

**Pennington Borough Council
Regular Meeting – May 4, 2016**

Mayor Persichilli called the Regular Meeting of the Borough Council to order at 7:00 pm. Borough Clerk Betty Sterling called the roll, Council Members Chandler, Davy, Gnatt, Griffiths, Lawver and Marciante were present.

Also present were Borough Administrator Eileen Heinzl, Public Safety Director Bill Meytrott, Public Works Superintendent Ricky Smith, Health Officer Stephanie Carey 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 asked everyone to stand for the Flag Salute.

Mayor Persichilli welcomed the many people in the audience and thanked them for coming out to the meeting. Mayor Persichilli stated that normally the meeting is opened up for public discussion at the end of the meeting, but he would try to get some of the people in attendance to talk about issues of concern at the beginning.

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.**

Mr. James Fedchin of 421 Reading Street came forward to comment on Ordinance 2016-6. Mr. Fedchin stated that he has been following the CVS application in Hopewell Township, he attended the Planning Board meeting in Hopewell Township and he has also been following what Pennington is trying to do to influence what goes on there. Mr. Fedchin stated that he has a couple of comments, one the ordinance does not seem like it would stop CVS had Hopewell approved it. Mr. Fedchin stated that in his discussions that he had with the developers for CVS they seemed willing to dedicate the Pennington piece of property back to the Borough. Mr. Fedchin stated that would mean that the change in the ordinance would really have no influence and Hopewell could approve whatever they want for that property. Mr. Fedchin stated that he has read the minutes from the last meeting where Mr. Lawver had some questions about pools and how this ordinance would affect pools. Mr. Fedchin stated that if you read the definition under 215-8 a house on a corner lot, has a side yard immediately behind the house and immediately beside your house on the other side. Mr. Fedchin when on to explain why he thought the definitions were inconsistent with the ordinance. Mr. Lawver explained that his concern was that he does not have any backyard because he is on a corner lot. Some discussion took place as to whether the setback had been removed. Mr. Fedchin stated that 175 feet of his side yard is the line between the Borough and the Township. Mr. Fedchin stated that what he is looking for is a more effective solution for abutting uses. Mr. Fedchin stated that there is some confusion in the ordinance concerning improvements behind homes and whether that pertained to residential or commercial properties and also whether it pertained to one story or two story dwellings.

Mrs. Heinzl stated that the proposed ordinance is actually changing the proposed setback from any property line where it was 6 feet from any rear property line, now it is 15 feet from any property line.

Mr. Fedchin stated that his point has to do with the effectiveness of the ordinance in general. Mr. Fedchin stated that the problem seemed to be the wording of the ordinance and the last thing the Borough needs is having to spend a bunch of money on lawsuits for people who do want pools. Mr. Fedchin had some confusion with the language of certain sections of the ordinance. Council clarified the ordinance concerns for Mr. Fedchin.

Mr. Fedchin stated that the main reason he is here is because his property sits up against the church property in Hopewell Township which is not an ideal development site but as areas get built up it may become more desirable. Mr. Fedchin stated that he would like to propose that Council consider adopting an ordinance similar to Ewing Township regarding abutting uses. Mr. Fedchin distributed a copy of a table from Ewing Township's ordinance which concerns abutting uses. Mr. Fedchin stated that he is very concerned with abutting uses particularly for his property because the entire lot is Hopewell Township.

Mayor's Business

Mayor Persichilli read the following Proclamation.

WHEREAS, Hope Loves Company was established in 2012 as an approved 501 (c)(3) tax exempt non-profit organization.

WHEREAS, Hope Loves Company is the only non-profit dedicated to the children and young adults who have a parent or family member affected by ALS (Lou Gehrig's Disease)

WHEREAS, ALS (Amyotrophic Lateral Sclerosis) is a terminal illness which affects a patient's ability to walk, talk, eat and breathe. These challenges make normal functions as a mother or father difficult or even impossible. Many children are nurturing and dedicated caregivers to parents and family members battling ALS.

WHEREAS, Hope Loves Company was established to provide educational and emotional support through free resources to those care giving children.

NOW, THEREFORE, BE IT PROCLAIMED that I, Anthony J. Persichilli, Mayor of Pennington Borough, do hereby proclaim May 4, 2016, as Hope Loves Company / ALS Awareness Day. Across the city, state and the nation, and I urge all citizens to support Hope Loves Company and assist those individuals and families who deal with this devastating illness on a daily basis. We are proud that Hope Loves Company is a part of our Pennington community.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of Pennington Borough this 4th day of May, in the year of 2016.

Mayor Persichilli invited Jodi O'Donnell-Ames, founder of Hope Loves Company to come forward to accept the Proclamation. Ms. O'Donnell thanked the governing body. Ms. O'Donnell stated that she lost her husband in 2001 to ALS and she came to Pennington in 2003 at which time she started Hope Loves Company. Ms. O'Donnell stated that they are very happy to part of the community. Ms. O'Donnell stated that Hope Loves Company is the only non-profit organization which provides support to children. Ms. O'Donnell stated they help children, parents, grandparents and anyone who is affected by someone who has ALS. Ms. O'Donnell stated that they are holding camps this year to help children who are assisting in provided care and the camps are all free. Ms. O'Donnell stated that there are three camps scheduled for this year, one in New Jersey and then Indiana and Massachusetts and they are hoping to grow. Ms. O'Donnell stated that May is ALS awareness month. Ms. O'Donnell stated that ALS is a terminal illness and no one survives it. Ms. O'Donnell stated that at the time she had a two and half year old and she understands firsthand what families go through and they are here to help.

Ms. O'Donnell left brochures and business cards for distribution and reminded everyone that their services are free. Ms. O'Donnell stated that they have books for children that they send out for free to help parents gently explain ALS to their children.

Mayor Persichilli announced that the Mayor's Wellness Campaign is moving forward and we are starting to do things to promote healthy lifestyles here in Pennington. Mayor Persichilli stated that May 11th 2016 is Ride Your Bike to School Day and many Tollgate students will be riding or walking to and from school. Mayor Persichilli stated that more programs will be coming.

Appointments to Boards and Commission (with Council Approval)

Mayor Persichilli announced the following appointments:

Anne Marie Hofacker – Parks and Recreation – Unexpired Term ending December 31, 2017

Council Member Lawver made a motion to approve the appointments, second by Council Member Davy with all members present voting in favor.

Approval of Minutes

Council Member Marciante made a motion to approve the minutes of the April 6, 2016 Regular Meeting, second by Council Member Chandler with all members present voting in favor with the exception of Mr. Griffiths who abstained.

Presentations

Mayor Persichilli invited Health Officer, Stephanie Carey and Board of Health Chairman Steve Papenberg to come forward to make a presentation. Mr. Papenberg thanked Mayor and Council for inviting the Board of Health to make a presentation on what the Board and the Health Department do for Pennington Borough. Mr. Papenberg stated that in addition to communicable disease and environmental health

including food safety, public health nursing, health education, promotion, chronic disease prevention, local public health systems are required to participate in strategic planning of a County wide CHIP which is a Community Health Improvement Plan. Mr. Papenberg stated that this is done through partnerships with governmental agency, non-profits, health care providers such as hospitals and educational institutions to name a few. Mr. Papenberg stated that the local appointed Board of Health is working with Health Officer, Stephanie Carey and the staff of the Montgomery Health Department to comply with State standards to enhance capacity and build appropriate infrastructure to address emerging public health issues such as ebola, zika virus, west nile virus, lyme disease, exposure to lead, tobacco use, effects of diet and inactivity, substance abuse and mental health problems and radon exposure. Mr. Papenberg stated that those are just examples of some of the things that the Health Department and the Board of Health face on a daily basis. Mr. Papenberg stated that the local Board of Health consists of expertise in public health investigation, planning, nursing and emergency medical services. Mr. Papenberg stated that those are the people that Council has appointed to the local Board of Health to oversee the activities of the Health Department. Mr. Papenberg introduced Health Officer Stephanie Carey to provide information related to the Annual Public Health Report, the CHIP, strategic planning and the National Accreditation effort for our Health Department.

Ms. Carey stated that Montgomery Health Department serves a population of 28,000 people, across 4 municipalities in 2 counties. Ms. Carey stated that in addition they hold regional health education shared services that serve a grand total of 9 municipalities. Ms. Carey stated that they are very grateful to be able to work with the Borough on both public health and animal control. Ms. Carey thanked the Board of Health for their ardent volunteerism and their community accountability and for going above and beyond by participating in these County wide coalitions to make sure that we are in compliance.

Ms. Carey stated that she distributed copies of the Local Health Report to Council Members and she will happily answer questions on the report. Ms. Carey went through the report and discussed some key highlights and statistics.

