

**BOROUGH OF PENNINGTON  
RESOLUTION 2023-2.12**

**RESOLUTION AUTHORIZING EXCEL ENVIRONMENTAL  
RESOURCES, INC. TO APPLY FOR ADDITIONAL FUNDING FROM THE  
HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) FOR  
SUPPLEMENTAL REMEDIAL INVESTIGATION OF THE PENNINGTON BOROUGH  
SANITARY LANDFILL AND SURROUNDING AREA**

**WHEREAS**, the State of New Jersey Department of Environmental Protection (NJDEP) through the Hazardous Discharge Site Remediation Fund (HDSRF), has grant funds available to municipalities for the purpose of funding preliminary assessments, site investigations and remedial investigations to determine the existence or extent of hazardous substance discharge conditions on the property; and

**WHEREAS**, the Borough of Pennington (the “Borough”) wishes to conduct supplemental remedial investigation with respect to the Pennington Borough Sanitary Landfill, Block 206, Lots 4, 5 and 12, located on Delaware Avenue (hereafter the “Property”).

**WHEREAS**, Excel Environmental Resources, Inc. (“Excel”) is qualified to prepare and submit all Applications for such funding;

**WHEREAS**, the Borough owns the parcels referenced above and is committed to redevelop the Property within three years after the remediation is complete.

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

1. Excel is hereby authorized and directed to apply for grant funding in order to conduct supplemental remedial investigation activities for the above-described parcels.
2. The Mayor and other appropriate Borough Officials are authorized to execute any and all documents necessary in order to apply for the aforesaid grant.
3. In the event that funding is approved pursuant to a grant issued in favor of the Borough, Excel shall be authorized and directed to implement supplemental remedial investigation activities for the above described parcels in accordance with a contract to be approved by the Borough and the NJDEP, but only to the extent that NJDEP grant funds are available for payment for the aforesaid services.

**Record of Council Vote on Passage**

<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>	<b>COUNCILMAN</b>	<b>AYE</b>	<b>NAY</b>	<b>N.V.</b>	<b>A.B.</b>
Angarone					Marciante				
Chandler					Stern				
Gnatt					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on February 6, 2023.

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Elizabeth Sterling, Borough Clerk