

April 10, 2018

The meeting was called to order at 7:35 p.m. by Mayor Joshua Hertzberg who issued the formal statement in compliance with the provisions of the Open Public Meetings Act, Chapter 231, P.L.

Roll call was taken and present were: Mayor Hertzberg, Deputy Mayor Quinn, Councilwoman Whilesmith, Councilman Gibbs, Councilman Murphy, Township Engineer Eric Powell, Chief Financial Officer Sam Rome, Township Attorney Thomas Ryan, and Assistant Township Clerk Roxanne Landy. Township Manager William Close was absent.

Salute to the Flag:

Councilman Murphy led the assembly in a salute to the flag.

Proclamations:

Mayor Hertzberg read a proclamation for Child Abuse Prevention Month as well as Earth Day and National Work Zone Awareness Week. He also recognized two previous Proclamation recipients' from Troop #95 Eagle Scouts; William F. Somma and Dylan J. Gerisch. These Proclamations were given out on March 25, 2018 at Lake Mohawk Country Club.

Minutes:

On motion by Councilwoman Quinn, seconded by Councilman Murphy and carried, the minutes of the special meeting held on March 27, 2018 were approved. Councilwoman Whilesmith abstained.

Open to the Public:

No one wished to be heard this portion of the meeting was closed.

Manager's Report:

In the absence of Township Manager William Close, Chief Financial Officer Grant Rome read the Managers Report into the record:

JCP&L Winter Storm Follow up:

On Thursday, March 29th, the Township Mayor, Police Chief, and Manager met with Jackie Espinoza from JCP&L to perform a critique of the recent storm events with respect to recent outages that were experienced in the Township. JCP&L and the Township are reviewing the affected areas to make an assessment about trees in various locations that could pose potential problems in future storm events. A follow up meeting will be held at the end of May to compare notes as to susceptible locations. Also, JCP&L will perform a helicopter patrol on or about April 14th to do a comprehensive visual inspection of transmission lines in the area.

Department of Public Works Streets/Sidewalk Sweeping

Following the most recent storm events, the Department of Public Works will be sweeping the sidewalks in the area of Downtown/Main Street. This again is scheduled to occur in the next two weeks, weather permitting. We will bring Public Works equipment and staff in at approximately 4:00 a.m. so as to minimize any inconvenience to residents commuting to work.

Recreation Facilities

Please be advised that a review of the various Recreation facilities within the Township were performed by the Safety Coordinator, Eric Powell, along with Parks Department personnel following the recent Nor'easter storms to assess whether any damage was sustained. I am pleased to report that this review did not identify any sign of damage to facilities.

County Health Department

The Mayor, Deputy Mayor, Township Manager and Chief of Police attended the recent County Health Forum on Thursday, March 29, 2018. The Forum covered a brief review of various health services and local resources offered by the County Health Department and available to the residents of Sussex County. Sparta Township's Chief Spidaletto did an excellent job speaking at the Forum informing attendees about the Stationhouse Adjustment Program for Juvenile Delinquency Offenses which is offered to juveniles in lieu of criminal charges to keep them out of the criminal system for minor offenses. He also covered information regarding School Resource Officers and school security overall.

Township Bids

The Township will be taking bids for the following projects:

- **CN-18-03 Concrete Curb Removal and Replacement on Township Roads** – The Township has scheduled a bid opening for Tuesday, April 24, 2018, at 11:00 a.m.
- **CN-18-04 Ductile Iron and HDPE Pipe, Mechanical Fittings, Fire Hydrants, Water Service Repair Hardware and Related Accessories** – The Township has scheduled a bid opening for Thursday, April 26, 2018, at 11:00 a.m.

The Scope of Work on both bids may be reviewed and obtained at the Township Clerk's Office during regular business hours (8:30 a.m. to 4:30 p.m. Monday through Friday). Information is available on the Township Website www.spartanj.org under Bids RFP/RFQ.

Annual Sparta Township Water Utility Fire Hydrant Flushing Program

The Water Utility will be conducting hydrant flushing **starting the week of April 16, 2018** in the **Lake Mohawk, Highlands** and **Sunset Lake** water systems and that flushing would occur between the hours of 9 a.m. to 2 p.m., Monday thru Friday. We anticipate completing the program in five (5) weeks. Flushing should not disrupt service but sporadic water discoloration may occur and we caution you to watch your laundry water while the program is in effect. Should you have any questions, please visit our Hydrant Flushing Program link on the Township website at www.spartanj.org, and if problems should arise, please contact the Sparta Township Water Utility @ (973) 729-7133 between the hours of 8:30 a.m. to 4:30 p.m. To keep the residents aware, the week of April 9th, a notice will be placed in the New Jersey Herald and Sparta Independent, and on the Township's Website and Face book Page, Police Face book Page, Visual Message Boards as well as the Honeywell Alert for those directly affected by the flushing.

Vial of Life Program

Just another reminder about the Vial of Life program for residents of the municipality. Vial of Life Kits are available to those interested residents. These kits will make a difference in how quickly they are treated by having the kit available for emergency responders to treat them. Residents should do the following:

- Complete the Medical Form and place it in the Vial of Life baggie. (If additional Medical Forms for family members are needed, copies should be made from the original form included in the Kit.)
- Affix the baggie to the front of your refrigerator with the Decal facing forward.
- Place the second Decal on your front door. (This alerts responding personnel to the fact that your Emergency Information is readily available on the door of your fridge).

Again the Vial of Life Committee is looking to spread the word, have local organizations put the info on their websites, help distribute the kits, supply copy service, and consider a donation or

sponsorship. For information, please contact Marjorie Strohsahl, Vial of Life Chair, Sparta Woman's Club. Information can also be found on the Township's Website.

Township Free Shredding Event

Residents and Businesses are invited to attend our Free Shredding Event at the Sparta Public Works Complex, 15 Prices Lane, on Saturday, April 28, 2018, from 8:00 a.m. to 11:00 a.m. There is a limit of five (5) boxes or paper bags per visit. There is no limit on the number of visits per person/businesses during the event. Please be reminded that only confidential and sensitive documents are accepted! No magazines, newspaper or books are accepted. Information will be located on the Township website, Sparta Township and Police Face book pages, and through the Honeywell Alert System, and posted throughout the Township

Rev It Up 5K Run/Walk & 10K Run

For your information, on Saturday, April 14th, from 8:00 a.m. to 11:30 a.m., starting at the location of the PAL building and the areas of Station Road and Station Park and West Mountain Road, the annual Rev It Up 5K Run/Walk & 10K Run event will be taking place. The Main Street Events organization has filed the necessary documents with Sparta Township, Sparta PAL and the High School. The Police and Parks Department have also been made aware.

Marquette Council 588 Knights of Columbus Deborah Hospital Collection "Coin Toss"

Please be advised on Saturday, April 21, (Rain Date-Saturday, April 28), the local Knights of Columbus will hold a Coin Toss from 9:00 a.m. to 1:00 p.m. at the intersection of Route 181 (Sparta Avenue) and Main Street, known as the Sparta Jug handle near the Post Office. The organization has filed the necessary NJDOT Highway Occupancy Permit and the Sparta Police Department has been notified of same.

Honeywell Instant Alert

If residents have not already done so, please sign up for Honeywell Instant Alerts on our website at www.spartanj.org. You can sign up for what type of instant alerts you would like to receive, such as Storm Alerts, Hydrant Flushing, etc.

Sussex County Project Notice

We have been advised by the County of Sussex that repairs to the headwall of Bridge Q-18 on County Route 669 (Limecrest Road) started on Monday, April 9, 2018, with a construction duration of 2-3 weeks. Daily closures at the Bridge location may be required between the hours of 9:00 a.m. to 2:00 p.m. and detours with signs have been posted. We have posted the information on the Township Website and Face Book pages as well.

Approval of Manager's Report:

On motion by Councilwoman Whilesmith, seconded by Deputy Mayor Quinn and unanimously carried, the Manager's Report was approved as presented.

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

On motion by Councilman Murphy, seconded by Councilman Gibbs and unanimously carried, the following resolution was duly adopted:

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled 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 is hereby adopted on first reading and the same shall be considered for final passage at a meeting of the Township Council to be held on April 24, 2018 at 7:30 p.m. at the Municipal Building, 65 Main Street and the Township Clerk is authorized to publish notice of the introduction and final hearing according to law.

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

The second and final hearing of the ordinance entitled: 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 SPARTA was given and held open for public discussion.

No one wished to be heard and this portion was closed.

On motion by Councilman Murphy, seconded by Deputy Mayor Quinn and unanimously carried, the following resolution was duly adopted.

BE IT RESOLVED by the Township Council of the Township of Sparta that the following ordinance entitled: 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 SPARTA is hereby adopted on second and final reading and the Township Clerk is authorized to publish said notice and the ordinance will take effect in accordance with the law.

Open to the Public – Resolutions:

No one wished to be heard and this portion was closed.

Resolutions:

On motion by Councilwoman Whilesmith, seconded by Deputy Mayor Quinn and unanimously carried, Resolutions 7-1, 7-2, and 7-5 were duly adopted.

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.

7-5 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)

On motion by Deputy Mayor Quinn, seconded by Councilman Gibbs and carried, Resolution 7-4, **Resolution Ratifying Crispino Appeal and Referral to Assessment Commission**, was duly adopted. Councilman Murphy abstained.

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.

Resolution 7-3, **Adoption of Municipal Budget – Title Only**, was duly adopted by the following roll call vote:

Gibbs - Yes
Hertzberg – Yes
Murphy - Yes

Quinn - Yes
Whilesmith - Yes

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.

Council Liaison Reports:

Deputy Mayor Quinn stated that at the Planning Board meeting there had been a discussion, not a hearing, on the Introduction of the Planned Commercial Economic Development zone PCED. She stated that Council should have the initial paperwork that had been previously sent to them

on this subject. Deputy Mayor Quinn also added that no formal hearing had been put in place, but there was a discussion on this last week.

Deputy Mayor Quinn advised Council that they would be receiving notification for the May, September, October, and November events from the New Jersey League of Municipalities which have been recently finalized.

Councilman Murphy stated that the Economic Development Committee would be meeting on Thursday.

Councilman Gibbs mentioned that more information on the Trout Derby scheduled for May 5, 2018 would be forthcoming.

Old Business:

Councilman Murphy questioned Township Engineer Eric Powell regarding repair updates to the bridge in Station Park. Mr. Powell stated that based on the report that was received the only part the Township was waiting for was the appropriation of funds. Mr. Powell also stated that all the repairs were minor in nature and came under the bid threshold amount. He stated that the next step after the budget is adopted would be to obtain quotes.

New Business:

Deputy Mayor Quinn reminded Council that the Boy Scout Luncheon was at Perona Farms on May 4, 2018. She stated that this Luncheon was an annual event where local businesses honor women in the community. Deputy Mayor Quinn also requested that members of Council please respond if they were planning to attend.

Deputy Mayor Quinn commented on the health forum that was held at Sussex County Community College. She stated that there was quite a bit of information that was shared and she commended Chief Neil Spidaletto on a job well done. She stated that there was also a comment by Sparta Township Consultant, Steve Levinson, and that there should be a link established on the Sparta Township home page to the County services page.

Councilman Murphy requested a time frame clarification from Mayor Hertzberg on the Proclamation for National Work Zone week. Mayor Hertzberg stated that it is April 9-April 13, 2018. Councilman Murphy requested that this information be posted on the visual message and also asked if this could be done as soon as possible as the week is almost over.

Councilman Murphy stated that he was reviewing the proclamation procedure and noticed that all proclamation heading's stated "Office of the Mayor". He said that since the Township is not a Mayor/ Council form of government, he would like to see that statement be changed to "Office of the Township Council". Councilman Murphy further stated that proclamations technically come from the Township Council and the Mayor only signs it.

Deputy Mayor Quinn stated that the proposal could be discussed at another time.

Councilman Murphy requested that a consensus vote be taken at this time.

Mayor Hertzberg said the discussion should be taken offline.

Deputy Mayor Quinn also stated that she wanted to do research on the subject. Council agreed to table this matter for future discussion.

Mayor Hertzberg gave the floor to Township Engineer, Eric Powell, who along with Christopher J. Nash, P.E. from Boswell Engineering presented renderings and discussed the Phase IV portion of the Streetscape Project.

Mr. Nash stated that the area that would be developed would start at the circle straight up through Woodport Road. He stated that a similar design of brick paver patterns and street lights that was completed in the first three phases would be featured in Phase IV.

Open to the Public:

Township resident Dan Chiariello of 15 Cambridge Drive addressed Council and asked if the renderings would be available on the Township website for review. Mayor Hertzberg stated that the renderings were just concepts and as they move further along there would be public hearings for input. Mr. Chiariello asked the Council to consider that when it comes to the landscaping portion of Streetscape, that they consider working with Sussex County Cooperative Extension. He stated that this organization would help facilitate the proper species of foliage that would work best for this type of environment. Mr. Chiariello also voiced concern over the still unoccupied gas station on the corner and how that may affect the streetscape plan. Mayor Hertzberg stated that there had been a lot of discussion and interest in this property. He further stated that there had been discussion on how that property might best be utilized but nothing had been decided.

No one else wish to be heard and this portion was closed.

Expenditures:

On motion by Councilman Murphy and seconded by Councilman Gibbs and unanimously carried expenditures in the amount of \$1,963,539.68 were approved as presented.

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Councilman Murphy, seconded by Deputy Mayor Quinn and unanimously carried to adjourn at 8:24 p.m.

Respectfully submitted,

Roxanne Landy
Assistant Municipal Clerk