Mayor Persichilli thanked Ms. Carey and Mr. Papenberg for their report. Mayor Persichilli stated that several years ago the Borough was looking for a partner to provide these services and Montgomery Township stepped up to the plate. Mayor Persichilli stated that he is overwhelmed by the amount of activity that the Health Department and the Board of Health are involved with. Mayor Persichilli stated that he is very pleased with Montgomery Township and the services that they provide.

Mayor Persichilli invited Dr. Tom Smith and Mr. Bob Colavita from the Hopewell Valley Regional School District to come forward to make a presentation. Dr. Smith stated that even though the State has eliminated the vote on the school budget they still like to get out to each municipality because they understand and respect the fact that the school district is the largest driver of property taxes for the community. Dr. Smith distributed copies of their presentation and highlighted some of the key points. Dr. Smith stated all of their presentations are available on line if anyone wants to see more detail. Dr. Smith stated that he is proud to present a budget that is not only below cap, but it is the lowest budget increase in the districts history and it is also the lowest in the County. Dr. Smith stated that total increase is .8 percent in the general fund and the total tax levy increase is .7 percent. Dr. Smith stated that the good news for Pennington is a zero increase for the next school year. Dr. Smith stated that he would like everyone to be aware of their capital projects. Dr. Smith stated that one of the largest challenges for the district is capital projects. Dr. Smith stated that Tollgate is a beautiful school however it is an older school. Mr. Smith stated that it needs constant maintenance. Dr. Smith explained that what has been removed from the budget is capital projects and that is in preparation for a referendum that will be coming to the community in November. Dr. Smith stated that the schools are held to a two percent cap and that makes it difficult to complete some of the larger capital projects. Dr. Smith stated that there are approximately \$6.5 million in roof projects alone and they would not be able to complete those within a budget. Dr. Smith stated that the school district has been placed into a situation where they need to develop a referendum to address some of the long term maintenance projects. Dr. Smith stated that the reason they are coming out to the community now is that a number of things are lining up for them. Dr. Smith stated that they have debt that is retiring and will be reduced from the budget over the next several years, the State is offering a program that will provide contributions of up to forty percent of these projects, interest rates are favorable and ultimately the burden to the taxpayer would be reduced by not rolling these projects into the operating budget. Dr. Smith stated that the projects are not flashy; they consist of roofs, HVAC, building envelope projects, windows doors and brickwork. Dr. Smith stated that specific to the Tollgate School, they are looking at replacing drafty windows, a portion of the roof, and finally an HVAC system for the gymnasium/auditorium section. Dr. Smith stated that also part of the referendum are light safety projects, updating the intercom system and fire alarm system so that they become digital so that they can be controlled from outside the district or from individual rooms. Mr. Smith stated that a big portion of the referendum is tied to the High School. Dr. Smith stated that they are looking to make the entrance ADA compliant and more secure, addressing some ongoing kitchen and cafeteria issues and addressing some needed arts and wellness space. Dr. Smith stated that these projects could not be accomplished without a referendum. Dr. Smith stated that there is no way to build \$6 million into a budget without going over the 2 percent cap. Dr. Smith stated that the total for all of the projects is \$35.6 million and there is an itemized breakdown of all the different projects on their website. Dr. Smith stated that there will be more information to come over the next several months, but he wanted to bring this to Council's attention.

Mrs. Chandler stated that she thinks that what the school district is doing is very smart, we have to invest in infrastructure and we have to do it when the time is right. Mrs. Chandler stated that the community needs to support our schools because they are the heart and soul of the community.

Mayor Persichilli thanked both Dr. Smith and Mr. Colavita for coming and making a presentation. Mayor Persichilli stated that there was a time when it was difficult to get information and data from the school district and he is happy to hear that there is more information available on line. Mayor Persichilli stated that the Borough is going through the same process with trying to plan for infrastructure upgrades because this is the right time to do it.

Mayor Persichilli stated that he understands that there are people in attendance that would like to speak to Council so at this time he will open the meeting for public comments.

Public Comment Period

Mayor Persichilli asked that anyone wishing to speak please come forward and state their name and address for the record and limit comments to the Governing Body to a maximum of 3 minutes.

Mrs. Nancy Willever of 125 King George Road stated that she has lived in Pennington for 35 years and she has lived on King George Road for 32 years. Mrs. Willever stated that she did not make either of the resident meetings that were held regarding the upcoming road project. Mrs. Willever stated that when the letter came out indicating that the street was going to be narrowed to 28 feet, that really upset her. Mrs. Willever stated that 28 feet doesn't really mean anything until you have something to relate it to so she went out and measured the road as it exists now in front of her house and it is 34 feet. Mrs. Willever stated that another neighbor measured down by the end of Eglantine and it is 38 feet and down by Kunkel Park it is 30 feet. Mrs. Willever stated that there are differences but 34 feet is king of the middle. Mrs. Willever stated that another thing that she took exception to is the plan to eliminate parking on one side of the street. Mrs. Willever stated that if she can't park in front of her house she will have to park in front of her neighbor's house. Mrs. Willever stated that narrowing the street is only going to cause more problems. Mrs. Willever stated that she would allow a police car to park in her driveway to monitor speeders because people do speed up and down the street. Mrs. Willever stated that she heard that some of the neighbors were in favor of speed bumps and she does not know if that would be a good solution. Mrs. Willever stated that the proposed locations of the speed tables are problematic because one of the speed tables is right at the end of someone's driveway. Mrs. Willever stated that when she heard that the residents of Park Avenue were upset about getting sidewalks but she wants the sidewalks because when she walks her dog around the block there have been numerous times when she has had to jump out of the road to avoid being hit by a car. Mrs. Willever stated that narrowing the street is a bad idea. Mrs. Willever stated that she is a realtor and people value the fact that there are wide streets in Pennington.

Mayor Persichilli stated that the Borough has received several e-mails and letters regarding the road project and in particular the speed bumps, the width of the road, traffic and speeding. Mayor Persichilli stated that the Borough is taking all of the comments and concerns into consideration. Mayor Persichilli stated that with regard to Lower King George Road, the Borough Council had their minds made up because the feeling was that the sidewalks were necessary for safety reasons and rather than have the asphalt keep washing away we had to install curbs. Mayor Persichilli stated that in the meantime, the infrastructure needs to be done and because the street will be torn up to replace the water lines what we have to and are considering is how much do we do based on resident input and what has to be done because it is required. Mayor Persichilli stated that we are going to do the water lines because they have to be done and beyond that the Public Works Committee is open to comments from the public.

Mrs. Chandler asked for clarity on what the residents are asking for. Mrs. Chandler stated that it sounds like the residents want to maintain the width of the street primarily to maintain two-way traffic and allow room for two way traffic and parking on both sides of the street. Mrs. Chandler asked what was the concern regarding the speed tables. Mrs. Willever stated that she does not have an issue with the speed table other than the placement adjacent to someone's driveway. Mrs. Willever stated that she thinks it would be more effective to have a police car assigned and tickets issued. Discussion took place with regard to staffing in the police department and the fact that one officer has been out for the past several meetings and also the use of traffic monitoring devices or just parking a police car on the road.

Mr. John Valenza of 120 King George Road stated that he is very happy that the Borough is planning on installing a speed table because it is the right measure and will cause people to maintain speed without having to stop for a speed bump, but the placement of the table is questionable. Mr. Valenza stated that the proposed speed table will be sandwiched between his driveway and his neighbor's driveway across the street which means that they will both have to back out over the speed table. Mr. Valenza stated unless there is a specific engineering specification for placement of the table he does not see why it can't be moved down the road and not interfere with someone's driveway. Mr. Valenza stated that he was told that the table needed to line up with the end of the sidewalk, but he is not aware of any engineering regulation that would require that. Mrs. Chandler stated that her understanding of the placement of the speed table was that it would provide a safe passage for pedestrians. Mr. Valenza suggested moving the speed table 80 feet towards Eglantine Avenue with signage indicated that pedestrians should cross there. Mr. Valenza stated that he is very happy that the Borough is instituting speed abatement measures because when the road is paved, vehicles are going to fly down it because people already fly down it. Mr. Valenza stated that he is unclear why the proposal is to narrow the road. Mayor Persichilli responded that narrowing the road causes people to be more cautious. Mayor Persichilli stated that other traffic calming measures have been done on other streets in the Borough for instance Green Street where the curb was bumped out a little and Burd Street where speed humps were put in. Mayor Persichilli stated that what we are trying to do is make it harder for people to speed and these are the things that we asked the Borough Engineer to design. Mayor Persichilli

stated that we will go back to the engineer and ask, based on input from the residents, these are the concerns and see if there are modifications that can be done.

Mrs. Terri Epstein of 122 King George Road came forward and stated that she has been a resident for the last 30 years. Mrs. Epstein stated that when they bought their house they waited for over a year because they really wanted to live on King George Road. Mrs. Epstein stated that they wanted to be able to walk to Kunkel Park and it was a wonderful place to raise their children. Mrs. Epstein stated that another reason that they loved King George Road is because like Welling and Curlis and Eglantine because they were wide and felt safer. Mrs. Epstein stated that when Mobil was back where Bristol Meyers is now; there was a lot of traffic and a lot of speeders. Mrs. Epstein stated that wider streets provided a buffer when a ball went into the street or a child went chasing after a ball. Mrs. Epstein stated that safety wise she personally thinks that a wider street is safer all around. Mrs. Epstein stated that putting all of that aside; historically the wide streets are the first ones that went into Pennington. Mrs. Epstein stated that she does not mind speed tables, they definitely do their job, but vehicles will eventually just go down Park Avenue to avoid King George Road. Mrs. Epstein stated that the elimination of parking on one side of the street is an enormous inconvenience. Mrs. Epstein stated that when her children are home they have four cars and a single lane driveway which is particularly an issue when there is snow predicted and they have to get all of their cars off the street. Mrs. Epstein stated that she always has cars parked in front of her house so that it is more convenient in the morning. Mrs. Epstein commented on other issues that would occur as a result of eliminating parking. Mrs. Epstein stated that finally Kunkel Park is the location of concerts in the park, movie night in the park, the egg hunt and other events which require parking on the street. Mrs. Chandler stated that the concerns regarding the width of the street are new to her as of this week. Mrs. Chandler stated that there were two resident meetings and the width of the street was not an issue, that being said, she runs down King George Road almost every morning and the street is being utilized for parking. Mrs. Chandler stated that it is her understanding that the street was narrowed not for aesthetic reasons, but as a method to control speed. Mrs. Chandler stated that speed was the number one issue with King George Road and that is what the Borough was trying to address. Mrs. Chandler stated that a wide, newly paved street is going to be a fast street and she hopes that everyone takes that into consideration because once the project is done it is done. Mr. Lawver stated that even when Lower King George Road was narrowed and repaved, the rate of speed increased and Upper King George Road will see an increase in speed if we do not do any modifications to the structure of the road.

Mayor Persichilli stated that these comments have been heard whether it be through e-mails, phone calls or comments here and everything will be taken into consideration. Mrs. Epstein stated that she has spoken to everyone on the street and with the exception of one person everybody was in agreement and they have signed a petition. Mrs. Chandler stated that council's purpose is to make sure that everyone who signed the petition understands that if we keep the road wide and if we pave it, our concern is that residents understand what might happen.

Mr. Marciante stated that one of the letters was from someone who did not want curbs. Mr. Jerome Cohen of 115 King George Road came forward. Mayor Persichilli stated that the purpose of the curb is to make the surface stable. Mayor Persichilli stated that on Lower King George Road all of the potholes have washed away because nothing contained the water. Mayor Persichilli stated that curbs contain the water and hold onto the infrastructure so there is less movement. Mayor Persichilli stated that the road will last longer with the addition of curbs. Mayor Persichilli stated that the Borough is working on funding to get several streets done at one time because it is difficult to rely on NJDOT for funding. Mayor Persichilli stated that we have a priority list of streets beginning with the worst ones and it will be twenty years before get back to King George Road again. Mayor Persichilli stated that the curbs would help the reconstructed road last longer so that we don't have to come back in five years when it washes away.

Mr. Cohen stated that he appreciates the Mayor's comments. Mr. Cohen stated that someone brought up that the street narrowing had been mentioned twice before and that is true, but they are no engineers and sometimes it takes a while for the truth to soak in. Mr. Cohen stated that the residents love the width of the current street and anything that reduces it, maybe curbs, maybe a grass strip or whatever does not outweigh the fact that they will have a reduced width. Mr. Cohen stated that will make them seem more like a development and less like a small town. Mr. Cohen stated that the beauty of Pennington is the great variety and the Master Plan calls maintaining the small town feeling. Mr. Cohen stated that narrowing the street and putting in curbs would take away from the small town feeling.

Mr. John Brinster of 126 King George Road stated that he has only been in Pennington for two years and he enjoys the small town atmosphere. Mr. Brinster stated that one of the reasons why he moved to King George Road was because of the width of the road and he would not want to see it narrowed.

Mr. Valenza asked if the Borough does decide to narrow the road, what the width would be in comparison to other roads in town. Mr. Lawver responded that the widths vary throughout town from 23 feet up. Mr. Lawver stated that the proposed 28 feet would not be unusually narrow for Pennington Borough.

Mr. Chuck Schaub of 108 King George Road thanked Mayor and Council for the time and effort that they put into this. Mr. Schaub stated that he does value the width of the road. Mr. Schaub stated that he has lived on King George Road for 40 years and as his kids grew up they used to play street hockey games because times were different and the volume of cars or the speed issues. Mr. Schaub stated that now he has two Labrador retrievers and he walks them two times a day to Kunkel Park and at least four times a week he has had to yell at a car that is totally oblivious to the fact that it is a residential street. Mr. Schaub stated that one of his sons has now moved to King George Road and he has three small boys and on upper King George

alone there are at least 14 kids under the age of 12. Mr. Schaub stated that the Borough has built trails to encourage people to walk and ride bikes so not only has vehicular traffic increased but pedestrian traffic has also increased. Mr. Schaub stated that he would be in favor of a speed bump because it sends a message, but one speed bump would not be enough. Mr. Schaub stated that he would suggest putting in several speed tables. Some discussion took place with regard to where to put the speed tables. Mr. Schaub stated that he would value the width not changing but more importantly the speed needs to be addressed. Mr. Schaub stated that there are things that can be done to send a message that speeding will not be tolerated. Mr. Schaub stated that Main Street already has that reputation, but there should be no speeding on any of the streets in Pennington. Mr. Schaub stated that everyone acknowledges that speeding is an issue and it has gotten worse since lower King George Road was paved and if it is bad now it is only going to get worse.

Mr. Lawver stated that Council is listening to what the residents are saying and he just wants it to be clear that the intent was to address the speed issue which we know will probably get worse once the road is paved. Mr. Lawver stated that we know have to go back to the drawing board and come up with something different, but he is not sure that we will be able to preserve 38 feet as the width of the road.

Mrs. Heinzl stated that someone had asked about relative road widths and just for comparison, East Curlis is 35 feet, Burd Street is 24 feet, Abey Drive is 30 feet, Lanning is 25 feet and Voorhees is 23 feet. Mrs. Chandler asked what the average width of King George Road is and the answer was 34 feet. Some discussion took place with regard to what an acceptable width would be. Mr. Griffiths stated that residents need to understand that there is a time factor involved in terms of the grant and when an award must be made.

Mrs. Cindy Ricker of 127 King George Road stated that she has been a resident for 25 years and to everyone's point, the reason that they moved there was because of the neighborhood and the wide streets. Mrs. Ricker stated that her biggest concern is speed and she agrees with having two speed tables with one of them being closer to the park. Mrs. Ricker stated that the people who travel on King George Road are using it as a cut through and something needs to be done to control the speed. Mrs. Ricker stated that narrowing the road is not going to accomplish that because the same people will continue to do what they are doing. Mrs. Ricker agreed that the speed tables are a great idea but she has an issue because she will not be able to park in front of her house. Mrs. Ricker stated that she would then have to park in front of one of her neighbor's houses which would take one of their spots not to mention being a huge inconvenience for her. Mrs. Ricker stated that all but one house on the street has a single driveway and some don't have garages. Mrs. Ricker stated that speed is the biggest concern because whether the road is wide or narrow it is being used as a cut through by motorists who don't live in town and they are going to continue to speed whether the road is narrow or wide. Mrs. Ricker had one final thought and that was that if the Borough puts speed tables on King George Road then Park Avenue should have them as well.

Mrs. Linda Steffanelli of 139 King George Road stated that she thinks this is a great project and while we are talking it might be better helpful to have a better sign where the Stop sign on Lower King George approaching the curve to the park. Mrs. Steffanelli stated that people who don't know the area think King George continues on. Mrs. Steffanelli stated that there is a tiny sign on the left hand side on Park but there is nothing on her side of the road. Mrs. Steffanelli stated that most people think that it is a right hand turn and a bigger King George Road street sign would be better.

