

**Pennington Borough Council
Reorganization Meeting – January 9, 2017**

Mayor Persichilli called the Reorganization Meeting of the Borough Council to order at 7:05 pm. Borough Clerk Betty Sterling called the roll, Council Members Chandler, Griffiths, Lawver, Marciante and Mills in attendance. Mrs. Gnatt was absent.

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.

Invocation

Mayor Persichilli invited Monsignor Michael J. Walsh from St. James Church to come forward for the invocation.

Following the invocation Mayor Persichilli asked everyone to remain standing for the Flag Salute.

Mayor Persichilli recognized Assemblywoman Elizabeth Muoio and Mercer County Clerk Paula Sollami-Covello who were in attendance.

Open to the Public – Agenda Items Only

Mayor Persichilli read the following statement:

The meeting is now 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.**

Assemblywoman Muoio came forward to congratulate Beverly Mills and Chico Marciante on being reelected to Borough Council. Mrs. Muoio stated that on behalf of Reed Gusciora and Shirley Turner she would like Council to know that they are willing to work with the Borough.

Mayor's Business

Mayor Persichilli announced the following Proclamation:

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

***WHEREAS**, Thomas ADELMAN has lived in the Borough of Pennington since 2006 with his wife Hannah S. Ross, and their two daughters Camilla and Margaret who were born in Princeton and Pennington, respectively; and*

***WHEREAS**, Mr. ADELMAN has given countless hours of valuable service as a community volunteer in a number of capacities including to the Toll Gate Grammar School, the Hopewell Valley Girl Scouts, and has served with creativity and energy on numerous other Borough volunteer committees;*

***WHEREAS**, Mr. ADELMAN has been a tireless advocate for environmental sustainability and has contributed significantly to several Borough organizations in those efforts, including the Pennington Public Library for which he organized the "Sustainable Sundays Film Festival", the Hopewell Valley Green Team for which he organized a "Green Market" on the lawn of the Pennington School, and another Green Market at the Hopewell Train Station, and to the Borough for which he organized the first "Recycling Forum" to educate residents and further recycling efforts; and for his service on the Borough Environmental Commission;*

***WHEREAS**, Mr. ADELMAN has been instrumental in the establishment of the Pennington Farmers Market in 2009 and the numerous festivals and special events that made the market a community treasure and continues to influence its continued success;*

***WHEREAS**, Mr. ADELMAN has contributed his time and talent to the Pennington Public Library over many years of service including organizing the "New York Times Great Books Club" that read the Great Books over a period of three years; the "Too Busy for Books Club" that met monthly for more than three years and brought together a diverse group of readers who will miss Mr. ADELMAN greatly; and*

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

NOW, THEREFORE, BE IT PROCLAIMED THAT, the Mayor and Council of the Borough of Pennington hereby express gratitude and appreciation to Thomas ADELMAN on this 9th day of January, 2017.

Mayor Persichilli presented Mr. Adelman with a signed copy of the Proclamation.

Election Results

Mayor Persichilli announced the results of the November election. Mr. Charles Marciante and Mrs. Beverly Mills were both elected to a term that will expire December 31, 2019.

Adjournment of the 2016 Borough Council

Council Member Chandler made a motion to adjourn the 2016 Borough Council, second by Council Member Griffiths with all members present voting in favor.

Oath of Office

Borough Attorney Walter Bliss administered the Oath of Office to Mr. Marciante and Mrs. Mills.

Borough Clerk Betty Sterling called the roll for the 2017 Borough Council. Council Members Chandler, Griffiths, Lawver, Marciante and Mills were in attendance. Mrs. Gnatt was absent.

Election of Council President

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

Annual Resolutions

Mayor Persichilli stated that Resolutions 2017-1.1 through 2017-1.13. Mayor Persichilli first asked Mr. Bliss to comment on Resolution 2017-1.10 appointing the Borough Engineer.

Mr. Bliss stated that Resolution 2017-1.10 pertains to the appointment of the Borough Engineer and the resolution requires modification because the budget for the engineer is still being considered and that should be incorporated into the understandings that are in the agreement. Mr. Bliss stated that the proposal is to amend Resolution 2017-1.10 to provide for a temporary agreement. Mr. Bliss read the changes to the resolution into the record. Mr. Bliss stated that there is a blank in the resolution that Council needs to fill in pertaining to and amount to cover the month or so that it will take to come up with a final agreement. Mr. Bliss also asked for language that the form of the temporary agreement shall be subject to approval by the Borough Attorney. Council discussed what amount should be stated in the resolution and after a brief discussion it was decided that the amount should be \$25,000. Mrs. Heinzel stated that once the engineering budget is reviewed and finalized Council can amend the resolution and agreement for the year. Mr. Griffiths stated that we should start with \$25,000 and if need be revise the amount at the next meeting. Mr. Lawver asked if Roberts Engineering has submitted an estimate for transition costs. Mrs. Heinzel stated that we do not have one, but she would contact Carmela Roberts and request an estimate.

Council Member Chandler made a motion to approve Resolutions 2017-1.1 through 2017-1.13, second by Council Member Lawver with all members present voting in favor.

PENNINGTON BOROUGH RESOLUTION NO. 2017-1.1

RESOLUTION APPOINTING HODULIK AND MORRISON AS BOROUGH AUDITOR FOR THE YEAR 2017

WHEREAS, the Borough of Pennington has a need to appoint a Borough Auditor and to contract for related professional auditing in the year 2017, including conduct of audits for 2017;

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 \$ 25,750.00 for the following services: annual audit of the Borough (\$17,925.00); preparation of annual financial statement (\$4,200.00); preparation of annual debt statement (\$1,000.00); audit of the Pennington Library (\$2,625.00);

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 - \$140.00; senior accountant - \$130.00; junior accountant - \$120.00; and as further set forth in the attached letter of engagement dated December 15, 2016 provided aggregate fees under this contract, including expenses, shall not exceed \$25,750.00 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 15, 2016 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017-1.2**

**RESOLUTION APPOINTING EDWARD J. MCMANIMON AS BOND COUNSEL
FOR THE YEAR 2017**

WHEREAS, the Borough seeks to appoint Edward J. McManimon as Bond Counsel for 2017; 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017- 1.3**

RESOLUTION APPOINTING CRAIG J. HUBERT AS CHIEF MUNICIPAL PROSECUTOR FOR THE YEAR 2017

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, 2017; 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, payable to the firm of Szaferman Lakind;

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 2017.

Record of Council Vote on Passage

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

**PENNINGTON BOROUGH
RESOLUTION NO. 2017 - 1.4**

**RESOLUTION APPOINTING WALTER R. BLISS, JR.
AS BOROUGH ATTORNEY FOR THE YEAR 2017**

WHEREAS, the Borough of Pennington has a need to appoint a Borough Attorney and to contract for related professional legal services in the year 2017;

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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017 – 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 2017**

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 2017 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 2017, 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017 – 1.6**

RESOLUTION ESTABLISHING THE REGULAR MEETING SCHEDULE FOR THE BOROUGH COUNCIL FOR THE YEAR 2017

WHEREAS, in 2017 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 9, 2017 – Regular & Reorganization (Monday)

February 6, 2017

March 6, 2017

April 3, 2017

May 1, 2017

June 5, 2017

July 3, 2017

August 7, 2017

September 5, 2017 (Tuesday)

October 2, 2017

November 6, 2017

December 4, 2017

December 27, 2017 – (3:00 pm)

- Reorganization meeting to be held on January 8th, 2018, 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
 RESOLUTION #2017 – 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 2017 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 2017 tax payments; and

BE IT FURTHER RESOLVED, that the Tax Collector shall determine the extension period upon receipt of the 2017 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
 RESOLUTION #2017 – 1.8**

RESOLUTION ESTABLISHING COMMITTEES OF COUNCIL FOR 2017

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 2017 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017-1.9**

RESOLUTION APPOINTING ALTERNATE PROSECUTORS FOR THE YEAR 2017

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, third and fourth 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, 2017; 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 2017:

1. Thomas Manzo is hereby appointed First Alternate Prosecutor of Pennington Borough.
2. Lyle Hough is hereby appointed Second Alternate Prosecutor of Pennington Borough.
3. Jeff Rubin is hereby appointed Third Alternate Prosecutor of Pennington Borough.
4. Robert Yostembski is hereby appointed Fourth 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION 2017 - 1.10**

**RESOLUTION APPOINTING BOROUGH ENGINEER FOR THE YEARS 2017
THROUGH 2019**

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

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

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

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

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

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

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

WHEREAS, the Mayor nominates as Borough Engineer Norman Nelson of Van Note Harvey Associates, a licensed professional engineer of the State of New Jersey, subject to advise and consent of Council and a contract substantially in the form attached hereto;

WHEREAS, Norman Nelson and 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 not make any such contribution through the term of the contract;

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that Norman Nelson of Van Note Harvey Associates is hereby appointed as the Municipal Engineer of the Borough of Pennington for a term of three years expiring on December 31, 2019;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Clerk, is hereby authorized to enter into a temporary professional services agreement with Norman Nelson and the firm of Van Note-Harvey Associates for a sum not to exceed \$25,000.00 subject to negotiation of a final agreement;

BE IT FURTHER RESOLVED, that the form of the temporary agreement shall be 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 (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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION 2017-1.11**

**RESOLUTION APPOINTING WILLIAM MEYTROTT AS
JOINT INSURANCE FUND COMMISSIONER FOR A PERIOD
OF ONE YEAR FROM JANUARY 1 THROUGH DECEMBER 31, 2017**

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, 2017;

NOW, THEREFORE, BE IT RESOLVED, that William Meytrott is hereby appointed as Joint Insurance Fund Commissioner for a one year term effective January 1, 2017 and ending December 31, 2017; 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION 2017 – 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;

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 2017, and that the Borough shall provide details of said appointments to the municipal clerks of the Borough of Hopewell and the Township of Hopewell: Joann Held, Margret Van Vuuren, Anthony J. 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	M				Lawver	S			
Gnatt				absent	Marciante	X			
Griffiths	X				Mills	X			

**BOROUGH OF PENNINGTON
RESOLUTION #2017- 1.13**

**RESOLUTION APPOINTING RICHARD KELLY AS PUBLIC DEFENDER
FOR THE YEAR 2017**

WHEREAS, Borough Council seeks to designate and appoint Richard Kelly as the Public Defender;

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

WHEREAS, Mr. Kelly 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 Richard Kelly is hereby designated and appointed Public Defender for Pennington Borough for the year 2017.

Record of Council Vote on Passage

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

MAYORS APPOINTMENTS/RE-APPOINTMENTS TO LOCAL BOARDS

Mayor Persichilli announced the following appointments.

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
- Borough Official – William Meytrott – for the year 2017
- Council Representative – Deborah Gnatt – for the year 2017

Economic Development

- Chris Murphy – 1 year term to December 31, 2017
- Jeff Eckerson – 1 year term to December 31, 2017
- Council Representative – Catherine Chandler – appointed to December 31, 2017

Environmental Commission

- Karl Muessig – 3 year term – 1/1/2017 to 12/31/2019
- Nicholas Angarone – 3 year term – 1/1/2017 to 12/31/2019
- John Jackson – 3 year term – 1/1/2017 to 12/31/2019
- Council Representative – Catherine Chandler – appointed to December 31, 2017

Open Space Committee

- Planning Board Representative – Winn Thompson – 3 year term - 1/1/2017 to 12/31/2019
- Resident Member – Dan Pace – 3 year term - 1/1/2017 to 12/31/2019
- Resident Member – Alan Hersey – 3 year term – 1/1/2017 to 12/31/2019
- Council Representative – Deborah Gnatt – appointed to December 31, 2017

APPOINTMENTS/RE-APPOINTMENTS TO LOCAL BOARDS – (WITH COUNCIL APPROVAL)

Mayor Persichilli announced the following appointments requiring Council approval. Council Member Lawver made a motion to approve the following appointments, second by Council Member Marciante with all members present voting in favor.

Parks and Recreation (w/Council Approval)

- Frank Vanderee – 3 year term – 1/1/2017 to 12/31/2019
- Council Representative – Beverly Mills – appointed to December 31, 2017

Board of Health (w/Council Approval)

- Steven Papenberg – 3 year term – 1/1/2017 to 12/31/2019
- Daniel Boone – 3 year term – 1/1/2017 to 12/31/2019
- Council Representative – Catherine Chandler – appointed to December 31, 2017

Library Board of Trustees (w/Council Approval)

- Terri Epstein – 5 year term – 1/1/2017 to 12/31/2021
- Council Representative – Beverly Mills – appointed to December 31, 2017

Shade Tree Commission (w/Council Approval)

- Council Representative – Joseph Lawver – appointed to December 31, 2017

Senior Advisory Board (w/Council Approval)

- Edwin Weed Tucker – 3 year term – 1/1/2017 to 12/31/2019
- Council Representative – Joseph Lawver – appointed to December 31, 2017

Historic Preservation Commission (w/Council Approval)

- Council Representative – Catherine Chandler – appointed to December 31, 2017

At 7:26pm Council Member Marciante made a motion to adjourn the Reorganization Meeting, second by Council Member Chandler with all members present voting in favor.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk