

**Pennington Borough Council
Special Meeting – October 21, 2019**

Mayor Lawver called the Special Meeting of the Borough Council to order at 7:00 pm. Borough Clerk Betty Sterling called the roll with Council Members Chandler, Gnatt, Griffiths, Marciante, Mills and Semple in attendance.

Also present were Borough Administrator Eileen Heinzl, Public Works Superintendent Rick Smith, Public Safety Director Bill Meytrott, Chief Financial Officer Sandra Webb and Borough Attorney Walter Bliss.

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

Mayor Lawver invited everyone to stand for the Flag Salute.

Mayor Lawver stated that he would like to switch up the agenda and start with the Public Comment portion of the meeting.

Public Comment Period

Mayor Lawver read the following statement.

The meeting is now open to the public for comments on items on the agenda for which no public discussion is provided. 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 come forward and state your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.**

Mr. Marciante stated that the Burd Street neighborhood would like to close Burd Street between Laning and Welling for Halloween night because of the narrowness of the street, the traffic and the kids dashing in and out of the parked cars. Mr. Marciante stated that there are several residents of that area in attendance.

Ms. Annie Frasier of 202 Burd Street stated that Pennington is a great place to raise her kids and she is thankful for everything the Borough Council does. Ms. Frasier stated that this came up during a recent conversation with Mr. Marciante. Ms. Frasier stated that when she moved to town her neighbors asked her two questions, one was if she was on the wait list for Penn Brook Swim Club and the other was if she was aware of how many trick or treaters she would be getting. Ms. Frasier stated that she buys over 1,000 pieces of candy and they always run out. Ms. Frasier stated that Burd Street is the hub for Halloween and people come from all over the Hopewell Valley to drop their kids off for trick or treating. Ms. Frasier stated that as a mom she really supports the closing of Burd Street on Halloween for the safety of the children who will be trick or treating.

Some discussion took place with regard to what area of Burd Street should be closed and what side streets would remain open. Mayor Lawver stated that when he heard about this he thought that the epicenter of this is the area of Burd Street including Laning Avenue where several residents go all out with decorating for Halloween. Mayor Lawver stated that he would suggest closing the road beginning at Academy. Mayor Lawver stated that though he thinks this is a great idea, he is not sure that all of the logistics can be worked out and communicated to residents between now and Halloween.

Mr. Meytrott suggested that for this year he would suggest posting a police officer on Burd Street for the entire evening. Mr. Meytrott stated that this idea was discussed this afternoon and the question was what happens to the detoured traffic on the side streets around Burd Street. Mr. Meytrott stated that closing the road at Academy would also cause problems with detoured traffic. Mr. Meytrott stated that at 6 o'clock, after the rush hour traffic it should work with a police officer posted to monitor traffic. Mr. Marciante stated that he did not think that is the answer because there are a lot of children zipping around from house to house. Mr. Meytrott stated that detouring traffic down Laning would cause a similar problem on that street. Council Members further discussed this idea and it was decided to move ahead with closing streets for Halloween in the Burd Street area.

Mr. Marciante stated that he does not have a problem with providing police services for Mayor Persichilli's funeral, however he was surprised by the invoice from Mercer County. Mr. Marciante stated that he would like to see some upgrades to the parks in Pennington. Mr. Marciante stated that he would like to see Open Space funds used to put better equipment in the parks in Pennington.

Ms. Kate Kehoe came forward and stated that she lives on Laning Avenue and she has 3 year old twin girls. Ms. Kehoe stated that last year was very scary for her and her children because there was a lot of traffic zipping around and dropping off kids. Ms. Kehoe stated that she started out last year on Burd Street and they decided it was too scary so they moved over to Hale Street where it was less scary. Ms. Kehoe stated that she does not know what the answer is but it is very scary on Halloween. Ms. Kehoe stated that she does think that closing Burd Street would create a problem for Laning Avenue. Ms. Kehoe agreed that the shutdown should start at Academy. Ms. Kehoe stated that it is an awesome night for trick or treaters, but as a mom with young children it is very nerve wracking.

Council further discussed the area of Burd Street that would be closed and the placement of police officers and barricades. It was further discussed how to get the word out to residents in that area and it was decided to hand deliver and mail notices to residents of Burd Street. Mayor Lawver cautioned that if Council decides to do this, residents need to be aware so that they can double the amount of candy that they purchase.

