



SPARTA TOWNSHIP COUNCIL

June 27, 2023

PLEASE TAKE NOTICE that action will be taken on the following items at the Regular Council meeting on Tuesday, June 27, 2023 in the Council Chambers, Sparta Township Municipal Building, 65 Main Street, Sparta, New Jersey.

TIME:

The Town Council meeting begins at 6:30 pm. The Regular meeting begins at 7:30 pm.

All Council Meetings are now live streamed and can be viewed at the following link:

<https://www.youtube.com/@SpartaTwp/streams>

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



PROCLAMATION

LGBTQ Pride Month – PFLAG-Sussex County

2. MINUTES

Regular Meeting Minutes -March 28, 2023

Regular Meeting Minutes -April 25, 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

23-12 AUTHORIZATION OF THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN SPARTA TOWNSHIP-LIONS GATE

23-13 AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$2,500,000.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR FUNDING VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWNSHIP OF SPARTA, IN THE COUNTY OF SUSSEX, NEW JERSEY.



23-14 AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$500,000.00 FROM WATER CAPITAL IMPROVEMENT FUND FOR FUNDING VARIOUS WATER CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWNSHIP OF SPARTA, IN THE COUNTY OF SUSSEX, NEW JERSEY.

23-15 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWNSHIP OF SPARTA AMENDING CHAPTER XVIII ENTITLED "COMPREHENSIVE LAND MANAGEMENT CODE" TO AMEND THE DEFINITIONS UNDER SECTION 18.2 AND TO AMEND PORTIONS OF SECTION 18-4.31A ENTITLED "PLANNED COMMERCIAL ECONOMIC DEVELOPMENT ZONE (PCED)"

7. HEARING OF ORDINANCE

none

8. OPEN TO THE PUBLIC

Resolutions

9. RESOLUTIONS

9-1 Resolution Authorizing Refunds for Tax Overpayments

9-2 Resolution Authorizing the Tax Collector to Hold and Electronic Tax Sale for the Year 2023

9-3 ABC Renewals 2023 - 2024

9-4 One-Day ABC Social Affairs Permit –Sparta Benevolent Society



- 9-5 Resolution Authorizing Contract Change Order No.2 and Payment No. 5 for White Lake Fields with Tomco Construction, Inc.
- 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 Main Street Improvements Project.
- 9-7 Professional Services Resolution – Associated Appraisal Group
- 10. **COUNCIL LIAISON' UPDATES**
- 11. **UNFINISHED BUSINESS**
- 12. **NEW BUSINESS**
- 13. **OPEN TO THE PUBLIC**
- 14. **ADJOURNMENT**



9-1 Resolution Authorizing Refunds for Tax Overpayments

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 Tax Court Judgment/Stipulation

BLOCK	LOT	ADDRESS	AMOUNT
3010	43	8 Green Apple Ct	\$2,924.53 (2015)

9-2 Resolution Authorizing the Tax Collector to Hold and Electronic Tax Sale for the Year 2023

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulation to be promulgated by the Director the Division of Local Government Services: and

WHEREAS, the Director to the Division of Local Government Services has promulgated rules and regulations for electronic tax sales: and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors and RealAuction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Township of Sparta wishes to participate in an electronic tax sale.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Township of Sparta, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services, if necessary.

9-3 ABC Renewals 2023-2024

BE IT RESOLVED by the Township Council of the Township of Sparta, that the following Alcoholic Beverage licenses be and are herewith approved and the Municipal Clerk is authorized to issue said licenses for the year July 1, 2023 to June 30, 2024:



1918-32-001-010 Sparta 908, LLC
t/a Shoprite Wines & Spirits of Sparta
16 North Village Boulevard
Sparta, NJ 07871

1918-33-010-010 Skyview Golf Course, LLC
226 Lafayette Road
Sparta, NJ 07871

1918-32-017-004 Pino Sparta Enterprises LLC
t/a Sparta Lanes
43 Theatre Center
Sparta, NJ 07871

1918-31-018-001 Sparta Elks Lodge 2356 BPOE
6 West Shore Trail
Sparta, NJ 07871

1918-33-012-005 Barjoet LLC
t/a Village Saloon
712 Woodport Rd.
Sparta, NJ 07871

1918-33-011-004 Lake Mohawk Country Club Inc.
21 The Boardwalk
Sparta, NJ 07871

1918-32-014-005 BBT Management
t/a Liquor Factory
41 Woodport Rd.
Sparta, NJ 07871

1918-33-004-008 Branzak Enterprises LLC
t/a Rock Island Lake Club LLC
485 Glen Road
Sparta, NJ 07871