Mrs. Jeanne Donlan of 113 King George Road stated that she agrees with everything that all of her wonderful neighbors have said. Mrs. Donlan stated that part of the charm of living on King George Road is the neighbors. Mrs. Donlan stated that the speed tables are a great idea, Princeton has installed speed tables on some of their roads and nothing has happened to the value of the homes there. Mrs. Donlan had a question about one of the improvements that was listed was a change to the driveway aprons. Mr. Lawver explained that if the driveway apron has to be disturbed than the apron will be put back the way it was and it will be concrete consistent with the sidewalk.

Mrs. Epstein came forward again and stated that she has a sump pump issue. Mrs. Epstein stated that she got a letter stating that the sump pump can't discharge into a public right of way either directly or indirectly. Mrs. Epstein stated that the letter indicates that the discharge should be directed to the back yard and away from neighbors. Mrs. Epstein stated that she does not have any lawn in the backyard. Mrs. Heinzl asked Mrs. Epstein to set up an appointment with her to discuss this. Mr. Lawver stated that the point of the letter is to correct discharge onto the road because it wears away the road surface.

Mr. William Marder of 147 South Main Street came forward. Mr. Marder stated that the property next door to him 149 South Main Street has been a construction site since last October. Mr. Marder stated that his feeling is that the process for managing a construction site like the one next to him could stand for some improvement. Mr. Marder offered some suggestions for correcting the problem. Mr. Marder stated that it is in the common interest for properties to be improved. Mr. Marder listed some of the major effects that the construction at 149 South Main Street has had on his property. Mr. Marder stated that they now have water coming into their basement which they did not have before, they have damage to their sidewalk and curb, they have lost the use of their living room for months due to the noise and for about three months they had a pond in their backyard. Mr. Marder stated that construction noise is to be expected, but this has been going on for months from 7am to 7pm. Mr. Marder stated that this is an unreasonable burden. Mr. Marder stated that they have lost visibility backing out on to Main Street because construction vehicles park illegally. Mr. Marder stated that their activities are limited; his son who does remedial teaching at Rider University is unable to concentrate and prepare lesson plans due to the noise. Mr. Marder stated that listening to music is impossible; they have not been able to open their windows for months and they have to keep their blinds

drawn for the sake of privacy. Mr. Marder stated that there is so much dirt that they have been unable to use their outdoor gas grill. Mr. Marder stated that the people have not been unusually bad or unusually inconsiderate; the issue is the duration of the project and how many hours in a day they have to deal with it. Mr. Marder stated that there have been explicit violations for instance working from 7 to 7 on a Sunday involving a gasoline powered air compressor and people banging nails. Mr. Marder stated that there was an instance of using a snow blower between midnight and 1:00 am on a Sunday morning and there have been multiple incursions onto their property. Mr. Marder stated that there needs to be an adjustment to the tradeoff between the rights of individuals and the need to improve property. Mr. Marder offered the following suggestions: reconsideration of the working hours which should be a function of the duration of the project and prep time should be part of working time. Mr. Marder stated that unpacking equipment and packing up equipment often goes on before or after the 7am to 7pm time frame. Mr. Marder stated that there are very close quarters on South Main Street and the trucks in the driveway are very close to their windows and the workers were revving their engines at 6:30am to keep work. Mr. Marder stated that he does not want them to be cold, but he also does not want to be woken up. Mr. Marder stated that this is a police issue and if the contractor or owner has to pay for that service then so be it. Mr. Marder stated that the contractor excavated the basement and it filled in overnight with water that has to go somewhere and he would prefer that it not come onto his property. Mr. Marder stated that he would prefer even more that when something like that happens and it is unexpected, that they have to come back to the Borough to address things that come up during construction. Mr. Marder stated that wherever possible construction vehicles should be limited to the available parking for the property. Mr. Marder stated that infractions should be noticed immediately and when construction permits are given out a list of violations, fines and local regulations should be provided. Mr. Marder stated that he had to call the police for one instance involving parking on the sidewalk. Mr. Marder stated that the officer that responded was very professional, but he had driven by several times before the call.

Mr. Marciante stated that the Public Safety Committee had met that evening to discuss parking enforcement and the problem of landscapers and contractors parking in no parking areas will be addressed. Mr. Marder stated that they have made several calls and the police are responsive, but the result was a negotiated cessation which is not sufficient to ensure that it doesn't happen again. Mr. Marder stated that there needs to be a cost or a penalty imposed. Mr. Marder stated that there is a limit to the number of times that he will call the police and risk his credibility and take his time to resolve these situations.

Mr. Marder stated that at the start of the project his wife called Borough Hall to report that the property was overgrown with poison ivy that was out over the sidewalk, the Borough staff was very responsive and the remedy was to go after the poison ivy with a weedwacker which is not the answer. Mr. Marder stated that when there are infractions they need to be properly addressed. Mr. Marciante asked if Mr. Marder had contacted the contractor regarding these concerns. Mr. Marder stated that to be fair, he did go out regarding the air compressor under his window and they did move it right away, but it was before 7am.

Mr. Lawver stated that we need to figure out who is responsible for enforcement, is it the police when they are driving by or is it the construction official when they go out to do inspections.

Mayor Persichilli thanked Mr. Marder and asked for a copy of the list of concerns that were expressed.

Mr. Weed Tucker of 92 Woolsey Court came forward and stated that the Senior Advisory Board recommends the continuance of a full time Senior Coordinator with the same requirements that the previous Coordinator had. Mr. Tucker stated that they also strongly recommend the expansion and renovation of the present senior center on Reading Street. Mr. Tucker thanked Joe Lawver for excellent communication as liaison to the Senior Advisory Board. Mr. Tucker thanked Mayor Persichilli for coordinating a meeting with the Mayors of Hopewell Township and Hopewell Borough. Mr. Tucker stated that he heard it was a very good meeting and he hopes that more meetings between the three municipalities will take place. Mayor Persichilli stated that in the past it was difficult to get people around the table because of differences of opinion but a lot of progress has been made and more discussions are planned for the coming weeks. Mayor Persichilli stated that we are working under a time frame because the building is in need of extensive repairs so a decision has to be made soon and discussions are underway. Mr. Tucker thanked Mayor and Council for all that they are doing.

Mrs. Chandler asked where we stand with regard to the King George Road issue and what the next steps in the process are. Mr. Davy stated that the Public Works Committee will take the comments under consideration and in light of the time constraints they will be meeting very soon. Mrs. Chandler stated that this needs to be resolved before the next Council meeting and she wants to make sure that whatever is decided gets communicated to the residents. After a brief discussion, it was decided that the Public Works Committee would meet to discuss modification of the project to fit within the budget and still achieve the goals that we need to achieve. Mr. Davy stated that the Public Works Committee met briefly and they are very sympathetic to the concerns of the residents. Mrs. Chandler stated that for the record her takeaway from the discussion is that the road should be left at 34 feet if possible, she is ambivalent about the curbs, definitely speed tables, and at some point we need to talk about Park Avenue. Mr. Marciante stated that with regard to the speed tables, the residents need to understand that they will be in front of someone's property whether it is the current location or a different location. Mr. Lawver stated that the one on Burd Street is adjacent if not in someone's driveway. Mrs. Chandler stated that with regard to the flashing speed indicators she finds them to be helpful.

Mr. John Brinster of 126 King George Road stated that he has some ponding in front of his house and he

would like to know if ponding is going to be addressed. Mr. Davy stated that it has been referred to the Borough Engineer. Mr. Brinster stated that he has seen a lot of deterioration of the road in the past two years that he has lived here.

Mayor Persichilli thanked everyone for their comments.

Ordinances for Introduction

Mayor Persichilli read Ordinance 2016-6 by title.

**BOROUGH OF PENNINGTON
ORDINANCE 2016-6**

**AN ORDINANCE CONCERNING LAND USE AND LAND USE APPLICATIONS AND AMENDING
THE CODE OF THE BOROUGH OF PENNINGTON**

WHEREAS, the Planning Board of the Borough of Pennington has recommended various changes to the Borough Code which would amend, supplement or clarify provisions of Chapter 215 concerning Zoning, Chapter 163 concerning site plan approval, and Chapter 185 concerning Swimming Pools;

WHEREAS, Borough Council of the Borough of Pennington accepts the recommendations of the Planning Board and seeks to amend the Code accordingly, with [brackets] indicating language to be deleted and underlining indicating language to be added;

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

1. Section 163-54 of Chapter 163 of the Borough Code, concerning exceptions to required site plan approval, is amended as follows

163-4. Site plan approval required; exceptions.

