

Regular Meeting * February 25, 2020 * 7:00 p.m.

**ALLENTOWN MUNICIPAL BUILDING
8 N. MAIN STREET
ALLENTOWN, NJ
www.AllentownBoroNJ.com**

BOROUGH COUNCIL OF THE BOROUGH OF ALLENTOWN

MINUTES

1. CALL TO ORDER was made by Council President Robert Strovinsky at 7:00 p.m.

2. SALUTE OF THE FLAG was made by Council President Robert Strovinsky.

3. COMPLIANCE STATEMENT: *read by Municipal Clerk Laurie A. Roth, "In compliance with the "Open Public Meetings Act", Chapter 231, PL. 1975, Section 5, adequate notice has been given of this meeting by posting a Notice in a public place, on the Borough's website Allentown Boro N-J dot com, the Borough's Facebook page, the Borough's Twitter account and by transmitting a Notice to two newspapers, THE TIMES and the ASBURY PARK PRESS as required by law."*

4. ROLL CALL was performed by Municipal Clerk Roth. **ELECTED OFFICIALS PRESENT:** Council President Strovinsky, Councilwoman Anthony, Councilman Payson, Councilwoman Johnson, Councilman Elder. **ABSENT:** Mayor Thomas Fritts and Councilman Drennan. **OTHERS PRESENT INCLUDED:** Attorney Sobel, Chief Financial Officer June Madden, and Municipal Clerk Roth.

5. BUDGET WORKSHOP was led by Chief Financial Officer June D. Madden. She handed out confidential worksheets for review. Madden thanked the Finance and Administration Standing Committee for their work in making reductions to the budget. They took a hard look at requests and made the tough decisions.

The total appropriations for the Open Space account are: \$325,839.92. The net valuation taxable amount is \$192,242,000 by 4.5 cents = \$86,508.90.

The total water utility appropriations are: \$799,320.00. The water utility fund balance is \$487,901.47.

The sewer utility total appropriations are: \$1,053,384.00. The sewer utility fund balance is \$1,009, 936.44.

The projected total revenues for the current fund are: \$778,893.05. The total appropriations for the current fund are: \$2,980,036.05. The current fund balance is \$1,107,027.88.

6. PUBLIC HEARING FOR ORDINANCE 02-2019, AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2020 (N.J.S.A. 40A:4-45.14). Introduced: February 11, 2020. Advertised: February 15, 2020. There were no public comments.

**ORDINANCE 02-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2020 (N.J.S.A. 40A: 4-
45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and members of Borough Council of the Borough of Allentown in the County of Monmouth finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and members of Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$18,578.12 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and members of Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and members of Borough Council of the Borough of Allentown, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Allentown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$65,023.40, and that the CY 2020 municipal budget for the Borough of Allentown be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Resolution, 100-2020, Authorizing the Mayor to Sign Off on Ordinance 02-2020
RESOLUTION 100-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN OFF ON
ORDINANCE 02-2020, AN ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK FOR CALENDAR YEAR 2020
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Governing Body of the Borough of Allentown introduced Ordinance 02-2020 at the Council Meeting on February 11, 2020 and set a public hearing for February 25, 2020 at 7:00PM at the Borough Hall located at 8 North Main Street, Allentown, NJ 08501; and

WHEREAS, the Municipal Clerk published a summary of Ordinance 02-2020 with a public hearing notice in the public notices section of THE TRENTON TIMES on February 15, 2020, notifying the public of the date, time and location of the public hearing; and

WHEREAS, the Municipal Clerk published in full a copy of Ordinance 02-2020 with the public hearing notice on the Borough's bulletin board located in the lobby of Borough Hall on February 12, 2020 notifying the public of the date, time and location of the public hearing and made copies available to the public as requested; and

WHEREAS, the Municipal Clerk published a summary of Ordinance 02-2020 with a public hearing notice on the Borough's website on February 12, 2020 notifying the public of the date, time and location of the public hearing and made copies available to the public as requested; and

WHEREAS, the Municipal Clerk published a summary of Ordinance 02-2020 with a public hearing notice on the Borough’s Twitter page on February 12, 2020 notifying the public of the date, time and location of the public hearing and made copies available to the public as requested; and

WHEREAS, the Municipal Clerk published a summary of Ordinance 02-2020 with a public hearing notice on the Borough’s Facebook page on February 14, 2020 notifying the public of the date, time, and location of the public hearing and made copies available to the public as requested; and

WHEREAS, the Mayor of the Borough of Allentown hosted a public hearing for Ordinance 02-2020 on February 25, 2020 at 7:00PM in Borough Hall located at 8 North Main Street, Allentown, New Jersey 08501; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Allentown that the Borough Council will submit Ordinance 02-2020 to the Mayor for his signature under Section 2-1.3 of the Allentown Borough Code.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Mayor Fritts						

Mayor Fritts asked for a motion to add resolution 116-2020 to the agenda at the end of New Business. Councilman Elder made the motion. Councilwoman Anthony seconded the motion. All present agreed. The resolution was added to the meeting agenda.

7. PUBLIC COMMENT ON AGENDA ITEMS ONLY- *Limited to three (3) minutes per citizen. State name and address clearly for the record.*

Bill Cotte, of 37 Pondview Drive, asked what the Governing Body is doing about the expenses the Borough has incurred as part of the T-Mobile cell tower lease agreement issues that have delayed the water tower improvement project from completion.

Andrew Sobel responded that this issue will be addressed in Executive Session.

Bill Cotte thanked the Finance Committee and Chief Financial Officer Madden for their work on the municipal budget for 2020.

Wil Borkowski, of 39 South Main Street, thanked the Finance Committee for their work on the 2020 municipal budget. He explained that the open space fund was so low due to paying off debts related to Breza Road and Sgt. George Ashby Memorial Park.

8. CONSENT AGENDA

(All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any person may request that an item be removed for separate consideration).

- A. Approval of Executive Session Minutes for January 7, 2020
- B. Approval of Regular Meeting Minutes for: January 7, 2020
- C. Approval of Villages in Partnership Parades and Assemblies Permit (May 16, 2020) (Councilman Elder abstained from this).
- D. Approval of The Allentown Village Initiative Parades and Assemblies Permit (July 4, 2020)
- E. **Resolution, 101-2020**, Ratifying Submittal of HTS Mobilization 2020 Distracted Driving Crackdown U Text, U Drive, U Pay Grant Application (April 1, 2020-April 21, 2020) (\$5,500)

**RESOLUTION 101-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

RESOLUTION RATIFYING SUBMITTAL OF HTS MOBILIZATION 2020 DISTRACTED DRIVING CRACKDOWN, U DRIVE, U TEXT, U PAY (APRIL 1, 2020- APRIL 21, 2020)

WHEREAS, distracted driving is a dangerous epidemic on America's roadways; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists; and

WHEREAS, the Division of Highway Traffic Safety is providing funds to implement a statewide distracted driving crackdown as part of the 2020 grant to have police officers on an overtime basis to conduct special enforcement patrols targeting distracted drivers through roving patrols and fixed checkpoints between April 1, 2020 and April 21, 2020; and

WHEREAS, the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey desires to submit an application to the Division of Highway Traffic Safety in an effort to obtain funding.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Allentown, formally approves submitting the "HTS Mobilization 2020 Distracted Driving Crackdown, U Drive, U Text, U Pay" grant application to the Division of Highway and Traffic Safety.

Be It Further Resolved that the Mayor, Chief Financial Officer and Police Lieutenant are hereby authorized to prepare and submit said grant application to the Division of Highway Traffic Safety on behalf of the Borough of Allentown.

Be It Further Resolved that the Chief Financial Officer, Mayor and Corporal Stab are

hereby authorized to sign the grant agreement on behalf of the Borough of Allentown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Mayor Fritts						

- F. **Resolution, 102-2020**, Approving the Villages in Partnership’s Request to Hang a Banner Across Main Street Pending Approval from Monmouth County

**RESOLUTION 102-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

RESOLUTION APPROVING VILLAGES IN PARTNERSHIP’S REQUEST TO HANG A BANNER OVER MAIN STREET PENDING FURTHER APPROVAL FROM MONMOUTH COUNTY

WHEREAS, Villages in Partnership had a special event permit approved by the Borough Council February 25, 2020; and

WHEREAS, as part of that application they requested a banner be placed over Main Street which falls under the jurisdiction of Monmouth County to aid in promoting awareness about their special event; and

WHEREAS, the banner would be hung across South Main Street by the Imlay House in the area where all banners are hung to promote special events; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey, that Villages in Partnership’s request to hang a banner over Main Street, a roadway under the jurisdiction of Monmouth County, is hereby approved pending final approval by Monmouth County.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Monmouth County and Villages in Partnership.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None		
Councilwoman Anthony			X			
Councilman Elder					X	
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Mayor Fritts						

- G. **Resolution, 103-2020**, Supporting Participation in Sustainable Jersey Municipal Certification Program

**RESOLUTION 103-2020
BOROUGH OF ALLENTOWN**

**COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION SUPPORTING PARTICIPATION IN THE SUSTAINABLE JERSEY
MUNICIPAL CERTIFICATION PROGRAM**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Allentown Borough strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Allentown Borough hereby acknowledges that the residents of Allentown desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Allentown Borough wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically sound, local government practices; and

WHEREAS, by endorsing a sustainable path Allentown Borough is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Allentown Borough, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Allentown Borough on matters of sustainability, the Allentown Borough Governing Body wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Governing Borough of the Borough of Allentown that we do hereby authorize Municipal Clerk Laurie A. Roth and Department of Public Works Superintendent Nicholas Pellichero to serve as Allentown’s agent for the Sustainable Jersey Municipal Certification process and authorize them to complete the Municipal Registration on behalf of the Borough of Allentown.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Mayor Fritts						

H. **Resolution, 104-2020**, Appointing 2020 Green Team

**RESOLUTION 104-2020
BOROUGH OF ALLENTOWN**

Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		X			
Mayor Fritts						

- I. **Resolution, 105-2020**, Accepting Resignation from the Environmental Commission

**RESOLUTION 105-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION ACCEPTING RESIGNATION FROM THE ENVIRONMENTAL
COMMISSION**

WHEREAS, Resolution 82-2020 appointed Kimberly Heissler to the Environmental Commission in the role of AHS Greenbirds Liaison to the Environmental Commission for the term expiring December 31, 2020; and

WHEREAS, the Municipal Clerk has received a resignation letter from Kimberley Heissler on February 18, 2020; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that Kimberly Heissler' s resignation from the AHS Greenbirds Liaison to the Environmental Commission for the term expiring December 31, 2020 is hereby accepted.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Environmental Commission.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson	X		x			
Mayor Fritts						

- J. **Proclamation, 01-2020**, Supporting the HTS Mobilization 2020 Distracted Driving Crackdown U Text, U Drive, U Pay Grant Application (April 1, 2020-April 21, 2020)

**PROCLAMATION 01-2020
SUPPORTING THE HTS MOBILIZATION 2020 DISTRACTED DRIVING
CRACKDOWN, U DRIVE, U TEXT U PAY, FOR
APRIL 1, 2020- APRIL 21, 2020**

Whereas, distracted driving is a dangerous epidemic on America's roadways; and

Whereas, in 2017 alone, 3,116 people were killed in distracted driving crashes; and

Whereas, in New Jersey, driver inattention remains the most significant cause of fatal and incapacitating crashes; and

Whereas, driver inattention was listed as the contributing factor in crashes at a rate of speed more than eight times higher than that of the next contributing factor (speed); and

Whereas, *distracted driving is any activity that diverts a person's attention away from the primary task of driving*; and

Whereas, all distractions endanger driver, passenger, and bystander safety; and

Whereas, distractions include: texting, using a cellphone or a smartphone, eating and drinking, talking to passengers, grooming, reading, including maps, using a navigation system, watching a video, and adjusting a radio, CD player, a MP3 player; and

Whereas, because using a handheld cellphone while driving to make calls or send text messages requires visual, manual, and cognitive attention from the driver, they are by far the most alarming distractions; and

Whereas, April is Distracted Driver Month, which is a time to remind New Jersey motorists of the State's distracted driving laws, which include a ban on handheld cellphones and text messaging by all drivers and a ban on all cellphone use (handheld or handsfree) by novice drivers; and

Whereas, from April 1, 2020-April 21, 2020, police officers on an overtime basis, will conduct special enforcement patrols targeting distracted drivers in the form of roving patrols and fixed checkpoints; and

Whereas, during the 2019 Distracted Driving Crackdown U Text, U Drive, U Pay participating police agencies in the State issued 15,105 summonses for cellphone use and texting and an additional 6,286 for careless driving; and

Now Therefore, be it resolved that the Allentown Borough declares its support for the HTS Mobilization 2020 Distracted Driving Crackdown U Text, U Drive, U Pay both locally and nationally from April 1, 2020 to April 20, 2020 and pledges to increase awareness of the dangers of distracted driving.

Mayor Thomas C. Fritts
February 25, 2020

9. CORRESPONDENCE

- A. Receipt of Financial Reports for January 2020 from the Chief Financial Officer
- B. Receipt of Treasury reports for January 2020 from the Chief Financial Officer
- C. Receipt of Resolution Appointing 2020 Professionals from the Planning Board
- D. Receipt of resolution Appointing Green Team Designee from the Economic Development Commission
- E. Receipt of Environmental Commission 2019 Annual Report from Environmental Commission Chairwoman
- F. Receipt of Resolution 69-20 from Upper Freehold Township Accepting the Resignation from William Kayser

- G. Receipt of Resolution 70-20 from Upper Freehold Township Accepting Resignation from George Luck
- H. Receipt of Final Notices for Ordinance 306-19 Amending Article 35-505 (Fences and Walls) Sub Section (Height Requirements) from Upper Freehold Township

10. OLD BUSINESS: None

11. NEW BUSINESS

A. Resolution, 106-2020, Approving Towing Permit for Hamilton Auto Clinic for 2020-2023

**RESOLUTION 106-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION APPOINTING HAMILTON AUTO CLINIC AS OFFICIAL BOROUGH
TOWER FOR JANUARY 1, 2020-DECEMBER 31, 2023**

WHEREAS, Hamilton Auto Clinic submitted their application to the Official Tow Company for the Borough on December 6, 2020 with the Municipal Clerk; and

WHEREAS, the Municipal Clerk filed one copy in her office and filed one copy with Chief Panckeri for review and completion; and

WHEREAS, Chief Panckeri reviewed the application and found all items to be complete by January 22, 2020; and

WHEREAS, the Municipal Clerk submitted the tow application to the Public Safety Standing Committee on January 23, 2020; and

WHEREAS, the Public Safety Committee has submitted no comments on the application; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that Hamilton Auto Clinic is appointed as the Official Tow Company of the Borough for the period of January 1, 2020 to December 31, 2023.

BE IT FURTHER RESOLVED that this official tower shall submit no later than December 1 of each year that the towing license is in effect, a certification saying that the official tower met the requirements of the ordinance in regards to the issuance of licenses. Said certification shall be submitted to the Allentown Police Department for review and approval by the designated administrative officer. Failure to submit the certification or failure to continue to abide by the requirements of this in regard to the issuance of a towing license shall subject the official tower to revocation of the license in accordance with the procedures contained in the Ordinance.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Hamilton Auto Clinic, the Allentown Police Department and the Municipal Clerk.

B.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson			X			
Mayor Fritts						

Resolution, 107-2020, Supporting Use of Diesel Generator at the Water Treatment Plant

**RESOLUTION 107-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION SUPPORTING THE USE OF A DIESEL GENERATOR AT THE
WATER TREATMENT PLANT**

WHEREAS, the Borough Engineer has asked the Water Utility Standing Committee to weigh in on the use of a diesel or gas generator at the Water Treatment Plant; and

WHEREAS, the Water Utility Standing Committee has recommended the use of a diesel generator at the Water Treatment Plant; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that the use of a diesel generator at the Water Treatment Plant is hereby supported.

BE IT FURTHER RESOLVED that a copy of this resolution is sent to the Borough Engineer.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson			X			
Councilman Payson		X	x			
Mayor Fritts						

C. Resolution, 108-2020, Authorizing Sewer Utility Billing Adjustments to 3 Robinson Road and 13 Hamilton Street

**RESOLUTION 108-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION APPROVING SEWER BILL ADJUSTMENT FOR 2020 FOR 3
ROBINSON ROAD AND 13 PEARL STREET**

WHEREAS, the residents located at 3 Robinson Road and 13 Pearl Street have requested a review of their sewer utility accounts for what they believe are anomalies; and

WHEREAS, the Sewer Billing Clerk has reviewed the accounts in question and sent the information to the Sewer Utility Standing Committee for review and a decision; and

WHEREAS, the Sewer Utility Standing Committee has recommended that the following accounts should be adjusted: 2988-2 (13 Pearl Street- \$615.00 per quarter) and 4086-2 (3 Robinson Road- \$675 per quarter) based on a three-year average of previous sewer utility bills; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey as follows:

- 1- Account 2988-2 is hereby adjusted per the Sewer Utility Standing Committee's recommendation of a three-year average of previous sewer utility bills. The new amount for 2020 will be \$472.50 per quarter.
- 2- Account 4026-2 is hereby adjusted per the Sewer Utility Standing Committee's recommendation of a three-year average of previous sewer utility bills. The new amount for 2020 will be \$385.80 per quarter.
- 3- These adjustments will be made for the January 1, 2020 Sewer Utility Billing.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Sewer Utility Billing Clerk, Chief Financial Officer, and property owners at 13 Pearl Street AKA 2988-2 and 3 Robinson Road AKA 4086-2.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson			X			
Mayor Fritts						

D. Resolution, 109-2020, Amending Resolution 326-2019 Adopted on November 12, 2019 Due to a Clerical Error to Transfer Funds

**RESOLUTION 109-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**RESOLUTION AMENDING RESOLUTION R-326-2019 ADOPTED NOVEMBER 12,
2019, DUE TO A CLERICAL ERROR TO TRANSFER OF FUNDS**

WHEREAS, N.J.S.A. 40A:4-58 permits the transfers of funds from appropriations with excess balances deemed necessary to fulfill the purpose of such appropriations to appropriations deemed insufficient to fulfill the purposes specified in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that the following transfers in the 2019 budget appropriations be made:

CURRENT FUND

<u>FROM</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Utilities: Streetlighting	9-01-31-435-000-000	\$ 4,500.00
Municipal Court Call Outs	9-01-43-490-000-106	\$ 1,000.00
Municipal Court Clerical: S&W	9-01-43-490-000-104	\$ 1,400.00
Finance Department: S&W	9-01-20-130-000-101	\$ 4,000.00
Police Officers: S&W	9-01-25-240-000-101	\$ 2,150.00
Legal: Township Attorney	9-01-20-155-000-228	\$ 14,000.00
Legal: Labor Relations	9-01-20-155-000-230	<u>\$ 5,000.00</u>
	TOTAL	\$ 32,050.00

<u>AMOUNT</u>	<u>TO</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
	Utilities: Electric	9-01-31-430-000-000	\$ 4,500.00
	Municipal Court SS Agreement	9-01-43-490-000-107	\$ 2,400.00
	Environmental Commission	9-01-27-335-000-299	\$ 2,500.00
	PFRS Pension	9-01-36-475-000-000	\$ 2,150.00
	Legal: Special Legal Counsel	9-01-20-155-000-229	<u>\$20,500.00</u>
	TOTAL		\$32,050.00

WATER UTILITY FUND

<u>FROM</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Electric	9-05-55-502-000-235	\$ 2,000.00
Legal Services	9-05-55-502-000-228	\$ 2,000.00
Engineering Services	9-05-55-502-000-239	<u>\$ 1,000.00</u>

TOTAL \$ 5,000.00

<u>TO</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Interest on Notes	9-05-55-523-000-000	\$ 2,000.00
Lab Services	9-05-55-502-000-277	<u>\$ 3,000.00</u>

TOTAL \$ 5,000.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer and Auditor.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson			X			

Councilman Payson		X	X			
Mayor Fritts						

E. Resolution, 110-2020, Authorizing Transfer of Funds

**RESOLUTION 110-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS**

WHEREAS, N.J.S.A. 40A:4-59 permits the transfers of funds during the first three (3) months of the succeeding year from appropriations with excess balances deemed necessary to fulfill the purpose of such appropriations to appropriations deemed insufficient to fulfill the purposes specified in the budget.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that the following transfers in the 2019 budget appropriations be made:

CURRENT FUND

<u>FROM</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Police Dept.—Officers’ S&W	9-01-25-240-000-101	\$10,000.00

TRUST FUND

<u>TO</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
Accumulated Absences Liability Trust	T-03-56-305-000-000	\$10,000.00

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony		X	X			
Councilman Elder	X		X			
Councilman Drennan						X
Councilwoman Johnson			X			
Councilman Payson			X			
Mayor Fritts						

F. Resolution, 111-2020, Adopting Formal Surplus Policy

**RESOLUTION 111-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION ADOPTING FORMAL SURPLUS POLICY**

WHEREAS, the Chief Financial Officer would like to memorialize a budgetary practice that has been in practice at the Borough of Allentown since at least 2011 regarding the Governing Body not authorizing the usage of more than 50% of the surplus funds when creating the municipal, water and sewer budgets; and

WHEREAS, the Finance and Administration Standing Committee supports the Chief Financial Officer’s recommendation to memorialize this practice in responsible budgetary actions; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allentown that no more than 50% of the surplus shall be used when putting together the municipal, water and sewer budgets.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Chief Financial Officer, Borough Auditor, and Financial Advisor.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder		X	X			
Councilman Drennan						X
Councilwoman Johnson			X			
Councilman Payson	X		x			
Mayor Fritts						

G. Resolution, 112-2020, Authorizing Roberts Engineering Group, LLC, to Complete Annual Water Audit For 2019(\$2,500)

**RESOLUTION 112-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION AUTHORIZING ROBERTS ENGINEERING GROUP, LLC, TO
COMPLETE ANNUAL WATER AUDIT FOR 2019**

WHEREAS, each year the Delaware River Basin Commission (DRBC) requires the Borough to complete an annual water audit; and

WHEREAS, the DRBC has requested that the Borough submit an audit for 2019; and

WHEREAS, the annual water audit is due on March 31, 2020; and

WHEREAS, the Borough Engineer has estimated the work required to prepare the audit as outlined by the DRBC can be done in the amount not to exceed \$2,500; and

WHEREAS, the Water Utility Standing Committee supports this recommendation; and

WHEREAS, the Chief Financial Officer has provided a certificate of an availability of funds in the amount not to exceed \$2,500; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that Roberts Engineering Group, LLC is authorized to complete the 2019 annual water audit for the DRBC in the amount not to exceed \$2,500.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Chief Financial Officer and Borough Engineer.

CERTIFICATION OF SUFFICIENT AVAILABLE LEGALLY APPROPRIATED FUNDS

Water Utility Fund

Engineering

Account #0-05-55-502-000-239

Amount Not to Exceed \$2,500

Dated: February 25, 2020

June D. Madden, Chief Financial Officer

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson			X			
Mayor Fritts						

H. Resolution, 113-2020, Amending Resolution 28-2020 to Amend Current Fund Temporary Budgets for Voluntary First Aid Squad Contribution, PERS/PFRS Contribution, and First Aid Services Shared Service Agreement

**RESOLUTION 113-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

RESOLUTION AMEDNING RESOLUTION 28-2020 TO AMEND 2020 CURRENT FUND TEMPORARY BUDGETS FOR VOLUNTARY FIRST AID CONTRIBUTION, PES/PFRS, AND FIRST AID SERVICE SHARED SERVICE AGREEMENT

WHEREAS, Resolution 28-2020 confirming the temporary budget was passed on January 7, 2020; and

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2020 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the Chief Financial Officer for the Borough of Allentown has prepared the list of temporary appropriations for the year 2020 to amend the voluntary First Aid contribution, PERS/PFRS contribution, and the First Aid Services Shared Service Agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey that the attached appropriations (Appendix A/Current) be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

(SEPARATE ATTACHMENT)

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony			X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson	X		X			
Councilman Payson		X	X			
Mayor Fritts						

I. Resolution, 114-2020, Amending Resolution 34-2020 to End Services Agreement with East Armored Services Effective May 1, 2020

**RESOLUTION 114-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION AMENDING RESOLUTION 34-2020 TO END EASTERN ARMORED SERVICES AGREEMENT FOR THE ALLENTOWN MUNICIPAL COURT AT UPPER FREEHOLD TOWNSHIP EFFECTIVE MAY 1, 2020**

WHEREAS, Resolution 34-2020 was passed on January 7, 2020 with Eastern Armored Services for the Municipal Court at Upper Freehold Township; and

WHEREAS, the Finance and Administration Standing Committee has elected to end this agreement effective May 1, 2020 as a cost savings initiative; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey that the Service Agreement with Eastern Armored Services is hereby amended to end effective May 1, 2020.

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to Eastern Armored Services, Borough Court Administrator and the Borough Chief Financial Officer.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony		X	X			
Councilman Elder	X		X			
Councilman Drennan						X
Councilwoman Johnson			X			
Councilman Payson			X			
Mayor Fritts						

**J. RESOLUTION 116-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
RESOLUTION APPROVING FIRST AMENDMENT TO LEASE AGREEMENT WITH T-MOBILE NORTHEAST, LLC FOR THE RENTAL**

**OF CERTAIN SPACE FOR WIRELESS COMMUNICATIONS
EQUIPMENT ON THE BOROUGH’S WATER TOWER LOCATED AT
THE CORNER OF HIGH STREET AND MAIN STREET**

WHEREAS, the Borough of Allentown (the “Borough”) is the owner of real property located at the corner of High Street and Main Street, Allentown, NJ, as well as the municipal water tower located thereon (the “Property”); and

WHEREAS, the Borough presently leases, for valuable compensation, certain space on the Property to wireless communications providers for placement of their respective wireless communications equipment; and

WHEREAS, by virtue of its Water Tower Lease Agreement, dated March 28, 2006, with the Borough, T-Mobile Northeast, LLC, as successor-in-interest to Omni point Communications, Inc., leases certain space and maintains certain wireless communications equipment on the Property; and

WHEREAS, the Borough has requested that, pursuant to the parties’ Lease Agreement, T-Mobile Northeast, LLC temporarily re-locate its wireless communications equipment to accommodate the Borough’s maintenance of the water tower on the Property; and

WHEREAS, the Borough and T-Mobile Northeast, LLC have agreed that the permanent location of T-Mobile Northeast, LLC’s wireless communications equipment, after the Borough’s maintenance of the water tower is completed, shall be in a different location on the water tower than presently exists; and

WHEREAS, prior to temporarily re-locating its wireless communications equipment to accommodate the Borough’s maintenance of the water tower on the Property, T-Mobile Northeast, LLC has requested a First Amendment to Water Tower Lease memorializing its rights to the new permanent location upon the Property where its wireless communications equipment will be located following the Borough’s water tower maintenance project;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Allentown, County of Monmouth, State of New Jersey hereby authorizes the Mayor to execute the First Amendment to Water Tower Lease attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Borough CFO, Borough Engineer, Borough Attorney, and T-Mobile Northeast, LLC.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony		X	X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson	X		X			
Councilman Payson			x			
Mayor Fritts						

10. COMMITTEE REPORTS:

- A. **Public Property, Public Works, Parks & Recreation-** Councilman Robert Strovinsky reported that work on Phase II of the Historic Streetscape Project will start shortly on North Main Street. The contractor will start preparations, cleaning sidewalks and taking down trees. Letters went out to residents about trees being removed and bricks being redone.
- B. **Finance & Administration-** Councilman Michael Drennan was absent.
- C. **Communications & Personnel-** Councilman John Elder reported that the Board of Recreation Commissioners have set a date for the Historic Allentown 5K for September 26th. The Recreation Commission would like Public Works to make improvements to the conditions at Sara Barnes Park.
- Strovinsky interrupted and said that DPW is going to find some sod and introduce horticulture in the park to make it more appealing. He would like to find some money in the budget for resurfacing the ball court.
- Elder continued that Plainsboro Township listed some used playground equipment on Craig's list at no cost. If the Borough were to procure it, they would need to pick it up, transport it, and have it installed. Elder said the new Prosecutor will start on March 5th.
- D. **Police, Fire & Parking-** Councilman Daniel Payson reported that the emergency medical services agreement is still pending approval.
- E. **Water Public Utility & Seniors-** Councilwoman Martha A. Johnson reported that T-Mobile's involvement in the water tower improvement project would be discussed in Executive Session. The Senior Committee is working very well together. They had some bumps getting going, but things look good now.
- F. **Sewer Public Utility & Mayor's Report-** Mayor Thomas C. Fritts was absent. Elder reported that the wastewater treatment plant improvement project is moving along well. Debris have been moved to the new dumpster. The sand filter has been sanitized. The driveway to the plant could use more rocks or soil as it has been quite muddy lately.
- G. **Municipal Clerk's Report-** Municipal Clerk Laurie A. Roth reported that she has been working on the DOT grant documents for Phase IIA of the Historic Streetscape Project. She and Strovinsky are meeting with the grant document manager next Friday. The Clerk spend some time this week squashing misinformation about the Streetscape Project on Facebook. Monmouth County is starting stormwater pipe replacement along Main Street at the same time Phase II of the Streetscape Project is underway. A pre-construction meeting was held for the stormwater pipe replacement along the Main Street entrance to Heritage Park. The municipal website has been updated to include: monthly senior wellness events, snow bowl fundraiser, library events in March,

Monmouth County Park events in our area, and the rabies clinic. Animal licensing letters were sent out to residents. I am working on Step III of the Village Renewal Application.

H. **Other Committee Report**- *Members of the public who are Council Liaisons may report on their committees, commissions, and boards if present.*

Linda Cotte, **Chairwoman of the Senior Citizen Committee**, reported about the Senior Wellness event held on February 19th at the Allentown First Aid Squad Building. The Visiting Nurse Association of New Jersey will be holding these events monthly for any person age 55 and older who resides in Monmouth County. Cotte thanks Ruth Bertagni and Carol Floyd for their help in using their building for these events. Kathy Hamnett is starting a Senior Citizen Committee Facebook page. There is an Open House scheduled for March 30th. Joan West is spearheading this event.

Bill Cotte, **member of the Environmental Commission**, reported that the Commission is setting up a recycling contamination meeting with DPW Superintendent/Recycling Coordinator Nicholas Pellichero. The Commission is working on planning rain barrel building, stream monitoring, and composting workshops. The Economic Development Commission meets on Thursday at 6:30PM.

Wil Borkowski, **President of the Allentown Business Community Association**, wanted to thank Mayor Fritts for his involvement in re-launching the ABCA. It now includes area churches and non-profit organizations.

13. PUBLIC PARTICIPATION- *Limited to three (3) minutes per citizen. State name and address for the record*

Ann Garrison, of 7 High Street, handed out copies of a photograph of the Old Mill to the newly elected officials. She discussed a traffic study that rated our downtown area an F. The High Street/Main Street intersection was rated a D. If someone should want to put a light there, the town can ask for a Section 106 waiver for the National Historic District. This was used to prevent a concrete bridge from being built over the millpond.

Linda Cotte, of 37 Pondview Drive, asked when the paving project on Pondview would start.

Council President Strovinsky said it will start later this year.

Greg Westfall, of 12 Johnson Drive, asked when the Historic Streetscape Project, Phase IIA, was going to start on Church Street.

Strovinsky responded. The DOT has not given the Borough the green light to access the funding. Roberts has submitted the work for review. Laurie is finishing up the grant documents. The DOT had a change in personnel and the Borough has requested a meeting.

Resolution, 115-2020, To Enter Executive Session

**RESOLUTION 115-2020
BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

RESOLUTION TO ENTER INTO EXECUTIVE SESSION II

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, PL 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist on February 25, 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Allentown, County of Monmouth, State of New Jersey, as follows:

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matters.
2. The general nature of the subject matters to be discussed is as follows:

Contractual:

- Shared Service Agreement for Emergency Medical Services with Upper Freehold Township for Capital Health Services
- Union AME Cemetery

Litigation:

- T-Mobile & Metro PCS Cell Tower Lease Agreement

Personnel:

- **None**

It is anticipated at this time that the date on which the stated subject matters will be made public is unknown. This resolution shall take effect immediately.

	Offered	Second	Ayes	Nays	Abstain	Absent
Council President Strovinsky			X	None	None	
Councilwoman Anthony	X		X			
Councilman Elder			X			
Councilman Drennan						X
Councilwoman Johnson		X	X			
Councilman Payson			X			
Mayor Fritts						

Executive Session started at 8:14PM. It ended at 8:46PM.

OTHER BUSINESS: None.

ADJOURNMENT: Councilwoman Anthony made the motion to adjourn. Councilwoman Johnson seconded the motion. All present agreed. The meeting ended at 8:47PM.
