

SPARTA TOWNSHIP COUNCIL

AGENDA

August 28, 2018

PLEASE TAKE NOTICE that action will be taken on the following items at the regular Council meeting on Tuesday, August 28, 2018 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

TIME: The meeting is called to order at 6:00 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

RESOLUTION Open Public Meetings Act-Executive Session

1. ROLL CALL G,H,M,Q,W, MGR.,ATTY., MUN CLERK

SALUTE TO THE FLAG

PROCLAMATIONS Donna Jenkins Retirement
Turn the Town Teal

2. MINUTES Motion _S_ that the Regular Meeting Minutes held on August 14, 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

18-10 An Ordinance Appropriating the Total Sum of \$100,000.00 From General Capital Improvement Fund for Funding Various Capital Improvements or Purposes By The Township of Sparta, in the County of Sussex, New Jersey

18-11 An Ordinance Authorizing the Enforcement of Subtitle 1, Title 39 of the Revised Statutes of the State of New Jersey to be Applied to the Property Owned by RM Sparta Donuts, LLC, 550 Lafayette Road, in the Township of Sparta

5. OPEN TO THE PUBLIC

RESOLUTIONS

6. RESOLUTIONS

6-1 One Day ABC – Sparta Education Foundation

6-2 Refund for Tax Overpayment

6-3 Refund for Solid Waste Overpayment

6-4 Resolution Authorizing the Cancellation of Taxes on Billboards

6-5 Refund for County Board Tax Appeal

6-6 Refund for Homestead Rebate Credit

6-7 Resolution of the Township of Sparta Authorizing a Site Access, Indemnification

and Hold Harmless Agreement With
International Business Machines Corporation
For the AO Polymer Property Remediation

6-8

Resolution Awarding the Bid for the
Township of Sparta's Contract No. CN-18-
05 for Lease of Communications
Antenna/Transmission Space to T-Mobile
Northeast LLC

6-9

Resolution Consenting To The Proposed
Sussex County Wastewater Management
Plan Amendment Entitled "Sewer Service
Area Amendment Plan" For Sparta Board of
Education, Sparta Township, Sussex
County, New Jersey

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 One Day ABC License – Sparta Education Foundation

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Education Foundation, 12 Mountain Trail, Sparta, NJ for a one day liquor license on October 7, 2018 from 3:00 p.m. to 6:00 p.m. to be held at 24 Island Trail, Sparta, NJ 07871.

6-2 Refund for Tax Overpayment

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
2101	24	Mr. Cooper/Longstreth	97 Stanhope Rd	\$6991.41
10003	16	Shaun Curtis	39 Morgan Dr	\$5370.82

6-3 Refund for Solid Waste Overpayment

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following solid waste overpayments made in error:

ACCT#	NAME	ADDRESS	AMOUNT
99002610	Lori Biehler	44 Morris Lake Rd	\$75.00
9157	Quicken Loans	3 Cardinal Terr	\$81.00

6-4 Resolution Authorizing the Cancellation of Taxes on Billboards

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following overpayments erroneously billed during revaluation:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
11002	30B01	Gilroy, Thomas	342 Lafayette Rd	\$920.21
11002	30B02	Gilroy, Thomas	342 Lafayette Rd	\$920.21

6-5 Refund – County Board Tax Appeal

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayment due to successful County Board Tax Appeal:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4008	50	Lake Mohawk County Club	Off Summit Rd	\$5,282.34

6-6 Refund of Homestead Rebate Credit

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayment due to a Homestead Rebate Credit:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
1605	66	Morhhoff,Chester S.	726 W. Mountain Rd.	\$320.40

6-7 Resolution of the Township of Sparta Authorizing a Site Access, Indemnification and Hold Harmless Agreement With International Business Machines Corporation For the AO Polymer Property Remediation

WHEREAS, the Township of Sparta and International Business Machines Corporation (“IBM”), Inc. have agreed to enter into a Site Access, Indemnification and Hold Harmless Agreement (the “Agreement”) for IBM’s remediation of its property within the Township of Sparta to the extent that IBM’s activities will affect the Township’s property located at 80 Station Road (Tax Block 26002, Lot 12); and

WHEREAS, the Township of Sparta and IBM through their respective counsel have prepared the attached Agreement; and

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

1. The Site Access, Indemnification and Hold Harmless Agreement between the Township of Sparta and IBM is approved. The terms and conditions of the Agreement (Exhibit "A") are made a part of this Resolution.
2. The Mayor and Township Clerk are authorized to sign the Agreement on behalf of the Township.
3. This Resolution shall take effect immediately, and the Agreement shall take effect upon the full execution of the Agreement by the Township and by IBM. However, the Agreement and this Resolution shall be void and of no effect in the event that IBM fails or refuses to sign the Agreement.

6-8 Resolution Awarding the Bid for the Township of Sparta’s Contract No. CN-18-05 for Lease of Communications Antenna/Transmission Space to T-Mobile Northeast LLC

WHEREAS, the Township of Sparta sought bids for Lease of Communications Antenna/Transmission Space CN#18-05 as provided for in the Bid Specifications (CN#18-05); and

WHEREAS, the bids were opened on August 7, 2018, and T-Mobile Northeast LLC is the low bidder with a bid of \$3,100 per month for the first year of the Lease.

Agenda Is Subject To Change

WHEREAS, the Township Manager, Director of Utilities and the Township Attorney have reviewed the Bid submitted by T-Mobile Northeast LLC and have determined that it is materially consistent with the Township's specifications, subject to the Township Manager and Township Attorney agreeing to the final version of the Lease with T-Mobile Northeast LLC; and

WHEREAS, the proposal is in compliance with the provisions of the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12, *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#18-05 for Lease of Communications Antenna/Transmission Space to T-Mobile Northeast LLC; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the bid submitted by T-Mobile Northeast LLC for Lease of Communications Antenna/Transmission Space is accepted; and

BE IT FURTHER RESOLVED the Mayor and Township Clerk are authorized to sign the Lease with T-Mobile Northeast LLC substantially in the form attached to the Bid Specifications subject to revisions based on T-Mobile's exceptions provided that the final form of the Lease is deemed acceptable to the Township Manager and Township Attorney; and

A copy of this Resolution shall be placed on file with the Clerk of the Township.

This Resolution shall take effect immediately; however, it shall be void and of no effect in the event that T-Mobile Northeast LLC fails or refuses to execute the Lease.

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.

6-9 Resolution Consenting To The Proposed Sussex County Wastewater Management Plan Amendment Entitled "Sewer Service Area Amendment Plan" For Sparta Board of Education, Sparta Township, Sussex County, New Jersey

WHEREAS, the Township Council of the Township of Sparta desires to provide for the orderly development of wastewater facilities within Sparta Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WWMP plan; and

WHEREAS, the NJDEP has established the WWMP plan amendment procedure as the method of incorporating unplanned facilities into a WWMP plan; and

WHEREAS, a proposed WWMP plan amendment proposed by Sparta Board of Education, Block 26001, Lots 101 and 103, West Mountain Road has been reviewed by the Sparta Township Department of Community Development.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of August, 2018, by the Township Council of the Township of Sparta that:

1. Sparta Township hereby consents to the amendment entitled SEWER SERVICE AREA AMENDMENT PLAN proposed by the Sparta Board of Education and reviewed by the Sparta Township Department of Community Development for the purpose of its incorporation in the applicable WQM planes.
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4

RESOLUTION – OPEN PUBLIC MEETINGS ACT – EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 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.

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

The public shall be excluded from discussion of an action upon the hereinafter specified subject matters:

The general nature of the subject matter to be discussed is as follows:

- a. Litigation
- b. Personnel
- c. Contract Negotiations

It is anticipated at this time that the above stated subject matter will be made public when deemed appropriate.

This resolution shall take effect immediately.