Prior to the issuance of a building permit or certificate of occupancy for any [new structure other than a single-family dwelling, addition to an existing nonresidential structure, conversion of a one- or two-family dwelling to three or more units or for any new multifamily structure or use] development on a lot wholly or partly in the Borough, a site plan shall be reviewed by the Planning Board [or, where appropriate, by the Board of Adjustment]. No site plan review shall be required for:

A. A change in occupancy or use of any nonresidential structure where the Borough Zoning Officer has determined that the new use is permitted either by reason of Chapter 215, Zoning, or because of prior Planning Board or Zoning Board approval, and will not intensify site traffic circulation, required parking or endanger the general health, safety and public welfare; or

B. A rear addition of less than 150 square feet for a one-story addition or 300 square feet for a two-story addition to a commercial structure in a commercial zone, provided that no variances are required and there is no impact on site circulation.

C. Detached one- or two-dwelling unit buildings.

2. Section 185-6.A of Chapter 185 of the Borough Code, concerning the location of swimming pools, is amended as follows:

(1) Private swimming pools, wading pools and hot tubs [No private swimming pool or wading pool] shall be erected in the rear yard only [to extend out beyond the front line of the main building].

(2) No private swimming pool or wading pool shall be larger in area than 50% of the rear yard and in no case shall a pool be constructed less than 15 [six] feet from any [rear] property line [or less than six feet from any side property line].

3. Section 215-31 of Chapter 215 of the Borough Code, concerning sign regulations, is amended to include the following definitions:

215-31. Definitions and word usage.

B. Words and phrases used in this article shall have the meanings set forth in this article:

BANNERS, FLAGS, PENNANTS – [A rectangular-shaped fabric sign] Flexible material not permanently attached to a structure which is typically supported by a pole or bracket; [a temporary bracket or device may support the banner].

NEON/TUBULAR Sign – Any sign made of illuminated tubing.

INFLATABLE SIGN – Any inflated display used on a permanent or temporary basis to advertise or draw

attention to a business, product or event. Inflatable signs include balloons.

4. Section 215-38 of Chapter 215 of the Borough Code, concerning prohibited signs, is amended as follows

215-38. Prohibited signs.

Unless specifically permitted by the approving authority or this article, the following signs are prohibited:

B. Mechanically moving signs, inflatable signs, neon signs, light emitting diode (LED) signs, unshielded bulb signs, flashing signs and animated signs of any kind and signs containing reflective elements except that neon or LED signs are permitted as interior signs in the Highway-Business zone.

5. Section 215-43 of Chapter 215 of the Borough Code, concerning signs permitted in the Highway Business Zone, is amended as follows:

215-43. Signs permitted in Highway Business Zone.

In the Highway Business (B-H) zone, the following signs shall be permitted.

F. Interior signs. All signs located on the interior side of a window and intended to be visible from the exterior of the building and located within a distance of 24 inches from the inside face of the glass shall total not more than [40] 20 percent of the glass area of the window behind which they are placed and together with a façade wall sign shall not exceed 10% of the "ground floor entry façade area" as required by Section 215-43 D. No interior sign lighting shall exceed one foot candle, measured at a distance of two feet from the light source.

* * *

J. In addition to the above applicable signs, each permitted non-residential use may be permitted one neon or LED sign located on the inside of display windows only. Such sign shall be considered an interior sign, subject to the limitations in Subsection F. above.

* * *

L. Banners, flags and pennants and other moving signs used for advertising purposes, whether containing a message or not, may be permitted to advertise special events including but not limited to grand openings, special sales, and promotion of seasonal events or products, provided the following conditions and procedures are followed:

1. Banners, flags and pennants shall not exceed 20 square feet and no more than two banners, flags, or pennants shall be erected.

2. An application form describing the type and size of the banners, flags or pennants shall be submitted to the zoning officer who shall review such form within 7 days.

3. Banners, flags or pennants shall be removed within the time period stated on the application but no later than 30 days.

4. No approved banners, flags or pennants shall be allowed on more than three occasions during a calendar year.

6. Section 215-55 of Chapter 215 of the Borough Code, concerning restoration of structures, is amended as follows:

215-55. Restoration.

Any nonconforming structure or use existing at the time of the passage of this chapter may be restored or repaired in the event of partial destruction thereof, provided that said structure or use thereof is not abandoned or removed. Partial destruction shall occur when the cost of such restoration or repair is less than 50% of the assessed value of the building. In the case of more than partial destruction of any structure or use, any subsequent structure or use shall conform with all provisions of this chapter.

Nothing in this chapter shall prevent any such existing nonconforming structure from being restored to a safe condition or from being repaired, reconstructed or structurally altered, provided that such restoration, repair, reconstruction or alteration would comply with all other municipal regulations and ordinances; and would not [provided, further, that no restoration, repair, reconstruction or alteration shall] in any way enlarge or extend any nonconforming structure or nonconforming use.

7. Section 215-57 of Chapter 215 of the Borough Code, concerning alteration of buildings, is amended to delete the section as follows:

[215-57. Alterations.

A nonconforming building may be reconstructed but not enlarged or extended, unless said building is changed

to a building conforming or more nearly conforming to the requirements of this chapter; provided, however, that alterations or enlargements that do not increase the degree of nonconformity are permitted.]

- 8. This ordinance shall take effect upon passage and publication as required by law.

Council Member Chandler made a motion to introduce Ordinance 2016-6, second by Council Member Griffiths. Mrs. Chandler asked for and update on this ordinance. Mrs. Heinzl stated that after the extensive discussion at the last meeting about the proposed amendment to the restoration/partial restoration issue, she contacted Borough Planner Mike Bolan and he recommended that it be removed from the proposed ordinance. Mrs. Heinzl stated that Mr. Bolan stated that the Planning Board will look at the restoration section of the ordinance and make a recommendation at a later date. Mrs. Heinzl stated that the intent of that amendment was to clarify the ordinance and obviously that was not the case. Upon a roll call vote all members present voted in favor of introduction with the exception of Mr. Lawver who voted no.

Mayor Persichilli read Ordinance 2016-11 by title.

**BOROUGH OF PENNINGTON
ORDINANCE #2016 – 11**

**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 2016**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF
PENNINGTON AS FOLLOWS:**

SECTION I: EMPLOYMENT POSITIONS/ANNUAL COMPENSATION

- a. The following official and employment designations are hereby confirmed and the rate of compensation of each officer and employee of the Borough of Pennington, whose compensation shall be on an annual basis, is:

Borough Administrator	\$ 50,222.43
Borough Clerk	\$ 40,918.73
Treasurer	\$ 64,911.25
Assistant Chief Financial Officer	\$69,911.25
Tax Collector	\$ 29,398.22
Utility Collector	\$ 29,398.22
Technical Assistant to Construction	\$ 11,430.56
Tax Assessor	\$ 12,484.80
Zoning Officer	\$ 8,448.78
Land Use Admin/Admin Asst.	\$ 49,242.60
Deputy Registrar	\$ 2,127.77
Supt. Of Public Works – Effective August 1, 2014	\$ 85,680.00
Judge of Municipal Court	\$ 11,870.03
Court Administrator	\$ 16,589.25
Prosecutor - (Flat Fee per Court Session)	\$ 300.00
Public Defender – (Flat Fee per Court Session)	\$ 200.00
Public Safety Director	\$ 55,831.85
Construction Official	\$ 26,212.73
Plumbing Sub-Code	\$ 38.78 / hour
Fire Sub-Code	\$ 39.36 / hour
Electric Sub-Code	\$38.00 / hour

- b. One person may serve in more than one office or position of employment as listed in Section a hereof.
- c. The amounts shown in Section a. hereof are the maximum amounts to be paid, however, at the discretion of Borough Council, lesser amounts can be paid.
- d. The rate of compensation of each employee, paid on an hourly basis is as follows:

	Minimum	Maximum
Finance		
Municipal CFO(p/t)	\$ 25.00	\$ 79.02
Police Department:		
Crossing Guards	\$ 15.00	\$ 25.23
Special Police	\$ 16.92 per hour	
Part Time Employees – All Departments:		
Part Time or Temporary	\$ 8.00	\$ 21.00
Part Time/Temporary/Licensed	up to a maximum of	\$ 35.00

SECTION II: Employee/Personnel Manual.

The terms and conditions of employment as set forth in the Borough Employee or Personnel Manual, as the same may exist and change from time to time, are hereby incorporated herein by reference. The Personnel Manual does not create a contract of employment and except for employees who are tenured; no contract of employment other than “at will” has been expressed or implied. The policies, rules and benefits described in the Manual are subject to change at the sole discretion of the Borough Council at any time.

SECTION III:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed.

SECTION IV:

Terms and Conditions of employment for Police and Public Works employees are specified in the respective labor agreements.

