

**Pennington Borough Council
Regular Meeting – December 29, 2022**

Mayor Davy called the Regular Meeting of the Borough Council to order at 3:00 pm. The meeting was held via Zoom due to the COVID19 pandemic. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Chandler, Gnatt and Marciante in attendance. Mr. Gross and Ms. Stern were both absent.

Also present were Public Works Superintendent Rick Smith, Chief Doug Pinelli and Borough Attorney Walter Bliss.

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

Open to the Public

Mayor Davy read the following statement.

The meeting is now open to the public for comments. 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 raise your hand and when the Borough Administrator acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.**

There were no comments from the public.

Mayor's Business

Recreation and Open Space Inventory (ROSI) – Mayor Davy explained that the ROSI is a document that is required by Green Acres in order to be reimbursed for projects. Mayor Davy stated that we are currently seeking reimbursement for two projects from Green Acres, the Arboretum and the Schragger property. Mayor Davy stated that there is a property adjacent to the African Cemetery that Green Acres is requested be included on the ROSI. Mayor Davy stated that he brought this to Council at the last meeting and since that time he has met with Open Space, the Planning Board Chair and the Borough Planner to discuss the implications of including this property on the ROSI. Mayor Davy explained that once a property is listed on the ROSI, it is very difficult to get it removed. Mayor Davy stated that no one had any objections to including this property on the ROSI, so Council has a copy of the report that will be filed with Green Acres after the meeting today.

Proposed Council Assignments – Mayor Davy stated that he included a list of proposed Council assignments for 2023 that will be on the agenda for the January meeting. Mayor Davy stated that Ms. Stern expressed interest in limiting the number of Council Members to two instead of three and though Ms. Stern is not here he said he would bring it up. There was no support for reducing the number of members per committee. There were no objections to the proposed assignments.

Pennington Borough Landfill Results of Environmental Investigation / Affordable Housing Element of the Master Plan – Request for Special Meeting on Tuesday, January 17, 2023 at 7:00 pm – Mayor Davy stated that Excel Environmental has completed their investigation and they are ready to review the results with the full Council and so he would like to have this presentation at a Special Meeting. Mayor Davy stated that along with that the Borough Planner has completed his draft of the Affordable Housing Element of the Master Plan and there are some things that he would like Council to be aware of. Mayor Davy stated that there will be documents for review prior to the meeting. Mayor Davy asked the Borough Clerk to follow up with Excel to get a document that can be distributed prior to the meeting. Mr. Marciante asked when the barrels will be removed from the property. Mrs. Sterling stated that she would ask about the barrels when she follows up on the report for distribution.

APPROVAL OF MINUTES

Council Member Chandler made a motion to approve the minutes of the Regular Meeting of December 5, 2022, second by Council Member Gnatt with all members present voting in favor.

ORDINANCES FOR PUBLIC HEARING AND ADOPTION

Mayor Davy read Ordinance 2022-14 by title.

**BOROUGH OF PENNINGTON
ORDINANCE #2022 – 14**

AN ORDINANCE AMENDING THE BOROUGH SALARY ORDINANCE (ORDINANCE 2022-3) TO PROVIDE FOR PAYMENT OF CROSSING GUARDS FOR SPECIAL EVENTS AT THE RATE OF \$40.00 PER HOUR

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF PENNINGTON that the Borough Salary Ordinance (Ordinance 2022-3) is hereby amended at Section Ic to provide for payment of Crossing Guards at special events at the rate of \$40.00 per hour:

SECTION I: EMPLOYMENT POSITIONS/ANNUAL COMPENSATION

- a. The following officer and employee designations are hereby confirmed; and the rate of compensation of each such officer and employee, whose compensation shall be on an annual basis, is as follows:

Borough Administrator	\$88,204.86-\$100,000.00
Administrative Intern (part time)	\$35.00/hour
Borough Clerk	\$46,080.04
Assistant CFO	\$78,729.52
Utility Collector	\$31,835.48
Chief Financial Officer (part time)	\$88.98/hour
Tax Collector (part time)	\$88.98/hour
Technical Assistant to Construction (part time)	\$26.53/hour
Tax Assessor (part time)	\$14,059.59
Zoning Officer (part time)	\$9,514.46
Land Use Admin/Admin Asst.	\$55,000.00
Deputy Registrar	\$175.00 / month
Supt. of Public Works	\$89,034.93
Licensed Water Operator	\$49,682.45
Assistant to Superintendent of Public Works	\$41,000.00
Foreman	\$78,668.75
Judge of Municipal Court	\$13,367.29
Court Administrator (part time)	\$18,570.69
Prosecutor - (Flat Rate per Court Session/per resolution)	\$ 300.00
Public Defender – (Flat Rate per Court Session/per resolution)	\$ 200.00
Court Officer – (Flat Rate per Court Session)	\$76.50
Chief of Police (yearly clothing allowance \$1,500)	\$120,912.50
Administrative Assistant – Police Department	\$15.61/hour
Construction Official	\$29,082.87
Plumbing Sub-Code	\$51.25/ hour
Fire Sub-Code	\$43.68/ hour
Electric Sub-Code	\$42.80/ hour

- a. One person may serve in more than one office or position of employment as listed in Section a hereof. The hourly rates for Plumbing Sub-Code and Fire Sub-Code assume these functions are performed by separate people. A person hired to serve in a dual capacity as both Plumbing

Sub-code and Fire Sub-code official shall be compensated at the rate of \$51.25 per hour whether the work in question is in one or both capacities.

- b. 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.
- c. The rate of compensation of each employee paid on an hourly basis is as follows:

	Minimum	Maximum
Police Department:		
Crossing Guards	\$ 15.00	\$ 26.53
<u>Crossing Guard – Special Events</u>	<u>\$ 40.00 per hour</u>	
Special Police	\$ 17.00 per hour	

Part Time Employees – All Departments:		
Part Time or Temporary	\$ 8.00	\$ 25.00
Part Time/Temporary/Licensed	up to a maximum of	\$ 100.00

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, 2022 if appropriate.

Council Member Marciante made a motion to open the Public Hearing on Ordinance 2022-14, second by Council Member Chandler. There were no comments from the public. Council Member Marciante made a motion to close the Public Hearing, second by Council Member Angarone with all members present voting in favor. Council Member Gnatt made a motion to adopt Ordinance 2022-14, second by Council Member Chandler with all members present voting in favor.

COUNCIL DISCUSSION

Noise/Lighting Ordinance Amended – Mayor Davy stated that he worked with the internal ad-hoc group and they came to a couple of conclusions. Mayor Davy stated that NJ DEP regulations on noise ordinances require a decibel measuring approach and the group concluded that the Borough does not have the equipment or manpower to support a noise ordinance. Mayor Davy stated that the group was trying to craft a nuisance ordinance that would control the hours for use of leaf blowing equipment and that also became difficult to craft. Mayor Davy stated that the outcome was to leave the nuisance ordinance alone for now. Mayor Davy stated that with regard to the lighting ordinance, the group took a nuisance approach as well and the proposed changes will require that homeowners deflect outdoor lighting and require that lights be shut off after a certain time. Mrs. Chandler stated that she would like to be sure that lighting is shielded, directed downward and turned off at a certain time. Mayor Davy stated that the lighting ordinance will be on for introduction at the January 4th meeting.

120 Water Proposal – Mayor Davy asked Rick Smith to report on this. Mr. Smith stated that 120 Water came to one of the Public Works meetings and made a presentation. Mr. Smith stated that 120 Water has provided a proposal for developing a plan to guide the Borough through the regulations that will kick in once the Lead Line Service Inventory is complete. Mr. Smith stated that 120 Water has worked with other municipalities to help with the lead and copper regulations. Mrs. Chandler asked how many households we are talking about. Mr. Smith stated that the inventory is not yet complete. Mrs. Chandler asked when this plan needs to be done. Mr. Smith stated that the plan can’t begin until the inventory is complete. Mrs. Chandler asked how they could provide a quote if the inventory is not complete. Mr. Smith stated that 120

Water will also help identify funding sources in the plan. Mr. Smith stated that there many layers to the regulations. Mayor Davy stated that this will be on for approval at the January 4th meeting. Mrs. Chandler stated that she is not sure what she is paying for and she would like to see a proper proposal identifying what we will be paying for. Mr. Smith stated that it is hard to identify until we have a better understanding of the regulations and once the inventory is done, 120 Water can assist with formulating a plan for Pennington. Mr. Smith stated that he has a list of other municipalities that 120 Water has worked with. Mr. Bliss stated that he will need more than the proposal that was included in the packet in order to do a resolution. Mrs. Sterling asked if there was any urgency to doing this at the January meeting. Mr. Smith stated that there is no urgency as he is still completing the inventory and it might be worth having Liz Johns from 120 Water come to a meeting and explain what they are proposing.

NEW BUSINESS

**BOROUGH OF PENNINGTON
RESOLUTION 2022 – 12.13**

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 \$ 554,244.02 from the following accounts:

Current	\$ 465,400.33
W/S Operating	\$ 34,642.75
General Capital	\$ 26,208.15
Water/Sewer Capital	\$ 1,525.72
Grant Fund	\$ 1,433.68
Animal Control Fund	\$ 42.10
Open Space	\$ 7,659.50
Developer’s Escrow	\$ 1,775.00
COAH Trust	\$ 7,351.20
Other Trust Fund	\$ 8,201.15
Recreation	\$ 4.44
TOTAL	\$ 554,244.02

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	X				Marciante	M			
Gnatt	S				Stern				Absent

Council Member Marciante made a motion to approve Resolution 2022-12.13, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION # 2022 – 12.14**

RESOLUTION AUTHORIZING BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the fiscal year or the first three months of the following year, should it become necessary to expend funds for any purposes specified in the budget an amount in excess of the respective sums appropriated therefore and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriations transfers may be made; and

WHEREAS, transfers may not be permitted to appropriations for contingent expenses or deferred charges; and

WHEREAS, transfers may not be permitted from appropriations for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvement fund or interest and redemption charges;

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Pennington that transfers be made between the following year 2022 budget appropriations:

<u>Current Fund Appropriations:</u>	<u>To:</u>	<u>From:</u>
Social Security – Other Expense	\$6,000.00	
Administration – Salaries		\$6,000.00
Total Current Fund	\$6,000.00	\$6,000.00

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	M				Marciante	S			
Gnatt	X				Stern				Absent

Council Member Chandler made a motion to approve Resolution 2022-12.14, second by Council Member Marciante with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2022 – 12.15**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION
MONIES TO OUTSIDE LIENHOLDER**

WHEREAS, at the Borough Tax Sale held on December 2, 2022, a lien was sold on Block 702, Lot 21, also known as 115 Voorhees Avenue, Pennington, NJ, for 2021 delinquent tax and water/sewer payments; and

WHEREAS, this lien, known as Tax Sale Certificate #21-00002, was sold to Christiana T C/F CE1/First Trust for 0% and a 65,000.00 premium; and

WHEREAS, Christopher and Elizabeth Schafer, 115 Voorhees Avenue, Pennington, NJ 08534, has effected redemption of Certificate #21-00002 in the amount of \$4,514.48;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to issue a check in the amount of \$4,514.48 payable to Christiana T C/F CE1/First Trust, P.O. Box 5021, Philadelphia, PA 19111-5021 for the redemption of Tax Sale Certificate #21-00002.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to issue a check in the amount of \$65,000.00 (Premium) from the Other Trust fund to the aforementioned lienholder.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Gross				Absent
Chandler	X				Marciante	X			
Gnatt	M				Stern				Absent

Council Member Gnatt made a motion to approve Resolution 2022-12.15, second by Council Member Angarone with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2022-12.16**

**RESOLUTION AUTHORIZING MODIFIED/LIGHT DUTY POLICY
FOR PENNINGTON BOROUGH POLICE DEPARTMENT**

WHEREAS, the Chief of Police and the Public Safety Committee of Borough Council recommend adoption of a modified/light duty policy to be incorporated in the policies and procedures of the Pennington Borough Police Department (“Modified/Light Duty Policy”);

WHEREAS, the purpose of the Modified/Light Duty Policy is to establish authority and procedures for granting temporary modified-duty assignments to eligible employees when such assignments advance a legitimate departmental goal;

WHEREAS, the proposed Modified/Light Duty Policy would permit assignment of employees of the Department to temporary modified-duty when injury, illness or disability, **including pregnancy**, causes them to be temporarily unavailable to perform their regular assignments but they are capable of performing alternate duty assignments;

WHEREAS, the Modified/Light Duty Policy would create opportunities for employees in these situations to remain productive while serving the best interests of the Department;

WHEREAS, this Modified/Light Duty Policy defines eligible personnel, prescribes rules for its use, and includes explicit provisions for pregnant officers to ensure equal treatment in accordance with applicable law;

WHEREAS, a copy of the proposed Modified/Light Duty Policy is attached to this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the attached Modified/Light Duty Policy is hereby approved and the Chief of Police and Borough Clerk are hereby authorized to take such steps as necessary to implement this Policy beginning with its incorporation in the policies and procedures of the Police Department.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	M				Marciante	X			
Gnatt	S				Stern				Absent

Council Member Chandler made a motion to approve Resolution 2022-12.16, second by Council Member Gnatt. Mrs. Chandler and Chief Pinelli gave an overview of the policy and what work is available for light duty. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2022-12.17**

**A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN
COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT
INSURANCE FUND’S CYBER RISK MANAGEMENT PLAN’S TIER THREE REQUIREMENTS**

WHEREAS, the Borough of Pennington is a member of the Mid Jersey Municipal JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the Mid Jersey Municipal JIF, the Borough of Pennington enjoys cyber liability insurance coverage to protect the Borough of Pennington from the potential devastating costs associated with a cyber related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Pennington; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Borough of Pennington to claim a reimbursement of a paid insurance deductible in the event the member files a claim against the Borough of Pennington’s cyber insurance policy, administered through the Mid Jersey Municipal JIF and the Municipal Excess Liability Joint Insurance Fund;

NOW, THEREFORE BE IT RESOLVED that the Borough of Pennington does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 3 of the NJ MEL Cyber Risk Management Plan; and

Network Segmentation
Password Integrity
Third-Party Risk Management

Remote Access - MFA
System and Event Logging Review

BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	S				Marciante	M			
Gnatt	X				Stern				Absent

Council Member Marciante made a motion to approve Resolution 2022-12.17, second by Council Member Chandler with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2022 – 12.18

RESOLUTION AUTHORIZING REFUNDS

BE IT RESOLVED that a refund be issued from the Developer’s Escrow Fund to Joseph Zambrano, 314 Sked Street, Pennington, NJ 08534 for the balance of Planning Board Application 22-001 in the amount of \$571.33.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	M				Marciante	X			
Gnatt	S				Stern				Absent

Council Member Chandler made a motion to approve Resolution 2022-12.18, second by Council Member Gnatt with all members present voting in favor.

BOROUGH OF PENNINGTON
RESOLUTION 2022 – 12.20

RESOLUTION AUTHORIZING THREE-MONTH EXTENSION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MONTGOMERY FOR HEALTH SERVICES

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.) and Title 8, Chapter 52 of the New Jersey Administrative Code, the Borough of Pennington entered into a three-year shared services agreement with the Township of Montgomery (“Montgomery”) for the provision of Health Services to the Borough;

WHEREAS, the three-year contract, of which a copy is attached, became effective as of January 1, 2020 and extended through December 31, 2022 and has been renewed annually;

WHEREAS, Montgomery Township, by letter of its Administrator dated November 2, 2022, has advised the Borough that upon the expiration of the current contract it does not wish to continue the relationship for another term but will offer a three-month contract extension to permit the Borough to secure an agreement with another Health Department;

WHEREAS, the price proposed by Montgomery Township for this extension is \$13,348.91 for the three months combined, with all other terms of the existing contract to remain the same;

WHEREAS, the Borough administration is in the process of securing with Hopewell Township a three-year shared services agreement for health services intended to be effective, upon approval by the respective governing bodies, on April 1, 2023;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the aforesaid three-month extension of contract with Montgomery Township, for the price of \$13, 348.91 for the three months combined, with all other terms of the existing health services contract to remain the same, subject to execution of a written document effecting the extension 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.
Angarone	X				Gross				Absent
Chandler	X				Marciante	M			
Gnatt	S				Stern				Absent

Council Member Marciante made a motion to approve Resolution 2022-12.20, second by Council Member Gnatt. Mayor Davy explained that Montgomery Township wrote the Borough a letter stating that they would be discontinuing Health and Animal Control Services. Mayor Davy stated that he reached out to Lawrence who were not interested, Princeton who provided a cost that was not in our budget and so he has been working with Hopewell Township to provide these services to both Pennington and Hopewell Borough but they are not ready to provide the services and so this will provide an extension for three months to contract with Hopewell and transition these services. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2022 – 12.21**

**RESOLUTION AUTHORIZING THREE-MONTH EXTENSION OF SHARED SERVICES
AGREEMENT WITH THE TOWNSHIP OF MONTGOMERY
FOR ANIMAL CONTROL SERVICES**

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.) and Title 8, Chapter 52 of the New Jersey Administrative Code, the Borough of Pennington entered into a three-year shared services agreement with the Township of Montgomery (“Montgomery”) for the provision of Animal Control Services to the Borough;

WHEREAS, the three-year contract, of which a copy is attached, became effective as of January 1, 2020 and extended through December 31, 2022 and has been renewed annually;

WHEREAS, Montgomery Township, by letter of its Administrator dated November 2, 2022, has advised the Borough that upon the expiration of the current contract it does not wish to continue the relationship for another term but will offer a three-month contract extension to permit the Borough to secure an agreement with another municipality;

WHEREAS, the price proposed by Montgomery Township for this extension is \$3,668.87 for the three months combined, with all other terms of the existing contract to remain the same;

WHEREAS, the Borough administration is in the process of securing with Hopewell Township a three-year shared services agreement for animal control services to be effective, upon approval by the respective governing bodies, on April 1, 2023;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the aforesaid three-month extension of contract with Montgomery Township, for the price of \$3,668.87 for the three months combined, with all other terms of the existing animal control services contract to remain the same, subject to execution of a written document effecting the extension 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.
Angarone	X				Gross				Absent
Chandler	X				Marciante	M			
Gnatt	S				Stern				Absent

Council Member Marciante made a motion to approve Resolution 2022-12.21, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2022-12.22**

**RESOLUTION REQUESTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
INSTALL AN ALL-PEDESTRIAN SIGNAL PHASE AT THE INTERSECTION OF ROUTE 31 AND
WEST DELAWARE AVENUE**

WHEREAS, all Pennington students must cross Route 31 to walk to Hopewell Valley Regional School District’s middle school and high school; and

WHEREAS, late school busing was eliminated requiring more students to walk home from school following afterschool activities when a crossing guard is not present; and

WHEREAS, more students are walking due to the increase in the cost of courtesy busing along with the elimination of a cap on the cost of busing for a family; and

WHEREAS, Pennington Borough and Hopewell Township officials have long advocated for a more protected crossing for students and residents at the intersection of Route 31 and West Delaware Avenue; and

WHEREAS, traffic crashes in New Jersey resulted in 697 fatalities in 2021, a 20% increase from 2019; and

WHEREAS, 35% of these fatalities were pedestrians and bicyclists; and

WHEREAS, Pennington has adopted a Vision Zero resolution which focuses on a safe systems approach to transportation planning and the principle that human life and health should be prioritized in all transportation systems; and

WHEREAS, NJDOT and Pennington have Complete Street policies which call for designing roads with the safety of all users in mind; and

WHEREAS, an all-pedestrian signal phase enables pedestrians to have their own phase, with no traffic movements, which reduces any conflict between pedestrians and motorists, therefore decreasing the likelihood of drivers crashing into pedestrians; and

WHEREAS, there are no pedestrians during the auto phases, which increases the throughput of the turning movements of cars.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of Pennington Borough request that the New Jersey Department of Transportation install all-pedestrian signals at the intersection of Route 31 and West Delaware Avenue.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the New Jersey Department of Transportation.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Gross				Absent
Chandler	M				Marciante	S			
Gnatt	X				Stern				Absent

Council Member Chandler made a motion to approve Resolution 2022-12.22, second by Council Member Marciante with all members present voting in favor.

PROFESSIONAL REPORTS

Borough Attorney – Mr. Bliss had nothing further.

Chief Doug Pinelli – Chief Pinelli commended everyone for a great Holiday Walk.

Superintendent of Public Works – Mr. Smith had nothing further.

Borough Clerk – Mrs. Sterling had nothing further..

Mr. Marciante stated that he would like to have a review of all Professionals prior to reappointment in January. Mrs. Chandler stated that might be a good thing for the new Administrator to undertake.

Public Comment

Mayor Davy asked that anyone wishing to speak, please raise your hand so the Borough Clerk can acknowledge you, please state your name and address for the record and limit comments to the Governing Body to a maximum of 2 minutes.

Meredith Moore of 153 E. Delaware thanked Mayor and Council for working so hard over the holiday week. Ms. Moore stated that she understands the reluctance to put the lighting and noise into an ordinance. Ms. Moore stated that she would like Council to consider the temperature of lighting which is measured in kelvin. Ms. Moore asked if the time could be adjusted from midnight to 10pm. Council agreed to change the time to 10pm, but there is not enough time before the January meeting to look into the temperature of lighting. Mrs. Chandler stated that lumens was a consideration during the discussions that took place, but that relates to brightness. Mrs. Chandler stated that the enforcement of temperature would be difficult.

AT, 3:55 PM, with no further business to come before Council the meeting was adjourned.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk