

**Pennington Borough Council  
Special Meeting – September 1, 2009**

Mayor Persichilli called the Special Meeting of the Borough Council to order at 5:04 pm. Borough Clerk Betty Sterling called the roll with Council Members Chandler, Griffiths, Ogren and Tucker in attendance. Council Member Heinzl and Lawver were absent.

Also present were Borough Administrator, Eugene Dunworth. Virginia Kerr was in attendance for Borough Attorney Walter Bliss who arrived at 5:35pm. Public Works Superintendent was also present for the second half of the closed session related to contracts.

Mayor Persichilli announced that notice of this meeting has been given to the Pennington Post, Hopewell Valley News, The Times of Trenton and The Trentonian and was posted on the bulletin board in Borough Hall and on the Borough Website according to the regulations of the Open Public Meetings Act.

**Flag Salute**

Mayor Persichilli asked everyone to stand for the Flag Salute.

**Closed Session**

Mayor Persichilli read the following resolution to convene in Closed Session.

**AT, 5:05 PM, BE IT RESOLVED**, that Mayor and Council shall hereby convene in closed session for the purposes of discussing a subject or subjects permitted to be discussed in closed session by the Open Public Meetings Act, to wit:

Litigation – Presbyterian Homes  
Potential Litigation - Contract

AT, 6:40PM, Mayor and Council returned to open session.

**BOROUGH OF PENNINGTON  
RESOLUTION 2009-9.1**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR FURNISHING REFUSE  
COLLECTION TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Borough of Pennington has need for a refuse collection truck for use by the Department of Public Works;

**WHEREAS**, the Borough has publicly advertised for bids for sale of a refuse collection truck that complies with designated specifications;

**WHEREAS**, the bid price was to be net of any offered trade-in on the Borough’s existing 1995 Ford refuse truck;

**WHEREAS**, on July 7, 2009, three bids were received;

**WHEREAS**, after review of the bids and consultation among the Borough Administrator, the Superintendent of Public Works and the Borough Attorney, it has been determined on the advice of the Borough Attorney that the lowest net bid price of \$136,980, by Bucks County International, Inc. of Langhorne, PA, reflects material deviations from the advertised specifications and is therefore not responsive;

**WHEREAS**, on further advice of the Borough Attorney, in consultation with the Borough Administrator and Superintendent of Public Works as aforesaid, the lowest responsible bid is by Hunter Jersey Peterbilt, L.L.P. of Clarksburg, NJ, proposing the net price of \$147,900;

**WHEREAS**, the net bid price by Hunter Jersey Peterbilt includes a bid price for the truck and packer body, with required warranties, in the amount of \$151,900 minus a credit for trade-in of the Borough’s existing Ford refuse truck in the amount of \$4,000;

**WHEREAS**, the Hunter Jersey Peterbilt bid is within the Borough’s budget for the truck and the funding needed to enter into this contract has been authorized by Borough Ordinance No. 2009-1;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the aforesaid bid of Hunter Jersey Peterbilt, L.L.P., for furnishing the advertised refuse collection truck for the net price of \$147,900, which includes trade-in, is hereby accepted and the contract for furnishing the vehicle is awarded at this price to Hunter Jersey Peterbilt, L.L.P., in conformance with its bid and the advertised terms and specifications.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	M				Lawver				absent
Heinzl				absent	Ogren	X			
Griffiths	X				Tucker	S			

Council Member Chandler made a motion to approve Resolution 2009-9.1, second by Council Member Tucker with all members present voting in favor.

At, 6:45 PM, Council Member Chandler made a motion to adjourn the meeting, second by Council Member Griffiths.

Respectfully submitted,

Elizabeth Sterling  
Borough Clerk