

April 11, 2023
Sparta Council Meeting Agenda
and
Related Documents

1. Sparta Council Meeting Agenda And Documents

Documents:

A-TC_AGENDA 04-11-2023-W.PDF
23-03 FLAG ORDINANCE - F.PDF
23-05 SPARTA WATER AND SEWER CONNECTION FEE ORDINANCE.PDF
23-06 VETERAN TAX EXEMPTION ORDINANCE-R.PDF
23-07 ORDINANCE GRANTING BRIDGE ESMT TO COUNTY.PDF
23-08 ORDINANCE GRANTING WATERMAIN ESMT TO NEWTON.PDF
23-09 POLICE CIVIL SERVICE ORDINANCE AMENDMENT.PDF
23-10 CAP INDEX RATE-R.PDF



SPARTA TOWNSHIP COUNCIL

AGENDA

April 11, 2023

PLEASE TAKE NOTICE that action will be taken on the following items at the Regular Council meeting on Tuesday, April 11, 2023 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

TIME:

The meeting is called to order at 6:30 pm. The regular meeting begins at 7:30 pm.

STATEMENT:

Adequate notice of this meeting was provided to the public and the press on January 6, 2023 by delivering to the press and posting on the Township website a copy of the notice.

1. ROLL CALL

Councilman Dean Blumetti, Mayor Dan Chiariello, Deputy Mayor Neill Clark, Councilman Josh Hertzberg, Councilwoman Christine Quinn, Township Manager, Attorney, Municipal Clerk

RESOLUTION

Open Public Meetings Act-Executive Session Motion _S_

SALUTE TO THE FLAG

PROCLAMATIONS

Child abuse

Donate life

Earth Day



2. MINUTES

Regular Meeting Minutes held on February 28, 2023

3. MANAGER'S REPORT

APPROVAL OF MANAGER'S REPORT

4. OPEN TO THE PUBLIC

Items not on the Agenda

5. EXPENDITURES

6. INTRODUCTION OF ORDINANCE

23-03 AN ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF SPARTA RESPECTING THE DISPLAY OF
FLAGS ON TOWNSHIP FLAGPOLES

23-10 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

7. HEARING OF ORDINANCE

23-05 AN ORDINANCE AMENDING TOWNSHIP OF SPARTA
CODE SECTIONS 19-14.s and 20-3.6 REGARDING WATER
AND SEWER UTILITY CAPITAL CONNECTION FEES



- 23-06 AN ORDINANCE AMENDING CHAPTER 2
“ADMINISTRATION”, ARTICLE XI, “TAXATION AND
REVENUE” OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF SPARTA, ADDING A NEW SECTION 2-
62, 100% DISABLED VETERAN TAX REFUNDS”
- 23-07 AN ORDINANCE GRANTING A PERMANENT, NON-
EXCLUSIVE BRIDGE EASEMENT OVER A PORTION OF
BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF THE
TOWNSHIP OF SPARTA TO THE COUNTY OF SUSSEX
- 23-08 AN ORDINANCE GRANTING A PERMANENT, NON-
EXCLUSIVE WATERMAIN EASEMENT OVER A PORTION
OF BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF
THE TOWNSHIP OF SPARTA TO THE TOWN OF NEWTON
- 23-09 AN ORDINANCE AMENDING CHAPTER 2,
ADMINISTRATION, ARTICLE VI,
DEPARTMENTS CREATED, SECTION 2-
18.4.H CLASSIFICATIONS OF APPLICANTS
AND ORDER OF APPOINTMENT THEREOF,
OF THE MUNICIPAL CODE OF THE
TOWNSHIP OF SPARTA

8. OPEN TO THE PUBLIC

Resolutions

9. RESOLUTIONS

- 9-1 – Resolution for Tax Overpayments due to NJ Court Stipulation
- 9-2 Introduction of Municipal Budget – Title Only
- 9-3 Resolution Authorizing the Private Sale and Assignment of Tax Sale
Certificate 19-00068 For Block 4001, Lot 37 to Woodbine Capital LLC



- 9-4 Resolution of the Township of Sparta Approving Consulting Services Agreement for Township Manager Search Consultant
- 9-5 Resolution of the Township of Sparta Approving Professional Services Agreement with Forty Twenty Seven LLC
- 9-6 Resolution Approving the Submission of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Station Road Improvement Project.
- 9-7 Resolution of The Township Council of the Township of Sparta, County of Sussex, Ratifying and Executing an Acknowledgement and Release Agreement