SECTION V:

This ordinance shall take effect upon final adoption and publication according to law, but the salaries herein provided for shall be retroactive to January 1, 2016.

Council Member Davy made a motion to introduce Ordinance 2016-11, second by Council Member Griffiths. Mrs. Sterling stated that the salary ordinance was introduced at the last meeting, but due to a publication issue it is back on for introduction. Mr. Bliss stated that this ordinance is slightly different in form from the previous ordinance. Upon a roll call vote all members present voted in favor.

Ordinances for Public Hearing and Adoption

Mayor Persichilli read Ordinance 2016-10 by title.

**BOROUGH OF PENNINGTON
 ORDINANCE # 2016-10**

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK IN ACCORDANCE WITH N.J.S.A. 40A: 4-45.14 IN THE BOROUGH OF PENNINGTON, NEW JERSEY

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Pennington, Mercer County hereby determines that it is advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Pennington, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Pennington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$83,277.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, and that the CY 2016 municipal budget for the Borough of Pennington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that the Mayor and Council of the Borough of Pennington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon be filed with said Director within 5 days after such adoption.

Council Member Griffiths made a motion to open the Public Hearing on Ordinance 2016-10, second by Council Member Chandler. There were no comments from the public. Council Member Griffiths made a motion to close the Public Hearing on Ordinance 2016-10, second by Council Member Chandler with all members present voting in favor. Council Member Lawver made a motion to adopt Ordinance 2016-10, second by Council Member Griffiths with all members present voting in favor.

Mayor Persichilli read Ordinance 2016-12 by title.

**BOROUGH OF PENNINGTON
ORDINANCE NO. 2016- 12**

**AN ORDINANCE REQUIRING DIRECT DEPOSIT OF NET PAY FOR BOROUGH EMPLOYEES
AND AMENDING THE CODE OF THE BOROUGH OF PENNINGTON**

WHEREAS, N.J.S.A. 52:14-15f.b authorizes local governments to mandate direct deposit of net pay for all employees of the municipality;

WHEREAS, the Borough of Pennington seeks to implement such a requirement for all employees, unless exempted;

WHEREAS, Borough Council is authorized to grant an exemption from the requirement on such terms and conditions as it may deem necessary;

WHEREAS, Borough Council is further authorized to grant an exemption for seasonal and temporary employees as it may deem necessary;

WHEREAS, the purpose of the requirement is to create a "paperless payroll" for all employees not exempted;

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

1. Chapter 50 of Article I of the Code of the Borough of Pennington, concerning Salaries and Compensation, is hereby supplemented to read as follows:

Section 50-1. Salary Ordinance.

The salaries and compensation of all officers and employees of the Borough of Pennington are set forth from time to time by ordinance of the Borough Council. A copy of the currently effective Salary Ordinance is on file in the office of the Borough Clerk and is available for examination during office hours.

Section 50-2. Direct Deposit of Employee Net Pay Required.

Effective June 1, 2016, all officers and employees of the Borough who receive compensation are required to authorize direct deposit of their net pay in accordance with N.J.S.A. 52:14-15f.b..

Section 50-3. Exemptions.

Borough employees may request, in writing and for good cause, an exemption from mandatory direct deposit. Any such request shall be directed to the Borough Administrator who, following review of the request, shall decide either to grant or deny the exemption request.

2. This Ordinance shall take effect on June 1, 2016, following final passage and publication as required by law.

Council Member Lawver made a motion to open the Public Hearing on Ordinance 2016-12, second by Council Member Griffiths. There were no comments from the public. Council Member Chandler made a motion to close the Public Hearing on Ordinance 2016-12, second by Council Member Griffiths with all members present voting in favor. Council Member Griffiths made a motion to adopt Ordinance 2016-12,

second by Council Member Lawver with all members present voting in favor.

Committee Reports

Planning & Zoning / Open Space – Mrs. Gnatt stated that since she was not at the last Council Meeting, she has a report on the last two Planning Board meetings. Mrs. Gnatt stated that at the March meeting of the Planning Board, CVS came before the Board because there is a small parcel of the current Sunoco property that is in Pennington. Mrs. Gnatt reported that there is an application on file in Hopewell Township for a 24 hour CVS. Mrs. Gnatt stated that there are no plans to do anything with the parcel of property this is in Pennington Borough. Mrs. Gnatt stated that the question is what if the jurisdiction of the Pennington with respect to the parcel of property that is not going to be improved. Mrs. Gnatt stated that there are discussions going on and at this point Planning Board Attorney, Ed Schmierer is going to look into the legalities and determine what Pennington's role is in terms of this applications. Mrs. Gnatt stated that in the meantime the application has been carried to the June meeting in Hopewell Township.

Mrs. Gnatt stated that at the April meeting of the Planning Board, American Properties was the only application on the agenda, many of the outstanding issues have been resolved however the Board decided not to conditionally approve the application pending resolution the remaining issues. Mrs. Gnatt stated that main issues being stormwater management and fire protection. Mrs. Gnatt stated that application will be further considered at the June meeting.

Public Works / Personnel – Mr. Davy stated that the Public Works Committee did met and they will be requesting a meeting with the Finance Committee as some of the projects that are coming up King George Road, Park Avenue and Curlis/Weidel have all been approved for NJDOT funding, but they are not being funding to the fullest extent of the project. Mr. Davy stated that we need to discuss how we will make up the difference for the road construction portion of the projects. Mr. Davy stated that we also have a list of streets that are in need of milling and overlaying that will hopefully be done with the help of Mercer County but the asphalt will have to be funded by the Borough. Mr. Davy stated that we need to develop a plan for funding for this year and then going forward in future years.

Parks & Recreation / Library / Shade Tree / Senior Advisory – Mr. Lawver reminded everyone of the Memorial Day Parade and concert on May 30th, 2016.

Public Safety – Mr. Marciante reported that Officer Thomas will return to work on May 9th, 2016.

Finance – Mr. Griffiths stated that with respect to the budget he has drafted a press release that was distributed to council members. Mr. Griffiths stated that if anyone has any comments or corrections please send them to him via e-mail. Mr. Griffiths stated that he is going to add additional information to the notice such as this budget reflects a \$40,000 increase in taxable income which amounts to a total increase of only 7.9% over the past 9 years. Mr. Griffiths stated that he will also comment on some of the main drivers of the increase in the budget.

Mr. Griffiths stated that because we are saving money due to changes that have been made particularly with the recycling program, his perception is that residents are not fully participating and so he drafted another press release to get some news out. Mr. Griffiths stated that he has forwarded a copy for review and comment from Mr. Smith. Mr. Lawver suggested holding off on releasing this notice until we have news regarding the PSE&G lease to include in the notice. Mrs. Chandler stated that they are also looking into a household recycling program as well. Mr. Smith stated that he is waiting to hear back from Mercer County on that.

Historic Preservation / Board of Health / Environmental / Economic Development – Mrs. Chandler stated that she had no report.

Public Hearing and Adoption of the 2016 Budget

Council Member Griffiths made a motion to open the Public Hearing on the 2016 Budget, second by Council Member Davy. There were no comments from the public. Council Member Griffiths made a motion to close the Public Hearing, second by Council Member Lawver with all members present voting in favor. Council Member Chandler made a motion to adopt the 2016 Budget, second by Council Member Davy with all members present voting in favor.

New Business

BOROUGH OF PENNINGTON RESOLUTION #2016 – 5.1

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED, that a payment be issued to Carl W. Fuccello, 326 Sked Street, Pennington, NJ 08534 for balance of Planning Board escrow account P13-009 for property on 326 Sked Street, Block 706, Lot18, in the amount of \$427.50.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2016-5.1, second by Council Member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION #2016 – 5.2**

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 \$ 941,569.49 from the following accounts:

Current	\$ 828,926.85
W/S Operating	\$ 110,934.88
Developer’s Escrow	\$ 1,246.76
Trust – Other	\$ 200.00
Animal Control Fund	\$ 261.00
TOTAL	\$ 941,569.49

Record of Council Vote on Passage

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

Council Member Lawver made a motion to approve Resolution 2016-5.2, second by Council member Chandler with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION #2016 – 5.3**

**RESOLUTION AUTHORIZING BOROUGH OF PENNINGTON TO ENTER INTO
A SHARED SERVICES AGREEMENT WITH HOPEWELL BOROUGH AND
HOPEWELL TOWNSHIP FOR SENIOR SERVICES COORDINATOR FOR THE
YEAR 2016**

WHEREAS, the Borough of Pennington desires to contract with Hopewell Borough and Hopewell Township for the provision of Senior Services; and

WHEREAS, the Uniform Shared Services and Consolidation Act permits a local unit to enter into a contract with another local unit for the provision of any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the term of the proposed contract, entitled “Senior Services Agreement Between Borough of Hopewell, Borough of Pennington and the Township of Hopewell”, shall be for one year beginning January 1, 2016 and continue through December 31, 2016; and

WHEREAS, the cost to the Borough for senior services coordinator services as outlined in the Shared Services agreement would be \$5,000.00, which represents no increase over the previous year;

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 execute the aforesaid Shared Services Agreement with Hopewell Borough and Hopewell Township for the services of a senior services coordinator during the period January 1, 2016 through December 31, 2016; and

BE IT FURTHER RESOLVED, that the aforesaid Agreement shall be substantially in the form attached to this Resolution, subject to approval by the Borough Attorney.