1918-33-007-006 Lake Mohawk Golf Club
471 West Shore Trail
Sparta, NJ 07871



1918-32-016-003	SPECAC Corp t/a White Deer Inn 4 White Deer Plaza Sparta, NJ 07871
1918-31-021-001	William B Sanford Memorial Post #7248 66 Main Street Sparta, NJ 07871
1918-33-013-006	Island Services III LLC t/a The Mohawk House 3 Sparta Junction Sparta, NJ 07871
1918-33-005-017	Marswell Inc. t/a St. Moritz Grill and Bar 9 White Deer Place Sparta, NJ 07871
1918-32-009-003	Burke's Inc 6 Sparta Ave. Sparta, NJ 07871
1918-33-015-005	Fu's Mido Restaurant Inc. 227 Sparta Ave. Sparta, NJ 07871
1918-33-003-006	Summerlands II LLC t/a Kroghs Restaurant & Brew Pub 23 White Deer Plaza Sparta, NJ 07871
1918-33-008-014	Crane Restaurant Group LLC 1 Mohawk Lane Sparta, NJ 07821
1918-33-006-005	Industry Restaurant LLC 3 Sparta Junction Sparta, NJ 07871



1918-33-002-004

Homestead Restaurant Inc.
294 North Church Rd.
Sparta, NJ 07871

9-4 One-Day ABC Social Affairs Permit –Sparta Benevolent Society

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sparta Benevolent Society for a social affairs permit for the Sparta Food Truck & Music Festival, August 5, 2023 from 11:00 a.m. to 7:00 p.m. at Station Park, 80 Station Road, Sparta, NJ 07871.

9-5 Resolution Authorizing Contract Change Order No.2 and Payment No. 5 for White Lake Fields with Tomco Construction, Inc.

WHEREAS, the Township of Sparta approved a contract with Tomco Construction, Inc. to construct the White Lake Fields project (the "Contract"). The approved contract cost was \$2,181,171.01; and

WHEREAS, Tomco Construction has requested a change order in the amount of \$145,050.63 for additional work that was required to comply with the plans plus some additional drainage that was needed to improve the project that was requested by the Township Engineer and as detailed in Change Order No.2 (the "Change Order"). The Township Engineer has reviewed and approved the Change Order; and

WHEREAS, Tomco Construction, Inc. has also submitted a request for Payment No. 5 attached in the amount of \$714,580.66. The Township Engineer has reviewed and approved the payment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Change Order proposed by the Township Engineer in the amount of +\$145,050.63 is hereby approved; and

BE IT FURTHER RESOLVED the Interim Manager is authorized to sign the Change Order to be added to the account covering this project in accordance with the Township's standard payment policies; and



BE IT FURTHER RESOLVED that Payment No. 5 be made in the amount of \$714,580.66 to Tomco Construction, Inc., 22 Howard Blvd., Ste. 204, Mt. Arlington, NJ 07856 upon the Chief Financial Officer certifying that sufficient funds are available.

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

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 Main Street Improvements Project

WHEREAS, the Township of Sparta is requesting funding from the New Jersey Department of Transportation through the 2024 Municipal Aid Program for the completion of the Main Street Improvements 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 “MA-2024-Main Street Improvements-00300” 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 Professional Services Resolution – Associated Appraisal Group

WHEREAS, the Township of Sparta has need for the Professional Services of an appraisal service relating to added assessments for the 2023 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 is 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 Associated Appraisal Group, 17-17 Route 208 North, Suite 210, Fair Lawn, 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:	\$75.00
Additions over 1,000 SF:	\$90.00
New construction:	\$125.00
New construction over 5,000 SF:	\$150.00

Class 4A Properties:

Up to \$250,000 value added (improvement)	\$200.00
\$250,000 to \$500,000 value added:	\$250.00
\$500,000 to \$1,000,000 value added:	\$500.00
\$1,000,000 to \$5,000,000 value added:	\$750.00
over \$5,000,000:	\$1,000.00

Class 4B Properties:

Up to \$250,000 value added (improvement)	\$200.00
\$250,000 to \$500,000 value added:	\$250.00
\$500,000 to \$1,000,000 value added:	\$500.00
\$1,000,000 to \$5,000,000 value added:	\$750.00
over \$5,000,000:	\$1,000.00

Class 4C Properties:

4 to 8 units:	\$200.00
9 to 16 units:	\$275.00
17 to 32 units:	\$750.00



33 to 64 units:	\$1,000.00
over 64 units:	\$1,250.00
Class 15 Properties:	
All types:	\$150.00
Updates on permits in progress:	
All types:	\$25.00
Digital Photographs:	\$ 2.50 per line item

2. Political Contribution Disclosure: This contract has been awarded to Associated Appraisal Group based on the merits and abilities of Associated Appraisal Group 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 Associated Appraisal Group, 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.

4. This Agreement is subject to final review and approval of the Township Manager and Township Attorney.”



**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.