10. COUNCIL LIAISON' UPDATES

11. UNFINISHED BUSINESS

Agenda items

- 1. Zoning Board- 1 Alternate vacancy
- 2. Economic Development Committee
- 3. Steve Levinson-Manager update
- 4. Environmental Commission

12. NEW BUSINESS

- 1. State Plan Endorsement Committee

13. OPEN TO THE PUBLIC

14. ADJOURNMENT



9-1 Resolution for Tax Overpayments due to NJ Court Stipulation

BE IT RESOLVED BY THE Township Council of the Township of Sparta that the Tax Collector refunds the following tax over payment due to NJ State Court Stipulation

BLOCK	LOT	AMOUNT	YEAR
17001	5	\$5,868.40	2017
17001	5	\$5,778.65	2018
17001	5	\$5,871.85	2019
17001	5	\$5,871.85	2020

9-2 Introduction of Municipal Budget – Title Only

BE IT RESOLVED by the Township Council of the Township of Sparta that the budget by title only inasmuch as the conditions set forth in N.J.S.A. 40:4-5 shall be met as follows: that a complete copy of the approved budget shall be posted in the Municipal Building and copies of said budget shall be made available to each person requesting the same prior to a public hearing to be held on a May 9, 2023.

9-3 Resolution Authorizing the Private Sale and Assignment of Tax Sale Certificate 19-00068 For Block 4001, Lot 37 to Woodbine Capital LLC

WHEREAS, by public sale held on October 21, 2020, the Township of Sparta purchased Tax Sale Certificate No. 19-00068 (the “Tax Sale Certificate”) for the property located at 2 Manitou Falls Terrace, Sparta, New Jersey, designated as Block 4001, Lot 37 on the Tax Maps of the Township of Sparta and assessed to Lisa Matera; and

WHEREAS, Woodbine Capital LLC offered to purchase the Tax Sale Certificate from the Township; and

WHEREAS, the Township is authorized to sell and assign at private sale Tax Sale Certificates which it holds pursuant to the provisions of N.J.S.A. 54:5-113 et seq.; and

WHEREAS, the Township has complied with the mailing, publication, and posting requirements of notice of its intent to assign the Tax Sale Certificate pursuant to N.J.S.A. 54:5- 114; and



WHEREAS, the total amount now due on Tax Sale Certificate 19-00068 as of March 29, 2023, including the original sale, together with all subsequent liens thereon is \$39,651.82; and

WHEREAS, Woodbine Capital LLC must pay the total balance owed, including all accrued taxes and interest as a condition of the sale.

NOW, THEREFORE, BE IT RESOLVED by the Sparta Township that the assignment of Tax Sale Certificate No 19-00068 to Woodbine Capital LLC is hereby approved, conditioned upon Woodbine Capital LLC paying the Township the full balance owed for all municipal liens against the property; and

BE IT FURTHER RESOLVED that the Mayor and Clerk be and the same are hereby authorized to execute an Assignment of Tax Sale Certificate on behalf of Sparta Township, and the assignment shall be provided to Woodbine Capital LLC upon receipt of the payment for the Tax Sale Certificate.

In the event Woodbine Capital LLC fails to pay the full amount owed, this Resolution shall be void and of no effect.

9-4 Resolution of the Township of Sparta Approving Consulting Services Agreement for Township Manager Search Consultant

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

WHEREAS, the Sparta Township Council desires to contract with a Township Manager Search Consultant; and

WHEREAS, the Township’s Chief Financial Officer has certified that sufficient funds are available for this purpose; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-6.1) allows a contract to be awarded after soliciting at least two (2) competitive quotations, when the aggregate price is less than the bid threshold but fifteen percent (15%) or more of that amount; and



WHEREAS, The Township obtained multiple quotations and desires to accept the proposal provided by Steven Levinson from Assurance Consulting Associates, LLC in the amount of \$1,500.00 per month for six (6) months, which amount is less than the Township's bid threshold.

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

1. The Sparta Township Council hereby approves the attached Consulting Services Agreement with Steven Levinson and Assurance Consulting Services, LLC, for six (6) months at the rate of \$1,500.00 per month.
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 placed on file with the Clerk of the Township.
4. This Resolution shall take effect immediately, however it shall be void and of no effect in the event that the consultant fails or refuses to sign the agreement.
5. 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.



9-5 Resolution of the Township of Sparta Approving Professional Services Agreement with Forty Twenty Seven LLC

WHEREAS, the Township of Sparta desires to enter into a Professional Services Agreement for GIS mapping and related services and has received a proposal from David Manhardt, AICP, Forty Twenty Seven, LLC in the amount of \$125 per hour not to exceed \$7,500; and

WHEREAS, the Township desires to approve the Professional Services Agreement with David Manhardt, AICP, Forty Twenty Seven, LLC for GIS mapping and related services with a project completion date on or before December 31, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the proposal for GIS mapping and related services submitted David Manhardt, AICP, Forty Twenty Seven, LLC, at the rate of \$125 per hour and not to exceed \$7,500 as reflected in the attached Professional Services Agreement is hereby approved subject to the review of the final document by the Township Manager and Township Attorney. The Township Chief Financial Officer has confirmed that the Township has sufficient funds available for the contract; and

BE IT FURTHER RESOLVED the Mayor and Township Clerk are authorized to sign the Professional Services Agreement with David Manhardt, AICP, Forty Twenty Seven, LLC, on behalf of the Township; and

A Notice in accordance with the Local Public Contracts Law shall be published in the New Jersey Herald to the extent required by law.

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 David Manhardt, AICP, Forty Twenty Seven, LLC, fails to sign the Professional Services.

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.

9-6 Resolution Approving the Submission of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Station Road Improvement Project.

WHEREAS, the Township of Sparta is requesting funding from the New Jersey Department of Transportation through the Local Transportation Projects Fund Program for the completion of the Station Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Sparta formally approve the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as “*LTPF-2023-Station Road Improvement Project-00069*” to the New Jersey Department of Transportation on behalf of the Township of Sparta.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Sparta and that their signature(s) constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

9-7 Resolution of The Township Council of the Township of Sparta, County of Sussex, Ratifying and Executing an Acknowledgement and Release Agreement

WHEREAS, the Township of Sparta has entered into a certain Acknowledgement and Release Agreement which has been negotiated between the parties in a personnel matter; and



WHEREAS, the Mayor and Township Counsel have been afforded an opportunity to review the Acknowledgement and Release Agreement and the employee has executed the Acknowledgement and Release Agreement; and

WHEREAS, the Township seeks to ratify and execute the Acknowledgement and Release Agreement; and

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

1. The Acknowledgement and Release Agreement between the Township of Sparta and its employee is hereby approved.
2. The Mayor and Township Clerk are authorized to sign the Acknowledgement and Release Agreement on behalf of the Township of Sparta, as well as any other documentation necessary to effectuate this settlement.
3. The Resolution shall take effect immediately.

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

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.



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
- d. Miscellaneous Legal Advice

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.

**AN ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF SPARTA RESPECTING
THE DISPLAY OF FLAGS ON TOWNSHIP FLAGPOLES**

WHEREAS, the Government Speech Doctrine establishes that a government organization, such as the Township of Sparta, may advance its own expression without requiring viewpoint neutrality when the government itself is the speaker, so long as its expression does not show religious preference; and

WHEREAS, the Township Council maintains flagpoles on various public building and within public parks and playgrounds within the Township of Sparta; and

WHEREAS, the Township Council wishes to permit the display of commemorative flags upon Township owned flagpoles as a form of government expression; and

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

SECTION 1. The Code of the Township of Sparta is hereby amended to read in full as follows:

Display of flags.

- (a) In addition to the Flag of the United States, the Township of Sparta may display such additional flags on Township owned flagpoles on public buildings and in public parks and playgrounds as the Township Council may authorize by resolution as a form of government speech, provided the display conforms to the provisions of Sections 2 and 3 below.
- (b) The Flag of the United States shall be displayed highest and any such additional flags shall be flown below the Flag of the United States. The Flag of the United States shall be displayed in accordance with and in the manner prescribed in Chapter 1 of Title 4 of the United States Code (4 U.S.C.S. §§ 1-10).
- (c) The Township's flagpoles are not intended to serve as a forum for free expression by the public. Rather, the Township's flagpoles are to be used exclusively by the Township, where the Council may display a commemorative flag as an expression of the Township Council's official sentiments which shall constitute government speech. The Township will not display a commemorative flag based on a request from a third party, nor will the Township use its flagpoles to sponsor the expression of a third party.
- (d) No person shall display or place upon any flagpole owned by the Township of Sparta any flag or other object not otherwise authorized as an expression of government speech by the Township Council of the Township of Sparta and without the express written permission of the Township of Sparta.
- (e) Commemorative flags shall be displayed for a period of time that is reasonable and

customary for the subject to be commemorated.

- (f) Owing to their very nature as expressive locations meant for contemplation and reflection, monuments and memorials and other similar structures donated as a remembrance, shall not be deemed locations for flying expressive flags via resolution.
- (g) In addition to the Flag of the United States and such other flags as may be authorized by resolution of the Township Council, the following flags are hereby permitted to be displayed upon flagpoles owned by the Township of Sparta as a form of expression of government speech, in the manner set forth above:
 - 1) Flag of the State of New Jersey
 - 2) P.O.W./M.I.A (Prisoner of War/Missing in Action)) flag as provided in Title 36, Chapter 9, §902 of the United State Code (36 U.S.C.S. §902)
- (h) Nothing contained herein is intended to abridge the right of the citizens of the Township of Sparta to petition or request the Township Council to authorize an expression of government speech.

SECTION 2. The following flags are considered commemorative flags for purposes of this ordinance and may be displayed pursuant to the policies and procedures identified herein as an expression of the Sparta Township Council's official sentiments:

- (a) Flags of governments recognized by the United States.
- (b) Flags of Sister Cities: The flags of official Sister Cities of Sparta may be displayed in conjunction with an event involving the Sister City.
- (c) Flags displayed in conjunction with official ceremonial items: Other flags may be displayed in conjunction with official actions, ceremonial items, or proclamations of the Sparta Township Council.
- (d) Flags of sports teams: The flag of a Sparta Township sports team may be displayed in commemoration of a significant achievement.
- (e) Flags consistent with Sparta Township's mission and priorities: Flags may be displayed that identify with a specific historical event, cause, nation or group of people that the Township Council chooses to honor or commemorate consistent with Sparta Township's mission and priorities.

SECTION 3. The following are not allowed as commemorative flags and will not be considered by the Township Council:

- (a) Flags of a particular religious movement or creed, so as to avoid the appearance of the Sparta Township Council endorsing religion or a particular religious movement or creed;
- (b) Flags of a political party to avoid the appearance of the Sparta Township Council endorsing a political party; and
- (c) Flags advocating a certain outcome in an election.

SECTION 4. Flag Policy

A. Purpose

1. In addition to the procedures contained within other sections of the Ordinance, the Township of Sparta hereby establishes the following guidelines regarding the display of commemorative flags on Township-owned or Township-maintained facilities.
2. The Township Council shall only consider a request to display a commemorative flag if a majority of the Township Council members agree to place the issue on the agenda for a regular or special Township Council meeting. Further procedural requirements are outlined in Subsection B.
3. At a noticed and agendaized Township Council meeting, a majority of Council members would need to adopt a Resolution in order to authorize the flying of the commemorative flag.
4. Commemorative flags must be temporarily donated for the Township's use and be clean, without holes and tears, and be made of an all-weather fabric. The Township will not be responsible for the condition of the commemorative flag once flown and may dispose of any such flag not picked up within thirty (30) days after it has been flown. Flags cannot be larger than 4 ft. x 6 ft. The Township will not purchase the commemorative flags.
5. All commemorative flags must be smaller in size than the American Flag, the New Jersey State flag and the P.O.W./M.I.A. flag that is displayed. A commemorative flag shall not be flown on the same flag pole as the flag of the United States or the P.O.W./M.I.A. flag. A commemorative flag may be flown underneath the New Jersey State flag on the same flag pole.
6. No commemorative flag or flags may be flown at a Township location having only one flagpole.
7. When the flag of the United States is at half-mast, the commemorative flag will also be flown at half-mast.

B. Procedure

1. Only a Sparta resident or an organization domiciled in Sparta Township may make a request of the Township Council to display a commemorative flag. The Sparta resident or organization who would like to request a commemorative flag to be approved by the Township Council must make a written or electronically mailed request to the Township Manager. The Township Manager shall distribute requests to all members of the Township Council. All requests will then be placed on an agenda for a regular or special Township Council meeting and the request will be considered by the Township Council pursuant to this Ordinance.
2. The Township Council will only display commemorative flags that it approves as its

own government speech.

3. Flags will be flown according to the U.S. Flag Code.

SECTION 5. Inconsistency - All ordinances or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. Severability - If any clause, sentence, section or other portion of this ordinance, or the application thereof to any person or circumstance, shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

SECTION 7. Effective Date - This ordinance shall take effect twenty (20) days following passage and publication as required by law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

**AN ORDINANCE AMENDING TOWNSHIP OF SPARTA
CODE SECTIONS 19-14.s and 20-3.6 REGARDING
WATER AND SEWER UTILITY CAPITAL
CONNECTION FEES**

WHEREAS, Township of Sparta Code Section 19-14.s addresses the Township’s water connection fee, and Section 20-3.6, addresses sewer connection fees. The Sparta Township Council desires to amend Township Code Sections 19-14.s and 20-3.6 to include the Township’s current water and sewer capital connection fee amounts as determined by the Township’s auditor, to remove the White Deer Plaza Treatment Municipal Utility Connection Fee since this system was merged into the Town Center system, and to update the equivalent dwelling unit (“EDU”) calculation table contained in Section 20-3.6.e.2 Table I.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Sparta, County of Sussex, State of New Jersey, that the Township of Sparta Code, Sections 19-14.s and 20-3.6, regarding water and sewer capital connection fees are amended as follows:

SECTION 1. Subsection 19-14.s.4 of the Code of the Township of Sparta is hereby amended to change the Water Utility Capital Connection fee as follows:

The Sparta Township Water Utility Capital Connection Fee is \$7,436.00 per EDU.

SECTION 2. Subsection 20-3.6.e.2 Table I of the Code of the Township of Sparta is hereby replaced with the following:

TABLE 1

NUMBER OF EDU’S FOR THE PURPOSE OF CALCULATING CONNECTION FEES

SCHOOLS	Unit of Measurement	Gallons Per Day	No. of EDU’s
Elementary (No Showers/Cafeteria)	Per Person	10	0.04
w/Cafeteria	Per Person	15	0.06
w/Cafeteria and Showers	Per Person	20	0.08
w/Cafeteria, Showers & Laboratories	Per Person	25	0.10
Boarding	Per Person	75	0.30
AUTOMOBILE SERVICE STATIONS	Unit of Measurement	Gallons Per Day	No. of EDU’s
(Additive)	Per Filling Position	125	0.50
Service Bays	Per Bay	50	0.20
Minimarket	Per Square Foot	0.100	*
MISCELLANEOUS			
Stores, Shopping Centers & Office Buildings (Gross Area)	Per Square Foot	0.100	*
Factories (Sanitary, Per 8 Hr. Shift)	Per Person	25	0.10
Factories (Sanitary, Per 8 Hr. Shift) w>Showers	Per Person	40	0.16
Car Washing (Without Recycling)	Standard	1500	6.00
Car Washing (With Recycling)	Standard	750	3.00
Laundries	Per Washer	580	2.32
Bowling Alley	Per Alley	200	0.80
Picnic Parks (Restrooms only)	Per Person	10	0.04
Picnic Parks (w>Showers)	Per Person	15	0.06
Fairgrounds (Based on Average Attendance)	Per Person	5	0.02
Assembly Halls	Per Seat	3	0.01

Airports	Per Passenger	3	0.01
Churches	Per Seat	3	0.01
Theatre	Per Seat	3	0.01
Dinner Theatre	Per Seat	20	0.08
Catering/Banquet Hall	Per Person	20	0.08
Sports Stadium	Per Seat	3	0.01
Visitor Center	Per Visitor	5	0.02

The Township reserves the right to modify the number of gallons and EDU's per unit of measurement assigned to any user based upon the projected design flow for each application, or best engineering judgment when allowing for multiple uses.

***NOTE:** 250 Gallons Per Day = 1 EDU; the number of EDU's shall be determined by multiplying the area of the building (in square feet) by 0.100 gpd/sq. ft., and dividing the resulting product by 250 gpd/EDU.

The minimum connection fee charged other than for "Residential" and "Deed Restricted Adult Communities" shall be 1 EDU. The connection fee shall be based on Table 1 and rounded up to the next 0.25 EDU – Examples: Calculated = 1.37 shall be rounded up to 1.50 EDU for calculating the connection fee; 2.90 shall be rounded up to 3.0 EDUs.