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	X				Lawver	X			
Gnatt	S				Marciante	M			

Council Member Marciante made a motion to approve Resolution 2016-5.3, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2016 – 5.4**

**RESOLUTION AWARDING CONTRACT FOR WATER DISTRIBUTION SYSTEM UPGRADES
SUBJECT TO APPROVAL BY NJDEP**

WHEREAS, Borough Council of the Borough of Pennington has authorized advertisement for bids for the project known as Water Distribution System Upgrades (REG File No. PEN3662);

WHEREAS, a total of eight (8) bidders obtained plans and specifications and four (4) contractors submitted bids, which were opened on April 8, 2016;

WHEREAS, Black Rock Enterprises, LLC, of Old Bridge, New Jersey was the low bidder with a total amount base bid of \$583,263.06;

WHEREAS, the Borough Engineer has reviewed the bid package submitted by Black Rock Enterprises and has determined that the bid conforms with specifications and that Black Rock Enterprises has the ability to perform the work;

WHEREAS, the Borough Attorney has also reviewed the Black Rock bid package and finds same to be complete and responsive, subject to submission of additional required documentation after award;

WHEREAS, the Black Rock Bid was initially the subject of protest by the second low bidder John Garcia Construction, represented by counsel, but that protest has since been withdrawn;

WHEREAS, the project is being funded by a loan from the New Jersey Environmental Infrastructure Trust and the Borough Engineer has determined that the Black Rock bid conforms with NJEIT regulations, subject to approval by NJDEP;

WHEREAS, the Borough Engineer recommends award of the contract to Black Rock Enterprises in the amount of \$583,263.06 on the condition that the award be first approved by NJDEP;

WHEREAS, the Chief Financial Officer has certified that funds are available under Ordinance 2016-4;

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

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

1. The aforesaid contract for Water Distribution System Upgrades is hereby conditionally awarded to Black Rock Enterprises, LLC, of Old Bridge, New Jersey, subject to approval by the New Jersey Department of Environmental Protection, for a total contract price of \$583,263.06;
2. Upon receipt of such approval, 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.

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	M				Lawver	X			
Gnatt	X				Marciante	S			

Council Member Davy made a motion to approve Resolution 2016-5.4, second by Council Member Marciante with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION NO. 2016-5.5**

**RESOLUTION AUTHORIZING AMENDMENT OF SHARED SERVICES AGREEMENT FOR
POLICE DISPATCHING AND EMERGENCY COMMUNICATION SERVICES BETWEEN THE
BOROUGH OF PENNINGTON AND THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Borough of Pennington has entered into a shared services agreement with the Township of Hopewell effective January 1, 2015 through December 31, 2016 by which Hopewell Township provides police dispatching and emergency communication services to the Borough (“Shared Services Agreement”);

WHEREAS, the Pennington Police Department is seeking to upgrade its Enforsys RMS CAD reporting system;

WHEREAS, Hopewell Township maintains an existing Enforsys RMS CAD reporting system which can be modified to include Pennington at a cost less than the Borough would otherwise pay by purchasing such a system independently;

WHEREAS, Hopewell Township has agreed to amend the Shared Services Agreement to include use of the Hopewell Township Enforsys RMS CAD reporting system subject to reimbursement by the Borough of all costs associated with the modification and training;

WHEREAS, the parties agree to enter into an “Addendum to Shared Services Agreement Police Dispatching and Emergency Communication Services Between The Township of Hopewell and Borough of Pennington” effective June 1, 2016, in substantially the form as the document by that title attached, together with Exhibit A setting forth a Schedule of Costs;

WHEREAS, the one-time administrative cost to be charged to the Borough for modification and training is estimated to be \$758; and the annual maintenance cost to the Borough will be 10% of the actual Enforsys maintenance fee charged to Hopewell Township, which totals \$14,100 in 2016, prorated for seven months through December 31, 2016, as set forth in Exhibit A;

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Clerk, is hereby authorized to sign and enter into on behalf of the Borough the attached Addendum to Shared Service Agreement and Exhibit A subject to such amendments in form as approved by the Borough Attorney.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2016-5.5, second by Council Member Griffiths with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2016-5.6**

**RESOLUTION OF CONCURRENCE WITH PROPOSED SPEED REDUCTION ON ROUTE NJ 31
BETWEEN WASHINGTON CROSSING/PENNINGTON-BLACKWELL ROAD (CR 546)
(PENNINGTON CIRCLE) AND SOUTHERLY HOPEWELL TOWNSHIP-PENNINGTON
BOROUGH CORPORATE LINE**

WHEREAS, staff of the New Jersey Department of Transportation (NJDOT), Bureau of Traffic Engineering (BTE), has conducted a survey regarding the current speed limits along Route NJ 31 in the Township of Hopewell and the Borough of Pennington;

WHEREAS, the speed limit investigation included a review of current speed check data, the pacing of vehicles in the normal traffic stream, roadway conditions, motor vehicle crash data and an evaluation of the adjacent land use;

WHEREAS, the speed check data obtained included 85th percentile speed values, which is an accepted national standard used by NJDOT when evaluating speed limits along New Jersey State Highways;

WHEREAS, based on the results of this investigation, the BTE staff has determined that a speed reduction from 45 miles per hour to 40 miles per hour is supported in the segment of Route NJ 31 known as

Zone 2, between Washington Crossing/Pennington-Blackwell Road (CR 546) (Pennington Circle) and the southerly Hopewell Township-Pennington Borough corporate line;

WHEREAS, the speed limits in all other zones within both municipalities along Route NJ 31, Zone 1 and Zones 3 through 6, were found to be realistic and reasonable for prevailing conditions;

WHEREAS, the proposed speed limit reduction will require NJDOT to revise the current speed zoning regulation in both municipalities as indicated below;

WHEREAS, in order to legally establish the revised speed limit, the NJDOT is required to promulgate a Traffic Regulation Order (TRO), for which an initial step is to receive a Resolution of Concurrence from the affected municipal governing bodies;

WHEREAS, Pennington Borough Council concurs with the proposed speed limits on Route NJ 31, including the proposed speed limit reduction in Zone 2, as indicated below;

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

1. The Borough of Pennington concurs with the following speed limits in the Township of Hopewell and Borough of Pennington along Route NJ 31 (for both directions of traffic):

- (1) Zone 1: 45 MPH between the Ewing Township-Hopewell Township corporate line (Bull Run Road) and Washington Crossing/Pennington Road-Blackwell Road (CR 546) (approximate mileposts 4.71 to 6.09);
- (2) Zone 2: 40 MPH between Washington Crossing/Pennington Road-Blackwell Road (CR 546) to the southerly Hopewell Township-Pennington Borough corporate line (approximate mileposts 6.09 to 6.73);
- (3) Zone 3: 45 MPH between the southerly Hopewell Township-Pennington Borough corporate line and 2,000 feet north of the Conrail Reading Railroad underpass (approximate mileposts 6.73 to 7.40);
- (4) Zone 4: 35 MPH between 2,000 feet north of the Conrail Reading Railroad underpass and Franklin Avenue (approximate mileposts 7.40 to 8.02);
- (5) Zone 5: 40 MPH between Franklin Avenue and Woodsville Road (County Road 612) (approximate mileposts 8.02 to 10.19);
- (6) Zone 6: 45 MPH between Woodsville Road and the Hopewell Township (Mercer County)-East Amwell Township (Hunterdon County) corporate line (County Road 518) (approximate mileposts 10.19 to 12.27).

2. Council directs the Borough Clerk to send a certified copy of this Resolution with raised seal to the Bureau of Traffic Engineering, NJDOT.

Mayor Persichilli read Resolution 2016-5.6 by title. Mrs. Heinzl stated that she spoke to Township Administrator, Paul Pogerzelski and he indicated that the Township does not like that there are four different zones and they are proposing to DOT that there be one zone with one speed. Mr. Meytrott stated that the Township is in favor of one 40 MPH speed zone as opposed to the up and down speed zone that the average motorist would not pay attention to anyway. After a brief discussion it was decided to hold off on the resolution at this time.

