

February 27, 2018

The meeting was called to order at 7:34 p.m. by Mayor Hertzberg 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 Hertzberg, Deputy Mayor Quinn, Councilman Gibbs, Councilman Murphy, Councilwoman Whilesmith, Township Attorney Angelo Bolcato, Township Manager William Close, Chief Financial Officer Sam Rome and Township Clerk Kate Chambers.

**Salute to the Flag:**

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

**Presentation – Maribeth Hills:**

Chief Spidaletto congratulated Maribeth Hills on her recent retirement and stated that she had been a dispatcher for Sparta Township's Communications Center for 30 years. He recapped the various certifications and training programs that she had successfully participated in, and also spoke of the many emergency situations that she had assisted in during her time here. He stated that she had gained tremendous respect, trust and admiration from her fellow constituents who had the opportunity to work with her, and wished her well in her retirement.

Mayor Hertzberg presented Maribeth with a proclamation and thanked her for her years of service as dispatcher for Sparta Township and the surrounding towns. He congratulated Maribeth on behalf of Council and wished her many years of happiness.

Mayor Hertzberg called for a five minute recess.

**Presentation – Patriot Awards**

Councilman Gibbs along with Mayor Hertzberg presented the Patriot Awards to Flossie Meyer a resident of Knoll View, Lisa Reidinger, Property Manager at Knoll Properties, and Brent DeFeo a resident of Sparta. He congratulated them for their commitment in bringing Senior TV to Knoll View. He stated that it was part of Direct TV and made available over 100 channels which included Wi Fi for \$40.00 a month. He stated that they were previously paying SECTV \$40.00 a month for basic cable which consisted of 10 channels without internet service. He further stated that Brent oversaw the project and spent time hooking up each individual resident's TV in thirty-two rooms and in two common areas. Councilman Gibbs stated that Brent's persistence and hard work had brought much joy and technology to the seniors and that it had also assisted the staff and visitors.

Mayor Hertzberg called for a brief recess.

**Minutes:**

On motion by Councilwoman Whilesmith, seconded by Deputy Mayor Quinn and carried, the executive minutes of the regular Council meeting held on January 23, 2018 were approved as presented. Councilman Murphy abstained.

On motion by Councilman Gibbs, seconded by Deputy Mayor Quinn and unanimously carried the minutes of the special meeting held on February 10<sup>th</sup> and the minutes of the regular Council meeting held on February 13, 2018 were approved as presented.

**Open to the Public:**

Michael Schiumo, 32 Milton Rd. addressed Council and requested setting up a time to speak about the New Jersey Clean Energy Program. Mr. Close told him to call his office and to set up an appointment with him.

## **Manager's Report:**

### **Solar Renewable Energy Certificates (SRECs) Sale**

Mr. Close stated that the Township had auctioned off 104 certificates from the year 2017 at an SREC sale held on February 14, 2018. He stated that had resulted in a total revenue for the year 2018 in an amount of \$22,360.00. He commended Mike Dempsey, IT Director, for his work on this project.

### **Pothole Repair**

Mr. Close stated the Department of Public Works had begun repairing and filling potholes that had been reported throughout the Township. He stated that the work began the week of February 26<sup>th</sup> on West Mountain Road as there had been a number a number of areas on that stretch of roadway. He further stated that the road crew would continue this work throughout the remainder of Winter and Spring as complaints are received. Mr. Close stated that to report a pothole, go to [www.spartanj.org](http://www.spartanj.org) under the Department of Public Works and/or e-mail Sparta.DPW@spartanj.org

### **School Resource Officer**

Mr. Close stated that he has been in discussions with Dr. Rossi, Superintendent of Schools, and Chief Spidaletto regarding the implementation of a Shared Service Agreement with the Board of Education that would provide for the assignment of a School Resource Officer in the Sparta Schools. He stated that the respective Boards were reviewing the draft agreement that had been exchanged and are anticipating that the Council will consider if for adoption at the March 13, 2018 Council meeting.

### **Fire Department**

Mr. Close stated that the Fire Department had held their annual installation dinner on February 24, 2018. He stated that Mike Herbst was present at the meeting tonight and that he wanted to congratulate him on his election to be Chief of the department this year as well as his other officers. He stated that he had worked with Mike Herbst in past years and that he looked forward to working with him in the future and wished him much success.

### **Maribeth Hills – Retirement**

Mr. Close extended his congratulations to Ms. Maribeth Hills on her 30 year retirement from the Township of Sparta and thanked her for her years of service to the residents and surrounding communities. He stated that it took a unique individual to perform the duties of a Public Safety Tele-communicator/Dispatcher. He further stated that she had been one of the many employees who had contributed to the operations of the Township that often go unnoticed but are essential to its day-to-day delivery of services. Mr. Close stated that Maribeth had been the anchor of the Township's dispatching operations for many years and that her compassion had been a part of the legacy that she was leaving behind with the organization. He wished her well in her retirement.

Councilman Murphy thanked Mr. Close stating that the bridge on East Mountain Road that goes over Rt. 15 had been completely repaired and not patched.

Mr. Close stated that the Township had applied for a grant from the NJDOT and had just been notified that we were successful in that application and had been awarded \$139,000.00 for the second phase of the Demarest Road resurfacing and restriping project. He commended Eric Powell, Township Engineer for his efforts in completing the application.

### **Approval of Manager's Report:**

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

**Open to the Public – Resolutions:**

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

**Resolutions:**

On motion by Councilwoman Whilesmith, seconded by Councilman Murphy and unanimously carried, Resolutions 5-1 through 5-6 were duly adopted:

**5-1 Tax Overpayment Refund**

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

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4001	53	Weichert Title Agency	572 West Shore Tr	\$5,568.45

**5-2 Tax Refund – New Jersey State 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 New Jersey Court Tax Appeal:

BLOCK	LOT	NAME	ADDRESS	AMOUNT
4001	34	Robert McBriar, Esq	636 West Shore Tr	\$5,750.79 (2017)
5019	23	Robert McBriar, Esq	53-A Sparta Ave	\$12,508.00 (2016)
5019	23	Robert McBriar, Esq	53-A Sparta Ave	\$12,808.00 (2017)
4002	218	Brach/Eichler, LLC	471 West Shore Tr	\$16,010.00 (2017)
5021	1	Robert McBriar, Esq	25 Mohawk Ave	\$1,021.44 (2017)

**5-3 Disabled Veteran Tax Refund and Property Tax Exemption**

WHEREAS, the owner of Block 5027 Lot 7 is a 100% permanently disabled veteran in accordance with N.J.S.A. 54:4-3.30.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Sparta that the Tax Collector cancel the taxes for the first and second quarter 2018.

**5-4 One Day ABC License - Sussex County Fellowship for Animals, Inc.**

BE IT RESOLVED by the Township Council of the Township of Sparta that permission be granted to Sussex County Fellowship for Animals, Inc., Father John's Lane, Sparta, N.J. for a one day liquor license on March 24, 2018 from 6:00 p.m. to 10:00 p.m. at Pope John XXIII Regional High School, 28 Andover Road, Sparta, NJ.

**5-5 Appointment of Emergency Management Coordinator and Deputy Emergency Management**

WHEREAS, the Township Council wishes to appoint an Emergency Management Coordinator and a Deputy Emergency Management Coordinator for the Township of Sparta.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Sparta that Neil Spidaletto be appointed as Emergency Management Coordinator and Jan Wright be appointed as Deputy Coordinator for the Township of Sparta for a three-year term beginning January 1, 2018 and will expire on December 31, 2020.

## **5-6 Release of Maintenance Bond – Chapel Hill at Sparta**

WHEREAS, Toll Brothers Land Development posted a (2) year Maintenance Bond in the form of a Surety Bond, #0679783 in the amount of \$315,513 on October 29, 2015; and

WHEREAS, after a site inspection performed on October 18, 2017 the Sparta Township Municipal Engineer has confirmed that there were no areas that needed to be repaired or replaced as it relates to curbing, pavement or infrastructure.

NOW, THERE, BE IT RESOLVED by the Township Council of the Township of Sparta that the Land Use Administrator is authorized to return the Surety Bond, #0679783 in the amount of \$315,513.

