

BOROUGH OF PENNINGTON
RESOLUTION 2026-7.1

**RESOLUTION AUTHORIZING 2026-2027 DEER MANAGEMENT
CONTRACT WITH SCORPION OUTDOORS INCLUDING APPROVAL
FOR HUNTING ON DESIGNATED PROPERTIES**

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 bow-and-arrow deer hunter Brian Kubin, doing business in Ewing Township as Scorpion Outdoors Deer Management (hereafter “Scorpion Outdoors”);

WHEREAS, attached to this Resolution is a copy of the proposed Agreement with Scorpion Outdoors together with the incorporated proposal by Scorpion Outdoors presented to Pennington in June 2020 describing their methodology and terms of engagement (16 pages);

WHEREAS, Scorpion Outdoors will charge \$200 for each deer harvested up to a maximum of 85 deer (\$17,000);

WHEREAS, the \$200 fee per harvested deer shall be an all-inclusive fee and the only compensation paid to Scorpion Outdoors, meaning there shall be no reimbursement for the cost of bait, for the processing of harvested deer, or for any other cost or expense, provided the harvested deer can be donated at no cost;

WHEREAS, Scorpion Outdoors promises to exert best efforts to donate harvested deer without incurring expense, but if it does not succeed in doing so, the contract will be suspended and there shall be no further hunting unless and until an outlet for processing the deer can be identified and the Borough enters into a separate contract with the outlet at the Borough’s sole cost and expense;

WHEREAS, deer hunting pursuant to the Agreement shall be conducted only on properties approved in advance by Resolution of Borough Council and, with respect to properties not owned by the Borough, after permission has been granted by the owner in writing;

WHEREAS, at the present time, the following Borough-owned properties are approved for bow-and arrow deer hunting in the 2026-2027 archery deer hunting seasons (September 12, 2026 through February 20, 2027):

DPW Property (Block 46, Lot 13, Hopewell Township Tax Map)

Borough Landfill Property (Block 206, Lot 13, Pennington Borough Tax Map)

WHEREAS, in addition to State reporting requirements, Scorpion Outdoors shall record and report to the Borough the location, sex and age of each deer harvested, with notation of age to be limited to “adult” or “recruit” (the latter signifying fawns and juveniles);

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 \$17,000 in the 2026-2027 hunting season, representing 85 deer harvested @ \$200;

WHEREAS, Scorpion Outdoors has demonstrated over the past six years that it is uniquely qualified to fulfill the Borough’s needs in connection with its deer management program based on Scorpion’s familiarity with Borough lands and deer population as well as its proven safety record and success rate, and qualifies for award of contract for extraordinary unspecifiable services in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.1, et seq;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq, authorizes the award of this contract without public bidding because the total contract price is below the bid threshold and the contract otherwise qualifies as a contract for the performance of extraordinary unspecifiable services;

WHEREAS, the Chief Financial Officer of the Borough 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, in accordance with the above recitals incorporated herein by reference, as follows:

1. The Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into the attached Agreement with Brian Kubin, doing business as Scorpion Outdoors, for performance of services in 2026-2027.
2. The duration of the Agreement shall not exceed one (1) year, with hunting activity limited to the 2026-2027 archery hunting season.
3. The total cost of the Agreement shall not exceed \$17,000, which shall be all inclusive, to be drawn from the Borough Open Space Fund.
4. Between meetings of Borough Council, should it be necessary to enter into a contract with a separate outlet for the processing of harvested deer, the Mayor is hereby authorized to do so in his discretion provided the contract shall be subject to available funds, shall be approved by the Borough Attorney as to form, and shall not exceed \$1,500 in total contract cost without formal prior approval by Borough Council.

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 July 6, 2026.

Gian Paolo Caminiti, Borough Clerk