

SPARTA TOWNSHIP COUNCIL

AGENDA

June 12, 2018

PLEASE TAKE NOTICE that action will be taken on the following items at the regular Council meeting on Tuesday, June 12, 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

2. MINUTES Motion S that the Regular Meeting Minutes held on May 22, 2018 be approved as presented.

OPEN TO THE PUBLIC **ITEMS NOT ON THE AGENDA**

3. MANAGER'S REPORT

APPROVAL OF MANAGER'S REPORT

4. HEARING OF ORDINANCE

18-06

An Ordinance of the Township of Sparta, County of Sussex, and State of New Jersey, Amending the Township Code's Chapter IV Entitled "General Licensing" and Chapter IX Entitled "Parks and Recreation Areas"

5. OPEN TO THE PUBLIC**RESOLUTIONS****6. RESOLUTIONS**

6-1

One Day ABC License– Sparta Elks Lodge 2356 BPOE

6-2

Tax Overpayment Refunds

6-3

Cancellation of 2017 and 1st & 2nd Quarter 2018 Taxes

6-4

Resolution Awarding the Bid for the Township of Sparta's Contract No. CN 18-04 for Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories to Capitol Supply Construction Products, Inc. and Water Works Supply Co., Inc.

6-5

Resolution Authorizing the Use of a National Contract for the Township of Sparta, Department of Public Works

6-6

Professional Services Resolution - Appraiser

6-7

Special Services Resolution – Conflict Counsel

6-8

Resolution to Renew ABC License 1918-33-006-004

6-9

ABC Renewals 2018-2019

7. **PUBLIC HEARING – PETITION FOR SEWER FRANCHISE: BL 16001/L 4.01 et al & BL 16008/L 4 et al**
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

6-1 One-Day ABC License – Sparta Elks Lodge 2356 BPOE

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Elks Lodge 2356 BPOE, 6 West Shore Trail, Sparta, NJ for a one day liquor license on July 4, 2018 from 12:00 p.m. to 3:00 p.m. at 6 West Shore Trail, Sparta, NJ.

6-2 Tax Overpayment Refunds

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

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4018	6	Martin Liberman	22 Timberline Dr	\$4,068.14
3001	44	Lereta Tax Service	195 Stanhope Rd	\$2,783.34
27002	1	Paramount Equity Mortgage	255 Glen Rd	\$2,260.50

6-3 Cancellation of 2017 and 1st & 2nd Quarter 2018 Taxes

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector cancel taxes in the amount of \$7198.10 (2017) and \$3,599.05 (2018 1st & 2nd quarter) on Block 2001, Lot 11, assessed to the Township of Sparta Fire Department.

6-4 Resolution Awarding the Bid for the Township of Sparta’s Contract No. CN 18-04 for Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories to Capitol Supply Construction Products, Inc. and Water Works Supply Co., Inc.

WHEREAS, the Township of Sparta sought bids for Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories as provided for in the Bid Specifications (CN-18-04) to be purchased as needed by the Township of Sparta pursuant to N.J.S.A. 40A:11-4.1, et seq.; and

WHEREAS, Water Works Supply Co., Inc. is the low bidder for Sections 2, 3 and 5 and Capitol Supply Construction Products, Inc. is the low bidder for Sections 1 and 4 of the items being bid on as follows:

Section 1	\$70,068.32	Capitol Supply Construction Products, Inc.
Section 2	\$42,190.17	Water Works Supply Co.
Section 3	\$53,597.46	Water Works Supply Co.
Section 4	\$62,338.64	Capitol Supply Construction Products, Inc.
Section 5	\$69,504.45	Water Works Supply Co.

WHEREAS, the Chief Financial Officer, Director of Utilities and the Township Attorney have reviewed the Bids submitted by Capitol Supply Construction Products, Inc. and Water Works

Supply Co., Inc. and have determined that they are consistent with the Township’s specifications; and

WHEREAS, the proposal is in compliance with the provisions of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, after careful consideration the Sparta Township Council has found it to be in the best interest of the Township of Sparta to award Contract No. CN 18-04 to purchase the Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories to Capitol Supply Construction Products, Inc. for Sections 1 and 4 and to Water Works Supply Co., Inc. for Sections 2, 3 and 5; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that Bid submitted by Capitol Supply Construction Products, Inc. for Sections 1 and 4, and Water Works Supply Co., Inc. for Sections 2, 3, and 5, for the Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories is hereby approved based on each of the subtotals listed below; and

Section 1	\$70,068.32	Capitol Supply Construction Products, Inc.
Section 2	\$42,190.17	Water Works Supply Co.
Section 3	\$53,597.46	Water Works Supply Co.
Section 4	\$62,338.64	Capitol Supply Construction Products, Inc.
Section 5	\$69,504.45	Water Works Supply Co.

The bid award is contingent on the Township Chief Financial Officer providing a certification of available funds.

BE IT FURTHER RESOLVED the Mayor and Township Clerk are authorized to sign an agreement with Capitol Supply Construction Products, Inc. and Water Works Supply Co., Inc. substantially in the form attached to the Bid Specifications upon the final approval of the Agreement by the Township Manager and Township Attorney; and

This resolution shall take effect immediately.

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.

6-5 Resolution Authorizing the Use of a National Contract for the Township of Sparta, Department of Public Works

WHEREAS, the National Joint Powers Alliance advertised and received bids for the purchase of construction and agricultural equipment, contract number 032515-CAT and was awarded on May 19, 2015; and

WHEREAS, the bid proposal included an option for the bidder to provide goods and/or services to current and/or potential members including government, higher education, K 12 education, non-profits and all other public agencies located nationally without substitution or deviation from the bid specification; and

WHEREAS, Caterpillar was awarded the contract with purchases authorized through their distributors and have extended their pricing to registered members of the NJPA, thereby affording the Township of Sparta the opportunity of direct purchase through Foley Caterpillar, without competitive bidding.

NOW, THEREFORE, BE IT RESOLVED that the Township of Sparta in the County of Sussex, State of New Jersey wishes to purchase a 2018, or newer, Caterpillar 279D Compact Track Loader; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute said contract and related contract documents; and

BE IT FURTHER RESOLVED that this contract will be in effect from the date of award until receipt of goods.

6-6 Professional Services Resolution - Special Appraiser

WHEREAS, N.J.S.A. 40A:11-1 et seq. the “Local Public Contracts Law” permits governing bodies to contract for certain professional services without competitive bidding; and,

WHEREAS, there exists a need to undertake an appraisal of 191 Glen Road and 16 Fieldview Drive, Sparta, NJ by a certified professional appraiser for the purposes of appraising the market value of the subject properties; and

WHEREAS, funds are available for this purpose; and,

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and,

WHEREAS, the business disclosure entity certification and the determination of value shall be placed in a file with this resolution.

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

1. The Township of Sparta hereby makes the following appointment:

John Gillooly, MRICS, SCGRE, CTA
Newmark Knight Frank Valuation & Advisory, LLC

80 S. Jefferson Road
Whippany, NJ 07981
in an amount not to exceed \$2500.00

2. Political Contribution Disclosure: This contract has been awarded to John Gillooly based on the merits and abilities of John Gillooly to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Newmark Knight Frank Valuation & Advisory, LLC, it’s subsidiaries, assigns, or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Sparta, County of Sussex if a member of that political party is serving in an elective public office of the Township of Sparta, County of Sussex when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Sparta, County of Sussex when the contract is awarded.
3. Vendors performing work for and on behalf of Sparta Township must conduct business according to the highest ethical standards. The Township recognizes the right of individuals to engage in outside activities that are private in nature and unrelated to municipal business. However, business dealings can create or appear to create a conflict between the individual and the Township’s interest. Prior to becoming a vendor for the Township, all vendors are required to disclose possible conflicts so that the municipality may assess and prevent potential conflicts. Vendors, after being engaged by the Township, shall not engage in matters that create a conflict of interest for the Township. If a potential conflict arises, a vendor is required to promptly notify the Township Manager of the possible conflict of interest. The vendor shall not take any action that will be adverse to the Township.
4. A copy of this resolution shall be published in the New Jersey Herald as required by law within ten days of its passage.

6-7 Professional Services Resolution - Conflict Counsel

WHEREAS, N.J.S.A. 40A:11-1 et seq. the “Local Public Contracts Law” permits governing bodies to contract for certain professional services without competitive bidding; and,

WHEREAS, there exists a need to appoint conflict counsel for the purpose of defending tax appeals that will be going before the Sussex County Board of Taxation; and

WHEREAS, funds are available for this purpose; and,

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and,

WHEREAS, the business disclosure entity certification and the determination of value shall be placed in a file with this resolution.

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

1. The Township of Sparta hereby makes the following appointment:

William E. Hinkes, Esq.
 Hollander Strelzik Pasculli, et al
 40 Park Place
 Newton, NJ 07860
 in an amount not to exceed \$1000.00

1. Political Contribution Disclosure: This contract has been awarded to William E. Hinkes, Esq. based on the merits and abilities of William E. Hinkes to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Hollander Strelzik Pasculli, et al, it’s subsidiaries, assigns, or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16 in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Sparta, County of Sussex if a member of that political party is serving in an elective public office of the Township of Sparta, County of Sussex when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Sparta, County of Sussex when the contract is awarded.
2. Vendors performing work for and on behalf of Sparta Township must conduct business according to the highest ethical standards. The Township recognizes the right of individuals to engage in outside activities that are private in nature and unrelated to municipal business. However, business dealings can create or appear to create a conflict between the individual and the Township’s interest. Prior to becoming a vendor for the Township, all vendors are required to disclose possible conflicts so that the municipality may assess and prevent potential conflicts. Vendors, after being engaged by the Township, shall not engage in matters that create a conflict of interest for the Township. If a potential conflict arises, a vendor is required to promptly notify the Township Manager of the possible conflict of interest. The vendor shall not take any action that will be adverse to the Township.
3. A copy of this resolution shall be published in the New Jersey Herald as required by law within ten days of its passage.

6-8 Resolution to Renew ABC License 1918-33-006-004

WHEREAS, the Director of the Division of Alcoholic Beverage Control has granted authorization for the renewal of ABC License #1918-33-006-004, The Mohawk Inn LLC for the 2017-2018 license term nunc pro tunc pursuant to the provisions of N.J.S.A. 33:1-12.39.

BE IT RESOLVED by the Township Council of the Township of Sparta that the following alcoholic beverage license is herewith approved and the Municipal Clerk is authorized to issue said license for the year July 1, 2017 to June 30, 2018, nunc pro tunc.

6-9 ABC Renewals 2018-2019

BE IT RESOLVED by the Township Council of the Township of Sparta, that the following Alcoholic Beverage licenses be and are herewith approved and the Municipal Clerk is authorized to issue said licenses for the year July 1, 2018 to June 30, 2019:

1918-33-015-005	Fu's Mido Restaurant Inc. 227 Sparta Ave. Sparta, NJ 07871
1918-32-001-008	Kathryn P. Romano 1070 US Highway 46 Ledgewood, NJ 07852
1918-32-014-005	BBT Management Inc. t/a The Liquor Factory 41 Woodport Road Sparta, NJ 07871
1918-32-009-003	Burkes Inc. 6 Sparta Ave. Sparta, NJ 07871
1918-33-007-006	Lake Mohawk Golf Club 471 West Shore Tr. Sparta, NJ 07871
1918-32-017-004	Pino Sparta Enterprises LLC t/a Sparta Lanes 43 Theatre Center Sparta, NJ 07871
19118-31-021-001	William B Sanford Memorial Post #7248 66 Main St. Sparta, NJ 07871

1918-33-004-008	Branzak Enterprises t/a Rock Island Lake Club, LLC 485 Glen Rd. Sparta, NJ 07871
1918-31-018-001	Sparta Elks Lodge 2356 BPOE 6 West Shore Trail Sparta, NJ 07871
1918-33-011-004	Lake Mohawk Country Club Inc 21 The Boardwalk Sparta, NJ 07871
1918-33-012-005	Barjoet LLC t/a Village Saloon 712 Woodport Road Sparta, NJ 07871
1918-32-016-002	SPECAC Corp. t/a White Deer Inn 4 White Deer Plaza Sparta, NJ 07871
1918-33-010-010	Skyview Golf Course 226 Lafayette Road Sparta, NJ 07871