenton Times be designated for notification purposes when required under the Open Public Meetings Act for the Borough of Pennington.

BE IT RESOLVED:

That Mayor Anthony Persichilli and the Borough Clerk (and in the absence of the Mayor, the Council President) be and hereby are designated as the authorized representatives of the Borough of Pennington to sign for and on behalf of the Borough in all applications to the Federal and State governments, as well as any other matters.

BE IT RESOLVED:

That the following individuals are designated as official signatories for the Borough of Pennington:

- 1 Mayor Anthony Persichilli
- 2 Finance Officer - Sandra Webb
- 3 Borough Administrator – Timothy Matheny
- 4 Council President – Eileen Heinzel

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	S				Tucker	M			

**Borough of Pennington
 Resolution #2014 – 1.6**

**RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE FOR THE
 BOROUGH COUNCIL FOR THE YEAR 2014**

WHEREAS, in 2014 the Pennington Borough Council will meet at Borough Hall for their Regular Meetings on the first Monday of each month starting at 7:00 PM unless otherwise noted;

January 6, 2014 – Regular & Reorganization

February 3, 2014

March 3, 2014

April 7, 2014

May 5, 2014

June 2, 2014

July 7, 2014

August 4, 2014

September 8, 2014

October 6, 2014

November 3, 2014

December 1, 2014

December 29, 2014 3:00 pm

- Reorganization meeting to be held on January 5th, 2015, immediately followed by the Regular Council Meeting;

NOW THEREFORE BE IT RESOLVED that the meeting schedule for the Borough Council of the Borough of Pennington is approved as stated 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	X				Marciante	X			
Griffiths	S				Tucker	M			

**Borough of Pennington
 Resolution #2014 – 1.7**

**RESOLUTION FIXING THE RATE OF INTEREST AND YEAR-END PENALTY FOR
 DELINQUENT REAL ESTATE TAX PAYMENTS AND AUTHORIZING THE TAX COLLECTOR
 TO EXTEND THE GRACE PERIOD FOR THE 3RD QUARTER TAX PAYMENTS FOR 2014 IF
 NECESSARY**

WHEREAS, R.S. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments on or before the date when they would become delinquent, subject to maximum rates provided by law;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, County of Mercer, State of New Jersey, that property taxes shall be due and payable quarterly on February 1st, May 1st, August 1st, and November 1st of each year with a ten-day grace period, after which such taxes, if remaining unpaid, shall become delinquent and interest shall be charged thereon from the date the tax was first payable to the date of actual payment, at the following rates: eight percent (8%) per annum on the first \$1,500 of the delinquency and eighteen percent (18%) per annum on any amount in excess of \$1,500.; and

BE IT FURTHER RESOLVED, that payments on delinquent accounts shall be credited first to the first \$1,500 of the delinquency and then to the balance of the delinquency, and once the first \$1,500 of the

delinquency has been paid, the interest rate shall be eighteen percent (18%) on the balance of the delinquency regardless of the amount of such balance; and

BE IT FURTHER RESOLVED, that a year-end penalty of six percent (6%) shall be assessed on the last day of the fiscal year on the full amount of delinquent accounts with delinquencies in excess of \$10,000.; and

BE IT FURTHER RESOLVED, that the Pennington Borough Council hereby authorizes the Tax Collector to extend the grace period for third quarter 2014 tax payments; and

BE IT FURTHER RESOLVED, that the Tax Collector shall determine the extension period upon receipt of the 2014 Final Tax Bills and said period shall not exceed 30 days beyond the mailing date of the bills to taxpayers.

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector and Borough Auditor.

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	S				Tucker	M			

**Borough of Pennington
Resolution #2014 – 1.8**

RESOLUTION ESTABLISHING COMMITTEES OF COUNCIL FOR 2014

WHEREAS, Pennington Borough Council elects to establish certain committees of its members as will assist it in the coming year;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, County of Mercer, State of New Jersey, as follows:

1. The following committees of Council are hereby created, each to consist of 3 Council members, of whom one shall be chair and two shall be Committee members:
 - a. Personnel
 - b. Public Safety
 - c. Public Works
 - d. Finance
 - e. Community Service

Each such committee shall monitor the functioning of Borough Government within its subject area and shall report regularly thereon to Council, making such recommendations for action by the governing body as the committee deems appropriate. No such committee shall have decision-making powers with respect to any administrative or policy matter.

2. One member of Council shall serve as liaison to the following Boards:
 - a. Planning and Zoning Board
 - b. Senior Advisory Board
 - c. Library Board
 - d. Historic Preservation
3. The chairpersons and members of the above committees and the above liaisons shall be appointed by the Mayor with the advice and consent of Council.
4. Appointments and assignments by the Mayor for 2014 are set forth in the attached list. All such appointments and assignments are hereby approved.

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	S				Tucker	M			

**Borough of Pennington
 RESOLUTION #2014-1.9**

**RESOLUTION APPOINTING ALTERNATE
 PROSECUTORS FOR THE YEAR 2014**

WHEREAS, N.J.S.A. 2B:24-4e provides that a municipality may appoint municipal prosecutors as necessary to administer justice in a timely and effective manner in municipal court;

WHEREAS, N.J.S.A. 2B:25-6f requires that when a municipality has appointed more than one municipal prosecutor a chief municipal prosecutor shall be designated and appointed by the municipality;

WHEREAS, Borough Council has appointed Craig Hubert as the Chief Municipal Prosecutor; and

WHEREAS, the Borough seeks to appoint first, second and third alternate prosecutors to substitute in that order for the Chief Municipal Prosecutor when the Chief Municipal Prosecutor is not able to cover a court session; and

WHEREAS, it is understood that the municipal prosecutor and alternate prosecutors designated and appointed herein have not represented criminal defendants in any municipal court or Superior Court in Mercer County as of January 1, 2014; and

WHEREAS, each alternate prosecutor has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither they nor their respective firms have 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 RESOLVED, by Borough Council of the Borough of Pennington as follows:

1. Lyle Hough is hereby appointed First Alternate Prosecutor of Pennington Borough.
2. Jeff Rubin is hereby appointed Second Alternate Prosecutor of Pennington Borough.
3. Robert Yostembski is hereby appointed Third Alternate Prosecutor of Pennington Borough.

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	S				Tucker	M			

Council Member Tucker made a motion to approve Resolutions 2014-1.1 through 2014-1.9, second by Council Member Griffiths. Mayor Persichilli asked for a change on Resolution 2014-1.9. Upon a roll call vote all members present voted in favor.

Mayor Persichilli asked for a consent agenda for Resolutions 2014-1.10 and 2014-1.11.

**BOROUGH OF PENNINGTON
 RESOLUTION 2014 – 1.10**

**RESOLUTION AUTHORIZING CONTRACT WITH
 VAN NOTE-HARVEY ASSOCIATES FOR PROFESSIONAL
 SERVICES TO PENNINGTON WATER AND SEWER UTILITY**

WHEREAS, Borough Council has determined that the Water and Sewer Utility of the Borough, known as the Pennington Water and Sewer Company, requires the professional services of a consulting engineer with in-depth knowledge and experience relating to the operation of Pennington’s water and sewer systems;

WHEREAS, Van-Note-Harvey Associates, licensed professional engineers, has such knowledge and experience acquired over more than a decade of successful service to the Borough in connection with operation and improvement of the Borough’s water and sewer systems;

WHEREAS, a copy of a proposed professional services agreement between the Borough and Van

Note-Harvey Associates, for a term of one year, is attached;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of this contract for professional services will exceed \$17,500;

WHEREAS, approval of this contract complies with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which except in prescribed circumstances prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, such political contributions are permitted by the statute only if the municipality has elected to award the contract through a competitive process involving a publicly advertised request for proposals and a review process based on written procedures and criteria prescribed in advance by the governing body or as otherwise provided by law;

WHEREAS, Van Note-Harvey Associates and its principals, officers and employees have made no such political contribution and shall make no such contribution during the term of the contract;

WHEREAS, award of this contract also complies with the Code of the Borough of Pennington, Section 15-1, et seq., which further prohibits the award of public contracts to certain political contributors;

WHEREAS, Van Note-Harvey Associates has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has made no reportable contribution to a political or candidate committee in the Borough of Pennington and shall make no such contribution through the term of the contract;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., and is not required to be subject to a competitive bidding process;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract;

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 attached professional services agreement with Van Note-Harvey Associates.

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			

**Borough of Pennington
Resolution 2014-1.11**

**RESOLUTION APPOINTING WILLIAM MEYTROTT AS
JOINT INSURANCE FUND COMMISSIONER FOR A PERIOD
OF ONE YEAR FROM JANUARY 1 THROUGH DECEMBER 31, 2014**

WHEREAS, the Borough of Pennington is required to appoint annually a Joint Insurance Fund Commissioner to serve for the year;

WHEREAS, it is the desire of the Mayor and Council to appoint William Meytrott to that position, for the period of one year from January 1 through December 31, 2014;

NOW, THEREFORE, BE IT RESOLVED, that William Meytrott is hereby appointed as Joint Insurance Fund Commissioner for a one year term effective January 1, 2014 and ending December 31, 2014; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Pennington that Mr. Meytrott shall serve in this capacity without additional compensation.

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 Resolutions 2014-1.10 and 2014-1.11, second by Council Member Tucker with all members present voting in favor.

Mayor Persichilli asked for a consent agenda for Resolutions 2014-1.12 through 2014-1.14.

**BOROUGH OF PENNINGTON
RESOLUTION 2014 - 12**

**RESOLUTION RE-ESTABLISHING THE HOPEWELL
VALLEY GREEN TEAM**

WHEREAS, the governing bodies of Hopewell Borough, Hopewell Township and Pennington Borough recognize a need to develop “green” initiatives to create a plan for a healthy economy, environment and society in Hopewell Valley; and

WHEREAS, the governing bodies of Hopewell Borough, Hopewell Township and Pennington Borough desire to identify and support green, sustainable practices which benefit our residents and business partners that are easy to replicate and affordable to implement; and

WHEREAS, the Borough of Hopewell, the Township of Hopewell and the Borough of Pennington have each resolved to participate in **SUSTAINABLE JERSEY™**, a certification program for municipalities in New Jersey that want to go green, control costs and save money, and take steps to sustain their quality of life over the long term; and

WHEREAS, the governing bodies of Hopewell Borough, Hopewell Township and Pennington Borough have identified a need to work collaboratively to achieve **SUSTAINABLE JERSEY™** certification as the economical and environmental health of Hopewell Valley does not end at municipal borders; and

WHEREAS, the governing bodies of Hopewell Borough, Hopewell Township and Pennington Borough, in an attempt to focus attention on green issues and to further the primary goals of saving tax dollars, assuring clean air and water, improving working and living environments, and strengthening communities that are sustainable economically, environmentally and socially well into the future, established the “Hopewell Valley Green Team”; and

WHEREAS, since on or about August 3, 2009, the Hopewell Valley Green Future Task Force, with annually appointed members comprised of a minimum of four representatives of each Hopewell Valley municipality, including one governing body member liaison, one municipal staff representative and at least two members of the public representing residents, businesses, congregations and other community groups, met quarterly or as needed to develop and recommend programs and projects that seek to:

1. Improve public health and safety.
2. Identify alternative energy options.
3. Encourage water and energy conservation.
4. Reduce environmental pollution.
5. Promote recycling efforts.
6. Preserve natural resources.
7. Increase public awareness regarding green initiatives through the development of educational programs and resources dedicated to green initiatives.
8. Provide updates and recommendations to Hopewell Valley governing bodies, administrations, planning boards, environmental commissions, shade tree boards and other groups directly or indirectly responsible to environmental issues; and

WHEREAS, the governing bodies of Hopewell Borough, Hopewell Township, and Pennington Borough desire for the Hopewell Valley Green Team to continue meeting, on a quarterly or as needed basis, to develop and recommend the above-described programs and projects; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that it hereby supports and does re-establish the Hopewell Valley Green Team, formerly the Hopewell Valley Green Future Task Force, in cooperation with the Borough of Hopewell and the Township of Hopewell; and

BE IT FURTHER RESOLVED, that the following individuals are re-appointed to serve on the Hopewell Valley Green Team and that the Borough shall provide details of said appointments to the municipal clerk of the Borough of Hopewell and the Township of Hopewell: Joann Held, Margaret Van Vurren, Anthony Persichilli and Eileen Heinzl.

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			

**Borough of Pennington
Resolution #2014- 1.13**

**RESOLUTION APPOINTING LEE ENGELMAN AS PUBLIC DEFENDER
FOR THE YEAR 2014**

WHEREAS, Borough Council seeks to designate and appoint Lee Engelman as the Public Defender;

WHEREAS, Mr. Engelman has completed and submitted a sworn Business Entity Disclosure Certification which certifies that neither he nor his firm 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;

WHEREAS, Mr. Engelman shall be compensated as Public Defender at a rate of \$200.00 per court session;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that Lee Engelman is hereby designated and appointed Public Defender for Pennington Borough for the year 2014.