Mr. Robert Chandler of 123 South Main Street stated that he agrees that something needs to be done because there are a lot of trick or treaters in the area, he gets between 200 and 250 on a good night. Mr. Chandler stated that he is not sure what the police officers will be doing if there are barricades posted. Mr. Meytrott stated that they would be slowing down the traffic. Mr. Chandler stated that he is concerned that the traffic on South Main Street will be a problem and maybe it might be a good idea to post an officer on South Main Street as well.

Mayor Lawver stated that it might be better to post an officer to monitor the traffic this year so that this problem can be measured before crafting a solution. Several members of Council stated that they would like to see something done this year. Mr. Meytrott was asked to put together a sketch of where the barricades will be and where officers will be posted.

Council Discussion

Scope of Phase I of Borough Hall Renovation Project - Mayor Lawver stated that this topic has been under discussion and now we are at the point where he would like to present a proposal for the scope of Phase I of the Building Renovation Project. Mayor Lawver stated that Council received a copy of a report from the Building Committee. Mayor Lawver stated that the scope for Phase I has been narrowed down to include replacement of failing systems and structural components, eliminating hazards and utilizing expiring grants. Mayor Lawver stated that breaks down to five projects that need to be done. Mayor Lawver stated that first is replacement of the HVAC system which is three years past due. Mayor Lawver stated that the type of system to be installed is still being investigated for most comfortable and cost effective. Mayor Lawver stated that we are down to basically two options, one is seven residential units which would be for different zones in the building and the second is somewhere between twelve and sixteen mini split systems. Mayor Lawver stated that when this was first discussed with Strunk Albert, the option for seven residential units was the recommendation for cost, aesthetics and ongoing maintenance. Mayor Lawver stated that after that, Mr. Marciante and others raised the idea of using a mini split system. Mayor Lawver stated that Strunk Albert has not provided a review on that option yet. Mayor Lawver stated that the building committee will be looking at that option with our professionals. Mayor Lawver stated that he has some concerns about the aesthetics of mini split systems for the council room and the library. Mayor Lawver stated that in the next steps the scopes of work under Phase I will be further defined after the building committee meets with the professionals to determine which system is best. Mr. Griffiths asked if Mayor Lawver was asking that further decisions be delegated to the building committee. Mayor Lawver stated that essentially that is the request and at the end of this discussion he will be asking for a vote in support of the scope of Phase I of the project which consist of five items. Mayor Lawver stated that after the vote, there are two professional services agreements for approval. Ronica Bregenzer, Architect for the project stated that there are several things that need to be investigated to determine which system will work best for the project. Mr. Griffiths asked if the building committee will be reviewing the options and coming back to Council with a recommendation. Mayor Lawver stated that he would like Borough Council to authorize five items within Phase I tonight.

Mayor Lawver stated that the second item is replacement of the roof. Mayor Lawver stated that the flat roof over the Library has been leaking over the years and there are many broken or missing shingles. Mayor Lawver stated that fascia, gutters and downspouts appear to be in good shape and will only be replaced if necessary. Mr. Griffiths asked if the fascia boards are wood or something else. Ms. Bregenzer stated that she thinks that they are wood. Mr. Smith stated that they are very well protected by the gutters. Ms. Bregenzer stated that as the project moves into design and development they will be looking more closely at the building in much more detail. Ms. Bregenzer stated that the roof will be replaced with the same material as is up there now.

Mayor Lawver stated that item three is repair and/or replacement of casement windows. Mayor Lawver stated that there are three types of windows in this building, storefront windows, casement windows and a series of non-operable windows. Mayor Lawver stated that the storefront windows are staying and the non-operating windows need further inspection but from the ground they appear to be pretty good. Mayor Lawver stated that the casement windows need to be addressed, there are several that cannot be opened because it takes a lot of effort to close them. Mayor Lawver stated that an assessment will take place to determine which windows have to be replaced and which can just be repaired. Mayor Lawver stated that the problem might be finding windows that match the ones that are staying. Mayor Lawver stated that the building committee will evaluate and make a determination on which windows can be repaired and which need to be replaced. Mr. Marciante asked why we need windows that open. Ms. Bregenzer stated that she would have to look into it in connection with the HVAC system. Mr. Griffiths stated that the first step is to do an evaluation of the windows to determine repair or replacement then proceed with the details. Mr. Griffiths stated that there is a lot that can be done to repair windows without having to replace them.

