

July 25, 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, Councilwoman Whilesmith, Township Attorney Michael Darbee, Township Manager William Close, Chief Financial Officer Sam Rome and Municipal Clerk Kate Chambers.

Open Public Meetings Act- Executive Session:

On motion by Councilman Murphy, seconded by Deputy Mayor Hertzberg, 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 Deputy Mayor Hertzberg, seconded by Councilwoman Whilesmith and unanimously carried, Council reconvened into public session at 7:35 p.m.

Salute to the Flag:

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

Approval of Minutes:

On motion by Deputy Mayor Hertzberg, seconded by Councilman Murphy and unanimously carried, the regular and executive Council meeting minutes held on July 11, 2017 were approved as presented. Councilwoman Whilesmith abstained.

Open to the Public:

Jacie Espinoza – representative of JCP & L - 56 Hampton House Road updated Council on the recent power outage on East Shore Trail. She stated that JCP & L would be inspecting the tree conditions on the East side of the lake for the upcoming season. She stated that that the Township had been notified of the estimated number of customers that had been affected.

Mr. Close stated that the people in the field had done excellent work under difficult conditions.

George Stafford – a representative of the N.J. Highlands Coalition had asked Council if they would consider supporting the resolution for Sustainable Open Space, Farmland, Historic Preservation and Stewardship Funding for New Jersey. After Council discussion Mayor Gibbs stated that they would review the resolution and if they had any questions they would contact him.

Manager's Report:

Gypsy Moths

Mr. Close stated that the Township had completed the Application for the Survey of Gypsy Moth Egg Masses with the NJ Department of Agriculture. He stated that if it was determined from egg mass surveys that Sparta's forests were threatened with heavy defoliation that the Township would be advised if aerial treatment would be needed.

Stigma Free Town

Mr. Close stated that a resolution had been passed designating Sparta Township as a Stigma-Free Community. He stated that the action had been taken in an effort to create an environment in which residents of the community would feel free to seek treatment for the disease of mental illness without fear of being stigmatized.

Mr. Close stated the Township's website is going to have a full page of information for the public's use as of July 28, 2017. Mr. Close commended the summer intern, Mykaleh Dredde, for her efforts on this project. He stated that hand outs would be given at Sparta Day and on Sussex County Day. He further stated that signs were put up at various points within the Township to make the community aware of this program and to generate interest.

White Lake Beach Storage Shed

Mr. Close stated that the Department of Public Works installed a new concrete pad and shed for the storage of beach equipment at White Lake Beach. He stated that the shed was an improvement to the old structure and that the items stored in the existing shed had been moved to the new structure and that by the end of the week the old structure would be taken down and removed.

Private Wedding Fireworks

Mr. Close stated that on Saturday, July 29, 2017, Lake Mohawk Country Club would be holding a private wedding event and that there was a resolution on the agenda for a fireworks display scheduled for 9:00 p.m. for Council's approval. He stated that the fireworks carrier had completed the Fire Official's checklist and that payment for the permit had been made. He further stated that the Township Police, Fire Department, and Sparta Ambulance Squad had been made aware of this event.

Grant Application

Mr. Close stated that the Township had submitted an application for funding consideration for a \$5,000 grant to help the community with a project of choice for public safety. He stated that it would be sponsored by Aftermath which is a company that specializes in trauma cleaning and biohazard remediation. He stated that there was going to be four winters of this grant which would be announced in August.

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

All summer programs and events are found on the Township website, www.spartanj.org under Special Events, or at www.spartalibrary.com

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:

17-08 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

On motion by Deputy Mayor Hertzberg, 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 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 first reading and the same shall be considered for final passage at a meeting of the Township Council to be held on August 8, 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.

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 6-3 and Resolution 6-5 were duly adopted:

6-1 Disabled Veteran Tax Refund and Property Tax Exemption

WHEREAS, the owner of Block 3001, Lot 2, is a 100% permanently disabled veteran in accordance with N.J.S.A 54:4-30.30; and

WHEREAS, the property was purchased on May 31, 2017, and is entitled to the exemption as of that date.

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 \$726.25., on Block 3001, Lot 2 for the 2nd quarter of 2017 and cancel the taxes due for the 3rd and 4th quarter of 2017.

6-2 Resolution Authorizing Acceptance of the Corrective Action Plan

BE IT RESOLVED by the Township Council of the Township of Sparta that the Township of Sparta hereby accepts the following Corrective Action Plan for the year 2016 as submitted by the Chief Financial Officer in compliance with Local Finance Notice No. 92-15 dated July 8, 1992.

Corrective Action Plan 2016 Audit Report

Recommendations:

1. That ordinances with a cash deficit over 5 years be funded

Findings of Audit Recommendations:

1. That ordinances with a cash deficit over 5 years are fully within the Township's Utilities Fund. A concerted effort will be made to raise the amounts in future budgets. Funds have been applied to the amount in 2017.

6-3 Resolution Approving the Collective Bargaining Agreement With the Merchandise Drivers Local 641, International Brotherhood of Teamsters and the Township of Sparta

WHEREAS, the Sparta Township Council has negotiated a Collective Bargaining Agreement ("Agreement") with the Merchandise Drivers Local 641, International Brotherhood of Teamsters (Sparta Township Police Dispatchers) for the period January 1, 2016 through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Collective Bargaining Agreement between the Township of Sparta and the Merchandise Drivers Local 641, International Brotherhood of Teamsters for the period January 1, 2016 through December 31, 2019 is hereby approved and the Mayor is authorized to execute the Agreement on behalf of the Township of Sparta; and

BE IT FURTHER RESOLVED this 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.

