

SPARTA TOWNSHIP COUNCIL

AGENDA

May 8, 2018

PLEASE TAKE NOTICE that action will be taken on the following items at the regular Council meeting on Tuesday, May 8, 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

PROCLAMATION Public Service Recognition Week

2. MINUTES Motion _S_ that the regular meeting minutes held on April 24, 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

18-05 Pedestrian Crosswalks - Amending Traffic Ordinance

5. OPEN TO THE PUBLIC

RESOLUTIONS

6. RESOLUTIONS

6-1 Solid Waste Utility – Refund

6-2 Tax Overpayment Refund

6-3 Resolution for Road Improvement on State Highway 23 and Gingerbread Castle Road

6-4 Tax Appeals-Township Attorney/Assessor

6-5 North Jersey Municipal Employee Benefits Fund Resolution to Renew

6-6 Resolution of the Township of Sparta Awarding Bid For Removal and Replacement of Concrete Curbing on Township Roads, Contract Number CN18-03

6-7 Resolution Authorizing the Expenditure of \$165,000 From the Township's Affordable Housing Trust Fund For Nouvelle, LLC's Group Home Affordable Housing Project Located at 6 Laddey Lane

7. **COUNCIL LIAISON REPORTS**
8. **OLD BUSINESS**
9. **NEW BUSINESS**
10. **OPEN TO THE PUBLIC**
11. **EXPENDITURES**
12. **ADJOURNMENT**

Sparta's Website: www.spartanj.org

6-1 Solid Waste Utility - Refund

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following solid waste utility payment:

ACCOUNT#	NAME	ADDRESS	AMOUNT
102103	BWB Holdings	55 Main ST	\$150.00

6-2 Tax Overpayment Refund

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayments:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
2022	6	Corelogic Realestate	11 Hickory Tree Ln	\$1,475.36
8001	3	Rakesh Garg	28 Wisteria Rd	\$10,000.00

6-3 Resolution Supporting Road Improvement on State Highway 23 and Gingerbread Castle Road

WHEREAS, the New York, Susquehanna and Western Railway plans to conduct repair and improvement with respect to the trestle located near the intersection of State Highway 23 and Gingerbread Castle Road in the Borough of Hamburg; and

WHEREAS, State Highway 23 is a heavily traffic roadway; and

WHEREAS, the line of sight for vehicles exiting Gingerbread Castle Road northbound onto State Highway 23 is inadequate and unsafe due to the configuration of the State Highway 23 and the trestle; and

WHEREAS, widening of the State Highway 23 under the trestle would alleviate the inadequate and unsafe line of sight and enhance the safety of drivers and passengers;

NOW THEREFORE IT IS HEREBY RESOLVED by the Township Council of the Township of Sparta, as follows:

1. That the New Jersey Department of Transportation and RR devise and implement plans which will widen the pavement of State Highway 23 beneath and through the trestle as part of the aforementioned repair and improvement project.

2. That a copy of this Resolution be submitted to the Governor of the State of New Jersey, the Commissioner of Transportation and all legislators of the 24th Legislative District.

6-4 Tax Appeals-Township Attorney/Assessor

BE IT RESOLVED by the Township Council of the Township of Sparta that the Municipal Assessor and Municipal Attorney/Law Firm be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Sparta tax list including, but not limited to, rollback complaints, added and omitted assessment complaints, and such other appeals as are necessary to correct the assessments for the Township of Sparta; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney/Law Firm be and are hereby designated as the agents of the Township of Sparta for the purpose of signing settlements of the foregoing matters by stipulation.

6-5 North Jersey Municipal Employee Benefits Fund Resolution to Renew

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of Sparta Township, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance, Dental or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

6-6 Resolution of the Township of Sparta Awarding Bid For Removal and Replacement of Concrete Curbing on Township Roads, Contract Number CN18-03

WHEREAS, the Township of Sparta solicited bids for the Removal and Replacement of Concrete Curb on Township Roads; and

WHEREAS, bids were received on April 24, 2018; and

WHEREAS, upon review of the lowest, responsible responsive bidder, Cedar Contracting Company, Inc.'s bid was found to be in order; and

WHEREAS, the Municipal Engineer recommends awarding the Contract to Cedar Contracting Company, Inc., 621 N. Union Avenue, Hillside, NJ 07205 for the unit price of \$19.99 (total of \$71,964) for the base bid; and

WHEREAS, the Municipal CFO has certified the funds are available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Sparta, Sussex County, New Jersey as follows:

1. The bid for the unit price of \$19.99 (total of \$71,964) submitted by Cedar Contracting Company, Inc. is hereby accepted.
2. The Mayor and Clerk are hereby authorized to execute a contract with Cedar Contracting Company, Inc. for the unit price of \$19.99 (total of amount \$71,964.)

6-7 Resolution Authorizing the Expenditure of \$165,000 From the Township's Affordable Housing Trust Fund For Nouvelle, LLC's Group Home Affordable Housing Project Located at 6 Laddey Lane

WHEREAS, THE Township of Sparta's most recent COAH Affordable Housing Trust Fund Spending Plan dated December 2008 reflects that the Township anticipates expending Two Hundred Thousand Dollars (\$200,000.00) from its Affordable Housing Trust Fund towards the construction of 4 Affordable Housing units within a group home (the "Project") to be constructed by Nouvelle, LLC (the "Developer"). The Project is located at 6 Laddey Lane, Sparta, New Jersey (Tax Block 37001, Lot 1, formerly Block 6, Lot 39.02) (the "Property"); and

WHEREAS, the Developer has requested that the Township of Sparta release to it One Hundred Sixty Five Thousand Dollars (\$165,000.00) of the Housing Trust Funds for the Project; and

WHEREAS, the Township of Sparta is willing to make the One Hundred Sixty Five Thousand Dollars (\$165,000.00) available for the Project subject to the Developer's compliance with all of the terms and conditions of this Resolution in furtherance of the Township's affordable housing as set forth in its Housing Element and Fair Share Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta, County of Sussex, State of New Jersey, that:

1. Upon confirmation by Township of Sparta personnel that the Affordable Housing Trust Funds are available to fund the Project, the Township of Sparta will make available to the Developer One Hundred Sixty Five Thousand Dollars (\$165,000.00) for construction of the four bedroom Affordable Housing Deed Restricted Group Home to be constructed by Developer. The release of funds is subject to all terms and conditions of this Resolution, all of which must be addressed to the satisfaction of the Township of Sparta and its professionals prior to the release of any of the funds by the Township of Sparta. Any funds supplied by the Township of Sparta shall be used solely for the Project, and not for any other purpose.
2. The Township of Sparta may release the funds in stages, and any funds to be released by the Township of Sparta shall be paid upon proof by the Developer that it has performed sufficient work on the Project to justify release of the funds by the Township of Sparta. The Township of Sparta acting through its employees and professionals shall make the final decision as to whether the work performed justifies the release of funds.
3. The Developer shall provide proof to the Township of Sparta that all municipal property taxes have been paid prior to any funds being released by the Township of Sparta.
4. The Developer shall provide a current title report to the Township of Sparta for the Property, including a litigation and judgment/lien search. The Developer shall satisfy all liens and judgments against the Property.
5. The Developer shall provide current copies of all contracts and agreements for the Project, including contracts and agreements with any entity that will acquire the Project from the Developer and/or operate the Project for the Developer or for any third party.

6. The Developer shall provide a current budget for the entire Project as well as proof that it has secured all funds necessary to complete construction and commence operation of the Project.
7. The Developer shall provide copies of all permits and approvals for the Project, including proof that all permits and approvals are in effect.
8. The Developer shall execute and record with the Sussex County Clerk's Office, at Developer's sole cost and expense, all documents required by the Township of Sparta and its professionals to deed restrict the Property as Affordable Housing units for a term of at least 30 years.
9. The Developer shall execute a COAH Developer's Agreement or such other agreement(s) for construction and operation of the Project as required by the Township of Sparta and its professionals.

This Resolution shall take effect immediately, however, it shall be void and of no effect in the event that the Developer fails or refuses to comply with any of the terms and conditions of this Resolution or any document references in this Resolution.

If any section, subsection, sentence, clause or phrase in this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.