

July 11, 2017

The meeting was called to order at 6:05 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, Deputy Mayor Hertzberg, Councilwoman Quinn, Township Attorney Thomas Ryan, Township Manager William Close, Chief Financial Officer Sam Rome and Municipal Clerk Kate Chambers. Councilwoman Whilesmith was 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 Councilwoman Quinn, seconded by Councilman Murphy and unanimously carried, Council reconvened into public session at 7:30 p.m.

**Salute to the Flag:**

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

**Proclamation:**

Mayor Gibbs presented a proclamation to Captain Brad Erickson of the Sparta Ambulance Squad in celebration of their 70<sup>th</sup> Anniversary.

Mr. Erickson thanked Council for their support for being able to provide ambulance services to the community.

**Approval of Minutes:**

On motion by Councilwoman Quinn, seconded by Deputy Mayor Hertzberg and unanimously carried, the regular and executive Council meeting minutes held on June 27, 2017 were approved as presented.

**Open to the Public:**

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

**Manager's Report:****Fireman Appointment**

Mr. Close stated that he would be appointing Nickolas J. Mayben, 13 Dorothy Drive to the Sparta Fire Department. He stated that he had been a firefighter for eight years, two years with the Little Falls Fire Department and six years with the Hawthorne Fire Department. He further stated that Chief Muldoon advised that he had met the requirements and believed that he would be a major asset to the community.

**Request to Canvass**

Mr. Close stated that the Township had been contacted by the Clean Water Action group to canvass in Sparta to conduct their political education and fundraising drive. He stated that their campaign is designed to protect waterways and drinking water supplies from toxins and to inform citizens about what is in their water. He further stated that they were provided with a copy of the Township Ordinance regulating this activity and would be coordinating with Chief Spidaletto relative to conducting their activities within the Township's communities.

**Grant Application**

Mr. Close stated that the Township had submitted an application for funding consideration for the Detective Matthew L. Tarentino Community Policing Grant offered through the NJ Office of the Attorney General. He stated that the grant application would be in the amount of \$5,000.00. He further stated that it would be used for various community policing activities including youth division programs, community outreach programs and LEAD.

**Upcoming Events**

Summer Concert Series – Friday Nights at Dykstra Park starting at 7:00 p.m. A full line up and information regarding the Concerts can be found on [www.spartaaarts.org](http://www.spartaaarts.org)

Free Movie Night – Christmas in July with the movie “Elf”, Saturday, July 15<sup>th</sup>, with a rain date July 22<sup>nd</sup>. Dykstra Park opens at 6:30 p.m.

All summer programs and events are found on the Township website, [www.spartanj.org](http://www.spartanj.org) under Special Events, or at [www.spartalibrary.com](http://www.spartalibrary.com)

**Approval of Manager's Report:**

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

**Hearing of Ordinance:**

**17-07 An Ordinance Appropriating \$600,000.00, and Authorizing the Issuance of \$300,000.00 Bonds or Notes of the Township, For Various Water Utility System Improvements or Purposes Authorized To Be Undertaken by the Township of Sparta, In the County of Sussex, New Jersey**

The second and final hearing of the ordinance entitled: AN ORDINANCE APPROPRIATING \$600,000.00, AND AUTHORIZING THE ISSUANCE OF \$300,000.00 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS WATER UTILITY SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF SPARTA, IN THE COUNTY OF SUSSEX, NEW JERSEY was given and held open for public discussion.

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

On motion by Deputy Mayor Hertzberg and seconded by Councilwoman Quinn and unanimously carried, the following resolution was duly adopted by roll call vote:

Deputy Mayor Hertzberg – Aye  
 Councilman Murphy – Aye  
 Councilwoman Quinn – Aye  
 Mayor Gibbs - Aye

BE IT RESOLVED by the Township Council of the Township of Sparta that an ordinance entitled: AN ORDINANCE APPROPRIATING \$600,000.00, AND AUTHORIZING THE ISSUANCE OF \$300,000.00 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS WATER UTILITY SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF SPARTA, IN THE COUNTY OF SUSSEX, NEW JERSEY 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 Councilman Murphy, seconded by Councilwoman Quinn and unanimously carried, Resolutions 6-1 through 6-9 were duly adopted:

#### **6-1 One Day ABC License – Sparta Education Foundation**

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Education Foundation, 270 Sparta Ave., PO Box Suite 104, PMB 125, Sparta, NJ 07871 for a one day liquor license on September 24, 2017 from 3:30 p.m. to 7:00 p.m. at Tom and Kylene Anderson's residence, 24 Island Trail, Sparta, NJ 07871.

#### **6-2 One Day ABC License – Sparta Public Library**

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Public Library, 22 Woodport Road, Sparta, NJ 07871 for a one day liquor license on September 23, 2017 from 7:00 p.m. to 10:00 p.m. at Sparta Library, 22 Woodport Rd., Sparta, NJ 07871.

#### **6-3 One Day ABC License – Ginnies House CAC**

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Ginnies House CAC, 4 High Street, Newton, NJ 07860 for a one day liquor license on November 4, 2017 from 5:30 p.m. to 10:00 p.m. at Pope John XXIII High School, 28 Andover Road, Sparta, NJ 07871.

#### **6-4 Refund – Tax Overpayment**

BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refunds the following tax overpayments:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4002	11	Insight Title Services	81 Valley View Trl	\$2,303.03
35005	1	Metro Title Agency	29 Sunset Lake Rd	\$2,249.09

### **6-5 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 overpayment due to State Court Tax Appeal:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
21001	68	Valerie Hofer, Esq.	16 Greenfield Hill	\$7,144.09

### **6-6 Disabled Veteran Tax Refund and Property Tax Exemption**

WHEREAS, the owner of Block 3023, Lot 90, is a 100% permanently disabled veteran in accordance with N.J.S.A 54:4-30.30; and

WHEREAS, the owner is entitled to the exemption as of April 1, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Tax Collector refund monies paid in the amount of \$5,778., on Block 3023, Lot 90 for the 2<sup>nd</sup> quarter of 2017 and cancel the taxes due for the 3<sup>rd</sup> and 4<sup>th</sup> quarter of 2017.

### **6-7 Resolution Approving the Sparta Township Fire Department’s Respiratory Protection Program**

WHEREAS, the Sparta Township Fire Department has prepared a Respiratory Protection Program as required by the New Jersey Department of Health’s Public Employee Occupational Safety and Health requirements and standards for Fire Fighters under N.J.A.C. 12:100-1.10, a copy of the program document is attached to his Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Sparta Township Fire Department Respiratory Protection Program is hereby approved.

This resolution shall take effect immediately.

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.

### **6-8 Resolution Approving the Amended Cross Parking, Access, Waterline and Drainage Easement Agreement Between the Township of Sparta and AEAA Properties, LLC**

WHEREAS, the Township of Sparta is the owner of Block 5016, Lot 46 (formerly known as Block 39.01, Lot 15) which is part of the Township’s Ungerman Field recreation area. The adjoining property known as 18 Sparta Avenue, Sparta Township, New Jersey (Tax Block 5016, Lot 47, formerly known as Block 39.01, Lots 11 and 12) is owned by AEAA Properties, LLC.

WHEREAS, the Township of Sparta and 18 Sparta Ave., LLC, AEAA Properties, LLC’s predecessor in interest, are parties to a Cross Parking, Access, Waterline and Drainage Easement Agreement dated June 26, 2007 (“Agreement”), which was recorded in the Sussex County Clerk’s Office on July 25, 2007 in Deed Book 3159, Page 65.

WHEREAS, the Township of Sparta and AEAA Properties, LLC have agreed to amend the Agreement as provided for in the attached Amended Cross Parking, Access, Waterline and Drainage Easement Agreement (“Amended Agreement”).

NOW, THEREFORE, be it resolved by the Sparta Township Council that the Amended Cross Parking, Access, Waterline and Drainage Easement Agreement between the Township of Sparta and AEAA Properties, LLC is hereby approved.

**BE IT FURTHER RESOLVED**, the Mayor and Township Clerk are authorized to sign the Amended Cross Parking, Access, Waterline and Drainage Easement Agreement.

**BE IT FURTHER RESOLVED**, this Resolution shall take effect immediately, however it shall be void and of no effect in the event that the Amended Cross Parking, Access, Waterline and Drainage Easement Agreement is not executed by AEAA Properties, LLC.

If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

A copy of this Resolution as well as the Amended Agreement shall be placed on file with the Clerk of the Township.

All appropriate Township of Sparta officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

#### **6-9 ABC License Renewal 2017-2018 – Homestead Rest Inc**

BE IT RESOLVED by the Township Council of the Township of Sparta that the following alcoholic beverage license is herewith approved and the Municipal Clerk is authorized to issue said license for the year July 1, 2017 to June 30, 2018:

1918-33-002-004	Homestead Rest Inc 294 North Church Road Sparta, NJ 07871
-----------------	---

#### **Council Liaison Reports:**

Deputy Mayor Hertzberg stated that he had met with the Economic Development Committee. He stated that they had walked down Main Street to look behind the buildings to see if all of the separated parking lots could possibly be adjoined for additional parking on Main Street. He further stated that they were planning a breakfast with the local business owners to see if they would all agree to adjoin their parking lots. He stated that it would help with business development on Main Street.

Councilwoman Quinn stated that the Stonewood Tavern, a restaurant on Rt. 206 in Byram, would be expanding their business and planned to open a restaurant in the space that Il Forno previously occupied on Woodport Road. She stated that they planned to be open in September of this year.

#### **Old Business:**

No old business at this time this portion of the meeting was closed.

#### **New Business:**

No new business at this time this portion of the meeting was closed.

#### **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 Deputy Mayor Hertzberg and unanimously carried expenditures in the amount of \$848,974.84 were approved as presented.

**Adjournment:**

No one else wished to be heard and no further business was brought up, motion was made by Councilwoman Quinn, seconded by Deputy Mayor Hertzberg and unanimously carried to adjourn at 7:51 p.m.

Respectfully,

Kate Chambers  
Municipal Clerk