Mayor Lawver stated that item four is repair and/or replacement of sidewalks. Mayor Lawver stated that the biggest issue is the sidewalk leading into the Borough Hall. Mayor Lawver stated that there is sidewalk in the front of the building that is broken up and there is some missing sidewalk at the entryway which needs to be addressed for ADA compliance. Mayor Lawver stated that some of the work is not urgent, but it makes

sense to do it at all at once. Mrs. Chandler stated that she does not remember this being part of the original project and can't it just be done outside of this project without involving the professionals. Mr. Griffiths stated that financially it makes sense to include it in the scope of Phase I. Mayor Lawver stated that he has talked to Ms. Bregenzer about pulling this out of the project and it would require a second set of bid documents and bid process that would then have to be managed and there is a cost to that. Mayor Lawver stated that he thinks doing the sidewalks separately would likely cost the Borough more money. Some discussion took place with regard to bidding the project separately and the costs associated.

Mayor Lawver stated that item five is the generator which the Borough received a grant for after Hurricane Sandy. Mayor Lawver stated that the grant will provide for a 70kw generator but we are rapidly approaching the final extension date of May 19, 2020 for installation of the generator. Mayor Lawver stated that the grant would cover the cost to purchase the generator and possibly the transfer switch but there are some site work costs and engineering costs outside the grant. Mrs. Chandler asked how much the "free" generator will actually cost the Borough. Mayor Lawver stated that there are a couple of things that need to be done prior to installation of the generator including a site survey. Mrs. Chandler asked again what the costs would be to the Borough. Mr. Griffiths stated between \$20,000 and \$25,000 which is mostly engineering and other professional costs for the project. Mrs. Chandler stated that she is concerned that installing the generator would limit the Borough's ability to expand the building in the future. Mrs. Chandler stated that she is having second thoughts about the generator. Mr. Griffiths stated that given the way things move, unless we can get another extension he does not see this project happening. Mr. Griffiths suggested that the Borough Administrator investigate whether the Borough could get another extension. Further discussion took place with the consensus being that unless another extension is granted it would be impossible to meet the May 19, 2020 deadline. Mrs. Heinzel stated that she will call and write a letter but at the last meeting with Kathy Lear we were advised that there would be no further extensions granted. Mrs. Heinzel stated that she had a discussion with Brandon Fetzer of Van Note Harvey and the lead time for delivery of a generator is fourteen weeks. Mrs. Heinzel stated that there was some discussion about pre-purchasing the generator if that would be allowed. Mrs. Chandler stated that she doesn't think that anything should be done until we know if an extension would be granted. Mr. Griffiths stated that he is fine with putting out some funds for the generator installation so that the police department can function in the event of emergency, but only if we can get an extension so that we do not lose the grant. Further discussion took place with regard to the projected costs for the generator and related items. Mr. Griffiths stated that once a decision is made on a further extension then we can go to the next steps. Mr. Marcianti stated that someday there will be a need for a generator and it will be costly if we lose this grant. Mr. Griffiths stated that there are some things that have to be considered before a decision can be made on this. Mayor Lawver stated that what he is hearing is that Council would like this to be part of Phase I but it is contingent upon an extension of the grant.

Mayor Lawver asked for a motion to authorize moving forward with the design phase for Borough Hall Renovation Phase I to include replacing the HVAC system, replacing the roof, repairing or replacing windows, repairing and replacing broken sidewalks and contingent upon approval of an extension from FEMA, the installation of the emergency backup generator. Mr. Griffiths asked why Becker Frondorf is needed to estimate the project. Ms. Bregenzer stated that keeps the project on track and to watch where costs are as the project moves forward. Mr. Griffiths asked what value does that have to the Borough. Ms. Bregenzer stated that as the project moves along she can track the project to make sure that costs are on track or if they are higher, adjustments can be made to stay within the budget for the project. Mayor Lawver stated that Council is going to delve further into this during the discussion of the upcoming resolutions. Mayor Lawver stated that before the resolutions Council needs to take action on whether or not to proceed with the scope of Phase I as he explained. Council Member Chandler made a motion to proceed with the scope of Phase I, second by Council Member Gnatt with all members present voting in favor.

NEW BUSINESS

Mayor Lawver invited Ronica Bregenzer to come forward for the discussion of Resolution 2019-10.14. Mayor Lawver stated that there is a proposal and time line that was distributed today. Ms. Bregenzer stated that she would answer any questions that Council Members have. Mayor Lawver asked Ms. Bregenzer to spell out the design/detail phase and explain what the next phases would be. Ms. Bregenzer stated that the proposal lists the services that will be provide and obviously if the generator is not done those fees would be omitted. Ms. Bregenzer stated that first phase is what is called the design phase and would include what was just discussed, the two options for HVAC, the roof, the windows, the sidewalks and the generator in more detail, the materials for the roof, the number of windows for repair and the number for replacement and so forth. Ms. Bregenzer stated that an estimate will be formulated at the end of the design phase and presented for approval to proceed to the construction document phase. Ms. Bregenzer stated that the construction phase involves drawings and specifications that become the bid documents. Ms. Bregenzer stated that at that point an evaluation will take place to make sure that the project is still on target for costs. Ms. Bregenzer stated that at the end, right before the project goes out to bid it will be evaluated again. Ms. Bregenzer stated that project will be advertised, she will meet with bidders and walk through the building and when bids come in they will analyze them and make a recommendation to award. Ms. Bregenzer answered questions for Council Members. Mr. Marcianti asked if the price is the same for one bidder or multiple bidders. Ms. Bregenzer stated that the project will be solicited as one bid to include all the items that make up Phase I. Ms. Bregenzer stated that one contract will be awarded however the contractor may have subcontractors for some of the work. Ms. Bregenzer stated that separating Phase I into five separate projects would be costly for the Borough. Some discussion took place with regard to separating the generator from the rest of the project. Ms. Bregenzer stated that a general contractor would put all the pieces together in the order that they need to get done. Mayor Lawver stated that if the project is broken up there is a concern that the pieces

alone would be too small to attract interest. Mayor Lawver stated that the figures on the memo he distributed are for construction cost only, they do not include any escalation or contingencies. Mayor Lawver stated that the original estimate from Becker Frondorf was for \$1,000,000 with an additional \$500,000 added on for escalation, contingencies and general conditions. Ms. Bregnezer stated that there are bonding costs, design contingencies, insurance and one year of escalation. Mayor Lawver stated that was for the whole project so there will be some share of that for the five items in Phase I. Mr. Griffiths stated that he is trying to identify the cost. Mr. Griffiths stated that just adding the numbers he sees \$431,000 to \$515,000 for two items, HVAC and the roof. Mr. Griffiths stated that there is \$76,000 for windows, on the high side and \$25,000. Mr. Griffiths stated that by his calculations the highest cost is around \$615,000 for construction costs, not including the generator. Mr. Griffiths stated that Ms. Bregnezer's estimate for the projects he mentioned is \$54,000. Ms. Bregnezer stated that her fee is usually based on the total project which includes the general conditions, the bonding and the contingencies and escalation. Mr. Griffiths stated that he understands that but Borough Council needs to feel comfortable with the number before voting. Mr. Griffiths asked for further clarification from Ms. Bregnezer as to what is covered in her proposal. Mr. Griffiths stated that if Ms. Bregnezer's estimate is based on a \$1.5 million dollar project then her costs should come down. Ms. Bregnezer stated that the cost would not come down because the project is not a \$600,000 project it is a million dollar project. Mayor Lawver stated that his summary of Phase I is for construction costs only. Mr. Griffiths stated that he cannot go further on this until he gets a breakdown of the costs that are in the 7 to 9 percent range. Mayor Lawver stated that would require a re-estimate from Becker Frondorf on just the five items that make up Phase I which would include all of the pieces that he was unable to include because the breakdown was not that specific. Mr. Griffiths stated that there are too many moving pieces to make a linear decision. Mr. Griffiths stated that this is not a good way to approach a project. Mr. Griffiths stated that he has about \$600,000 or so in construction costs, that justifies about \$42,000 in architectural fees and he does not understand why the project cost is not \$642,000. Mr. Griffiths stated that he would like to see the exact fees for Phase I. Mayor Lawver stated that his numbers are for construction cost only. Mr. Griffiths stated that too much is happening on the fly and he would like a document in front of him showing exact costs based on a construction cost estimator and he would like to see the architect fees which should be at 7 to 8 percent. Ms. Bregnezer stated that she is happy to do that. Mayor Lawver stated that there are other factors that will increase the construction costs. Ms. Bregnezer stated that she needs to go through the estimate and figure out the costs and to Mr. Griffiths the answer is yes, the fee could go down. Mr. Griffiths stated then that the \$64,000 is premature to the final definition of the project. Ms. Bregnezer stated that she was asked to provide a proposal based on the scope that she had and not the scope that was recently decided. Mayor Lawver asked if a new estimate is required from Becker Frondorf at this point. Ms. Bregnezer stated that she would feel comfortable sitting down with the building committee to go through the estimate and pull out what pertains to Phase I. Ms. Bregnezer stated that if there are questions as the committee moves forward then she will reach out to Becker Frondorf. Mr. Marciante asked how accurate Becker Frondorf is on their estimates. Ms. Bregnezer stated that she has not really worked with them on a project like this, but she has worked with them on concept phase projects. Mr. Griffiths stated then at this point we are not at a final determination of exactly what line items will be included or excluded and what the architectural fees will be based on that final determination. Ms. Bregnezer stated that was correct and some of it is guesswork for her in terms of what the scope of the project will end up being. Ms. Bregnezer stated that she is asking for authorization to whittle down the project estimate. Mayor Lawver stated that in terms of authorizing this contract perhaps a not to exceed amount is the way to go until the building committee meets to finalize the details of Phase I. Ms. Chandler asked if Van Note Harvey's proposal is on top of what is being discussed here. Mr. Marciante stated that it seems premature to be authorizing anything until we get a document that defines the project. Mayor Lawver stated that Ms. Bregnezer needs authorization in order to get that document done. Mr. Griffiths stated that his opinion is that the building committee should proceed with final determination of the scope and Ms. Bregnezer should be authorized an amount of time to contribute to that process. Mr. Marciante stated that he would agree with authorizing \$64,000 and then after the building committee meets whittle the amount down. Mr. Griffiths stated that he would start with an amount of \$24,900 because that is the Design and Development number. Mr. Griffiths stated that it is fair to authorize an amount to cover Ms. Bregnezer's hours to whittle the project down. Mr. Griffiths stated that for tonight he would like to authorize an amount that will cover revising the project down to the four or five items that make up Phase I inclusive of all costs including engineering, estimating and professional services and the best estimate of construction costs based on the old Becker Frondorf numbers. Mr. Griffiths stated that theoretically he estimates the cost in the \$600,000 range. Further discussion took place with regard to the authorization and the idea that as the project is defined and the costs come down, the architectural fees will come down accordingly. Ms. Chandler stated that she does not have a problem with authorizing a not to exceed amount and though \$64,000 seems high, \$24,900 seems low. After some discussion, Council agreed to authorize \$24,900 to cover the Design and Development.

**BOROUGH OF PENNINGTON
RESOLUTION 2019-10.14**

RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH RONICA A. BREGENZER FOR ARCHITECTURAL SERVICES IN CONNECTION WITH RENOVATIONS TO PENNINGTON BOROUGH HALL PROJECT

WHEREAS, by Agreement effective December 27, 2017, the Borough of Pennington contracted with Ronica A. Bregnezer, Architect, LLC (hereafter "Architect") for the performance by Architect of professional services on behalf of the Borough in connection with renovations to Pennington Borough Hall at 30 N. Main Street in the Borough;

WHEREAS, the work covered by Architect's initial contract required the Architect to assess the

relative needs for and estimated costs of various desired renovations to Borough Hall and to make recommendations in particular concerning replacement or improvement of all or most of the existing HVAC air handling system in the building, attic ventilation, temperature control system, lighting and such further needs as the Architect might identify;

WHEREAS, further in accordance with Architect’s initial contract, Architect has collaborated with the Borough to consider options for proceeding with repairs and renovations or some combination of them in keeping with estimated costs, Borough priorities and the availability of Borough funds;

WHEREAS, upon completion of the work under the initial contract and selection of the repairs and renovations of highest priority at this time, and in accordance with Architect’s initial contract, the Borough has requested that Architect submit a proposal for architectural services for the design and construction of such repairs and renovations, and Architect has submitted the attached proposal dated October 18, 2019 (“Proposal”);

WHEREAS, it is understood that the Proposal includes cost estimates for the services of mechanical, electrical and plumbing engineers (“MEP”) who will assist Architect in performing the services described in the Proposal under subcontract with and the supervision of Architect;

WHEREAS, the Building Committee has recommended that the Borough proceed with the described repairs, renovations and replacements and the related services of Architect as an initial phase of the Borough Hall Renovation project, with the understanding that the Committee will evaluate and make recommendations for a second phase that will focus on interior renovations, once the initial phase has gone to bid;

WHEREAS, after further review by Borough Council, the Council will authorize repairs, renovations and replacements with respect to the following, as generally described in the attached Proposal;

- 1. New Building HVAC Systems
- 2. Roof Replacement
- 3. Window Replacement
- 4. Sidewalk Repair
- 5. Gas Generator;

WHEREAS, in accordance with the Proposal, Council will authorize the following Architectural services (including MEP and all other consulting services) as generally described in the Proposal:

- 1. Design Phase Services – Lump Sum Fee: \$24,900.00 (including the Architect and Architect’s subcontractors Strunk-Albert Engineering and Becker & Frondorf, cost estimating, exclusive of the services of Van Note Harvey Associates);

WHEREAS, it is further understood that estimates of the underlying costs of the subject renovations which have been used as a rough guide in determining the priority and affordability of the renovations are to be reviewed further by Architect under the proposed contract and will be subject to refinement;

WHEREAS, this contract for professional services is not subject to public bidding under the Local Public Contracts Law;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the awarding of this contract in the General Capital Fund under Ordinance 2017-14;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Clerk, is hereby authorized to enter into a contract with Ronica A. Bregenzer, Architect, LLC, on the terms described in the Proposal and in a form approved by the Borough Attorney, for a total contract amount not to exceed \$24,900 for all of the described services.

Record of Council Vote on Passage									
COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Chandler	M				Marciante	X			
Gnatt	X				Mills	X			
Griffiths	S				Semple	X			

Mayor Lawver revised the Resolution that was provided to Council in the agenda packages to eliminate all services except for the Design Phase Services in the amount not to exceed \$24,900.00. Council Member Chandler made a motion to approve Resolution 2019-10.14 as amended, second by Council Member Griffiths with all members present voting in favor.

Mayor Lawver announced that Resolution 2019-10.15 would be tabled this evening.

**BOROUGH OF PENNINGTON
RESOLUTION 2019-10.15**

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH VAN
NOTE-HARVEY ASSOCIATES FOR ENGINEERING SERVICES IN CONNECTION WITH
RENOVATIONS TO PENNINGTON BOROUGH HALL PROJECT**

WHEREAS, certain professional engineering services are required in connections with proposed renovations to Pennington Borough Hall;

WHEREAS, the required services include preparation of certain of the contract documents for use in public bidding of construction, a limited existing conditions survey and preparation of an existing conditions plan for the project area, a boundary survey locating the existing rear property line for installation of a new generator, preparation of bid documents for purchase of equipment and administration of that aspect of the bidding, preparation of plans for the proposed generator and related site plan, and detailed ground topographic survey if needed;

WHEREAS, the needed engineering services will have to be coordinated with architectural services for the project and ongoing collaboration between the engineer and the architect will be required;

WHEREAS, Van Note-Harvey Associates has submitted a proposal for these services as set forth in the attached letter from Brandon M. Fetzer, P.E., Senior Project Manager, to Eileen M. Heinzl, Borough Administrator, dated October 18, 2019 (“Engineering Proposal”);

WHEREAS, the attached Engineering Proposal includes a breakdown of fees as set forth on the final page of the Proposal, totaling \$31,000.00 if all options be selected;

WHEREAS, this contract for professional services is not subject to public bidding under the Local Public Contracts Law;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the awarding of this contract in the General Capital Fund under Ordinance 2017-14;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Clerk, is hereby authorized to enter into a contract with Van Note–Harvey Associates on the terms described in the attached Engineering Proposal and in a form approved by the Borough Attorney, for a total contract amount not to exceed \$31,000.00 for all of the described services.

At 8:21 PM, with no further business to come before Council, Mrs. Chandler made a motion to adjourn, second by Council Member Mills.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk