

**Pennington Borough Council
Reorganization Meeting – January 5, 2015**

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 with the exception of Mr. Davy.

Also present were Borough Administrator Eileen Heinzl, Public Works Superintendent Rick Smith, Public Safety Director Bill Meytrott and Borough Attorney Walter Bliss.

Mayor Persichilli announced that notice of this meeting has been given to the Hopewell Valley News, Trenton Times 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 invited Reverend Gregory Smith to come forward for the Invocation.

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.**

There were no comments from the public.

Mayors Business

Mayor Persichilli read a proclamation from Senator Shirley Turner honoring Edwin Weed Tucker for his service on Borough Council.

Mayor Persichilli also presented Mr. Tucker with the following proclamation.

***Proclamation by the Mayor and Borough Council of Pennington
Honoring Edwin Weed Tucker***

WHEREAS; Edwin Weed Tucker of Pennington, NJ was born in Quincy, Massachusetts on August 11, 1935 and has resided in Pennington Borough since 1956; and

WHEREAS; Edwin Weed Tucker graduated from Hobart College in 1958, with a Bachelor of Arts and then married Beverly Sutton (Tucker) a graduate of Westminster Choir College; together for over 56 years they raised two sons and have two grandchildren; and

WHEREAS, Edwin Weed Tucker served in the United States Army as an overseas correspondent in Korea and an editor of the award-winning First Calvary Division newspaper, “The Cavalier”, and upon his discharge from the Army was employed as a reporter for The Princeton Packet newspaper and in 1961, with his wife Bev, began a long career in public service as a committed volunteer for countless community organizations; and

WHEREAS; Edwin Weed Tucker was first elected to public office in 1976 when he was elected Mayor of Pennington Borough in a hard fought campaign and thereafter held a term of four years during which time he was instrumental in the construction of the Borough sewer system, re-construction of the Borough water tower, upgrade of the Borough water lines, and revision of the zoning Master Plan; and

WHEREAS; concurrent with his public service, Edwin Weed Tucker rose through the ranks at The Packet newspaper from reporter to second in command, and in 1976 joined the New Jersey Press Association as executive secretary, and in 1991 founded Edwin W. Tucker & Associates, and finally in 1994 joined the Lawrenceville School; in each endeavor always firm in his commitment to civic duty and open government; and

WHEREAS; in 2003, Edwin Weed Tucker returned to public service and was elected to the Borough Council for four consecutive terms during which he always brought to bear his deep knowledge of local history, a sense of context which is irreplaceable; and

WHEREAS; during his years on council, Edwin Weed Tucker has served on every Council Committee and chaired with distinction for many years the Public Safety Committee, the Finance Committee, and the Community Relations Committee; and

WHEREAS; Edwin Weed Tucker has served the Borough of Pennington and the greater Hopewell Valley in many ways including as a member of the Pennington Centennial Committee, the Pennington 125th

Anniversary Committee, the Pennington Day Committee, the Friends of the Pennington Public Library, the Hopewell Valley Historical Society (a Charter member since 1975), the Hopewell Valley Veterans Association, the Pennington Business & Professional Association, and the Senior Advisory Board;

NOW, THEREFORE, BE IT PROCLAIMED THAT, the Mayor and Council of the Borough of Pennington hereby honor and recognize the accomplishments of Mr. Edwin Weed Tucker and extend to him all of Pennington's best wishes on this the 5th day of January, 2015.

Mr. Tucker thanked the Mayor and Council for the opportunity to serve the Borough. Mr. Tucker congratulated the newly elected Council Members and wished them well. Mr. Tucker also thanked the Public Works Department and the Pennington Police Department. Mr. Tucker stated that the Pennington thrives due to the many volunteers throughout the community, especially the Fire and First Aid Squads. Mr. Tucker thanked Borough Attorney Walter Bliss for his guidance and friendship throughout the years. Mr. Tucker stated that especially important is the guidance that Council receives from the Borough office staff. Mr. Tucker spoke kind words about Betty Sterling, Mary Mistretta and Wayne Blauth and thanked them for their help throughout the years. Mr. Tucker thanked his wife, Bev Tucker for her support over the years. Mr. Tucker thanked the citizens of Pennington for putting their trust in him and giving him the opportunity to serve the community. Mr. Tucker stated that it has been an wonderful ride.

Mayor Persichilli stated that the Tuckers will continue to be involved on various committees.

Election Results

Borough Clerk, Betty Sterling announced the following election results:

Glen Griffiths and Catherine Chandler were both elected to 3 year terms expiring December 31, 2017. Joseph Lawver and Debra Gnatt were both elected to unexpired 1 year terms expiring December 31, 2015.

Oaths of Office

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

Council Member Griffiths made a motion to adjourn the 2014 Borough Council, second by Council Member Marciante with all members present voting in favor.

Mayor Persichilli asked the Borough Clerk to call the roll for the 2015 Borough Council. All members were present with the exception of Mr. Davy.

Election of Council President

Council Member Marciante nominated Joseph Lawver as Council President, second by Council Member Gnatt with all members present voting in favor.

New Business

Mayor Persichilli asked for a consent agenda vote for Resolutions 2015-1.1 through 2014-1.13.

PENNINGTON BOROUGH RESOLUTION NO. 2015-1.1

RESOLUTION APPOINTING HODULIK AND MORRISON AS BOROUGH AUDITOR FOR THE YEAR 2015

WHEREAS, the Borough of Pennington has a need to appoint a Borough Auditor and to contract for related professional auditing in the year 2015, including conduct of audits for 2015;

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 (\$17,575.00); preparation of annual financial statement (\$4,125.00); preparation of annual debt statement (\$1,000.00); audit of the Pennington Library (\$2,575.00);

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 17, 2014 provided aggregate fees under this contract, including expenses, shall not exceed \$25,050.00 without the prior written approval of Borough Council;

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, Hodulik & Morrison shall comply with requirement for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

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 17, 2014 with such amendments as are required above;

NOW, 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015-1.2**

**RESOLUTION APPOINTING EDWARD J. MCMANIMON AS BOND COUNSEL
FOR THE YEAR 2015**

WHEREAS, the Borough seeks to appoint Edward J. McManimon as Bond Counsel for 2015; and

WHEREAS, Bond Counsel shall preform professional services in accordance with a professional services agreement substantially in the form attached to this resolution; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq) authorizes award of this contract as a contract for professional services not requiring advertisement for competitive bids; and

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;

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

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

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 in accordance with appropriate New Jersey Statutes and a contract substantially in the form attached subject to approval as to form by the Borough Attorney; and

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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015- 1.3**

RESOLUTION APPOINTING CRAIG J. HUBERT AS CHIEF MUNICIPAL PROSECUTOR FOR THE YEAR 2015

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, it is understood that Mr. Hubert has not represented criminal defendants in any municipal court or Superior Court in Mercer County as of January 1, 2015; and

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, Craig Hubert shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

WHEREAS, Mr. Hubert shall be compensated as Chief Prosecutor at the rate of \$ 300.00 for each session of Municipal Court at which he serves;

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 2015.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**PENNINGTON BOROUGH
Resolution No. 2015 - 1.4**

**RESOLUTION APPOINTING WALTER R. BLISS, JR.
AS BOROUGH ATTORNEY FOR THE YEAR 2015**

WHEREAS, the Borough of Pennington has a need to appoint a Borough Attorney and to contract for related professional legal services in the year 2015;

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 further proposes that the services of any legal counsel associated with the Law Offices of Walter R. Bliss Jr., if needed, be compensated at the rate of \$110.00 per hour;

WHEREAS, total fees for the legal services of Walter R. Bliss Jr. and the Law Offices of Walter R. Bliss Jr., including expenses, shall not exceed in the aggregate \$ 40,000.00 without the prior written approval of Borough Council;

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, Mr. Bliss shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015 – 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 2015**

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 2015 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 2015, 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 all applications to the Federal and State governments, as well as in 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 – Eileen Heinzel
- 4 Council President – Joseph Lawver

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015 – 1.6**

RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE FOR THE BOROUGH COUNCIL FOR THE YEAR 2015

WHEREAS, in 2015 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 5, 2015 – Regular & Reorganization

February 2, 2015

March 2, 2015

April 6, 2015

May 4, 2015

June 1, 2015

July 6, 2015

August 3, 2015

September 8, 2015 – (Tuesday)

October 5, 2015

November 2, 2015

December 7, 2015

December 28, 2015 – (3:00 pm)

- Reorganization meeting to be held on January 4th, 2016, 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015 – 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 2015 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 2015 tax payments; and

BE IT FURTHER RESOLVED, that the Tax Collector shall determine the extension period upon receipt of the 2015 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015 – 1.8**

RESOLUTION ESTABLISHING COMMITTEES OF COUNCIL FOR 2015

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

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 and Commissions:
 - a. Planning and Zoning Board
 - b. Senior Advisory Board
 - c. Library Board of Trustees
 - d. Historic Preservation Commission
 - e. Environmental Commission
 - f. Economic Development Commission
 - g. Open Space Committee
 - h. Recreation Commission
 - i. Board of Health
 - j. Shade Tree Commission
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 2015 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**BOROUGH OF PENNINGTON
RESOLUTION #2015-1.9**

RESOLUTION APPOINTING ALTERNATE PROSECUTORS FOR THE YEAR 2015

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, 2015; 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;

WHEREAS, each alternate prosecutor shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington that the following appointments are made for the year 2015:

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.