### **Council Liaison Reports:**

Councilman Murphy stated that he had met with the EDC and discussed the web designer and potential websites that could be looked at and to pick out the best features and relay it to the Mayor. He further stated that they had discussed parking for the German Christmas Market and how it had affected the business at Theater Center.

Mr. Close stated that he and the Police Chief had already met and had discussions with Lake Mohawk Country Club and that they have been addressing these issues.

Deputy Mayor Quinn stated that a resolution had been read at the Planning Board meeting honoring, Ernie Hofer, who was the former chairman. She stated that Dr. Tim Parker had been confirmed as the new vice chair, and that Ed Prol had been appointed to the subcommittee. She further stated that there were four new members, three of which had completed their training and that training needed to be completed within a two year period.

Councilman Gibbs reminded everyone that they were having Breakfast with the Easter Bunny on March 24<sup>th</sup> starting at 9:30 a.m.

Angelo Bolcato stated that the Council would need to meet in execution session before the close of the meeting to discuss litigation.

Mayor Hertzberg stated that they could go into executive session after the Open to the Public portion of the meeting concluded.

### **Old Business:**

There was no old business and this portion was closed.

### **New Business:**

Councilman Murphy stated that as a former soldier and sportsman he was adamantly opposed to the sale of semi-automatic/assault type rifles to anyone under the age of 21. He stated that it is not a sporting rifle.

Councilman Gibbs stated that the Dragon Boat Races were coming up again and that the Township would again have a boat in the race.

Deputy Mayor Quinn stated that she had attended the Board of Education meeting and that another seat had been filled and that the person who had been appointed by the board was Jenn Hamilton.

### **Open to the Public:**

Dan Chiariello, 15 Cambridge Drive addressed Council and stated that he attended the Board of Education meeting held on February 26th, and that there had been a very spirited discussion about school safety and he felt they should be discussing education. He asked council what the Township's responsibility regarding security was as to how it relates to the schools.

Mayor Hertzberg responded stating that the physical security for the school buildings was the Board of Education's responsibility and would come out of their budget. He stated that there had been discussions with the Board of Education regarding safety issues. He further stated that having more officers in the schools had been a joint budget issue and that the Township would be sharing in that cost.

Deputy Mayor Quinn stated the Township and the Board of Education have been meeting to discuss issues, solutions and ideas. She stated that she had attended the meeting last night and that the Chief of Police had been open and receptive to ideas.

Councilwoman Whilesmith stated that she shared in everyone's concerns and told Mr. Chiariello that plans had started months ago to implement a special resource officer into the schools. She stated that we all want to have our children have the best education and be safe and secure.

Chief Spidaletto stated that the Council had explained the relationship with the Township and schools accurately. He stated that the Police Department was concerned with security with all the schools including private. He stated that they continuously analyze and receive advice from experts on how best to secure the environment within the schools

Mayor Hertzberg stated that he had a background in security and while trying to be transparent you are sometimes unable to let everyone know what security measures that are in place.

#### **Expenditures:**

On motion by Deputy Mayor Quinn, seconded by Councilwoman Whilesmith and unanimously carried expenditures in the amount of \$6,174,627.03 were approved as presented.

Mayor Hertzberg called for a brief recess.

#### **Open Public Meetings Act- Executive Session:**

On motion by Councilwoman Murphy, seconded by Deputy Mayor Quinn, 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
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.

Councilman Murphy recused himself before discussions began.

On motion by Deputy Mayor Quinn, seconded by Councilwoman Whilesmith and unanimously carried, Council reconvened into public session at 8:57 p.m.

Mayor Hertzberg stated that Council would not be making a decision tonight regarding the Glen Lake litigation. He stated that Council needed time to think about the information that had been provided by the attorney and had asked that further information to be provided. He further stated that they should have their decision in approximately two weeks.

**Adjournment:**

No one else wished to be heard and no further business was brought up, motion was made by Councilman Gibbs, seconded by Councilwoman Whilesmith and unanimously carried to adjourn at 9:00 p.m.

Respectfully submitted,

Kate Chambers, RMC  
Municipal Clerk