

July 24, 2018

The meeting was called to order at 6:08 p.m. by Mayor 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, Councilman Gibbs, Councilwoman Whilesmith, Councilman Murphy, Township Manager William Close, Chief Financial Officer Grant Rome, Township Attorney Angelo Bolcato, and Township Clerk Kate Chambers.

Open Public Meetings Act- Executive Session:

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

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:

1. The public shall be excluded from discussion of an action upon the hereinafter-specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Litigation
 - b. Personnel
 - c. Contract Negotiations
3. It is anticipated at this time that the above stated subject matter will be made public when deemed appropriate.
4. This resolution shall take effect immediately.

On motion by Councilman Murphy, seconded by Councilman Gibbs and unanimously carried, Council reconvened into public session at 7:20 p.m.

Salute to the Flag:

The Boy Scouts led the assembly in a salute to the flag.

Minutes:

On motion by Deputy Mayor Quinn seconded by Councilman Murphy and carried, the minutes of the regular meeting held on July 10, 2018 were approved as presented. Mayor Hertzberg abstained.

On motion by Councilwoman Whilesmith seconded by Councilman Gibbs and carried, the minutes of the executive meeting held on July 10, 2018 were approved as presented. Mayor Hertzberg and Councilman Murphy abstained.

Open to the Public:

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

Manager's Report:

Station Park / Basketball Court(s)

Mr. Close informed Council that he had been working with staff to provide a basketball court facility at Station Park. He stated that the Township Engineer had drawn up a schematic that would allow the existing pavement at the old skate park to be used as two (2) high school length basketball courts. He stated that the DPW would be doing the renovation work to dig out a portion of the bank that would allow for the fence to be extended and allow space for stands/picnic table(s) to be located there as well. He further stated that he would be having it resurfaced and lined for the new courts. Mr. Close stated that he would be having a contractor locate poles and run electric for base lighting on the courts.

Payment Drop Box

Mr. Close informed Council that he would be installing a drive-thru payment drop box which would make it more convenient, particularly during inclement/oppressive weather conditions, for residents to make their tax/water/solid waste payments to the Township. He stated that Cedar Contracting would be installing the Belgian Block curbing and concrete pad for the drop box during the first week in August in the lower parking lot of Town Hall. He commended the Tax Collector, Dianne O'Connor, for her work on this project along with the Township Engineer, Eric Powell, and DPW Director, James Zepp.

Paving and Microsurfacing

Mr. Close stated that the Department of Public Works staff had prepped the roadways that had been approved during the 2018 budget discussions for paving and microsurfacing. He stated that paving was scheduled to start on July 20th on West Mountain and Houses Corner Roads but had been suspended due to weather conditions. He further stated that the microsurfacing of Township roads schedule would continually be updated on the Township's website.

Eagle Scout Project

Mr. Close informed Council that he and the Township Engineer had met with an Eagle Scout for a project to improve and/or replace the informational signs on and around the fields at Station Park. He stated that he had been working with a local company, Signs Etc., to discuss prices and sign design. He further stated that he was looking to complete the project by the end of August.

Grant Writing

Mr. Close informed Council that the Township had received one bid from the Grant Writing Request for Proposal. He stated that the resolution had been placed on the Agenda pending the Township Attorney's review of same. He stated that the Township had worked with Millennium Strategies in the past and were pleased that they had submitted their proposal.

Township's Website

Mr. Close informed Council that the Township would be improving the current website by entering into a contract with a new vendor Digitalbrilliant LLC which is a local Sparta company who specializes in website design. He stated that he anticipated the new website to be up on or about August 1, 2018.

Clean Communities

Mr. Close stated that on Sunday, July 22nd, the Sparta's Runners Club performed a roadside clean-up along White Deer Plaza and East Shore Trail. He stated that the Sparta Township Clean Communities Grant Program provided mini-grants to those organizations interested in receiving funds by cleaning up debris from roads and parks within the Township. He further stated that Non-Profit Organizations/Entities wishing to receive a mini-grant by participating in a clean-up in the community could find the information on the website www.spartanj.org and to click on Sparta Clean Communities.

Upcoming Events

Mr. Close informed Council of the following upcoming events.

- A. **Summer Concert Series –Friday Nights** at Dykstra Concert Park from 7:00 p.m. to 10:00 p.m. The list of upcoming performers and information regarding the Concerts can be found on www.spartaarts.org and the Township’s website www.spartanj.org. Please remember, no dogs are allowed on Sparta public parks for the health, safety and welfare of those utilizing the parks.
- B. **Pass It Along Triathlon – Saturday, July 28th, 7:00 a.m. to 11:00 a.m.** around Lake Mohawk. For more information on the race go to www.trisignup.com/race/nj/sparta/passitalong.
- C. **Family Movie Night Under the Stars– Saturday, August 18th, Rain Date Saturday, August 25th, at dusk.** The feature movie is “Peter Rabbit”. Dykstra Park opens at 6:30 pm.

Summer events and programs for all ages are found on our websites, www.spartanj.org located under Special Events and www.spartalibrary.com.

Approval of Manager’s Report:

On motion by Deputy Mayor Quinn, seconded by Councilman Murphy and unanimously carried, the Manager’s Report was approved as presented.

Introduction 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

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: 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 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 August 28, 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

On motion by Councilman Murphy, seconded by Councilman Gibbs and unanimously carried **Ordinance 18-07, An Ordinance Approving an Agreement Between the Township of Sparta and Village Utility LLC, Granting to Village Utility LLC a Franchise to Serve and Municipal Consent and Permission to Construct, Operate and Maintain Wastewater Facilities in the Township Roads and Rights of Way** was tabled.

Open to the Public – Resolutions:

Dan Chiariello, 15 Cambridge Drive, Sparta addressed Council inquiring about the resolution for the redesign of the Township’s website.

Mayor Hertzberg responded stating that the website was being redesigned so that users could better navigate the site and in addition social media tools would be incorporated in order to reach across all demographics. Mayor Hertzberg further stated that a page would be added so that the EDC could help promote local businesses.

Mayor Hertzberg stated that the Township Auditor was present and asked Mr. Ferry if he had any comments or statements regarding the recent audit that was conducted by his firm.

Mr. Ferry addressed Council and stated that his team had looked at the internal controls of the Township and found two minor recommendations that required action and those corrective actions were currently listed on the Agenda. He further stated that the Township is in great financial condition mainly in part to the CFO's plan to structure debt so that the Township would be able to fund more projects with cash.

Council thanked Mr. Rome and Mr. Close for all of their efforts.

Mr. Close stated that it had been a team effort and thanked everyone in the Finance Department and all of the department heads who had contributed to this success.

Resolutions:

On motion by Councilwoman Whilesmith, seconded by Deputy Mayor Quinn and unanimously carried, Resolutions 7-1 through 7-12 were duly adopted.

7-1 One Day ABC License – Sparta Ecumenical Food Pantry / First Presbyterian Church

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Ecumenical Food Pantry / First Presbyterian Church, 32 Main Street, Sparta, NJ 07871 for a one day liquor license on October 11, 2018 from 6:00 p.m. to 10:00 p.m. at Lake Mohawk Country Club, 21 The Boardwalk, Sparta, NJ 07871.

7-2 ABC Renewal 2018-2019

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

1918-33-008-012	JKL Tavern LLC 191 Woodport Rd. Sparta, NJ 07871
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7-3 Disabled Veteran Tax Refund and Property Tax Exemption

WHEREAS, the owner of Block 27003, Lot 1, is a 100% permanently disabled veteran in accordance with N.J.S.A 54:4-30.30; and

WHEREAS, the property was purchased on April 16, 2018, and is entitled to the exemption as of the date of the deed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector cancels the 3rd and 4th quarter taxes of 2018 in addition to the 1st and 2nd quarters of 2019.