**BOROUGH OF PENNINGTON
RESOLUTION 2016 – 5.7**

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM**

BOROUGH OF PENNINGTON ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Borough of Pennington has previously obtained a loan of \$0 and/or a grant of \$800,000.00 from the State to fund the following project(s):

Project #1108-02-001/Pennington Borough Greenbelt Planning Incentive

WHEREAS, the State and Borough of Pennington intend to increase Green Acres funding by \$200,000.00; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that:

1. The Mayor of the Borough of Pennington is hereby authorized to execute an agreement and any amendment thereto with the State known as Pennington Borough Greenbelt Acquisitions, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$200,000.00.
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

Record of Council Vote on Passage

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

Council Member Chandler made a motion to approve Resolution 2016-5.7, second by Council Member Griffiths. Mr. Davy asked what this resolution means. Mrs. Heinzl explained that the Borough was part of the multi-party agreement to acquire the Carter Road property. Mrs. Heinzl explained that this agreement takes into account all of the Green Acres Funds that the Borough has been awarded. Mrs. Heinzl stated that this resolution will make it possible for the Borough to finalize the transaction to acquire the Carter Road property. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION NO. 2016-5.8**

RESOLUTION CREATING THE POSITION OF ASSISTANT CHIEF FINANCIAL OFFICER

WHEREAS, the Borough is in need of additional support for its Chief Financial Officer in connection with preparation of the annual budget and related interface with Borough departments and members of the governing body;

WHEREAS, needed support for the Chief Financial Officer extends as well to supervision of municipal budget appropriations, monitoring of compliance with finance laws and regulations, audits and fiscal year reports;

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

1. Borough Council seeks to create the position of Assistant Chief Financial Officer with the following job description:

The Assistant Chief Financial Officer shall assist the Chief Financial Officer (CFO) in all aspects of preparation and management of the municipal budget.

Characteristic duties include:

- (1) Assist the CFO in preparation of the annual budget. Work with all Borough departments and members of the governing body in the development and management of the municipal budget throughout the fiscal year.
- (2) Provide support to the CFO in supervision of all municipal budget appropriations.
- (3) Assist with required monitoring and compliance with all state finance laws, N.J.S.A. 40A:2-1, et seq. (Local Bond Law), N.J.S.A. 40A:4-1, et seq. (Local Budget Law), N.J.S.A. 40A:5-1, et seq. (Fiscal Affairs law), N.J.S.A. 40A:11-1, et seq. (Local Public Contracts Law), and N.J.A.C. 5:30 (Community Affairs), including all directives of the Department of Community Affairs and Division

of Local Government Services.

- (4) Assist with day-to-day compliance with all audit requirements.
- (5) Assist with preparation of all end-of-fiscal year reports.
2. The Assistant Chief Financial Officer shall have and maintain CFO certification.
3. The duties of Assistant Chief Financial Officer may be incorporated in the duties of the Treasurer or other appropriate municipal position with adjustment of compensation accordingly.
4. The salary of the Assistant Chief Financial Officer, whether as a combined or stand-alone position, shall be as set forth in the Salary Ordinance.

Record of Council Vote on Passage

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

Council Member Marciante made a motion to approve Resolution 2016-5.8, second by Council Member Griffiths with all members present voting in favor.

**BOROUGH OF PENNINGTON
 RESOLUTION NO. 2016-5.9**

**RESOLUTION APPOINTING ELIZABETH STERLING
 ASSISTANT CHIEF FINANCIAL OFFICER**

WHEREAS, by Resolution 2016-5.8 Borough Council has created the position of Assistant Chief Financial Officer to provide needed support to the Chief Financial Officer in all aspects of preparation and management of the municipal budget, supervision of appropriations and monitoring compliance with legal requirements governing the finances of the Borough;

WHEREAS, Council recognizes that these important support responsibilities are presently being performed on a day-to-day basis by the Borough Treasurer, Elizabeth Sterling;

WHEREAS, Council seeks to appoint Elizabeth Sterling as Assistant Chief Financial Officer and formally combine the duties of Assistant Chief Financial with Ms. Sterling’s duties as Treasurer, retroactive to January 1, 2016, conditioned upon adoption of the 2016 Borough Salary Ordinance;

WHEREAS, Elizabeth Sterling is certified as a Municipal Chief Financial Officer;

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

1. Elizabeth Sterling is hereby appointed to the position of Assistant Chief Financial Officer of the Borough effective upon adoption of the 2016 Borough Salary Ordinance;
2. Ms. Sterling’s duties as Assistant Chief Financial Officer shall be combined with her existing duties as Treasurer and she shall be identified in the Borough Salary Ordinance as Treasurer/Assistant Chief Financial Officer;
3. Ms. Sterling’s compensation as Treasurer/Assistant Chief Financial Officer shall be as provided in the Borough Salary Ordinance, retroactive to January 1, 2016.

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	M				Lawver	X			
Gnatt	S				Marciante	X			

Council Member Davy made a motion to approve Resolution 2016-5.9, second by Council Member Gnatt with all members present voting in favor.

Council Discussion

Letter from David & Joan Harkness regarding parking on Pennington Day – Mr. Marciante stated that the Public Safety committee met to discuss this and decided that the request would eliminate too many parking spots. Mr. Meytrott was directed to send a letter in response.

Mayor Persichilli stated that he has been getting inquiries from several people about the availability of a liquor license. Mayor Persichilli asked for Council input as to how to proceed and whether to consider trying to sell not only a retail liquor license, but also a distribution license. Mayor Persichilli stated that in the past the discussion was to wait and market in connection with the sale of the landfill property. Mayor Persichilli stated that it might be better to wait in the long run, but the short term is that there is some interest now. Mrs. Chandler stated that the Economic Development Commission has discussed this at their meetings and they would like the sale of a liquor license to be used strategically in connection with the sale of Borough property. Mrs. Chandler stated that whatever is decided, she would recommend that the Economic Development Commission be involved in the conversation. Mr. Lawver stated that the way the license is steered is by the constraints that Council puts on the license for instance how many parking spaces, what percentage of sales comes for liquor versus non-liquor and it is a lengthy process. Mr. Lawver stated that he is in support of the idea and he would recommend that the Economic Development Commission review what was offered last time and present a proposal to Council. Mr. Griffiths stated that he has concerns because this is serious business and if the Economic Development Commission really wants to do this he wants to see a business plan and he wants to see some professional real estate advertising enticements. Mr. Griffiths stated that there is property there, the economy is strong, and interest rates are low and now might be the time. Mrs. Chandler stated that in defense of the Economic Development Commission, they were told to cease and desist. Some discussion took place with regard to the sale of the landfill site, closing of the landfill and what is required to subdivide the property. Mr. Bliss stated that he would be happy to look into the issue if Council so wishes. Mr. Lawver stated that if there are interested parties in a package store license, he would go forward with that one as it would not be tied to the landfill property. Mrs. Heinzl suggested that we gather information about the licenses and potential sites and come back to Council with more information. Mrs. Chandler asked how to proceed with regard to the Economic Development Commission. Mr. Lawver stated that the question he needs answered first is can the Broemel property be subdivided before the landfill is finally closed because marketing the property without that information is way too premature. Mrs. Heinzl stated that she has met with Mr. Ogren who has put together a letter and a brochure. Mr. Griffiths stated that he has concerns about the process going out of control and he would recommend starting with the advice that Mr. Bliss is going to deliver and he would also like to gather some facts and make sure that this effort has a fine business point on it so that it will interest developers who build these types of properties and lease it to the appropriate types of tenants. Mr. Griffiths stated that he is not sure that anyone on the Economic Development Commission has the depth of expertise in commercial realty. Mr. Griffiths stated that he would suggest seeking the advice of a commercial realtor.

Professional Reports

Mr. Marciante asked the status of the clock that was given to the Borough by Hopewell Township. Mrs. Chandler stated that talk about rushing in to things, the Historic Preservation Commission has no problem with the clock being installed at Howe Commons however is that the most appropriate place for the clock? Mrs. Chandler stated that no one seems to think that Howe Commons is the right location of the clock. Mrs. Heinzl stated that the first choice for the clock was Sun Bank, but they don't want it on their property. Mrs. Chandler stated that she does not agree with putting the clock where you can put it as opposed to where it should be located.

Closed Session

AT, 10:05PM, 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:

- PSE&G – Lease Negotiation

AT, 10:32PM, Mayor and Council returned to open session. Council Member Chandler made a motion to adjourn the meeting, second by Council Member Lawver.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk