

August 9, 2017

The meeting was called to order at 5:09 p.m. by Mayor Gibbs 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 Gibbs, Councilman Murphy, Councilwoman Quinn, Township Attorney Thomas Ryan, Township Manager William Close, Chief Financial Officer Sam Rome and Municipal Clerk Kate Chambers. Councilwoman Whilesmith and Deputy Mayor Hertzberg were absent.

Open Public Meetings Act- Executive Session:

On motion by Councilwoman Quinn, seconded by Councilman Murphy, 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. Legal Advice
 - d. 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 Councilwoman Quinn and unanimously carried, Council reconvened into public session at 6:00 p.m.

Salute to the Flag:

Mayor Gibbs led the assembly in a salute to the flag.

Approval of Minutes:

On motion by Councilwoman Quinn, seconded by Councilman Murphy and unanimously carried, the regular and executive Council meeting minutes held on July 25, 2017 were approved as presented.

Open to the Public:

Angel Diaz, 270 Edison Road, Sparta addressed Council to request that traffic signs be posted on Edison Road. He provided pictures of Edison Road which he stated were narrow with large pot holes and foliage growing into the roadway. He stated that a traffic study had been completed by the Police Department, and it was found that approximately 250 cars traveled the road each day.

He stated that he was told that 400 cars would warrant a double yellow line to be painted. He stated that the Police Department's recommendation was that it wasn't necessary at this time.

Mr. Diaz requested that Council look into his request because he felt it was a dangerous road. After Council discussion it was decided to look further into this request.

Manager's Report:

Surplus Resolution

Mr. Close stated that there was a resolution on the agenda authorizing the sale of Township surplus personal property that would no longer be needed through an on-line auction website. He stated that the sales were being conducted pursuant to the DLGS Local Finance Notice 2008-9. He further stated that if anyone were interested in purchasing any of the listed items they would be available at <http://usgovbid.com>.

Sussex County Health Department

Mr. Close stated that the Sussex County Department of Health and Human Services had implemented monthly conference calls with all Town's that the Division of Health provided services to. He stated that the Township had participated in a call on August 2nd which covered the county's State Health Audit Update, Powassan Disease and the Office of Mosquito Control's power point presentation. He further stated that information that was provided to the Township would be posted on the Township's website under News and Announcements. He further stated that this information would be updated after each conference call to keep the residents informed.

Stigma Free Town

Mr. Close stated that in an effort to keep the community aware that Sparta Township is a Stigma-Free Town, and to generate interest in which residents of the community would feel free to seek treatment for disease of mental illness without fear of being stigmatized the following resources had been implemented. He stated that various signs had been posted throughout the town, that information was available on the Township's website, hand-outs would be available at the Township building and that there would be giveaways on Sparta and Sussex County Day.

Honeywell Registration

Mr. Close stated that the amount of registered users who signed up for the Township's Honeywell system is now at 3,363. He stated that the bulk of responses had been in response to the recent mailing of tax and utility bills and the continued advertising through the website, each department having the forms available and the posting on both Police and Township Facebook pages.

Visual Message Board

Mr. Close stated that he received quotes for the purchase of another VMB. He stated that the Township would be purchasing from Garden State through the Somerset Cooperative Purchasing Agreement for a cost of \$17,780.

Light Towers for Fall Sports

Mr. Close gave an update on the field lighting. He stated that he had placed an order for four light towers to be rented for the use of Fall sports.

Sparta Police Youth Academy

Mr. Close stated that the Sparta Police Department would be holding a Youth Academy at the Sparta Middle School August 23 through the 25th 2017. He stated that there would be over 60 children from 5th through 8th grade in attendance and that they will be participating in several activities involving a variety of law enforcement educational topics to build character.

Knoll Heights Community Outreach

Mr. Close stated that Chief Spidaletto and Lieutenant Mulligan recently went to speak to the seniors at Knoll Height. He stated that they informed them of several community programs that were being offered through the Police Department.

Grant Application – Police Department

Mr. Close stated that the Police Department had been awarded the Labor Day DWI Enforcement Grant for \$5,500. for “Drive Sober or Get Pulled Over.” He stated that DWI patrols would be out during August 18th – September 4th looking for violators.

Grant Applications – Sparta Library

Mr. Close stated that LibraryLinkNJ, a consortium to which the Library belongs, awarded funds to fourteen libraries throughout the State to purchase a charging kiosk. He stated that the kiosk has been named SPARK (Sparta Patron Access Recharging Kiosk). He stated that it was a free-standing unit which houses eight lockers in which patrons may charge their phones or other devices quickly and securely. He further stated that each locker has a digital lock with a patron-designated combination. Mr. Close stated that this will be great for the patrons and a great service to the community, as the town has been designated as a “go-to center” in emergencies.

Mr. Close stated that for the second year in a row, the New Jersey State Department of Labor awarded the Library an Adult Literacy and Community Library Partnership Grant in conjunction with LiteracyNJ. He stated that the grant provides funds to purchase books and other materials for English as a second language education, and computer and health literacy classes. He further stated that the grant would also pay for bookkeeping and instructor’s fees, funds to purchase merchandise to advertise and to support the programs. Mr. Close stated that the Township was able to establish a better ESL collection through the grant. He further stated that he is very proud to be able to continue this alliance with the State and feels the patrons will enjoy these giveaways.

Upcoming Events

Free Movie Night – Friday Nights at Dykstra Park presents the movie “Finding Dory” on Saturday, August 19th, rain date August 26th opens at 6:30 p.m. All summer programs and events are found on the Township website, www.spartanj.org under Special Events, or at www.spartalibrary.com

Summer Concert Series – Friday Nights at Dykstra Concert Park from 7:00 p.m. to 10:00 p.m. A full line up and information regarding the Concerts can be found on www.spartaaarts.org

Approval of Manager’s Report:

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

Introduction of Ordinance:

17-09 Bond Ordinance Providing For The Improvement Of Celia Drive In and By The Township Of Sparta, In The County Of Sussex, New Jersey, Appropriating \$75,000 Therefor And Authorizing The Issuance of \$71,250 Bonds Or Notes Of The Township For Financing Such Appropriation

On motion by Councilman Murphy, seconded by Councilwoman 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: BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF CELIA DRIVE IN AND BY THE TOWNSHIP OF SPARTA, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH

APPROPRIATION: 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 22, 2017 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.

17-10 An Ordinance of the Township of Sparta Amending the Salary Ordinance for “Union” and “Non-Union” Employees

On motion by Councilman Murphy, seconded by Councilwoman 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 AMENDING THE SALARY ORDINANCE FOR “UNION” AND “NON-UNION” EMPLOYEES: 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 22, 2017 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

17-08 An Ordinance Deleting Section 6-5.1, “Location Restrictions” of Chapter VI, “Alcoholic Beverage Control” of the Revised General Ordinances of the Township of Sparta

The second and final hearing of the ordinance entitled: AN ORDINANCE DELETING SECTION 6-5.1, “LOCATION RESTRICTIONS” OF CHAPTER VI, “ALCOHOLIC BEVERAGE CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA was given and held open for public discussion.

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

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

BE IT RESOLVED by the Township Council of the Township of Sparta that an ordinance entitled: AN ORDINANCE DELETING SECTION 6-5.1, “LOCATION RESTRICTIONS” OF CHAPTER VI, “ALCOHOLIC BEVERAGE CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF SPARTA is hereby adopted on second and final reading and the Township Clerk is authorized to publish said notice and the ordinance will take effect in accordance with the law.

Open to the Public – Resolutions

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

Resolutions:

On motion by Councilwoman Quinn, seconded by Councilman Murphy and unanimously carried, Resolutions 7-1 through 7-12 were duly adopted:

7-1 Refund - State Court Tax Appeal

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayments due to successful State Court Appeal:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4006	14	Robert McBriar, Esq	Perona Realty Corp	\$3,127.00

7-2 One Day ABC – Samaritan Inn, Inc.

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Samaritan Inn, Inc. 901 Swartswood Rd., Newton, NJ 07860 for a one day liquor license on October 22, 2017 from 3:00 p.m. to 7:00 p.m. at the Lake Mohawk Country Club, 21 The Boardwalk, Sparta, NJ 07871.

7-3 Awarding Contract For The Project Known As “2017 Microsurface Program” As Part Of The New Jersey State Cooperative Purchasing For A Total Amount Not To Exceed \$500,000.

WHEREAS, the New Jersey Department of Treasury, Division of Purchasing and Property has awarded Contract #T2507 for “Microsurfacing Pavement System – NJDOT” to Asphalt Paving Systems; Inc.; and

WHEREAS, the Township of Sparta wishes to utilize Asphalt Paving Systems (“APS”) through its membership in the State of New Jersey Cooperative Purchasing to perform the required microsurfacing of certain municipal roadways including but not limited to:

Bridle Way
 Cambridge Drive
 Carriage Lane
 Circle Terrace
 Conestoga Trail (St. Mary’s to Sawmill)
 Deire Drive
 Doe Run
 Elora Lane
 Fox Hollow Road
 Fox Ridge Road
 Frizzell Terrace
 Heritage Drive
 Hidden Glen Drive
 McKenzie Court
 Pheasant Walk
 Prides Crossing (Deire to Lambert)
 Saddleback Court
 Valley Road
 Wagon Wheel Road
 Waters Edge

7-4 Professional Services Resolution - PCI

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, the Township of Sparta has need for the professional services of a Professional Engineer for engineering and design services for the Seneca Lake water tank; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, the business disclosure entity certification and the determination of value shall be placed in a file with this resolution.

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

1. The Township of Sparta hereby makes the following appointment in an amount not exceed \$17,400 for Engineering and Design services:

Professional Consulting, Inc.
 Octagon 10 Office Center
 1719 Route 10, Suite 225
 Parsippany, NJ 07054

2. Political Contribution Disclosure: This contract has been awarded to PCI based on the merits and abilities of PCI 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 PCI, it's 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. 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.

4. A copy of this resolution shall be published in the New Jersey Herald as required by law within ten days of its passage.

7-5 Awarding Contract For The Project Known As "2017 Improvements To Various Municipal Roadways" As Part Of the Morris County Cooperative Pricing Council For A Total Amount Not To Exceed \$265,429.

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:

Conestoga Trail (Hunters lane to St. Mary's Terr)
 West Mountain Road (Rte 94 to Dahn Drive)
 Tall Oaks

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 Two Hundred Sixty-Five Thousand and Four Hundred Twenty Nine Dollars (\$265,429); 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.
4. Resolution shall take effect as herein provided.

7-6 Professional Service 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 2017 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, 264 South Street, Morristown, 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.	\$50.00
Additions:	\$70.00
Additions over 1,000 SF:	\$80.00
New construction:	\$85.00
New construction over 5,000 SF:	\$95.00

Class 4A Properties:

Up to \$250,000 value added (improvement)	\$300.00
\$250,000 to \$500,000 value added:	\$350.00
\$500,000 to \$1,000,000 value added:	\$400.00
\$1,000,000 to \$5,000,000 value added:	\$500.00
over \$5,000,000:	\$1000.00

Class 4B Properties:

Up to \$250,000 value added (improvement)	\$300.00
\$250,000 to \$500,000 value added:	\$350.00
\$500,000 to \$1,000,000 value added:	\$400.00
\$1,000,000 to \$5,000,000 value added:	\$500.00
over \$5,000,000:	\$1000.00

Class 4C Properties:

4 to 8 units:	\$200.00
9 to 16 units:	\$350.00
17 to 32 units:	\$400.00

33 to 64 units:	\$450.00
over 64 units:	\$500.00
Class 15 Properties:	
All types:	\$150.00
Updates on permits in progress:	
All types:	\$35.00
Digital Photographs:	\$ 3.00 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.

7-7 A Resolution Authorizing The Sale Of Surplus Personal Property No Longer Needed For Public Use On An Online Auction Website

WHEREAS, the Township of Sparta has determined that the property described as: Surplus Personal Property and is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of Sparta intends to utilize the online auction services of USGovBid located at <http://usgovbid.com>; and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services’ Local Finance Notice 2008-9,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta in the County of Sussex, State of New Jersey, that the Township of Sparta is hereby authorized to sell the surplus personal property as indicated on an online auction website entitled <http://usgovbid.com>; and

BE IT FURTHER RESOLVED, that the terms and conditions of the agreement entered into between USGovBid and the Township of Sparta are available at <http://usgovbid.com> and in the Township Clerk’s office.

<u>YEAR</u>	<u>MAKE/MODEL</u>	<u>VIN #/ Identification #</u>
2001	Ford	1FTNF21F11EB32546
2000	International	1HTSDAAR8YH213228
2001	Jeep	1J4FF48521L597183
2003	Jeep	1J4GL48K23W703985
2003	Ford	1FDSF31P0 3ED41969
2001	Ford	2FMZA5041 1BB06957

2014	Ford	1FM5K8AR0 EGA04149
2014	Ford	2FAFP73W2 4X172333
1993	Ford	BD45095
1997	Carmate	4PKF816DOWL002053
2002	GMC	1GTDL19X22B504460
1983	Onan (Generator)	B830649012 ATS OTBCA260-4U-3101E
2009	Ford	2FAHP71VX9X124525
		Lot of Police Equipment
		Lot of Surplus Fleet Tires
		Lot of Various Fire Department Equipment
		Lot of Janitorial Supplies

7-8 Authorizing the Township of Sparta to Act as Co-Borrower in Connection With the Rock Island Lake Association’s Application for Funding for Dam Repairs and/or Restoration Under the Dam, Lake, Stream, Flood Control, Water Resources and Waste Treatment Project Bond Act of 2003

WHEREAS, the Rock Island Lake Association, a/k/a Rock Island Lake Owners Association (“Rock Island”) is the owner of a dam. The dam is subject to certain requirements as to construction, safety and maintenance as promulgated and enforced by the State of New Jersey, Department of Environmental Protection (“NJDEP”), pursuant to N.J.S.A. 58:4-1, et seq. and the Dam Safety Standards of the State of New Jersey. Based on engineering investigations, Rock Island has determined that the dam is in need of repair, improvement and rehabilitation in order to bring it into compliance with the applicable standards promulgated by the NJDEP and to render it suitably safe and functional; and

WHEREAS, the Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003, PL 2003, Chapter 162, (“Bond Act”) authorizes the issuance of loans at a maximum interest rate of two percent (2%) per annum to meet the costs and expenses of dam restoration projects such as that required for the dam owned by Rock Island; and

WHEREAS, both the statute and implementing regulations provide that loans from the Bond Act will only be granted for the restoration or rehabilitation of dams owned by private entities, such as Rock Island, if a local government entity acts as co-borrower with the private entity in order that the local government entity can assess the real property benefited by the loan in the event of a default by the private entity; and

WHEREAS, the Rock Island has formally requested that the Township of Sparta act as a co-borrower on its application to the NJDEP for a Bond Act loan in the amount of Six Hundred Thousand and 00/100 Dollars (\$600,000.00); and

WHEREAS, the Township of Sparta is conditionally willing to be a co-applicant for Rock Island’s Bond Act loan subject to Rock Island and its members meeting certain conditions and the parties entering into a formal Co-Borrower Agreement with Rock Island Property Owners Association, Inc. and the individual property owners, containing terms and conditions acceptable to the Township of Sparta.

NOW, THEREFORE, it is hereby resolved by the Township Council of the Township of Sparta, as follows:

1. Provided that Rock Island addresses the following issues to the Township of Sparta’s satisfaction the Township consents to act as a co-applicant with Rock Island, with respect to Rock Island’s loan application being filed with the NJDEP for a loan from the Bond Act in an amount not to exceed Six Hundred Thousand and 00/100 Dollars (\$600,000.00), which if approved, will be more specifically identified in the Co-Borrower Agreement between the Township of Sparta and Rock Island. The Township of Sparta’s conditions for serving as co-borrower include but are not limited to:

A. Rock Island shall directly collect from its members the payments required to make each loan payment to the State of New Jersey and Rock Island shall then directly pay to the

State of New Jersey each loan payment and at the same time that each payment is made provide proof of payment to the Township of Sparta. At the time that the Co-Borrower Agreement is signed Rock Island must provide to the Township of Sparta a bond or other form of readily available funds in an amount not less than the total amount of the loan plus all interest to become due under the loan. The bond must be in such a form that in the event that Rock Island fails or refuses to make a loan payment, the Township of Sparta shall have immediate access to the bond funds in order to make the payment(s) to the State of New Jersey.

B. Rock Island shall also provide proof to the Township of Sparta that all of the six (6) property owners that are members of or have the right to be members of Rock Island have approved the loan, along with signed and notarized personal guarantees of payment and performance of the loan terms for each member in a form acceptable to the Township of Sparta. In addition, Rock Island shall update and record an amendment to or an amended "Property Owners Association Agreement" in order to address the members' responsibility for and payment obligations for the dam rehabilitation project and loan.

Failure of Rock Island to meet the conditions above, or any other conditions within this Resolution shall result in this Resolution automatically terminating and being rescinded and the Township of Sparta shall have no further obligation to the State of New Jersey, NJDEP, Rock Island and/or its members with regard to the loan.

2. The Township's consent to act as a co-applicant is expressly conditioned upon the execution by Rock Island and its members of a Co-Borrower Agreement with the Township of Sparta, in a form acceptable to the Township of Sparta, with the advice and approval of the Township Attorney. The Co-Borrower Agreement shall be subject to approval by the Township Council. If the Township Council does not approve the Co-Borrower Agreement or in the event Rock Island or its members fail to sign the Co-Borrower Agreement, this Resolution shall be deemed automatically rescinded without any further action needed by the Township Council, and the Township shall have no obligation to either the State of New Jersey, NJDEP, Rock Island and/or its members with regard to the loan. The Co-Borrower Agreement shall contain provisions including, but not limited to, requiring Rock Island to impose its own special assessment and litigate any disputes as to the special assessment prior to the Township proceeding with the adoption of a special assessment Ordinance. The Co-Borrower Agreement must specifically provide that no general revenues of the Township of Sparta shall be used in support of Rock Island's project and that Sparta Township shall not incur any liability beyond the funds it collects through a special assessment ordinance as may be adopted by the Township. The Co-Borrower Agreement shall also provide that Rock Island shall bear all costs and expenses incurred by the Township, including but not limited to attorneys' fees and costs as well as any costs incurred with regard to the special assessment.

3. This Resolution is provided as an accommodation to Rock Island and shall not be construed as an agreement by the Township of Sparta to execute any loan agreements or accept any loan proceeds without formal action by the Township Council at a future meeting.

4. This Resolution shall take effect immediately, subject to the automatic termination provisions contained herein.

7-9 Resolution to Amend the Capital Budget For Improvements to Celia Drive

WHEREAS, the local capital budget for 2017 was adopted on the 17th day of March 2017; and

WHEREAS, it is desired to amend said adopted capital budget section.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Sparta, County of Sussex, that the following amendment to the adopted capital budget be made.

(See attachment)

7-10 Resolution of the Township of Sparta Authorizing an Agreement for Payment in Lieu of Taxes Between the Township of Sparta and Capitol Care, Inc. & Laddey Lane, LLC

WHEREAS, Capitol Care Inc. & Laddey Lane, LLC is proposing to construct a four bedroom group home within the Township of Sparta on a site located at 6 – Laddey Lane (Block 37001, Lot 19), very low, low and moderate income rental units for special needs residents. Capitol Care, Inc. & Laddey Lane, LLC has deed restricted the units as affordable housing units, pursuant to the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. The deed restriction will be recorded and filed in the Sussex County Clerk’s Office; and

WHEREAS, as part of Capitol Care, Inc. & Laddey Lane, LLC’s housing project, it has requested that the Township enter into the attached Agreement for Payment in Lieu of Taxes (“Agreement”) by which the Township agrees to accept payments in lieu of taxes (P.I.L.O.T.) in return for the tax exemption as reflected in the Agreement; and

WHEREAS, the project will be subject to the requirements of the New Jersey Housing and Mortgage Financing Agency (“HMFA”) and the mortgage and other loan documents executed between Capitol Care, Inc. & Laddey Lane, LLC and HMFA pursuant to the New Jersey Housing and Mortgage Financing Agency Law, N.J.S.A. 55:14K-1 et seq.; and

WHEREAS, Capitol Care, Inc. & Laddey Lane, LLC has agreed, as a condition of the Township’s tax exemption and the P.I.L.O.T. that the project shall remain as a COAH qualified inclusionary development for the thirty (30) year term of the Agreement; and

WHEREAS, Capitol Care, Inc. & Laddey Lane, LLC has presented to the Township Council a revenue projection for the project which sets forth the anticipated revenue to be received from the operation of the project as estimated by Capitol Care, Inc. & Laddey Lane, LLC, a copy of which is attached to the Agreement as Exhibit “A” ; and

WHEREAS, Capitol Care, Inc. & Laddey Lane, LLC has agreed to make various road and drainage improvements to Laddey Lane, a non-municipal access roadway, as identified by the Township Engineer as a condition of occupancy and prior to the municipality considering acceptance of the roadway;

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

1. The Council finds that the proposed project will meet or meets an existing housing need.
2. The Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA requirements with the intent and purpose that the HMFA shall rely thereon in making a mortgage loan to Capitol Care, Inc. & Laddey Lane, LLC, which shall construct, own and operate the project.
3. The Agreement for Payment in Lieu of Taxes between the Township of Sparta and Capitol Care, Inc. & Laddey Lane, LLC (Exhibit “A”) is hereby approved subject to the terms and conditions contained in this Resolution, with the intent and purpose that from the date of execution of the HMFA mortgage, the proposed project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA requirements, provided that payments in lieu of taxes for municipal services supplied to the project are made to the Township in such amounts and manner set forth in the Agreement.
4. This Resolution is further conditioned upon Capitol Care, Inc. & Laddey Lane, LLC complying within all terms and conditions with the Agreement.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to sign the Agreement on behalf of the Township.

7-11 Resolution Authorizing an Agreement for Animal Impound Services

WHEREAS the Township Council of the Township of Sparta wishes to enter into an agreement with One Step Closer Animal Rescue (Oscar), P.O Box 248, Sparta, New Jersey for animal impound services for the period of August 1, 2017 and ending on December 31, 2017; and

WHEREAS, the Township of Sparta shall pay Oscar a monthly fee of \$500.00 per month plus medical expenses as may be needed; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to execute the contract between the Township of Sparta and One Step Closer Animal Rescue (Oscar).

7-12 Professional Services Resolution – Health Services Consultant (Phase II)

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, the Township of Sparta has need for the professional services of a Health Services Consultant; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1 et seq) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised; and

WHEREAS, the business disclosure entity certification and the determination of value shall be placed in a file with this resolution.

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

1. The Township of Sparta hereby makes the following appointment:

Steven Levinson
Assurance Consulting Associates, LLC
76 Yacht Club Drive
Lake Hopatcong, NJ 07849

In an amount not to exceed \$9,000.

2. Political Contribution Disclosure: This contract has been awarded to Steven Levinson based on the merits and abilities of Steven Levinson 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 PCI, it’s 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. 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.

4. A copy of this resolution shall be published in the New Jersey Herald as required by law within ten days of its passage.

Council Liaison Reports:

Councilwoman Quinn stated that the Planning Board had met and approved the Historical Society's application to extend their driveway to improve handicap accessibility.

Councilwoman Quinn stated that Three Treasures Acupuncture a new business in Town was going to open at 94 Main Street.

Councilwoman Quinn stated that a new business named Wagmore Boutique was going to be opening in White Deer Plaza at the corner of Winona Parkway.

Councilwoman Quinn stated that Sparta Township Emergency Preparedness was gearing up the video series to prepare for the up-coming storm season.

Councilwoman Quinn thanked the Township Manager and staff for their support for the Stigma Free Program.

Old Business:

Councilman Murphy stated that he had been contacted by Wayne McCabe from the Sussex County Historical Society stating that the County Administrator had \$600 for the Township to go towards a metal historic placard. Councilman Murphy asked if the Town would be willing to match the amount. He stated that the Eagle Scouts were looking for a project to complete and would have a fund raiser to raise money for this project.

After Council discussion it was decided to have the Eagle Scouts contact Mr. Close to discuss the project and placement of the plaque.

Councilwoman Quinn stated that a plaque needed to be presented to Trout Unlimited.

Mayor Gibbs stated that he would be scheduling a meeting with them in August.

Mr. Close stated that he will be planning a ceremony for the organization and members of Council to acknowledge the work that had been completed in the Glenn by Trout Unlimited. He stated that the event will be scheduled for October.

New Business:

Mayor Gibbs stated that he had attended a meeting for a "Stigma Free County." He stated that he had congratulated the County and told them that the Township would be looking forward to working with them as the Township was also a part of the Initiative for a Stigma Free community.

Mayor Gibbs thanked Councilwoman Quinn for all her hard work for the Stigma Free Initiative.

Open to the Public.

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

Expenditures:

On motion by Councilman Murphy and seconded by Councilwoman Quinn and unanimously carried expenditures in the amount of \$1,252,241.51 were approved as presented.

Adjournment:

No one else wished to be heard and no further business was brought up, motion was made by Councilman Murphy, seconded by Councilwoman Quinn and unanimously carried to adjourn at 6:35 p.m.

Respectfully submitted,

Kate Chambers
Municipal Clerk