**TABLE 1
NUMBER OF EDU'S FOR THE PURPOSE OF CALCULATING CONNECTION FEES**

RESIDENTIAL	Unit of Measurement	Gallons Per Day	No. of EDU's
Single Family Private Dwelling	Per Dwelling	250	1.00
Multiple Dwellings (Condo's, Townhouses, etc.)			
1 Bedroom per Dwelling	Per Dwelling	140	0.60
2 Bedroom per Dwelling	Per Dwelling	200	0.80
3 Bedroom per Dwelling	Per Dwelling	250	1.00
DEED RESTRICTED ADULT COMMUNITIES			
1 Bedroom per Dwelling	Per Dwelling	110	0.44
2 Bedroom per Dwelling	Per Dwelling	170	0.68
3 Bedroom per Dwelling	Per Dwelling	225	0.90
TRANSIT DWELLING UNIT			
Hotels	Per Bedroom	75	0.30
Lodging Houses & Tourist Homes	Per Bedroom	60	0.24
Motel & Tourist Cabins	Per Bedroom	60	0.24
Boarding Houses (Resident)	Per Boarder	50	0.20
Hotel/Condo Units *	Per Bedroom	*	*
CAMPS			
Campground/mobile vehicle/tent/cabin (Private Bath)	Per Site	200	0.80
Campground/mobile vehicle/tent/cabin (Central Bath, etc.)	Per Site	100	0.40
Children's Camps (Central Bath, etc.)	Per Person	50	0.20
Labor Camps	Per Person	40	0.16
Day Camps (No Meals)	Per Person	15	0.06
RESTAURANTS (incl. Washrooms)			
Average Type	Per Seat	35	0.14
Bar/Cocktail Lounges	Per Seat	20	0.08

Fast Food Restaurant (no table service)	Per Seat	15	0.06
24-Hr Service Restaurant	Per Seat	50	0.20
Curb Service/Drive-In Restaurant	Per Car Space	50	0.20
CLUBHOUSES			
Residential Type	Per Member	75	0.30
Non-Residential	Per Member	35	0.14
Golf Course (incl. Related Facilities)	Per Person	35	0.14
Racquet Club	Per Court/Hour	80	0.32
CLUBHOUSES	Unit of Measurement	Gallons Per Day	No. of EDU's
Pool/Beach Bathhouse w/Shower	Per Person	25	0.10
Pool/Beach Bathhouse w/o Shower	Per Person	10	0.04
INSTITUTIONAL			
Hospitals	Each Bed	175	0.70
Assisted Living	Each Bed	100	0.40
Other	Each Bed	125	0.50

***Hotel/Condo units shall be evaluated upon information submitted by the Developer/Municipality with emphasis on zoning and deed restrictions imposed on the facilities. The Township's decision in its sole discretion shall be final. In no event shall the connection fee be less than the "hotel rate".**

SECTION 3. Subsection 20-3.6 of the Code of the Township of Sparta "UTILITY CAPITAL CONNECTION FEES" is hereby amended:

- a. To change the Town Center Sanitary Sewer Collection System Sparta Local Connection Fee as follows:

Town Center Sanitary Sewer Collection System Sparta Local Connection Fee is \$11,802.00 per EDU.

- b. To delete the "White Deer Plaza Treatment Municipal Utility Connection Fee \$13,394" in its entirety.

SECTION 4. Severability. If any provision of this ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 5. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

SECTION 6. Effective Date. This Ordinance shall take effect after its final passage and publication as required by law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey held on March 28, 2023. The same came up for second reading and final passage at a meeting of the Township Council of the Township of Sparta held on April 11, 2023 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, New Jersey and after all persons present were given an opportunity to be heard concerning said Ordinance, it was finally passed and adopted and will be in full force in the Township according to law.

**ROXANNE LANDY, RMC
MUNICIPAL CLERK**

AN ORDINANCE AMENDING CHAPTER 2 “ADMINISTRATION”, ARTICLE XI, “TAXATION AND REVENUE” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA, ADDING A NEW SECTION 2-62, “100% DISABLED VETERAN TAX REFUNDS”

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling house and the lot whereon the same is erected, of any citizen and resident of this State, honorably discharged or released under honorable circumstances, from active service, in any branch of the Armed Forces of the United States, who has been or shall be declared by the United States Veterans Administration or its successor to have a service-connected disability declared by the United States Veterans Administration or its successor to be a total or 100 percent permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, or accident, or resulting from disease contracted while in such active service, shall be exempt from taxation on proper claim made therefor; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.31, upon review and approval of the required documentation by the municipal tax assessor, the assessor shall allow said exemption from taxation for the tax year in which the claim was filed; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of each municipality, by appropriate resolution, may return all taxes collected on property from prior years which would have been exempt had proper claim been timely made in writing; and

WHEREAS, the statutory intent to grant discretion to the governing body of every municipality has been affirmed by court decisions that have held that a municipality has discretion to grant or deny a taxpayer a retroactive refund of property taxes that has been paid from the effective date of the disability as determined by the United States Department of Veterans Affairs as set forth in N.J.S.A. 54:4-3.32; and

WHEREAS, the Sparta Township Council desires to establish a formal policy providing that a retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3.32 shall not extend beyond the taxes paid or the current year and immediate prior year and not to exceed twenty-four (24) months from the date that the Township Tax Assessor’s received the fully completed application.

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

Section 1. Chapter 2, “Administration”, Article XI, “Taxation and Revenue,” of the Code of the Township of Sparta is hereby amended and supplemented to establish §2-62, “100% Disabled Veteran Tax Refunds,” which shall read in its entirety as follows:

§2-62, “100% Disabled Veteran Tax Refunds”

A refund of property taxes pursuant to N.J.S.A. 54:4-3.32 shall be granted provided that the applicant submits a complete application to the tax assessor as required by N.J.S.A. 54:4-3.30. A retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3.32 shall be limited to the property taxes previously paid for the period of time commencing on the date that the fully completed proper claim form with all required documentation is submitted to the Tax Assessor as required by N.J.S.A. 54:4-3.30, but not to extend beyond the taxes paid for the current year and immediate prior year and not to exceed twenty-four (24) months from the date that the Township Tax Assessor’s received the fully completed application.

Section 2. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This ordinance shall take effect after publication and passage according to law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey held on March 28, 2023. The same came up for second reading and final passage at a meeting of the Township Council of the Township of Sparta held on April 11, 2023 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, New Jersey and after all persons present were given an opportunity to be heard concerning said Ordinance, it was finally passed and adopted and will be in full force in the Township according to law.

**ROXANNE LANDY, RMC
MUNICIPAL CLERK**

AN ORDINANCE GRANTING A PERMANENT, NON-EXCLUSIVE BRIDGE EASEMENT OVER A PORTION OF BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF SPARTA TO THE COUNTY OF SUSSEX

WHEREAS, the Township of Sparta ("Township ") is the owner in fee simple of certain real property located in the Township of Sparta, County of Sussex, New Jersey, designated as Block 27004, Lot 2 on the Official Tax Map of the Township of Sparta (the "Property"); and

WHEREAS, the County of Sussex ("County") is working on a project to relocate Sussex County Bridge Q-06 ("Bridge Replacement Project") and the bridge supports for the relocated bridge will be installed on the Property; and

WHEREAS, the Township desires to grant a Permanent, Non-Exclusive Bridge Easement to the County over a portion of the Property to allow for the construction, installation, maintenance, repair, rebuild, and reconstruction of County Bridge Q-06 as necessitated by the Bridge Replacement Project, a copy of which is on file in the Office of the Township Clerk.

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

SECTION 1. The terms and conditions of the grant of the Permanent, Non-Exclusive Bridge Easement over a portion of Block 27004, Lot 2 on the Official Tax Map of the Township of Sparta from the Township of Sparta to the County of Sussex are hereby approved, ratified and confirmed.

SECTION 2. The Mayor and Township Clerk are hereby authorized to execute said Permanent, Non-Exclusive Bridge Easement and, together with all other appropriate officers and employees, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 3. All ordinances of the Township of Sparta which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 4. If any section, subsection clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey held on March 28, 2023. The same came up for second reading and final passage at a meeting of the Township Council of the Township of Sparta held on April 11, 2023 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, New Jersey and after all persons present were given an opportunity to be heard concerning said Ordinance, it was finally passed and adopted and will be in full force in the Township according to law.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

AN ORDINANCE GRANTING A PERMANENT, NON-EXCLUSIVE WATERMAIN EASEMENT OVER A PORTION OF BLOCK 27004, LOT 2 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF SPARTA TO THE TOWN OF NEWTON

WHEREAS, the Township of Sparta ("Township ") is the owner in fee simple of certain real property located in the Township of Sparta, County of Sussex, New Jersey, designated as Block 27004, Lot 2 on the Official Tax Map of the Township of Sparta (the "Property"); and

WHEREAS, the County of Sussex is working on a project to relocate Sussex County Bridge Q-06 ("Bridge Replacement Project") and the bridge supports for the relocated bridge will be installed on the Property; and

WHEREAS, the Town of Newton ("Newton") currently owns and operates watermains that need to be relocated as the result of the Bridge Replacement Project; and

WHEREAS, the Township desires to grant a Permanent, Non-Exclusive Watermain Easement to Newton over a portion of the Property to allow the relocation of the watermains necessitated by the Bridge Replacement Project a copy of which is on file in the Office of the Township Clerk.

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

SECTION 1. The terms and conditions of the grant of the Permanent, Non-Exclusive Watermain Easement over a portion of Block 27004, Lot 2 on the Official Tax Map of the Township of Sparta from the Township of Sparta to the Town of Newton are hereby approved, ratified and confirmed.

SECTION 2. The Mayor and Township Clerk are hereby authorized to execute said Permanent, Non-Exclusive Watermain Easement and, together with all other appropriate officers and employees, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 3. All ordinances of the Township of Sparta which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 4. If any section, subsection clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey held on March 28, 2023. The same came up for second reading and final passage at a meeting of the Township Council of the Township of Sparta held on April 11, 2023 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, New Jersey and after all persons present were given an opportunity to be heard concerning said Ordinance, it was finally passed and adopted and will be in full force in the Township according to law.

**ROXANNE LANDY, RMC
MUNICIPAL CLERK**

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, DEPARTMENTS CREATED, SECTION 2-18.4.H CLASSIFICATIONS OF APPLICANTS AND ORDER OF APPOINTMENT THEREOF, OF THE MUNICIPAL CODE OF THE TOWNSHIP OF SPARTA

WHEREAS, the Sparta Township Council desires to amend Chapter 2, Administration, Article VI, Departments Created, Section 2-18.4.h of the Township of Sparta Municipal Code based on the recommendation of the Township's Police Chief, based on a change in the civil service statutes involving the hiring of entry-level law enforcement officers; and

NOW, THEREFORE, BE IT ORDAINED by the Sparta Township Council, in the County of Sussex, State of New Jersey, that the Municipal Code of the Township of Sparta, Chapter 2, Administration, Article VI, Departments Created, Section 2-18.4.h is amended as follows:

Section 1. Section 2-18.4.h is repealed and replaced as follows:

Appointments to the Police Department shall be in accordance with the requirements of applicable law. Pursuant to N.J.S.A. 11A:4-1.3, the Civil Service Commission provides an exemption from the requirement of taking an examination for an entry-level law enforcement officer position, a person who successfully completes a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training commission within nine (9) months from the date of hire as a temporary entry-level officer under the provisions of the statute.

- (1) Any person employed under the provisions of this section shall enroll in a training course approved by the New Jersey Police Training Commission, and such person shall be entitled to a leave of absence with pay during the period of the training course;
- (2) Upon successful completion of the training course, any person employed under the provisions of this section shall be appointed from a temporary to a permanent entry-level law enforcement police officer.

The Township may hire a person exempt from the requirements to take an examination for an entry-level law enforcement officer position pursuant to the above, upon adoption of this Ordinance, and the Township having in place conflict of interest and nepotism policies, as same may be amended from time to time.

Section 2. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 3. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 4. Effective Date. This Ordinance shall take affect after final passage and publication as required by law.

NOTICE

PLEASE TAKE NOTICE that the above was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey on March 28, 2023 at 7:30 pm and will be considered for second reading and final passage at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 7:30 p.m. at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta held at the Municipal Building, 65 Main Street, Sparta, New Jersey held on March 28, 2023. The same came up for second reading and final passage at a meeting of the Township Council of the Township of Sparta held on April 11, 2023 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, New Jersey and after all persons present were given an opportunity to be heard concerning said Ordinance, it was finally passed and adopted and will be in full force in the Township according to law.

ROXANNE LANDY, RMC
MUNICIPAL CLERK

**TOWNSHIP OF SPARTA
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Township of Sparta in the County of Sussex finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 2.5 % increase in the budget for said year, amounting to \$ 497,776.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Sparta, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Township of Sparta shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2.5 %, amounting to \$497,776.90, and that the CY 2023 municipal budget for the Township of Sparta be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

PLEASE TAKE NOTICE that the above ordinance was introduced and passed upon first reading at a regular meeting of the Sparta Township Council held at the Municipal Building, 65 Main Street, Sparta, New Jersey on April 11, 2023 and will be considered for final passage and adoption at the regularly scheduled meeting of the Township Council of the Township of Sparta to be held at the Municipal Building, 65 Main Street, Sparta, New Jersey, on May 9, 2023 at 7:30 p.m., at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning the same.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

ROXANNE LANDY, RMC
MUNICIPAL CLERK