BE IT FURTHER RESOLVED, that the alternate prosecutors shall be compensated for each court session in which they serve at the same rate as the Chief Municipal Prosecutor.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**BOROUGH OF PENNINGTON
RESOLUTION 2015 – 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, pursuant to the attached professional services agreement, all projects undertaken by Van Note Harvey Associates and related fees and expenses shall be approved in advance by the Borough;

WHEREAS, total annual fees for services pursuant to this agreement, including expenses, shall not exceed \$ _____ without the prior written approval of Borough Council;

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, Van Note Harvey Associates shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
 Resolution 2015-1.11**

**RESOLUTION APPOINTING WILLIAM MEYTROTT AS
 JOINT INSURANCE FUND COMMISSIONER FOR A PERIOD
 OF ONE YEAR FROM JANUARY 1 THROUGH DECEMBER 31, 2015**

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, 2015;

NOW, THEREFORE, BE IT RESOLVED, that William Meytrott is hereby appointed as Joint Insurance Fund Commissioner for a one year term effective January 1, 2015 and ending December 31, 2015; 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**BOROUGH OF PENNINGTON
 RESOLUTION 2015 – 1.12**

**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, now the Hopewell Valley Green Team, 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 that the Hopewell Valley Green Team 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 appointed to serve on the Hopewell Valley Green Team for 2015, 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 Vuren, 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.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

**Borough of Pennington
Resolution #2015- 1.13**

**RESOLUTION APPOINTING LEE ENGELMAN AS PUBLIC DEFENDER
FOR THE YEAR 2015**

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 comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

WHEREAS, Mr. Engelman shall be compensated as Public Defender at a rate of \$200.00 for each court session in which he serves;

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 2015.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	X				Griffiths	X			
Davy				absent	Lawver	M			
Gnatt	X				Marciante	S			

Council Member Marciante made a motion to approve Resolutions 2015-1.1 through 1.13 second by Council Member Lawver with all members present voting in favor. Later in the meeting there was some confusion as to what resolutions were covered under the consent agenda motion. Borough Attorney Walter Bliss recommended that Council take action and vote on the Resolutions a second time to clear up any confusion. Council Member Lawver made a motion to approve Resolutions 2015-1.1 through 1.13 second by Council Member Marciante with all members present voting in favor.

Appointments/Re-appointments to Local Boards

Mayor Persichilli announced the following appointments/re-appointments for the year 2015. Mayor Persichilli pointed out to Council that some additions were made since the original agenda was distributed. Mrs. Sterling stated that the first group of appointments/re-appointments are Mayor's appointments and do not require action by Borough Council however the second list does require Council approval.

Planning Board

- Designation of Eileen Heinzl as Mayor's designee in the absence of the Mayor pursuant to N.J.S.A. 40:55D-23
- Council Representative – Deborah Gnatt – Term Ending December 31, 2015
- Borough Official – William Meytrott - Term Ending December 31, 2015
- Kate O'Neill – Reappointed to a 4 year term ending December 31, 2018
- James Reilly – Reappointed to a 4 year term ending December 31, 2018
- Thomas Ogren – Reappointed to a 2 year term as Alternate 1 ending December 31, 2016
- Nadine Stern – Reappointed to a 1 year term as Alternate 2 ending December 31, 2015

Economic Development

- Chris Murphy reappointed to a 1 year term ending December 31, 2015
- Guy McPhail reappointed to a 1 year term ending December 31, 2015
- Jeff Eckerson reappointed to a 1 year term ending December 31, 2015
- Council Representative – Catherine Chandler – Term Ending December 31, 2015

Environmental Commission

- Art Firestone – Reappointed to a 3 year term ending December 31, 2017
- Council Representative – Catherine Chandler - Term Ending December 31, 2015

Open Space Committee

- John Jackson – Reappointed to a 3 year term ending December 31, 2017
- Council Representative – Deborah Gnatt – Term Ending December 31, 2015

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

Parks and Recreation (w/Council Approval)

- Andrea Fereshteh – appointed to a 3 year term – January 1, 2015 – December 31, 2017
- Council Representative – Joe Lawver – Term Ending December 31, 2015

Board of Health (w/Council Approval)

- Beverly Tucker reappointed to a 3 year term ending December 31, 2017
- Toni Lewis – appointed to a 3 year term – January 1, 2015 – December 31, 2017
- Council Representative – Catherine Chandler - Term Ending December 31, 2015

Library Board of Trustees (w/Council Approval)

- Council Representative - Joe Lawver - Term Ending December 31, 2015

Shade Tree Commission (w/Council Approval)

- Council Representative – Joe Lawver - Term Ending December 31, 2015

Senior Advisory Board (w/Council Approval)

- Edwin Weed Tucker appointed to a 2 year term ending December 31, 2016
- Council Representative – Joe Lawver – Term Ending December 31, 2015

Historic Preservation Commission (w/Council Approval)

- Eric Holtermann reappointed as Class A to a 4 year term ending December 31, 2018

- Robert Chandler reappointed as a Class C to a 4 year term ending December 31, 2018
- Council Representative – Catherine Chandler – Term Ending December 31, 2015

Council Member Griffiths made a motion to approve the appointments/re-appointments as indicated above, second by Council Member Gnatt with all members present voting in favor.

At 7:24 pm, Council Member Chandler made a motion to adjourn the meeting, second by Council Member Lawver.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk