

SPARTA TOWNSHIP COUNCIL

REVISED AGENDA

April 10, 2018

PLEASE TAKE NOTICE that action will be taken on the following items at the regular Council meeting on Tuesday, April 10, 2018 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

- TIME:** The meeting is called to order at 7:30 p.m.
- STATEMENT:** Adequate notice of this meeting was provided to the public and the press on January 9, 2018 by delivering to the press and posting at the Municipal Building a copy of the Annual Notice of Meetings
- 1. ROLL CALL** G,H,M,Q,W, MGR.,ATTY., MUN CLERK
- SALUTE TO THE FLAG**
- PROCLAMATIONS**
- Child Abuse Prevention Month**
- Earth Day**
- National Work Zone Awareness Week**
- Eagle Scout- Troop #95**
 William F. Somma
 Dylan J. Gerisch
(Previously given on 3/25/2018 at the Lake Mohawk Golf Club)
- 2. MINUTES** Motion _S_ that the regular meeting minutes held on March 27, 2018 be approved as presented.

OPEN TO THE PUBLIC

ITEMS NOT ON THE AGENDA

3. MANAGER’S REPORT

APPROVAL OF MANAGER’S REPORT

4. INTRODUCTION OF ORDINANCE

18-04

Bond Ordinance Appropriating \$1,200,000 and Authorizing the Issuance of \$1,050,000 Bonds or Notes of the Township for Various Improvements or Purposes Authorized to be Undertaken by the Township of Sparta, in the County of Sussex, New Jersey

5. HEARING OF ORDINANCE

18-03

An Ordinance Appropriating the Total Sum of \$1,700,000.00 from General Capital Improvement Fund for Funding Various Capital Improvements or Purposes by the Township of Sparta, in the County of Sussex, New Jersey

6. OPEN TO THE PUBLIC

RESOLUTIONS

7. RESOLUTIONS

7-1

Refund – Homestead Rebate Credit

7-2

Self-Examination of Budget Resolution

7-3

Adoption of Municipal Budget – Title Only

7-4 Resolution Ratifying Crispino Appeal and Referral to Assessment Commission

7-5 Resolution to Amend the 2018 Capital Budget

8. COUNCIL LIAISON REPORTS

9. OLD BUSINESS

10. NEW BUSINESS

11. OPEN TO THE PUBLIC

12. EXPENDITURES

13. ADJOURNMENT

Sparta's Website: www.spartanj.org

7-1 Refund – Homestead Rebate Credit

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayment – Homestead Rebate Credit on Exempt Property:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
16005	66	Mohrhoff, Chester	726 West Mountain Rd	\$320.40

7-2 Self-Examination Of Budget Resolution

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Sparta has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Sparta that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

7-3 Adoption of Municipal Budget – Title Only

BE IT RESOLVED by the Township Council of the Township of Sparta that the budget be read by title only inasmuch as the conditions set forth in N.J.S.A. 40:4-55 as follows have been met: that a complete copy of the approved budget was posted in the Municipal Building and copies of said budget were made available to each person requesting the same prior to a public hearing to be held on April 10, 2018.

7-4 Resolution Ratifying Crispino Appeal and Referral to Assessment Commission

WHEREAS, the Township of Sparta is the Defendant in the lawsuit captioned “*Crispino, et. al v. Township of Sparta.*” filed in the Superior Court of New Jersey, Law Division, Sussex County, bearing Docket No.: SSX-L-500-16; and

WHEREAS, the Sparta Township Council has previously determined that it will proceed with an appeal to the New Jersey Superior Court Appellate Division, of the trial court’s judgment entered on November 14, 2017, and the court’s reconsideration decision entered on February 22, 2018, and now desires to formally authorize and ratify the appeal and any actions previously taken in furtherance of the appeal; and

WHEREAS, the Sparta Township Council desires to also refer the decisions and judgments of the trial court involving Glen Lake Beach Club’s special assessment to the Township of Sparta’s Assessment Commission, for the Commission’s review and recommendations, in consultation with their expert, consideration; and

NOW, THEREFORE, BE IT RESOLVED that the Sparta Township Council that:

1. The Township Attorney in consultation with the Township Manager, are authorized to file and prosecute an appeal of the trial court’s judgments and decisions adverse to the Township of Sparta, with the Superior Court of New Jersey, Appellate Division, and that any actions

previously taken concerning the appeal are approved and ratified by the Sparta Township Council.

2. The trial court's decisions and judgments involving Glen Lake Beach Club's special assessment shall be referred to the Sparta Township Assessment Commission for its review and recommendations, in consultation with their expert. In furtherance of these activities the Township Manager and/or Township Attorney may retain such expert(s) as may be necessary to assist in this matter, in compliance with the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) and upon certification of available funds by the Township of Sparta's Chief Financial Officer.

3. The Mayor and Township Clerk are authorized to sign any documents required or necessary to comply with the actions authorized by this Resolution.

4. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that the Township Council reserves the right in its sole discretion to modify or rescind this resolution as it deems appropriate.

7-5 Resolution to Amend the 2018 Capital Budget

WHEREAS, the local capital budget for 2018 was adopted on the 13th day of March 2018; and,

WHEREAS, it is desired to amend said adopted capital budget section.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta, County of Sussex, State of New Jersey that the following amendment to the adopted capital budget section of Capital be made.

(See Attached)