7-4 Refund for Tax Overpayment

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
27001	74	Ernest Blochinger	133 Main St	\$1,625.26
33002	63	Peter Anzelone	18 Boulder Ridge Cr	\$2,901.78

7-5 Refund for Water Bill Overpayment

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds water bill payment paid in error:

ACCT#	NAME	ADDRESS	AMOUNT
41011	Peter Anzelone	18 Boulder Ridge Cr	\$98.22

7-6 Cancellation of Various Reserves

WHEREAS, the Township of Sparta has an account Reserve for Revaluation of Taxes, and Reserve for Revision of Tax Maps in the Current Fund; and

WHEREAS, there is a balance in these Reserve Accounts which are no longer needed for their stated purposes; and

WHEREAS, it is necessary to formally cancel said balances so that they may be removed from the accounts ledger.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Sparta, that the following Current Fund Reserve Accounts be canceled to Current Fund Balance:

Description	Amount Canceled
Reserve for Revaluation of Taxes	\$ 205,172.50
Reserve for Revision of Tax Maps	\$ 14,276.55

7-7 Partial Release of Bond -North Village, Phase 1

WHEREAS, a performance bond was posted for North Village, Phase 1; and

WHEREAS, a recent inspection by the Sparta Township Municipal Engineer has confirmed that the work has been satisfactorily completed to release a portion of the performance bond.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Chief Financial Officer is hereby authorized to reduce the performance bond from \$1,432,334.00 to \$624,410.00, with \$89,769.00 in cash, plus any additional accrued interest to be refunded.

7-8 Award of Contract – Grant Consulting Services

WHEREAS, a request for proposals for Grant Consulting Services were solicited by the Township of Sparta on June 18, 2018; and,

WHEREAS, one proposal was received and reviewed by the Township’s Chief Financial Officer in conjunction with the Township Manager.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township that the contract be awarded to Millennium Strategies, LLC, 60 Roseland Avenue, Caldwell, NJ 07006 for a total amount not to exceed \$36,000.00 for the 2018 and 2019 contract year.

7-9 Awarding Contract for the Project Known as “2018 Improvements to Various Municipal Roadways” as Part of the Morris County Cooperative Pricing Council for a Total Amount Not to Exceed \$394,468.00

WHEREAS, the Morris County Cooperative Pricing Council has awarded Contract #6 for "Road Resurfacing" to Tilcon New York, Inc.; and

WHEREAS, the Township of Sparta wishes to utilize Tilcon New York Inc. ("Tilcon") through its membership in the Morris County Cooperative Pricing Council ("MCCPC") to perform the required milling and paving of municipal roadways and parking lots including but not limited to:

West Mountain Road (Sparta High School to Triple Crown Drive)
Houses Corner Road (West Mountain Road to House #606)
Green Apple Court

and purchase the above-stated materials and services; and

WHEREAS, the Township Finance Officer has certified that funds are available for this purpose,

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

1. The Township hereby confirms the authorization for the performance of road resurfacing by Tilcon New York, Inc. pursuant to MCCPC Contract #6, for a total amount not to exceed Three Hundred Ninety Four Thousand and Four Hundred Sixty Eight Dollars (\$394,468); and
2. The Mayor and Township Clerk, together with all other officers, professionals, and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. The foregoing project is subject to the certification of availability of funds by the appropriate officers of the Township.

Resolution shall take effect as herein provided.

7-10 Resolution Authorizing an Agreement Between the Township of Sparta and Digitalbrilliant LLC for Website Design and Maintenance Services

WHEREAS, the Township of Sparta maintains a website for the public's use and convenience; and

WHEREAS, the Township Council desires to update and enhance the Township's website; and

WHEREAS, as required by the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-6.1, the Township solicited quotations for web site design and maintenance services; and

WHEREAS, the Township Council has determined that the proposal submitted by Digitalbrilliant LLC in the amount of \$4,500.00 for website design and build out along with social media design and build out, and \$399.00 per month for website and social media channels for the one (1) year term of the contract, for a total contract cost of \$9,288.00, plus expense reimbursement for direct to third party vendor costs including WordPress Hosting, Facebook and Google, is the most advantageous to the Township, price and other factors considered; and

NOW, THEREFORE, BE IT RESOLVED, by the Sparta Township Council that the Township is hereby authorized to enter into an agreement with Digitalbrilliant LLC for website design and maintenance services for a period of one (1) year in an amount not to exceed \$9,288.00, plus third party vendor direct expenses to be approved in advance by the Township; and

BE IT FURTHER RESOLVED that the Township Manager is authorized to sign the agreement with Digitalbrilliant LLC, upon the review and approval of the final agreement by the Township Manager and Township Attorney.

This Resolution shall take effect immediately, however it shall be void and of no effect in the event that Digitalbrilliant LLC fails or refuses to sign the agreement.

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

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 remainder of this Resolution.

7-11 Annual Report of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

Comments and Recommendations

And,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Comments and Recommendations

As evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Sparta, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

7-12 Resolution Authorizing Acceptance of the 2017 Corrective Action Plan

BE IT RESOLVED by the Township Council of the Township of Sparta that the Township of Sparta hereby accepts the following Corrective Action Plan for the year 2017 as submitted by the Chief Financial Officer in compliance with Local Finance Notice No. 92-15 dated July 8, 1992.

Corrective Action Plan 2017 Audit Report

Recommendations:

1. That ordinances with a cash deficit over 5 years be funded.
2. That all backing documentation be available for recreation purchases.

Findings of Audit Recommendations:

1. That ordinances with a cash deficit over 5 years are fully within the Township's Utilities Funds. A concerted effort will be made to raise the amounts in future budgets. We have already applied some funds to the amount in 2017, and most amounts will be fully raised in 2018.
2. The Recreation Department has been informed and will get proper back up for purchase orders.

Council Liaison Reports:

Deputy Mayor Quinn gave an update on new businesses that had recently opened in town. She stated that where TCBY was on Newton Sparta Road it was now Playabowls which would attract the younger generation. She stated that Front Porch Organics opened and that it was an organic grocery store located across the street from the LMCC on West Shore Trail. She further stated that a new hair salon Painted Halo would be going in to the old paint studio on Sparta Ave. She stated that a new store was going into the Shabby Chicks location called BECIGA. She also stated that there had been new curbing installed for Wells Fargo Bank.

Councilman Murphy stated that the EDC had met and hired a company to come in and update the website. He stated that they discussed the sign ordinance and that there was still work that needed to be done on that. He stated that they were creating a creative assets inventory and that one of the members of the EDC would be going down to Frenchtown to take a look at their website.

Mayor Hertzberg stated that he had met with the EDC sub-committee on Sunday and that they went through the sign ordinance. He stated that they had some questions and suggestions and would like to set up a meeting with Deputy Mayor Quinn and Janice Stevens to discuss these items.

Councilman Gibbs stated that he would also like to meet with them because this came up years ago. He stated that the Planning Board had approved an ordinance but it never made it to Council.

Old Business:

Councilman Murphy stated that as a reminder to everyone that he had left information about the historical marker at their place on the dais. He stated that he wanted to authorize the Township Manager to issue a purchase order and a check to the County of Sussex so that the project could be completed. He stated that if there were any objections to the final product to please let him know so it could be rewritten.

Mayor Hertzberg stated that they would review the information and discuss it at the next meeting.

New Business:

Deputy Mayor Quinn informed Council that St. Clare's would be hosting a song contest. She stated that they were encouraging everyone to submit musical videos of themselves and that it would be due on July 31st. She stated that there would be a prize given to the winner. She further stated that she would forward the information to the Manager so that it could be posted on the Township website or the Facebook page to help support their efforts.

She stated that the Center for Prevention would be hosting their walk on August 4th for anyone who was interested in supporting that initiative, and that you could sign up on line.

Open to the Public:

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

Expenditures:

On motion by Deputy Mayor Quinn, seconded by Councilwoman Whilesmith, and carried Check 112239 in an amount of \$1200.00 was approved as presented. Councilman Murphy abstained.

On motion by Deputy Mayor Quinn, with the exception of check #112239 for \$1200.00, seconded by Councilwoman Whilesmith and carried expenditures in the amount of \$8,637,514.29 were approved as presented.

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Deputy Mayor Quinn, seconded by Councilman Murphy and unanimously carried to adjourn at 8:01 p.m.

Respectfully submitted,

Kate Chambers, RMC
Municipal Clerk