6-5 Fireworks Display

BE IT RESOLVED by the Township Council of the Township Sparta that permission is hereby granted to Fireworks Extravaganza, Rochelle Park, NJ to hold a fireworks display at the Lake Mohawk Country Club on Saturday, July 29, 2017 between the hours of 9:00 p.m. to 10:00 p.m. Subject to all documentation and requirements of the Township being met and approved by the Fire Official.

On motion by Councilman Murphy, seconded by Deputy Mayor Hertzberg **Resolution 6-4 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** was tabled.

Council Liaison Reports:

Old Business:

Councilwoman Whilesmith stated that the Sr. Advisory Committee would not be meeting again until September.

Deputy Mayor Hertzberg stated that the EDC had met and that discussions centered upon scheduling a meeting in September with the local businesses to get their opinion and recommendations on improvements that could be made for business growth. He stated that one of the thoughts had been was to try to extend the rear parking between the lots behind Main Street. He further stated that a gym was planning to open and now there would be less parking.

He stated that at the next EDC meeting they planned to work on invitations for the meeting in September.

There was Council discussion on the process for signage for new businesses. Council inquired as to whether they could attend a meeting to see how the process works. Mr. Close stated they could attend as a citizen but not as a member of the governing body.

Councilman Murphy stated that the Planning Board had approved raising the signage for the pharmacy on the bypass for better visibility.

Councilman Murphy stated that there was a new tenant going into the space that had been Karls appliance. He stated that it was an exercise facility for mothers and their small children. He further stated it would be during the day by appointment only so that there shouldn't be an issue with parking.

Councilwoman Quinn stated that the Planning Board had approved the signage for Dr. Applebaum on 18 Sparta Avenue.

Councilwoman Quinn stated that Deck Remodeling would be moving over to Wilson Drive.

Councilwoman Quinn stated that Mathnasium of Sparta would be opening at 8 Town Center Drive.

Councilwoman Quinn stated that All About Woman and Associates would be moving into 376 Lafayette Road.

Councilwoman Quinn stated that an Urgent Care would be moving into the Sparta Medical Campus on Rt. 15 in Sparta.

Councilwoman Quinn stated that she had attended several meetings at the Lake Mohawk Country Club as the liaison for the Township. She stated that the meetings were regarding the vote for approval from the residents for Lake Mohawk Country Club to sell properties within the reservation. She stated that LMCC planned to raise the capital reserve fund by selling the open space parks and properties.

Councilwoman Quinn stated that she had attended a members meeting regarding property management and that the Lake Mohawk Country Club would be looking for the Township to help enforce these issues. She stated that there would be no open house signs to be put up by realtors. She stated that the realtors would be permitted to put up the LMCC emblem on the property while the open house was going on.

Councilwoman Quinn stated that Lake Mohawk Country Club planned to add a new bar to the lower grotto to the left of the boardwalk.

Councilwoman Quinn stated that Lake Mohawk Country Club planned to implement new parking lot regulations and restrictions to the parking lot across from the boardwalk.

Mr. Close stated that he and Mr. Powell had met with Mrs. Wortmann, and representatives of CP Engineering from LMCC to discuss various topics. He stated that they spoke specifically about the location of storm drains and basins. Mr. Close stated that the Township had the location of storm drains through the town's GIS system. He further stated that LMCC inquired as to whether the Township would share that information and he stated that the Town would. He further stated that the LMCC would like to partner with the Township for storm drain and basin cleaning to possibly get a better price.

New Business:

Councilman Murphy inquired about the status of the turf field at Station Park.

Mr. Close stated that he had met with the Mayor and Deputy Mayor and that he had walked the field with them. He stated that the drainage work by Viersma had been completed the previous

week. He stated that the shed had been installed and the pathways for the new pavement to the shed, bathrooms and parking lot had been completed. He stated that the back portion of the drainage project had been completed by DPW and was ready for Tomco to begin work weather permitting.

Mr. Close answered Councilwoman Quinn's question regarding the announcer's booth and stated that it had been ordered. He stated that the speakers had not been ordered yet.

Deputy Mayor Hertzberg stated that he had attended the Sparta Men's League Championship and that Mr. Tobin's team won the game and that they were the champions.

Councilman Murphy asked if the Valley National sign could be changed on Mondays.

Councilwoman Quinn stated that she had received a letter from a resident asking if some type of ceremony could be scheduled on the actual holiday when a holiday is celebrated on a different day as a matter of convenience.

Councilwoman Quinn asked if a link could be put on the website and Facebook page for the Diamonds softball organization so that information about the championship and world-series games could be available for anyone interested in attending.

Mayor Gibbs stated that he had received a letter from Trout Unlimited. He stated that they went to the Sparta Glen where they had planted over 100 trees and that only 6 had died. He further stated they also found 8-10 brook trout swimming in the pools and that they were about 8 inches long so it appears that their plan is working.

Mayor Gibbs stated that he and the Deputy Mayor had been invited to the grand opening of the new international soccer training program from Italy at the Fieldhouse. He stated that it had been by invitation only and would be open to local residents. He further stated that the top soccer players in the State of NJ would be training there and that the young players had been amazing to watch. He further stated the Fieldhouse was the international headquarters for the State of NJ and that there were 30 worldwide.

Councilwoman asked if they were going to discuss the summer meeting schedule.

Mr. Close stated that there would be a meeting on August 8th.

Open to the Public.

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

Expenditures:

On motion by Deputy Mayor Hertzberg and seconded by Councilwoman Quinn and unanimously carried expenditures in the amount of \$12,856,271.53 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 Councilman Murphy and unanimously carried to adjourn at 8:30 p.m.

Respectfully submitted,

Kate Chambers
Municipal Clerk