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			

**BOROUGH OF PENNINGTON
RESOLUTION 2014 - 1.14**

**RESOLUTION APPOINTING BOROUGH ENGINEER FOR THE YEARS 2014
THROUGH 2016**

WHEREAS, the Borough of Pennington is required by law to appoint a Municipal Engineer and to contract for related engineering services;

WHEREAS, the Borough Clerk has determined and has certified in writing that the anticipated value of this contract for professional services will exceed \$17,500;

WHEREAS, approval of this contract complies with the Local Pay-To-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which, except in prescribed circumstances, prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, such political contributions are permitted by the new statute only if the municipality has elected to award the contract through a competitive process involving a publicly advertised request for proposals and a review process based on written procedures and criteria prescribed in advance by the governing body or as otherwise provided by law;

WHEREAS, Borough Council has employed such a process in making this appointment but the appointee nonetheless has made no such political contribution and shall make no such contribution during the term of this contract;

WHEREAS, this appointment also complies with the Code of the Borough of Pennington, Section 15-1, et seq., prohibiting the award of public contracts to certain political contributors;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., and is not required to be subject to advertising for proposals or competitive bidding because the services contracted for are of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids;

WHEREAS, the Mayor nominates as Borough Engineer Carmela Roberts of Roberts Engineering Group, LLC, a licensed professional engineer of the State of New Jersey, subject to advise and consent of Council and a contract substantially in the form attached hereto;

WHEREAS, Carmela Roberts and Roberts Engineering, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has made no reportable contribution to a political or candidate committee in the Borough of Pennington and shall not make any such contribution through the term of the contract;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that Carmela Roberts of Roberts Engineering, LLC is hereby appointed as the Municipal Engineer of the Borough of Pennington for a term of three years expiring on December 31, 2016;

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Hopewell Valley News as required by law within ten (10) days of its adoption.

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 Resolutions 2014-1.12 through 2014-1.14, second by Council Member Dunn with all members present voting in favor.

Appointments/Re-appointments to Local Boards

Mayor Persichilli announced the following appointments/re-appointments for the year 2014.

Planning Board

- Designation of Tom Ogren as Mayor’s designee in the absence of the Mayor pursuant to N.J.S.A. 40:55D-23
- Council Representative – Eileen Heinzel – Term Ending December 31, 2014
- Borough Official – William Meytrott - Term Ending December 31, 2014
- Josh Levy – Term ending December 31, 2017
- Mark Blackwell – Term ending December 31, 2017
- Nadine Stern – Alternate #2 – Term ending December 31, 2014

Economic Development

- Chris Murphy reappointed to a 1 year term ending December 31, 2014
- Guy McPhail reappointed to a 1 year term ending December 31, 2014
- Jeff Eckerson appointed to a 1 year term ending December 31, 2014
- Rachel Donnington Torpey – 5 year term ending December 31, 2018
- Council Representative – James Davy – Term Ending December 31, 2014

Environmental Commission

- James Gaffney reappointed to a 3 year term ending December 31, 2016
- Josh Levy reappointed to a 3 year term ending December 31, 2016
- John Jackson reappointed to a 3 year term ending December 31, 2016
- Council Representative – Eileen Heinzel - Term Ending December 31, 2014

Open Space Committee

- Eileen Heinzel appointed for a 1 year term ending December 31, 2014

Appointments/Re-appointments to Local Boards – (with Council Approval)

Mayor Persichilli announced the following appointments/re-appointments for the year 2014. Council Member Griffiths made a motion to approve the following appointments/re-appointments, second by Council Member Marciante with all members present voting in favor.

Parks and Recreation (w/Council Approval)

- Council Representative – James Davy – Term Ending December 31, 2014

Board of Health (w/Council Approval)

- Dan Boone reappointed to a 3 year term ending December 31, 2016
- Steve Papenberg reappointed to a 3 year term ending December 31, 2016
- Council Representative – Weed Tucker – Term Ending December 31, 2014

Library Board of Trustees (w/Council Approval)

- Council Representative – Eileen Heinzl – Term Ending December 31, 2014

Shade Tree Commission (w/Council Approval)

- Council Representative – Eileen Heinzl - Term Ending December 31, 2014

Senior Advisory Board (w/Council Approval)

- Nils Stout reappointed to a 3 year term ending December 31, 2016
- Terry Evanko – appointed to an unexpired term ending December 31, 2014
- Council Representative – Weed Tucker – Term Ending December 31, 2014

Historic Preservation Commission (w/Council Approval)

- Ned Crislip appointed to a 4 year term ending December 31, 2017
- Natalie Shivers appointed to a 4 year term ending December 31, 2017
- Robert Bolten appointed to a 4 year term ending December 31, 2017
- Council Representative – Dina Dunn – Term Ending December 31, 2014

At 7:13 pm, Council Member Tucker made a motion to adjourn the meeting, second by Council Member Griffiths.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk