

**BOROUGH OF PENNINGTON
RESOLUTION 2022 - 7.17**

**RESOLUTION AUTHORIZING CONTRACT WITH
BRIAN KUBIN, D/B/A SCORPION OUTDOORS DEER MANAGEMENT
FOR CONTINUATION OF DEER MANAGEMENT PROGRAM**

WHEREAS, Borough Council seeks to continue its program of deer management designed to control the population of deer in Pennington Borough by entering into a contract with professional deer hunter Brian Kubin, doing business in Hopewell Township as Scorpion Outdoors Deer Management (hereafter "Scorpion Outdoors");

WHEREAS, attached to this Resolution are copies of the Proposal by Scorpion Outdoors presented to Pennington in June 2020 describing their methodology and terms of engagement (16 pages);

WHEREAS, services will include a pre-season site survey to designate hunting locations, the establishment of bait stations, camera monitoring, hunting sessions, deer harvest, deer removal and deer donation, among a range of additional activities as described in the attached Proposal;

WHEREAS, the Proposal includes background information on Mr. Kubin which is supplemented in additional information also attached to this Resolution;

WHEREAS, in accordance with the attached terms proposed by Mr. Kubin with respect to fees and reimbursable costs for 2022-23, Scorpion Outdoors will charge for its services as follows: (1) \$165 for each deer harvested, which will cover all activities leading up to the deer harvest, such that unless deer are harvested, there will be no charge for these activities; (2) the cost of corn bait up to \$14 to \$16 per bag , with a minimum of two bags of bait per hunt per season; and (3) in the event donations of harvested deer cannot be accomplished without charge, a charge of \$90 for processing the deer through Hunters Helping the Hungry;

WHEREAS, Scorpion Outdoors will be responsible for all record keeping of harvested deer in compliance with State law and will submit monthly invoices to the Borough;

WHEREAS, Mr. Kubin represents that he and Scorpion Outdoors possess all necessary licenses for the activity they propose, he will provide copies of these licenses to the Borough so that they may be kept on file, and he will keep all such licenses in effect for the duration of the contract with the Borough;

WHEREAS, Mr. Kubin and Scorpion Outdoors will supply the Borough with proof of liability insurance with coverage limits of \$1,000,000 per occurrence, \$2,000,000 aggregate, naming the Borough of Pennington as an additional insured;

WHEREAS, Scorpion Outdoors will indemnify and hold harmless the Borough of Pennington for damage to person or property in connection with its contracted activities;

WHEREAS, the total cost of the contracted activities shall not exceed \$16,500 in the 2022-2023 hunting season, representing 100 deer harvested @ \$165, plus reimbursable expenses;

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract from the Borough Open Space Fund;

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

1. The Mayor, with the prior approval of the Borough Attorney, is hereby authorized to enter into a contract with Brian Kubin, doing business as Scorpion Outdoors, for performance of

services in 2022-23, provided the contract shall be substantially in the form attached to this Resolution and incorporate the terms described in this Resolution and the attached Proposal, updated in accordance with the attached terms for 2022-23:

2. The duration of the contract shall not exceed one (1) year, with hunting activity limited to the 2022-23 hunting season.
3. The total cost of the contract shall not exceed \$ _____, inclusive of all reimbursable expenses, to be drawn from the Borough Open Space Fund.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler					Marciante				
Gnatt					Stern				
Gross					Angarone				

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 _____.

Elizabeth Sterling, Borough Clerk