

May 22, 2018

The meeting was called to order at 7:30 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 Attorney Thomas Ryan, Township Manager William Close, Chief Financial Officer Sam Rome and Township Clerk Kate Chambers.

#### **Salute to the Flag:**

Councilman Murphy 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 May 8, 2018 were approved as presented.

#### **Open to the Public:**

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

#### **Manager's Report:**

##### **Vulnerability Assessment/Active Shooter Training**

Mr. Close informed Council that the Township held its Vulnerability Assessment / Active Shooter Training on Friday, May 18<sup>th</sup>. He stated that the company, ASR, began work on Wednesday, May 16<sup>th</sup> inspecting sites and interviewing various employees/departments. He further stated that a demonstration of the system was done on Friday with some suggested improvements identified. He stated that their report would be submitted to the Township within the next two weeks. He stated that approximately forty-three individuals participated in the event including representatives from the local schools, County Sheriff's Department, County Prosecutor's Office, Chiefs/law enforcement personnel from various towns throughout the County, our Risk Manager, and Senator Oroho and Assemblyman Wirths.

##### **Click it or Tick It**

Mr. Close stated that the Sparta Police Department would be stepping up enforcement to crack down on motorists not wearing their seat belts starting May 21<sup>st</sup> through June 3<sup>rd</sup>. He stated that the Program would remind us that when you're not wearing your seat belt, you're risking serious injury to yourself and/or the passengers in your vehicle.

##### **Tax Appeals 2018**

Mr. Close reported that the final count of tax appeals filed with the County Tax Board by residents in Sparta Township was 127 which total \$70.3 million in assessed value which is about 2.4% of the total ratable in Town. He stated that May 31<sup>st</sup> was the first scheduled hearing for those appeals by the County Board of Appeals.

##### **Annual Sparta Township Water Utility Fire Hydrant Flushing Program**

Mr. Close informed Council that all Hydrant Flushing had been completed. He stated that as a point of reference there were over 900 hydrants in these sections of the system. He commended the Utility Department for their hard work in getting the flushing program completed in the targeted time frame.

## **CN-18-02 Coating of Seneca Lake Water Storage Tank**

Mr. Close stated that the painting of the Seneca Lake Storage Tank had been delayed due to weather conditions. He stated that the plan was to mobilize the project within the next two weeks with a project completion of 5 to 7 weeks (mid July).

### **RFP's**

Mr. Close informed Council that the Township would be seeking Request for Proposals for Grant Writing Services, Technology Upgrade/Improvements at Station Park, and Energy Savings Improvement Program (ESIP).

### **Recent Storm Events**

Mr. Close gave the following updates on the recent storm event. He stated that for the residents who had experienced the loss of power, the following occurred:

**Go 2 Center** – Both the Town Hall/Police Department Communications Center and Sparta Library were opened as Go 2 Centers during the event. The Library, with assistance from the Community Emergency Response Team “CERT”, was able to accommodate approximately 20 people per day offering coffee and places for people to charge their electronic devices.

**Utility Department** – Widespread outages caused loss of power at 14 different well sites and 7 booster sites. The majority of our water systems and pressure areas had no communication and were 100% reliant on generator power. The staff was able to manually manipulate the water supply to maintain service to customers but the majority of water customers were not impacted. The upper booster on Alpine Trail unfortunately did experience problems with the generator and lack of power for a brief period of time as the fuel company could not access the site due to a downed tree entangled in wires. This resulted in a small portion of the Alpine section customers experiencing low water pressure. Approximately 20 homes were impacted. I am happy to report that the Township’s sewer system never lost power and therefore experienced no issues.

**Ungerman Complex** - Service wire from Fisher Building to Mini-Park Bathroom was compromised by a falling limb. Signs were posted at the bathrooms. The light room building roof lost approximately half of the shingles on the roof where staff secured a tarp to prevent any water filtration (approximately half). All sports lights and bathrooms at the synthetic field were not affected.

**Station Park** - Minor trees came down and have been cleaned up and removed by Parks Maintenance Staff. Small amount of shingles came off the Maintenance Garage and as soon as the weather allows, Parks staff will assess any damage and estimate the number of shingles to replace, and no additional damage was made to the roof and it is watertight. No damage to any of the fields, light posts or fencing.

**White Lake** - No major damage or trees down, one soccer goal was blown over and were re-secured with additional "J" bolts. Sparta Soccer Club's port-a-johns were blown over and the port-a-john company was notified to take care of them.

- **Upcoming Events**

- A. Memorial Day Parade – **Monday, May 28, 2018, 10:00 a.m. start.** VFW Post #7248 and the Township have submitted with the County the Application for road closure for the annual Parade.
- B. Sparta Day – **Saturday, June 2, 2018, 10:00 a.m. to 4:00 p.m.**, Station Park, sponsored by the Junior Woman’s Club of Sparta, with support from Sparta Parks & Recreation

### **Approval of Manager's Report:**

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

### **Introduction of Ordinance**

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 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" 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 June 12, 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**

#### **18-05 An Ordinance Amending Chapter VII, "Traffic", of the Revised General Ordinances of the Township of Sparta, Amending Section 7-30 "Mid-Block Crosswalks"**

The second and final hearing of the ordinance entitled: AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA, AMENDING SECTION 7-30 "MID-BLOCK CROSSWALKS" 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 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 AMENDING CHAPTER VII, "TRAFFIC", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA, AMENDING SECTION 7-30 "MID-BLOCK CROSSWALKS" 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 Whiesmith, seconded by Deputy Mayor Quinn and unanimously carried, Resolutions 7-1, through 7-5 were duly adopted.

#### **7-1 Fireworks Display – Lake Mohawk Country Club**

BE IT RESOLVED by the Township Council of the Township of Sparta that permission is granted to Fireworks Extravaganza, 174 Route 17 North, Rochelle Park, NJ to hold a fireworks display at the Lake Mohawk Country Club on Tuesday, July 3, 2018, between the hours of 9:00 p.m. and 10:30 p.m., with a rain date of July 4th.

## **7-2 Resolution to Rescind ABC Renewal of License #1918-33-006-004**

BE IT RESOLVED by the Township Council of the Township of Sparta that the approval of the renewal of Alcoholic Beverage License #1918-33-006-004, issued to The Mohawk Inn LLC for the license term July 1, 2017 to June 30 2018 adopted by the Sparta Township Council at the Council meeting held on June 27, 2017 is rescinded and will be renewed upon receipt of the 12.39 special ruling relief which will be issued by the Director of the Division of ABC.

## **7-3 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.

#### **7-4 Professional Services Resolution – Appraisal Services/Added Assessments**

WHEREAS, the Township of Sparta has need for the Professional Services of an appraisal service relating to added assessments for the 2018 tax year; and

WHEREAS, funds are available for this purpose; and

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, N.J.S.A. 40A:11-5 requires that the award of contracts for Professional Services be publicly advertised and the contract itself be available for public inspection.

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

1. The Township of Sparta hereby appoints Appraisal Systems, Inc., 266 Harristown Road, 3<sup>rd</sup> Floor, Glen Rock, New Jersey rates as follows with an amount not to exceed \$5,000.00:

**Class 2 Properties:**

Decks, Porches, CAC, Siding/Windows, Bath/Kitchen Renovations, Finished Basement & all other misc.	\$30.00
----------------------------------------------------------------------------------------------------------	---------

Additions:	\$45.00
Additions over 1,000 SF:	\$60.00
New construction:	\$65.00
New construction over 5,000 SF:	\$75.00

**Class 4A Properties:**

Up to \$250,000 value added (improvement)	\$200.00
\$250,000 to \$500,000 value added:	\$250.00
\$500,000 to \$1,000,000 value added:	\$300.00
\$1,000,000 to \$5,000,000 value added:	\$350.00
over \$5,000,000:	\$500.00

**Class 4B Properties:**

Up to \$250,000 value added (improvement)	\$175.00
\$250,000 to \$500,000 value added:	\$200.00
\$500,000 to \$1,000,000 value added:	\$250.00

\$1,000,000 to \$5,000,000 value added:	\$300.00
over \$5,000,000:	\$350.00
Class 4C Properties:	
4 to 8 units:	\$150.00
9 to 16 units:	\$275.00
17 to 32 units:	\$325.00
33 to 64 units:	\$400.00
over 64 units:	\$500.00
Class 15 Properties:	
All types:	\$150.00
Updates on permits in progress:	
All types:	\$15.00
Digital Photographs:	\$ 2.50 per line item

2. Political Contribution Disclosure: This contract has been awarded to Appraisal Systems based on the merits and abilities of Appraisal Systems 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 Appraisal Systems, its 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. This Professional Service resolution will be published within ten days of its passage in the New Jersey Herald as required by law.

#### **7-5 Resolution Authorizing the Tax Collector to Prepare and Mail Estimated Tax Bill in Accordance with P.L. 1994 C. 72**

WHEREAS, due to the late approval by the State of New Jersey for Sparta Township’s 2018 budget, the Sussex County Board of Taxation is unable to certify the tax rates for Sparta Township and the Sparta Tax Collector will be unable to mail the Township’s 2018-2019 tax bills on a timely basis; and

WHEREAS, the Township of Sparta’s Tax Collector, in consultation with the Township’s Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Sparta that the Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the third quarter installment of 2018.

BE IT FURTHER RESOLVED that the entire estimated tax levy is set at \$96,447,419.00 and in accordance with the law, the third quarter installment of 2018 taxes shall not be subject to interest until the twenty-sixth (26<sup>th</sup>) day after the date of mailing of the tax bills with interest charged back to the statutory due date of August 1, 2018.

**Council Liaison Reports:**

Deputy Mayor Quinn stated she had attended a meeting and a presentation with the County Health Department and will be giving a briefing to Council at a future meeting.

**Old Business:**

There was no old business this portion of the meeting was closed.

**New Business:**

There was no new business this portion of the meeting was closed.

**Open to the Public:**

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

**Expenditures:**

On motion by Deputy Mayor Quinn, seconded by Councilman Gibbs and unanimously carried expenditures in the amount of \$6,455,080.11 was approved as presented.

**Proclamation – Sgt. Michael Krapels**

Mayor Hertzberg read the proclamation for Sergeant Michael Krapels, a disabled war veteran, commemorating his courage and determination to recover from substantial injuries to both of his legs and return to the battlefield in Afghanistan. The Council also dedicated the entranceway to the VFW as Sgt. Krapels Way.

Mayor Hertzberg announced the formation of a Salute Committee that would be devoted to keeping track of Sparta residents who joined the military and to stay informed in the event military people from Sparta were to be injured or hospitalized.

**Adjournment:**

No one else wished to be heard and no further business was brought up, motion was made by Councilman Murphy, seconded by Councilwoman Whilesmith and unanimously carried to adjourn at 7:48 p.m.

Respectfully submitted,

Kate Chambers, RMC  
Municipal Clerk